

☞ **09hr\_SC-SBEPTCCP\_sb0638\_pt01**



Details:

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2009-10

(session year)

### Senate

(Assembly, Senate or Joint)

### Committee on ... Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection (SC-SBEPTCCP)

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                      (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

## Senate

### Record of Committee Proceedings

#### **Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection**

##### **Senate Bill 638**

Relating to: accessible instructional materials for students with disabilities enrolled in the University of Wisconsin System or the Technical College System.

By Senators Wirch, Coggs and Lassa; cosponsored by Representatives Seidel, Berceau, Grigsby, Hebl, Hixson, Hraychuck, Mason, Pasch, Pope-Roberts, Soletski, Zepnick and Hintz.

March 23, 2010      Referred to Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection.

March 31, 2010      **PUBLIC HEARING HELD**

Present:    (5)      Senators Wirch, Plale, Holperin, Hopper and Lazich.

Absent:    (0)      None.

##### Appearances For

- Robert Wirch — Senator, 22nd Senate District
- Meghan Whalen, Madison
- Joe Mielczarek, Wausau
- Edward Weiss — Statutory Council on Blindness
- Dave Hyde
- Eleanor Loomans — Statutory Council on Blindness
- Gary Goyke — Wisconsin Council of the Blind and Visually Impaired

##### Appearances Against

- Bruce Hildebrand — Association of American Publishers
- Tamara Rorie — Association of American Publishers
- William Strong — Association of American Publishers

##### Appearances for Information Only

- None.

##### Registrations For

- Grant Huber — UW System
- Morna Foy — Wis Technical College System Board

- Paul Gabriel — Director, Wisconsin Technical Colleges District Boards

Registrations Against

- Katie Walby — Reed Elsevier

Registrations for Information Only

- None.

April 7, 2010

**EXECUTIVE SESSION HELD**

Present: (5) Senators Wirch, Plale, Holperin, Hopper and Lazich.

Absent: (0) None.

Moved by Senator Holperin, seconded by Senator Plale that **Senate Amendment 1** be recommended for adoption.

Ayes: (5) Senators Wirch, Plale, Holperin, Hopper and Lazich.

Noes: (0) None.

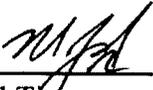
ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED,  
Ayes 5, Noes 0

Moved by Senator Plale, seconded by Senator Wirch that **Senate Bill 638** be recommended for passage as amended.

Ayes: (3) Senators Wirch, Plale and Holperin.

Noes: (2) Senators Hopper and Lazich.

PASSAGE AS AMENDED RECOMMENDED, Ayes 3, Noes 2

  
\_\_\_\_\_  
Michael Tierney  
Committee Clerk

SB 608?

**Anthony H. Driessen**

**Subject:** FW: Wisconsin Users of the AccessText alternative education materials system

7 days turn-around!

**Sent:** Tuesday, March 16, 2010 12:05 PM

**Subject:** Wisconsin Authorized Users

- |   |                                  |
|---|----------------------------------|
| Alverno College   | Wauwatosa                        |
| Beloit College  | Beloit                           |
| Blackhawk Technical College                                   | Janesville                       |
| Carroll University  | Waukesha, WI                     |
| Carthage College  | Kenosha                          |
| Chippewa Valley Technical College                             | Eau Claire                       |
| Edgewood College  | Madison                          |
| Fox Valley Technical College                                  | Appleton                         |
| Lac Courte Oreilles Ojibwa Community College                  | Hayward                          |
| Lakeland College  | Sheboygan                        |
| Lakeshore Technical College                                   | Cleveland                        |
| Madison Area Technical College                                | Madison                          |
| Marian University   | Fond du Lac                      |
| Mid-State Technical College                                   | Wisconsin Rapids                 |
| Milwaukee Area Technical College                              | Milwaukee Area Technical College |
| Milwaukee Institute of Art and Design                         | Milwaukee                        |
| Milwaukee School of Engineering                               | Milwaukee                        |
| Mount Mary College  | Milwaukee                        |
| - Northcentral Technical College                              | Wausau                           |
| Northeast Wisconsin Technical College                         | Green Bay                        |
| Southwest Tech  | Fennimore                        |
| University of Wisconsin - Eau Claire                          | EAU CLAIRE                       |
| University of Wisconsin - Green Bay                           | Green Bay                        |
| University of Wisconsin - Madison                             | Madison                          |
| University of Wisconsin - Milwaukee                           | Milwaukee                        |
| University of Wisconsin - Stevens Point                       | Stevens Point                    |
| University of Wisconsin - Stout                               | Menomonie                        |
| University of Wisconsin Colleges                              | Madison                          |
| University of Wisconsin - Platteville                         | Platteville                      |
| Wisconsin Indianhead Technical College -- New Richmond Campus | New Richmond                     |
| Wisconsin Indianhead Technical College -- Rice Lake Campus    | Rice Lake                        |

The information contained in this message is intended only for the recipient, and may be a confidential attorney-client communication or may otherwise be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, please be aware that any dissemination or copying of this communication is strictly prohibited. If you have



**Statutory Council on Blindness**  
**Position Paper**  
**March 24 – 25, 2010**

**Access to Textbooks for Blind College Students, AB882, and SB638**

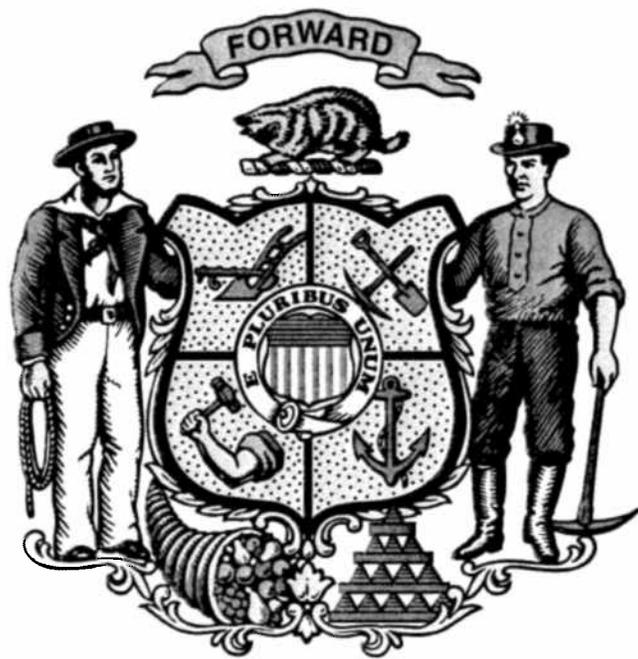
When students attend institutions of higher learning in Wisconsin, they can expect a number of things: competent professors, a challenging curriculum, and of course, conscientiously selected textbooks to help them learn the course material. They can expect all these things at the beginning of the class, unless the student, due to vision or inability to use standard printed material, can't use the book provided. In that case, he or she may be able, some time during the class, get access to the text, provided that the disabled student services office has been able to acquire permission from the publisher to have the book converted to an electronic form. That text can then be put into a mode that the student can use. Sometimes, it takes as little as six or eight weeks for this process to run its course. In the worst cases, the book becomes available after the class has ended, if at all.

This is the reason for the introduction of the Textbook Access Bill, AB882, by Rep. Siedel, and its companion bill, SB638 in the senate. These bills provide that print handicapped students shall have access to the textbooks they need at the same time as their sighted fellows, allowing them to compete equally in their education.

There are precedents for this policy. The Individuals with Disabilities Education Act amendments of 2004 provided for the creation of the National Instructional Materials Access System, under which publishers of textbooks for students in the K-12 schools systems are required to provide electronic files to a central depository. This has allowed for the provision of electronic book files to schools that can be turned into Braille, synthetic speech or enlarged print for students in our public schools. Further, the Chaffee amendments to the U.S. Copyright law passed in 1995 allowed for the creation of materials which were solely for the use of the print disabled.

AB882, and SB638 will allow our print handicapped college students to have the same access to texts that we now require for K-12 students. Students would be required to purchase the books, just as if they were purchasing a print copy. It is interesting to note in passing that some college students are required to buy a textbook twice to have it produced in a usable form.

The members of the Statutory Council on Blindness ask that the members of the Wisconsin House and Senate take immediate action to pass AB882, and SB638. This legislation is vital to assist blind and visually impaired students in Wisconsin to complete their education and to join the workforce.





---

**DONNA SEIDEL**  
**STATE REPRESENTATIVE**  
**85TH ASSEMBLY DISTRICT**

**Testimony of Rep. Donna Seidel**  
**Senate Bill 638**  
**Senate Committee on Small Business, Emergency Preparedness,**  
**Technical Colleges and Consumer Protection**  
**March 31, 2010**

Chairman Wirch and committee members, thank you for this opportunity to testify in support of SB 638 which will make text books and all written materials accessible to students with disabilities enrolled in the UW System and our state's Technical College System. This is the third session that I have introduced this legislation and this year Senator Wirch has introduced the Senate companion bill. I would also like to take this opportunity to thank him for his work on behalf of this legislation.

The purpose of SB 638 is to make sure that any student in our Technical College System or UW System will have timely access to all written materials needed to be successful in their educational pursuits. For example, this means that for the blind and those with other physical or learning disabilities, materials will be available in formats such as Braille, large print or audio. Today, you will hear from students who are struggling to compete in the classroom and lacking the essential tools for success and who will truly benefit from this legislation. Their personal stories detail the incredible obstacles they face and demonstrate the true intention of this initiative.

SB 638 requires publishers to make all written materials available in an electronic format that can be converted to meet the specific needs of the students. It's not just the right thing to do; it's the smart thing to do. By giving equal access to written materials, students will be more successful, the cost of providing accommodations to students with disabilities will decline, our workforce will be expanded and our state's economy will be strengthened.

Publishers are currently required to produce accessible materials for students in Kindergarten through 12<sup>th</sup> Grade. SB 638 mirrors this requirement to ensure that post secondary students can get the materials they need.

Versions of this bill from previous sessions would have established a state repository, a system that would receive the electronic materials and format them, to provide the alternative format to both systems. With the budget concerns facing us at this time, we removed that provision from this version of the bill as the funding needed to create the repository is not available at this time. I still believe strongly in the merits of the repository and will continue to look for ways to find necessary resources in the future.

Since I first introduced this legislation in 2006, publishers have taken some steps to address the needs of students with disabilities. A number of publishers are participating in a website called the AccessTextNetwork that allows institutions and students to request electronic formats of textbooks. Many of our UW and Tech College campuses use this website, but there are still many times that they need to contact the publisher directly to get an electronic version of the materials. You'll hear from others that the AccessTextNetwork provides the electronic text as a PDF document which is not able to be converted into other formats such as Braille or audio. The website is hoping to expand the types of files they create, but in the mean time this legislation is still needed so the disability service providers can get the necessary files to produce the formats that students need.

Joining Senator Wirch and me today is my constituent, Joe Mielczarek. Joe retired from Northcentral Technical College in Wausau this past year. During his time at NTC, Joe has worked directly with students who need these materials, and he has also worked with organizations across the country to advance this initiative.

In addition to Joe's testimony today, you will hear from teachers and providers who are responsible for translating written text, as well as students and individuals who will directly benefit from this process. I would now like to invite Joe to share his insights with the committee and all of us would be happy to take questions afterward.





**Remarks by Tamara Rorie, Esq.  
Compliance Manager  
Alternative Media Access Center  
Athens, GA  
March 31, 2010  
Re. SB 638/AB 882**

Good morning ladies and gentlemen. I am Tamara Rorie, and I would first like to thank all of you for the opportunity to speak with you about the AccessText Network.

The AccessText Network is an initiative between the Association of American Publishers and the University System of Georgia. The network was created and is designed to facilitate timely and efficient access to publisher files by Disability Service Providers of postsecondary institutions that are to be provided to students with documented print-related disabilities. Our website is [www.accesstext.org](http://www.accesstext.org).

The network is a web-based portal that DSS offices can log into to request publisher files in electronic format. The network also assists DSS Offices in tracking the status of their requests. For example, the system provides an automated way for offices with multiple students and multiple requests to quickly determine the length of time that a file has been pending and which requests have been fulfilled for which students.

We have regular meetings with our Advisory Committee, which includes representation from the member publishers and colleges and universities, as well as invited experts and other guests. The schools currently represented on the committee are:

- The Alternate Text Production Center of the California Community Colleges;
- California State University at Fullerton;
- California State University at Monterey Bay;
- Cornell University;
- Oklahoma State University;
- St. Louis Community College;
- University of Illinois; and
- Valencia Community College, Orlando, Florida.

The network went on line in August of 2009, and since that time the network has fielded 12,492 total requests for textbook files. We have eight of the nation's top producers of postsecondary educational materials participating in the network and those publishers are responsible for approximately 90 percent of the postsecondary educational material being used across the country.

Thus far, there are approximately 1,000 campuses participating in the Network and that number is growing steadily. Please be aware, in the past, it would take weeks, even months, for a school to receive permission and then create an accessible book for a student. Today, with ATN, the average time that it takes for a request to be filled is only four days. And we expect this time to become even shorter as the users both from the publishers' side and the DSS offices' side become more familiar with the system.

Because the network has only been in operation eight months, it is still considered to be in its beta phase. However, in July, when we leave the beta phase, there are several new features that will be implemented.

First, and most exciting, is the addition of the DSS office to DSS office Exchange. This feature will enable DSS offices to see whether a file has been previously requested, and if so, whether the previous DSS office has made a post-production file that is available to be used by other AccessText users. When a file is available, the file formats will be identified on the system. So, if a DSS office is looking for the braille or Daisy formatted version of that a book and it is already produced, they will be able to obtain that version immediately.

This sharing of post-production files between schools will help to eliminate the redundancy factor, with many different schools doing the same work over and over again. Of course, this will improve the time that it takes to get a file to the student who needs it immediately. And it will save money for the schools and taxpayers.

Also, in July, when we release the network from its beta phase, we hope to add several more publishers, including several trade publishers who have expressed interest in participating in the network. Then, novels and many of the great works of literature will be available along with textbooks.

It should be noted that we do not control or dictate the file formats that any of the publishers make the electronic files available in. Nor do we control or dictate which format DSS offices make available to the students. However, it has been our experience that the students request the format that is most suitable for their needs and the DSS offices provides that format as best they can.

Finally, I can tell you that to date we have 31 campuses in Wisconsin that are currently using the network. Those schools have made a total of 365 file requests through the system. Of those requests, they have received 334 files; a success rate of 91%.

Advances in technology are making the world of the print disabled more accessible and, I'm proud to say, the Access Text Network is in the forefront of this change.

I will be happy to answer any questions that you might have.



Wisconsin AB 882/SB 638

Statement of William S. Strong, Esq.  
On behalf of the Association of American Publishers

Wednesday, March 31, 2010

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to address you this morning concerning AB882/SB 638. My name is William Strong, and I am an attorney with the Boston, Massachusetts law firm of Kotin, Crabtree & Strong, LLP. I am appearing here on behalf of the Association of American Publishers.

Let me begin by saying that though I am a Boston lawyer, I am a Wisconsinite by marriage. For the past twenty-six years – indeed since this very day 26 years ago – I have been happily married to a woman from Oshkosh. Over the years I have become, by adoption or osmosis, a lover of bratwurst and the Green Bay Packers. So, had I been challenged at the door as “friend or foe?” I would truthfully have answered “friend.”

Let me also say at the outset that the Association of American Publishers – the AAP – does not appear here because it opposes providing access to publishers’ materials to those who for one reason or another cannot use standard printed texts. On the contrary. As you will hear from Tamara Rorie with the Alternative Media Access Center and Bruce Hildebrand with the AAP, the AAP and its members have gone to great effort and expense to facilitate the easiest possible access to their materials for the print-disabled. The reason we oppose this bill is that it would put the State of Wisconsin in the unintended but unavoidable position of infringing publishers’ copyrights on a massive scale, and would violate the publishers’ Constitutional rights. The bill is basically a solution in search of a problem, and a bad solution at that.

In terms of copyright, the bill contains a fig-leaf “savings” clause to the effect that nothing in it shall be construed to authorize copyright infringement. However, the entire bill is structured to enable and encourage infringement.

Wisconsin colleges, technical colleges and universities do not have the right to reproduce and distribute copyrighted material without the consent of the copyright owner. The bill appears at first to recognize this; it says that when making a request for an electronic format of a published work the institution must ask “permission to convert or arrange for the conversion” of that electronic file into an alternative format. However, the bill provides no mechanism for the publisher to deny permission. In fact, it declares that if the publisher fails to provide the electronic format it will be in violation of the public accommodations law, Wis. Stat. §106.52.

Once the electronically formatted text is in its hands, the institution becomes a quasi-publisher or distributor. When it has converted or arranged for the conversion of that electronic text into a format useable by the student, the bill says it may distribute that formatted text to *any other institution of higher education in the State*, and on a *nationwide* basis to any entity that is authorized under the Copyright Law to provide alternative formats to print-disabled students. The contrast is rather startling. In its first request to the publisher, the institution acknowledges that it must certify that the student concerned has actually bought a print copy. Then, once the file is formatted, that same requirement is tossed out the window as far as all further distribution is concerned. In other words, henceforward a publisher's copyright is ignored and the publisher receives no remuneration no matter how many times its material is copied and distributed.

This activity would be nothing more than a state authorized taking. I think you can understand why publishers are upset by this.

Another curious thing about this bill is that the publisher would be required to provide the electronic format even if it has already produced a textbook in a suitable alternative format to meet students' needs. It is as if someone actively wants the State's institutions to supplant the publishers as a source of alternative formats for print-disabled students.

Let me turn now to the Constitutional problems with the bill, which are just as grave, if not more so.

The bill would compel publishers to provide electronic files for anything an instructor might decide to assign, regardless of what it is or when it was published, or whether the publisher could even have foreseen that the work might be of interest to instructors. The bill would compel the publisher to ensure that the electronic formats it provides (i) maintain the "structural integrity" of the print originals, including photographs, illustrations, and graphics, and (ii) are compatible with Braille translation or speech synthesis software (subsection 3(d)), and to do all this without regard to

- Where the publisher is located,
- Whether any electronic file is even in existence at the time of the request,
- Whether it is technically possible to maintain that "structural integrity" – and in many or most cases it is not,
- Whether the student concerned even needs the accessible format to contain graphic elements – most students need assistance only with reading the text, and can follow the graphics in the print version,
- Whether the publisher has its own alternative format available for distribution, and
- Whether the publisher even has the right to distribute the material in electronic form.

It does all this on the basis that every publisher of material that happens to be in a University of Wisconsin or Technical College syllabus is a "public place of accommodation or amusement."

There are major flaws in this, under both the U.S. and Wisconsin Constitutions. This morning I want to focus on just the most egregious of those flaws.

The bill attempts to designate publishers as “public accommodations.” But the state cannot, merely by declaring a thing to be so, make it so. The state’s power to regulate the conduct of business enterprises that are truly public accommodations has deep roots in the common law. In exercise of that power, Congress passed the Americans with Disabilities Act, and this Legislature amended §106.52 to include “disability” as a criterion on which those who own public accommodations cannot discriminate. But it has always been understood, at both the state and federal level, that “public accommodations” are physical *places*.<sup>1</sup> As the federal Court of Appeals for the Sixth Circuit said:

The purpose of the ADA's public accommodations requirements is to ensure accessibility to the goods offered by a public accommodation, not to alter the nature or mix of goods that the public accommodation has typically provided. In other words, a bookstore, for example, must make its facilities and sales operations accessible to individuals with disabilities, but is not required to stock Brailled or large print books. Similarly, a video store must make its facilities and rental operations accessible, but is not required to stock closed-captioned video tapes.<sup>2</sup>

Ah, you may say, but we can change that, by simply amending the definition of “public accommodation” to include “publishers” – as the bill seeks to do. But that is not so. To take an extreme example: the Legislature could not declare people’s living rooms to be “public accommodations,” because to do so would interfere with other fundamental rights. The state could not amend its hunting laws to state that “the term ‘deer’ as used herein shall include publishers,” and thereby allow shooting of publishers during the month of November.

A “publisher” is not a “place.” The premises on which a publisher transacts business are a place, of course, but declaring those to be public accommodations would not accomplish the result that the bill seeks. It would mean only that they could not refuse to sell their books to disabled persons – which, of course, they have no wish to do. What the bill really aims to do is declare the *books themselves*, or the *act of publishing*, to be “public accommodations,” so as to force the books to be accessible to the print-disabled. But consider the implications of that. If a book, or the conduct of publishing, is a public accommodation for one purpose it is a public accommodation for all purposes. This would mean that a publisher would be obliged to publish any content submitted to it,

---

<sup>1</sup> As the Court said in *Barry v. Maple Bluff Country Club*, 221 Wis.2d 707, 716, 586 N.W.2d 182, 186 (Wis.App.1998), “Wisconsin’s public accommodation law ... protects access to *places*.” (emphasis in original.)

<sup>2</sup> *Parker v. Metropolitan Life Ins. Co.*, 121 F.3d 1006, 1012 (6th Cir. Tenn. 1997) (citing 28 C.F.R. pt. 36, app. B at 630 and 28 C.F.R. § 36.212 (1996)).

without regard to race, creed, sexual orientation, etc., or perhaps could not publish anything that offended anyone of any race, creed, etc. This would raise enormous First Amendment problems.

The state can legitimately require that any good offered to the general public must be offered to all segments of the public at the same price. That is the purpose of the Wisconsin public accommodations statute: to ensure that anyone who offers goods or services to the public "either free or for a consideration" cannot discriminate on the basis of sex, race, color, etc.<sup>3</sup> Thus, for example, it would be discrimination for a women's clothing store to refuse to sell its goods to men, or to persons of color. It would be discrimination for a bookstore specializing in Buddhist literature to refuse to sell its books to people of other religions. But the state cannot force someone who offers a product that is useful only for persons of a given creed, ancestry, etc., to offer goods of similar type that appeal to a wider group. For example, the state could not force a bookstore that specializes in Buddhist literature to sell books of other religions, or a women's shoe store to sell men's shoes. That would be a flagrant invasion of the economic freedom, even in some cases the freedom of speech or religion, of the vendor. Thus, Wisconsin cannot require a publisher that produces print products to produce accessible formats as well.

Just yesterday I discussed this bill with Andrew Tallon, the Director of Marquette University Press, a small but important scholarly publisher in Milwaukee. Mr. Tallon advised me that he has received a number of requests for electronic formats of the Press's publications, and has always managed to satisfy the requests by providing PDFs of the books concerned. He was horrified at the thought that his small shop would have to jump through the sort of hoops required in this bill, and by the idea that the Press would be treated as a "public accommodation." He has authorized me to inform you that he fully supports what I have said in this statement.

The problems I have described here would be serious enough if applied only to publishers located within Wisconsin. The problems become even more serious when the proposed law is applied to publishers located outside Wisconsin. It is clearly beyond the power of the Wisconsin legislature to decree that a publisher located in, say, Boston, is a "public accommodation" in Wisconsin. Indeed, the very attempt to legislate that an out-of-state publisher must, on demand from a Wisconsin university, produce an electronic format of a book is an impermissible attempt to regulate interstate commerce.<sup>4</sup>

---

<sup>3</sup> Wis.Stat. 106.52.

<sup>4</sup> A state law that has the "practical effect" of regulating commerce occurring wholly outside that State's borders is invalid under the Commerce Clause. *Healy v. Beer Inst.*, 491 U.S. 324, 332 (U.S. 1989); *American Booksellers Found. V. Dean*, 342 F.3d 96, 102 (2d Cir. 2003). With this bill, the Wisconsin legislature is attempting to regulate the conduct of publishers located outside its borders even if they have no presence in the State.

I hope that on consideration of these points the Wisconsin Legislature will realize that AB 882/SB 638 in its present form, or anything like its present form, will encounter legal difficulties that cannot be avoided or resolved.

Thank you very much for your time and attention.





50 F Street, NW, 4<sup>th</sup> Floor  
Washington, D.C. 20001  
Telephone: (202) 347-3375  
Fax: (202) 347-3690  
[www.publishers.org](http://www.publishers.org)

**Remarks by Bruce Hildebrand  
Executive Director for Higher Education  
Association of American Publishers  
Washington, D.C.  
March 31, 2010  
Re. SB 638/AB 882**

Mr. Chairman, Members of the Committee, thank you for the opportunity to discuss with you the legislation before the Committee today.

My remarks will be brief. My goal is to, hopefully, add some historical perspective to the discussions of SB 638/AB 882.

We all agree that we want to better serve print-disabled students, to help them get the course materials they need to get the education they deserve. The AccessText Network that Tamara Rorie just spoke about is a tangible, working symbol of the desire of committed people to do what is right and do it well. It is my pride and joy.

I should tell you that I am not, by any means, a tech-centric person. I'm 62 years old. When I was growing up, music came from records and radios. My uncle got the first TV in the family and we all made a pilgrimage to see it. In college, I used a manual typewriter and a slide rule.

Until about 1999 print disabled students, primarily the blind, were living in a world that was very similar to the one I grew up in. There were three principal organizations that served their needs: Recordings for the Blind and Dyslexic, the American Printing House for the Blind and the Library of Congress. The choices for the students were largely Braille books, books on tape and a personal reader.

Then the revolution came. Technology exploded. To give you an example, in 1999 one of my member publishers received requests for 170 textbook files. In 2009 that same publisher received requests for 13,445 files. That's a 7,900 percent increase in only ten years. The disabled student services offices on college campuses and many publishers struggled to meet this new demand. Too often the result was that students didn't get the textbooks they needed when they needed them.

I'm told that the legislation before us was first introduced in 2005 to meet the challenges of change. That is the same year that AAP and its members began to look for ways to better meet the needs of students. Following nearly four years of research – including a meeting at the University of Wisconsin – eight of AAP's member publishers donated nearly a million dollars to enable the Alternative Media Access Center at the University of Georgia to develop ATN.

The end goal is to make ATN a self-sustaining membership organization for disabled student services offices. Membership for a school will be around \$500 per year. Publishers will not receive any money at any time. Our objective, then and now, was to enable disabled student services offices – which are often underfunded and overwhelmed – to maximize their resources and meet their mission.

I worked with some really smart, devoted people for five years to move the Network from concept to where it is today. SB 638/AB 882 calls for textbook files to be delivered in 15 days. The Network delivers files in an average of four days. SB 638/AB 882 envisions Wisconsin's schools sharing their alternative files. With the Network, every school in the nation will be able to legally share their alternative files beginning in July. The cost savings to Wisconsin can be significant.

As Bill Strong noted in his remarks, we believe the legislation before us has some significant problems. For one thing, we believe an unintended consequence of the bill would be to open the door to publishers' copyrighted works being illegally distributed online around the world. According to a recent report, online book piracy represents potential losses of \$2.75 to 3 billion a year to the book publishing industry. That is 10 percent of total United States book sales.

If I may, I would like to make a suggestion. There are only 22 days left in this legislative session. With time so short, it would be extremely difficult to amend this bill to meet the objectives of all the stakeholders. And I feel safe in saying, technology is moving so fast that there will be some new technology to consider before the ink is even well dried.

I believe the AccessText Network will provide the solution this legislation is intended to address. Virtually every public and private college and university in Wisconsin is already a member of the Network. I ask that you give it a chance to work within the national framework that has been established and is still advancing.



Sen. Wirth Testimony  
SB 638

Date?

It is my pleasure to testify before you today on the Textbook Access Bill.

All of the members of this committee attended college and received a degree. Although years have passed, I am sure we can all recount our experiences in college. I can certainly remember the number of textbooks I had to buy and the amount of reading required in the courses I took.

Now imagine that you are back in college – but this time you are unable to read the printed text in those books on your own. While you can obtain the materials in a format useful to you – it could take a minimum of 6 weeks. In the worst case you might not be able to get the book until after the semester.

Perhaps you have to pay out of your own pocket to have someone else read the text to you. Perhaps you have to pay money for the equipment to magnify the text so you are able to read it.

Given the technologies that exist today, there is simply no excuse for not making sure that all students have access to the textbooks they need at the same time. This bill seeks to ensure those materials are available in a timely manner, in a format required by the individual, and it takes into account copyright concerns of publishers.

Under the bill, a request is made of the publisher for the materials in an electronic format that can be used to create an accessible format. Upon receipt of the request, the publisher would have 15 working days to fulfill the request. The electronic file could only be used by the institution of higher education to create material in an alternate format.

Rather than having to make individual requests of the publishers when a particular text is needed – this bill would enable institutions to share converted materials.

The visually impaired student would have to purchase the text – just like anyone else.

I authored SB 638 with Representative Seidel, at the request of the Wisconsin Council of the Blind & Visually Impaired, because I believe all students should have equal opportunity.

It is estimated that 200,000 Wisconsin residents are visually impaired. Although there are efforts in place like the AccessTextNetwork – the simple fact is that visually impaired persons and their families are telling us we need to do better.

Thank you.



## Access to Textbooks for Blind College Students AB882 and SB638

Date ?

When students attend institutions of higher learning in Wisconsin, they can expect a number of things. Competent professors, a challenging curriculum, and of course, conscientiously selected textbooks to help them learn the course material. They can expect all these things at the beginning of the class, unless the student, due to vision or inability to use standard printed material, can't use the book provided. In that case, he or she may be able, some time during the class, get access to the text, provided that the disabled student services office has been able to acquire permission from the publisher to have the book converted to an electronic form. That text can then be put into a mode that the student can use. Sometimes, it takes as little as six or eight weeks for this process to run its course. In the worst cases, the book becomes available after the class has ended, if at all.

This is the reason for the introduction of the Textbook Access Bill, AB882, by Representative Seidel, and its companion bill, SB638 in the Senate. These bills provide that print handicapped students shall have access to the textbooks they need at the same time as their sighted fellows, allowing them to compete equally in their education.

There are precedents for this policy. The Individuals with Disabilities Education Act amendments of 2004 provided for the creation of the National Instructional Materials Access System, under which publishers of textbooks for students in the K-12 schools systems are required to provide electronic files to a central depository. This has allowed for the provision of electronic book files to schools that can be turned into Braille, synthetic speech or enlarged print for students in our public schools. Further, the Chaffee amendments to the U.S. Copyright law passed in 1995 allowed for the creation of materials which were solely for the use of the print disabled.

**AB882, and SB638** will allow our print handicapped college students to have the same access to texts that we now require for K-12 students. Students would be required to purchase the books, just as if they were purchasing a print copy. It is interesting to note in passing that some college students are required to buy a textbook twice to have it produced in a usable form.

The members of the Statutory Council on Blindness ask that the members of the Wisconsin House and Senate take immediate action to pass AB882, and SB638. This legislation is vital to assist blind and visually impaired students in Wisconsin to complete their education, and to join the workforce.



SENATE COMMITTEE ON SMALL BUSINESS, EMERGENCY PREPAREDNESS,  
TECHNICAL COLLEGES, AND CONSUMER PROTECTION  
SB638

Dave?

For the record, I am Dave Hyde, and live in Janesville Wisconsin. I appear on behalf of the National Federation of the Blind, in support of SB638. I currently serve on the state board of the Wisconsin affiliate, and as chair of the National Committee on Library Services.

Mr. Chairman, this bill is designed to level the playing field for blind and print handicapped college students in Wisconsin. It is similar to legislation under consideration in other states. The impetus for the legislation was that these college students frequently do not receive required texts in a timely manner, often having them available well after the course has started, and occasionally only after it has ended. This has caused students to drop courses, and sometimes quit college altogether, thus making employment more difficult. National statistics indicate that blind and visually impaired individuals suffer a seventy per cent unemployment rate.

Historically, publishers have agreed that books could be made accessible. As far back as 1932, Congress passed the Pratt Smoot act, which authorized the creation of the National Library Service for the Blind and Physically Handicapped (NLS) of the U.S. Library of Congress. This library, and its regional's (the Talking Book Library in Milwaukee is one of them) provided books on phonograph record and in braille to people who are blind, physically handicapped, or reading disabled. In During the 89<sup>th</sup> Congress, PL89-522 was passed, which allowed for the production of additional materials in braille and recorded form. In 1995, under the revision to the Copyright laws, the publishers agreed to amendments proposed by then Representative Chaffey, allowing for the use of electronic means to produce books for the use of persons who were certified as having a disability which impaired their ability to use standard printed materials. In 2004, under the Individuals with Disabilities Education Act reauthorization, the National Instructional Materials Access System (NIMAS) was established to require that texts used in the K-12 school system must be accessible to people with print reading disabilities. All the school districts in Wisconsin have agreed that they will provide accessible texts to school children.

This bill extends the same opportunity to learn to students in the Wisconsin college and technical college system as exists for the K-12 system. It requires several things which should protect publishers from possible copyright infringement. First, the student must buy the book. Just because you can't read standard print doesn't mean you get it free. In passing, it may, under this bill, allow the student to only buy the book once, unlike the current system, which sometimes forces one to buy the same book three times. Once to have to get someone to read while the other two are being used to get it recorded. Secondly, it requires that the student be certified to have a disability which prevents him or her from using standard printed materials. This is generally handled by the Disabled Student Services office of the particular college or university. Finally, students may be required to sign an agreement that they will not share the material provided with other

students. One can assume that violation of this agreement would be actionable by the publisher.

Mr. Chairman, those of us who are blind, and went to school well before things were accessible understand the difficulty that today's students are experiencing. They are being asked to accept and use some of the best ideas and accessibility of the 1970's. While their fellows are able to use their electronic devices to read materials, and get them almost instantaneously, we are telling blind and print handicapped students to sit and wait, and eventually, they'll get their materials. Then, they can try to catch up. It is ironic that at a time when it is easier than it has ever been to produce materials for the use of blind or print handicapped people, we find ourselves in a battle with those who publish books for a living over whether they can sell them to a hither to closed market. At a time when any qualified blind or print handicapped person in Wisconsin can pick up a telephone and access local newspapers and national magazines, we quibble over whether students should be able to get textbooks.

The lack of accessible texts puts an undue burden on blind and print impaired college and university students. It makes what is already a difficult process more so. It may well be argued that by not providing materials in an accessible form, we are setting these students up to fail. It is in their interest, and in the public interest, that we do what we can to help them become productive tax paying citizens. It is the belief of the National Federation of the Blind, the nation's largest organization of blind people, that legislation such as this before you will go a long way toward making this a reality.





Bill Position

Date?

Board of Regents - University of Wisconsin System  
2009-10 Legislative Session

Senate Bill 638 / Assembly Bill 882  
Electronic Access to Written Materials

LEGISLATION

(Wirch/Seidel) This bill permits a UW System institution or Wisconsin technical college to request a publisher provide instructional material in electronic format and request permission to convert or to arrange for the conversion of that material into an accessible format for a student with a disability.

Within 15 working days after receipt of the request the publisher must provide the instructional material to the institution of higher education at no additional cost.

The bill permits an institution of higher education to use instructional material in electronic format provided under the bill solely to convert that material into an alternative format for use by a student with a disability or to otherwise assist such a student. An institution that converts instructional material into an alternative format may share that material with any other institution of higher education serving a student with a disability.

UW SYSTEM POSITION\*

**Support:** The University of Wisconsin System supports providing instructional materials in electronic and alternative formats and facilitating timely access to those materials by students with a disability.

The lack of accessible materials can pose a significant barrier to postsecondary students with print-related disabilities (i.e., those students that can't access text through the traditional formats). Accessible materials for students with disabilities may include Braille, large print, or audio materials. The UW System, through each institution's Disabilities Services Office, is responsible for ensuring that these students have effective access to accessible materials.

Accessible materials must be provided in a timely manner to be effective. In many instances, there is a lengthy delay before the publisher provides the materials and there is little guarantee that materials will be in a format suitable for conversion into an alternative format. Usually, by the time the publisher responds and the material is converted, much of the semester has passed.

Under this bill, publishers are required to provide instructional materials in electronic format within 15 business days. This requirement will enable Disability Services Offices to provide accessible materials more promptly and ensure that postsecondary students with print-related disabilities do not fall behind in their studies.

Additionally, this bill permits UW institutions to share converted materials with other higher education institutions. This will eliminate the current requirement that each institution obtain the publisher's authorization before providing alternative instructional materials to students with disabilities.

\*As submitted to the Board of Regents on March 29, 2010.



## Talking Points AB 882 / SB 638

### Concerns Raised by AB 882 / SB 638

*Interstate Commerce Clause -*  
The legislation authorizes infringement of authors and publishers rights under federal copyright law. It also tries to define publishers — any publisher from the *New York Times* and the *Wall Street Journal* to *Time* magazine, law journals and textbooks — as "places of public accommodation." Publishers are companies and authors, not places such as buildings.

The bill carefully defines all of the criteria necessary to qualify a student as print disabled and the restrictions and qualifications necessary to provide these students with accessible course materials and then, under subsection (3), totally reverse their own terms, stipulating that an "institutions of higher learning" can convert a file for student use and then share it with other Wisconsin institutions of higher learning and "any other institution of higher education that is serving a student with a disability or with an authorized entity." What this means is that any college or university or accessibility center — such as the Badger Service Center at the University of Wisconsin Madison — can take over and distribute any copyrighted materials they choose to any College in the U.S. that they choose.

- The bill creates a mechanism for an institution of higher education to create alternative formats of copyright work without publisher permission.
- Negotiation of the electronic format that is to be supplied is contemplated in s. 106.57 (2) (d) 4. [page 6, line 19], but does not require an agreement on format.
- These concerns are heightened by the very broad nature of what constitutes "instructional material" under the bill. As defined, it means "*any material that the instructor of a course of study at an institution of higher education includes in the syllabus of that course of study.*" Such a broad requirement fails to adequately address whether an electronic file is even physically available at the time of the request, whether the publisher even has a right to distribute the material in electronic format, or whether the publisher has its own alternate format available for sale.

The bill fails to accommodate the realities of the present day publishing industry, which is moving towards digital delivery of all formats. Publishers are engaged in exciting research and development activities that encompass accessibility features. A new requirement that publishers provide an additional format — that is not already in their production chain — is an unnecessary setback from a passing era, for both publishers and students.

**The bill raises particular concerns with regard to what an institution of higher education can do with material that a publisher is required to provide in electronic format.**

- It creates a mechanism for an institution of higher education to create alternative formats of copyright work without publisher permission (as noted above).
- What starts out under the bill as a compulsory request for a publisher to supply a school with an electronic file for a standard text that has been purchased by a student (or purchased by an institution for that student) — ends up being a converted file that is

exempt from copyright law, (in the hands of a purported authorized entity), which can then be reproduced and distributed free of charge nationwide with no compensation to the publisher. Such reproduction and distribution without a publisher's permission is a violation of federal copyright law on the part of Wisconsin Schools.

### **The bill raises multiple copyright and constitutional legal issues**

- As noted above, the unauthorized reproduction and distribution of copyright material exposes Wisconsin institutions of higher education to infringement of copyright law.
- The bill defines a publisher, regardless of whether they are located in Wisconsin or not, as a public place of accommodation subject to Wisconsin's public accommodations law. The practical effect of regulating commerce occurring outside the state's borders makes the provision ripe for constitutional challenge under the Commerce Clause.
- Requiring a publisher to provide an electronic file in a specified format without regard to whether such a file exists or even if the publisher has the right to distribute material in electronic form raises constitutional "taking" of property issues. A "publisher" is not a "place."

### **Access Text Network**

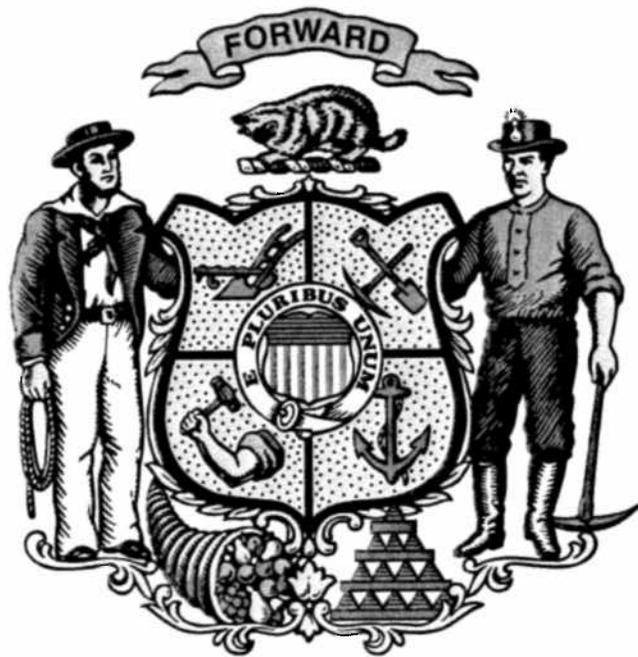
- Publishers have already acted — independently, without state or federal regulation and at no cost to taxpayers — to create the Access Text Network to service the Disabled Student Services offices and the students they serve with quick and easy access to textbooks.
- In 2009, the Association of American Publishers, in collaboration with the University of Georgia and the Alternative Media Access Center, established the Access Text Network. ATN is a membership exchange network that facilitates the nationwide delivery of alternative files for students with disabilities.
- ATN is administered by the Board of Regents of the University System of Georgia and funded by nearly \$1 million in donations from AAP's member publishers. These publishers provide more than 92% of all college textbooks.
- ATN helps institutions of higher education obtain information about available course materials, request electronic text files and provides a more efficient acquisition and distribution system for member schools.

More than 30 Wisconsin institutions of higher education are members of ATN; including all of the UW System campuses and the major Technical Colleges in the state.



**Wisconsin Universities, Colleges and Technical Colleges  
Currently Enrolled as Members of the AccessText Network  
3/31/10**

Alverno College	Wauwatosa
Beloit College	Beloit
Blackhawk Technical College	Janesville
Carroll University	Waukesha
Carthage College	Kenosha
Chippewa Valley Technical College	Eau Claire
Edgewood College	Madison
Fox Valley Technical College	Appleton
Lac Courte Oreilles Ojibwa Comm. College	Hayward
Lakeland College	Sheboygan
Lakeshore Technical College	Cleveland
Madison Area Technical College	Madison
Marian University	Fond du Lac
Mid-State Technical College	Wisconsin Rapids
Milwaukee Area Technical College	Milwaukee
Milwaukee Institute of Art and Design	Milwaukee
Milwaukee School of Engineering	Milwaukee
Mount Mary College	Milwaukee
Northcentral Technical College	Wausau
Northeast Wisconsin Technical College	Green Bay
Southwest Tech	Fennimore
University of Wisconsin - Eau Claire	Eau Claire
University of Wisconsin - Green Bay	Green Bay
University of Wisconsin – Madison	Madison
University of Wisconsin – Milwaukee	Milwaukee
University of Wisconsin - Stevens Point	Stevens Point
University of Wisconsin – Stout	Menomonie
University of Wisconsin Colleges	Madison
University of Wisconsin – Platteville	Platteville
Wisconsin Indianhead Technical College	New Richmond
Wisconsin Indianhead Technical College	Rice Lake



# AccessText Network

Improving College Textbook Accessibility

Member Log In | Become a Member

[About](#) | [News](#) | [Network](#) | [Training](#) | [Events](#)

### Information for

- [Disability Service Providers](#)
- [Students](#)
- [Faculty](#)
- [Publishers](#)

### Search the Network

ISBN

[Advanced Search](#)

### Search Publisher Look-Up

publisher or imprint

### Join our Mailing List

email address



## Welcome to the AccessText Network

The AccessText Network facilitates and supports the national delivery of alternate textbooks to higher education institutions for students with documented disabilities.

AccessText provides these textbooks by leveraging an online database powered by QuickBase® and incorporating publisher-provided information on thousands of titles.

By joining the AccessText Network, members will be able to:



#### Request publisher files more efficiently

Access major publishers. One place. The AccessText Network streamlined publisher relationship like never before.

Easy access to publishers who create 92% of all college textbooks. More publisher files delivered. Less chopping and scanning costs.



#### Search, link and share formatted files

The AccessText Exchange lets you share and access formatted files from libraries and major repositories more efficiently than ever.

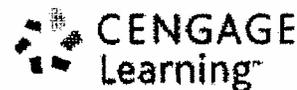
Exchange files from approved libraries starting in spring of 2008. Federated search.



#### Track what's coming in, what's going out

The AccessText Dashboard is a powerful web-based data management tool that brings order to your tracking, record-keeping and reporting process.

At-a-glance tracking of requests, approvals, and fulfillment. Organized, automated way to maintain records and create reports.



BEDFORD, FREEMAN & WORTH



W. W. NORTON & COMPANY  
INDEPENDENT PUBLISHERS SINCE 1804



We have reservations about the broad strokes in the wording with regard to sharing the intellectual property once submitted for a particular student for a particular use, but we have no reservations against a bill that states that requested material should be submitted with a 15 day period. Password protection, encryption, and/or some other method would not be inappropriate in order to eliminate or reduce abuse.

A. Tallon

Faculty of Divinity  
Someone wants to be part of  
Marquette University Press  
Andrew Tallon

257110  
114th St  
'85



# Office for the Blind and Visually Impaired Rehabilitation Specialists- Public 12/21/09

Rehab Specialist	Address	Phone/Fax	E-mail	Counties for Services
Bronson, Kathleen	819 N. 6 <sup>th</sup> St., Rm. 609-C Milwaukee, WI 53203-1606	414-220-5308 414-227-4139 fax	Kathleen.Bronson@wisconsin.gov	Kenosha, Milwaukee South of Wisconsin Ave & Racine
Dachelet, Susan Field Supervisor	200 N. Jefferson St., Suite 511 Green Bay, WI 54301-5197	920-448-5086 920-448-5265 fax	Susan.Dachelet@wisconsin.gov	Brown
Ellerman, Arneetrice	ADRC, Washington Cty. 333 E. Washington St., Ste 1000 West Bend, WI 53095-2501	262-335-4497 x2216 262-335-4717 fax	Arneetrice.Ellerman@wisconsin.gov	Fond du Lac, Milwaukee N of Wisconsin Ave, Ozaukee & Washington
Fontaine, Kristin	3530 N Cty Hwy F, PO Box 351 Janesville, WI 53547-0351	608-757-5203 608-757-5207 fax 888-879-0017	Kristin.Fontaine@wisconsin.gov	Columbia, Dane, Green & Rock
Contract Services: Wisconsin Council of the Blind & VI			Thomas.Langham@wisconsin.gov	Grant, Iowa, Lafayette, Richland, Sauk
Kenevan, Jean	820 W. College Ave., Suite 3 Appleton, WI 54914-5275	920-831-2090 920-733-7321 fax	Jeannine.Kenevan@wisconsin.gov	Calumet, Outagamie & Winnebago
Langham, Thomas Field Supervisor	912 N. Hawley Rd., Rm. 104 Milwaukee, WI 53213-3222	414-302-2765 Phone & fax	Thomas.Langham@wisconsin.gov	
Lebrick, Marge	3262 Church St., Suite 1 Stevens Point, WI 54481-5321	800-382-8484 Ext 23 715-344-4414 fax	Margaret.Lebrick@wisconsin.gov	Adams, Green Lake, Marathon, Marquette, Portage, Waupaca, Waushara & Wood
Martens, Doug	2187 N. Stevens St., Ste. C Rhinelander, WI 54501-8043	715-365-2804 715-365-2815 fax	Douglas.Martens@wisconsin.gov	**Ashland, Florence, Forest, Iron, Langlade, Lincoln, Marinette, Oneida, Price & Vilas
Murphy, Kathy	141 NW Barstow St., Rm. 104 Waukesha, WI 53188-3789	262-548-5862 262-521-5314 fax	Kathleen.Murphy@wisconsin.gov	Dodge, Jefferson, Walworth & Waukesha
Palmer, Linda	115 5 <sup>th</sup> Ave S., Ste 506 La Crosse, WI 54601-4018	608-789-5663 608-789-5664 fax	LindaS.Palmer@wisconsin.gov	Buffalo, Crawford, Jackson, **Juneau, La Crosse, Monroe, Trempealeau & Vernon
Vacant/Leave of Absence	1805 North 14 <sup>th</sup> St., Suite 2 Superior, WI 54880-8801	888-879-0017 608-266-3256 fax	Susan.Dachelet@wisconsin.gov	**Bayfield, Burnett, Douglas, Sawyer & Washburn
Thompson, Al	610 Gibson St., Suite 1 Eau Claire, WI 54701-3687	715-836-6772 715-836-2535 fax	Al.Thompson@wisconsin.gov	**Barron, Chippewa, Clark, Dunn, Eau Claire, Pepin, Pierce, Polk, Rusk, St. Croix & Taylor
Zalig, Angela	200 N. Jefferson St., Suite 511 Green Bay, WI 54301-5197	920-448-5234 920-448-5265 fax	Angela.Zalig@wisconsin.gov	Door, Kewaunee, Manitowoc, Menominee, Oconto, Shawano & Sheboygan

# Office for the Blind and Visually Impaired Central Office Staff 12/21/09

Madison Office	Address	Phone/Fax	E-mail
Huffer, Linda Interim Director	P. O. Box 7851 Madison, WI 53707-7851	608-266-5641 608-266-3256 fax	Linda.Huffer@wisconsin.gov
Dachelet, Susan Field Supervisor Northern Counties	200 N. Jefferson St., Suite 511 Green Bay, WI 54301-5197	920-448-5086 920-448-5265 fax	Susan.Dachelet@wisconsin.gov
Langham, Thomas Field Supervisor Southern Counties	912 N. Hawley Rd., Rm. 104 Milwaukee, WI 53213-3222	414-302-2765 Phone & fax	Thomas.Langham@wisconsin.gov
Gorman, Mary Office Operations	P. O. Box 7851 Madison, WI 53707-7851	608-266-3111 608-266-3256 fax	Mary.Gorman@wisconsin.gov
Frosch- Hellenbrand, Cathy Office Operations	P. O. Box 7851 Madison, WI 53707-7851	608-266-3147 608-266-3256 fax	Catherine.Frosch- Hellenbrand@wisconsin.gov

\*\*Indicates recent change

L:\BADR-OBVI\ROSTERS-Staff Current\OBVI staff Roster PUBLIC 122109.doc

# Cost Effective SOLUTIONS for Student Success

# Cost Effective SOLUTIONS for Student Success



The Association of American Publishers and its members are working to enable states, universities and community colleges, institutions, departments and individual faculty to improve student success and cut costs.

To identify solutions that fit your needs please contact AAP at [solutions@publishers.org](mailto:solutions@publishers.org) or visit us online at [www.textbookfacts.org](http://www.textbookfacts.org)

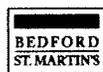
**aap**

ASSOCIATION OF AMERICAN PUBLISHERS, INC.

Students, faculty, universities, colleges and state systems are all facing incredible challenges.

Budgets are tight. Pressure to succeed has never been greater.

Publishers are doing their part, offering new learning tools and technologies that are **proven to advance student success**, save students' money, and lower the cost per pupil for instruction.



W. H. FREEMAN

WORTH PUBLISHERS

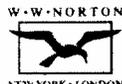


CENGAGE Learning

CourseSmart



Connect Learn Succeed



PEARSON



[textbookfacts.org](http://textbookfacts.org)

**aap**

# Innovation means more choices and lower costs



**Publishers understand that costs are a concern** for some students. They have responded, creating cost-conscious alternatives that work for students and faculty.

## **Choices**

- Custom editions
- E-books
- E-chapters
- Online courses
- Audio books
- Podcasts
- No-frills editions
- Paperback editions
- Three-ring binder books
- Black-and-white editions

Publishers' online stores offer textbook rentals, homework assistance, tutoring, video and audio presentations, language labs, plus learning and study aids.

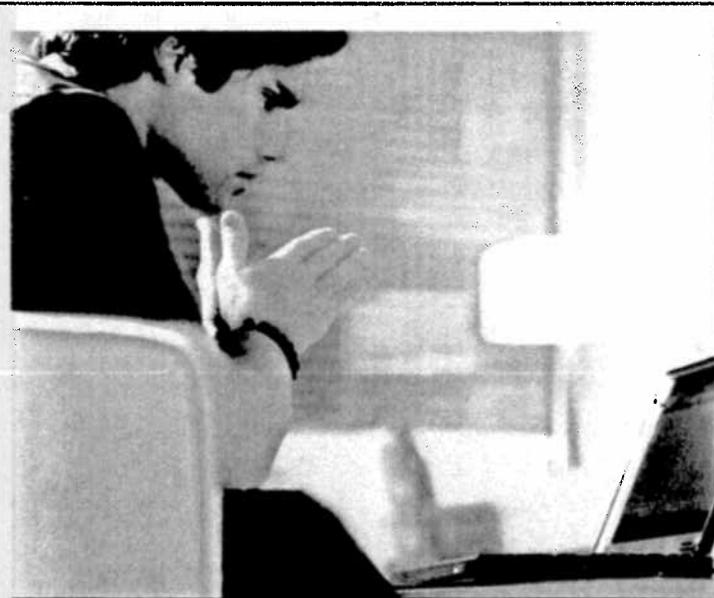
**Students and institutions realize cost savings** by utilizing programs that make a difference in student success and lower costs for both students and schools.

## **Publisher-produced course materials are**

- Improving students' success, increasing pass and retention rates
- Reducing students' spending for course materials
- Reducing colleges' cost-per-pupil for instruction

## **Faculty members and schools are partnering with publishers to**

- Develop new, cost-saving business models to offset funding cutbacks
- Utilize technology to better fulfill students' and teachers' needs



**Publishers are working with faculty and administrators to develop and adapt new business models and course materials to meet the different needs of consumers, ranging from individual students to statewide systems.**

## **The numbers show that with the new technologies...**

**38%** of students said they understand their materials better

**Student preparation and class participation increases**

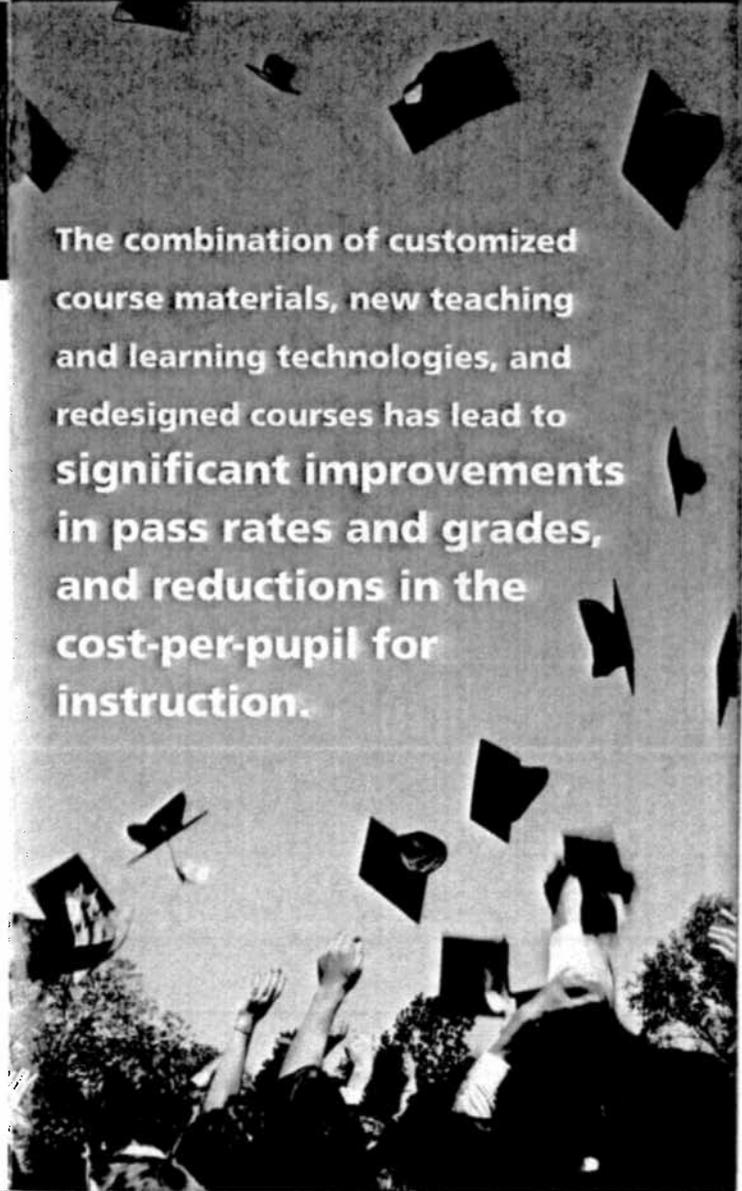
**Student understanding and retention improves**

**74%** of students said it helps them get a better grade

**Direct communication between instructors and students improves**

**Faculty spend less time managing and more time teaching**

**90%** of faculty said it helps them meet the needs of varied student learning styles



The combination of customized course materials, new teaching and learning technologies, and redesigned courses has led to **significant improvements in pass rates and grades, and reductions in the cost-per-pupil for instruction.**

**For More  
Information  
Contact:**

---

**Office for the Blind  
and Visually Impaired**

Phone Toll Free:

**1-888-879-0017**

Locally:

Website:

**[www.dhs.wi.gov/blind](http://www.dhs.wi.gov/blind)**



Wisconsin Department of  
Health Services

P-23142 (09/2008)

**Services for  
Individuals Who  
Are Blind or  
Visually Impaired**



**Wisconsin Department  
of Health Services**

**Office for the Blind  
and Visually Impaired**

## Do You, or Someone You Know, Have Any of These Problems?

- ▶ Mail, newspaper, phone book or signs are difficult to read
- ▶ Writing and signing letters are increasingly a challenge
- ▶ Dials and numbers on appliances are difficult to read
- ▶ Playing cards look blurred
- ▶ Faces are not easily recognized
- ▶ Eye doctor says, "Nothing more can be done."



## Office for the Blind and Visually Impaired Rehabilitation Specialists Program

Rehabilitation Specialists and Associates help reduce the effects of decreased vision on everyday life.

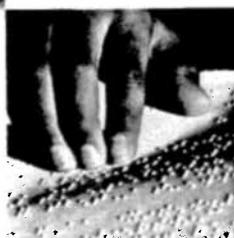
They teach adaptive techniques and technologies in a variety of areas such as daily living, household management, personal care, and communications. These specialized skills will allow individuals and families to adjust to vision loss and promote independent living.

Services are provided in a group setting, or at an individual's residence or workplace. There is no charge for Office for the Blind and Visually Impaired services.

## If Yes, Office for the Blind and Visually Impaired Staff Will Provide These Free Services:

---

- ▶ Eye condition information
  - ▶ Assessment of optical aids and lighting
  - ▶ Access to talking and large print books, and Braille library services
  - ▶ Counseling on adjustment to vision loss
  - ▶ Connection to Visually Impaired Support Groups
  - ▶ Referral to community resources
- ▶ Hands-on training with tips and techniques for:
    - home management
    - personal management
    - safety in the home
    - travel safety
    - leisure time activities
    - writing and telephone communications



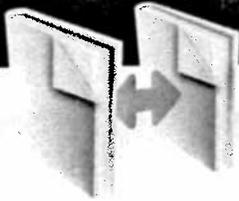
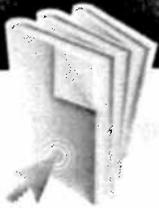
The AccessText Network™  
Getting alternative text files  
just got a lot easier.



Request

Share

Track



 **AccessTextNetwork**  
*Improving College Textbook Accessibility*

# It's going to be a very productive semester.

## More alternative text delivered. Faster. Easier.

### Request publisher files more efficiently.

Access major publishers. One place. One authorization. The AccessText Network™ puts you in a direct, streamlined publisher relationship like never before.

- ▶ Easy access to publishers who create 85% of all college textbooks.
- ▶ More publisher files delivered. Less chopping and scanning. Reduce office costs.

### Search, link and share formatted files.

The AccessText Exchange™ lets you share and access formatted files from peer libraries and major repositories more efficiently than ever.

- ▶ A publisher-sanctioned network with one single authorization.
- ▶ Obtain files faster. In the format you need.

### Track what's coming in, what's going out.

The AccessText Dashboard™ is a powerful web-based data management tool that brings order to your tracking, record-keeping and reporting process.

- ▶ At-a-glance tracking of request, approval, fulfillment and delivery.
- ▶ Organized, automated way to maintain records and create reports for compliance.

## JOIN NOW.

Get free AccessText™ membership until June 30, 2010.

Ready to make your disability services office more productive? Join now and get free AccessText™ membership until June 30, 2010. Includes free training, technical support, and access to the helpful AccessText Resource Network™.

Learn more. Schedule an AccessText™ demo.

Call 1.866.271.4968

Email us at [membership@AccessText.org](mailto:membership@AccessText.org)

Visit [www.AccessText.org](http://www.AccessText.org)

## A shared mission

AccessText™ was developed in collaboration with the Association of American Publishers and leading publishers to help students achieve their college education and future employment dreams. Participating members include:

- ▶ Bedford/St. Martin's, W. H. Freeman and Worth
- ▶ Cengage Learning
- ▶ CQ Press
- ▶ John Wiley & Sons
- ▶ McGraw-Hill Education
- ▶ Pearson
- ▶ Reed Elsevier Inc.
- ▶ W.W. Norton



# Alternative text made easy.

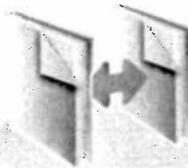
AccessText™ at a glance

Request publisher files  
more efficiently.



The AccessText Publisher Network™

Search, link and share  
formatted files.



The AccessText Exchange™

Track what's coming in,  
what's going out.



The AccessText Dashboard™

See details inside.

 **AccessTextNetwork**  
*Improving College Textbook Accessibility*

1.866.271.4968 | [membership@AccessText.org](mailto:membership@AccessText.org) | [www.AccessText.org](http://www.AccessText.org)