

## 2009 DRAFTING REQUEST

### Bill

Received: **06/06/2009**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Donna Seidel (608) 266-0654**

By/Representing: **Natalie Verette**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Discrimination  
Higher Education - miscellaneous  
Higher Education - tech. college  
Higher Education - UW System**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Seidel@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Instructional materials in alternative formats for postsecondary students with disabilities

---

### Instructions:

See attached--redraft 2007 AB 469

---

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 06/30/2009	bkraft 07/09/2009		_____			State
/1			rschluet 07/10/2009	_____	cduerst 07/10/2009		State / Local
/2	gmalaise 03/08/2010	bkraft 03/11/2010	rschluet 03/12/2010	_____	mbarman 03/12/2010	sbasford 03/12/2010	

See attached

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

*at  
intro*

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **06/06/2009**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Donna Seidel (608) 266-0654**

By/Representing: **Natalie Verette**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Discrimination  
Higher Education - miscellaneous  
Higher Education - tech. college  
Higher Education - UW System**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Seidel@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Instructional materials in alternative formats for postsecondary students with disabilities

---

**Instructions:**

See attached--redraft 2007 AB 469

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 06/30/2009	bkraft 07/09/2009		_____			State
/1			rschluet 07/10/2009	_____	cduerst 07/10/2009		State
/2	gmalaise 03/08/2010	bkraft 03/11/2010	rschluet 03/12/2010	_____	mbarman 03/12/2010		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

**<END>**

2009 DRAFTING REQUEST

Bill

Received: 06/06/2009

Received By: gmalaise

Wanted: As time permits

Identical to LRB:

For: Donna Seidel (608) 266-0654

By/Representing: Natalie Verette

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Discrimination
Higher Education - miscellaneous
Higher Education - tech. college
Higher Education - UW System

Extra Copies:

Submit via email: YES

Requester's email: Rep.Seidel@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Instructional materials in alternative formats for postsecondary students with disabilities

Instructions:

See attached--redraft 2007 AB 469

Drafting History:

Table with columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Row 1: /?, gmalaise, bkraft, 06/30/2009, 07/09/2009, State

Table with columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Row 2: /1, rschlue, 07/10/2009, cdurst, 07/10/2009

Handwritten note: 12 bjk 3/11

Handwritten signatures and dates: rschlue, 07/10/2009, cdurst, 07/10/2009, and a large signature with date 3/2/10

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **06/06/2009**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Donna Seidel (608) 266-0654**

By/Representing: **Natalie Verette**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Discrimination  
Higher Education - miscellaneous  
Higher Education - tech. college  
Higher Education - UW System**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Seidel@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Instructional materials in alternative formats for postsecondary students with disabilities

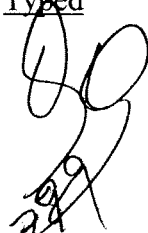
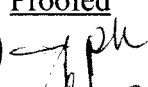
---

**Instructions:**

See attached--redraft 2007 AB 469

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise	/1 bjk 7/9					

FE Sent For:

<END>

**Malaise, Gordon**

---

**From:** Verette, Natalie  
**Sent:** Monday, June 01, 2009 3:01 PM  
**To:** Malaise, Gordon  
**Subject:** Redraft Request - Rep. Seidel

Hello Gordon,

I would like to request a redraft of 2007 AB 469 (LRB 0169/2). Can we also please have a Senate companion drafted right away and sent to Senator Wirch?

Thank you,  
Natalie

-----  
Natalie Verette  
Legislative Assistant  
**Office of State Representative Donna Seidel**  
*Assistant Majority Leader*  
85th Assembly District

State Capitol, 218 North  
P.O. Box 8953  
Madison, WI 53708

608.266.0654  
888.534.0085 (toll-free)  
natalie.verette@legis.wisconsin.gov



2007 - 2008 LEGISLATURE

From 2007 0169/2

LRB-0169/2

-2990/1

GMM: wlnwn

bjk

2007 ASSEMBLY BILL 469

SA X-ref

In 6/30

July 26, 2007 - Introduced by Representatives SEIDEL, BERCEAU, GRIGSBY, HEHL, HINTZ, SHERIDAN and ZEPNICK, cosponsored by Senators ROESSLER, SCHULTZ and WIRCH. Referred to Committee on Colleges and Universities.

regen.

- 1 AN ACT *to amend* 106.52 (1) (e) 1.; and *to create* 106.52 (3) (a) 6. and 106.57 of
- 2 the statutes; **relating to:** accessible instructional materials for students with
- 3 disabilities enrolled in the University of Wisconsin System or the technical
- 4 college system.

**Analysis by the Legislative Reference Bureau**

Under current state law, the University of Wisconsin System (UW System) and the Technical College System (TCS) may not deny to a student admission to, participation in, or the benefits of, or discriminate against a student in, any service, program, course, or facility because of the student's disability. In addition, under current federal law, a college, university, or other postsecondary institution, including a private postsecondary institution, may not exclude a student from participation in, deny a student the benefits of, or subject a student to discrimination under any program or activity receiving federal financial assistance. Federal regulations specify that a postsecondary institution receiving federal financial assistance must ensure that no student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

This bill directs the TCS Board and the Board of Regents of the UW System jointly to do all of the following:

- 1. Subject to the availability of funds, establish at a location that best meets the needs of students with disabilities enrolled at institutions or college campuses

**ASSEMBLY BILL 469**

within the UW System or at technical colleges within the ~~technical college system~~ (institutions of higher education) a state repository for the purpose of collecting instructional materials in electronic and alternative formats and facilitating timely access to those materials by students with disabilities. "Student with a disability" is defined in the bill as a student who is blind or visually impaired, or who has a specific learning disability or other disability affecting the activity of reading, and who needs reasonable accommodations to read. "Alternative format" is defined in the bill to mean Braille, large print texts, audio recordings, digital texts, digital talking books, or any other medium or format for the presentation of instructional materials, other than standard print, that a student with a disability needs to make those materials accessible to the student.

2. Develop policies and procedures to ensure to the maximum extent possible that a student with a disability has access to instructional material in an appropriate alternative format within the first week of the class for which the material is required.

Under the bill, if a state repository is established, the state repository is required to serve as the central point for processing all requests for instructional materials in electronic format or alternative format from institutions of higher education and, in performing that function, to do all of the following:

1. Compile and maintain a collection of instructional materials in electronic format and alternative format received from publishers, institutions of higher education, and other sources.

2. Receive requests for instructional materials in electronic format or alternative format from institutions of higher education.

3. If the instructional material requested is available in the state repository's collection or is otherwise available to the state repository, provide a copy of the instructional material to the requester.

4. If the instructional material requested is not available in the state repository's collection or is otherwise not available, request the publisher to provide the instructional material in electronic format and obtain permission from the publisher to convert or arrange for the conversion of that instructional material into ~~an~~ alternative format.

5. Receive instructional material in electronic format from publishers, convert or arrange for the conversion of that instructional material into ~~an~~ alternative format, and provide that alternative format version to the requesting institution of higher education at no additional cost.

If a state repository is established, the bill permits an institution of higher education, on behalf of a student with a disability, to request the state repository to provide instructional material in electronic format or alternative format by submitting a request to the state repository. The bill requires the state repository to satisfy the request either by providing a copy that is available in the state repository's collection or is otherwise available to the state repository or, if a copy is not available from those sources, by requesting the publisher to provide the material in electronic format. If it is necessary for the state repository to request instructional material in electronic format from the publisher, within 15 working days after

**ASSEMBLY BILL 469**

receipt of the request the publisher must provide the instructional material to the state repository at no additional cost.

Under the bill, a request for instructional material in electronic format must  
> certify that: 1) a copy of the instructional material in a standard format has been purchased for use by a student with a disability; 2) the student has a disability that prevents the student from using instructional material in a standard format; and 3) the instructional material is for use by the student in connection with a course at the institution of higher education in which the student is enrolled. In addition, the publisher may require the student to sign a statement agreeing that the student will use the electronic copy of the instructional material solely for his or her own educational purposes and that the student will not copy or distribute the instructional material for use by others.

Under the bill, instructional material provided by a publisher in electronic  
> format must: 1) maintain the structural integrity of the original instructional material, which means that all of the information provided in printed instructional material, including the text of sidebars; the table of contents; chapter headings and subheadings; footnotes; indexes; glossaries; bibliographies; nontextual elements, such as pictures, illustrations, graphs, charts, and screenshots; and any other data that are pertinent to the instructional material, is included when that printed instructional material is provided in electronic format; 2) be compatible with commonly used Braille translation or speech synthesis software; 3) include corrections and revisions as necessary; and 4) be in an electronic format that is mutually agreed to between the publisher and the requester or, if the publisher and the requester cannot agree to a format, be in a format that is suitable for the creation of instructional material in an alternative format and that maintains the structural integrity of the original material as much as possible.

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. The bill also permits an institution of higher education that converts instructional material into an alternative format to share the alternative format version of the material with the state repository, with any other institution of higher education that is serving a student with a disability, or with an entity that is authorized under the federal Copyright Act to reproduce and distribute previously published works in alternative formats exclusively for use by persons with disabilities and that commonly provides instructional materials in alternative formats to students enrolled in institutions of higher education.

Finally, current law prohibits any person from denying to another the full and equal enjoyment of any public place of accommodation or amusement because of disability (public accommodations law). This bill provides that a publisher of instructional material is considered to be a public place of accommodation or amusement and that any publisher that refuses to provide instructional material as required under the bill is in violation of the public accommodations law.

for use by a student with a disability  
for use by a student with a disability  
or to otherwise assist such a student  
or to otherwise assist such a student

**ASSEMBLY BILL 469**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

(1)

1 SECTION 1. 106.52 (1) (e) 1. of the statutes is amended to read:

2 106.52 (1) (e) 1. "Public place of accommodation or amusement" shall be  
3 interpreted broadly to include, ~~but not be limited to,~~ places of business or recreation;  
4 lodging establishments; restaurants; taverns; barber or cosmetologist, aesthetician,  
5 electrologist or manicuring establishments; nursing homes; clinics; hospitals;  
6 cemeteries; publishers, as defined in s. 106.57 (1) (h) and any place where  
7 accommodations, amusement, goods, or services are available either free or for a  
8 consideration, subject to subd. 2.

9 SECTION 2. 106.52 (3) (a) 6. of the statutes is created to read:

10 106.52 (3) (a) 6. Refuse to provide instructional material in electronic format  
11 in violation of s. 106.57 (3) (a).

12 SECTION 3. 106.57 of the statutes is created to read:

13 **106.57 Postsecondary education; accessible instructional material for**  
14 **students with disabilities. (1) DEFINITIONS.** In this section:

15 (a) "Alternative format" means Braille, large print texts, audio recordings,  
16 digital texts, digital talking books, or any other medium or format for the  
17 presentation of instructional materials, other than standard print, that a student  
18 with a disability needs to make those materials accessible to the student.

19 (b) "Board" means the technical college system board.

20 (c) "Board of Regents" means the Board of Regents of the University of  
21 Wisconsin System.

**ASSEMBLY BILL 469**

1 (d) “Institution of higher education” means an institution or college campus  
2 within the University of Wisconsin System or a technical college within the technical  
3 college system.

4 (e) “Instructional material” means any material that the instructor of a course  
5 of study at an institution of higher education includes in the syllabus of that course  
6 of study.

7 (f) “Maintain structural integrity” means to include all of the information  
8 provided in the original printed instructional material, including the text of sidebars;  
9 the table of contents; chapter headings and subheadings; footnotes; indexes;  
10 glossaries; bibliographies; nontextual elements, such as pictures, illustrations,  
11 graphs, charts, and screenshots; and any other data that are pertinent to the  
12 instructional material, when that printed instructional material is provided in  
13 electronic format.

14 (g) “Nonprinted instructional material” means instructional material in a  
15 format other than print, including instructional material that requires the  
16 availability of electronic equipment, such as a computer software program,  
17 videodisc, videotape, or audiotape, to be used as a learning resource.

18 (h) “Printed instructional material” means instructional material in a book or  
19 other printed form.

20 (i) “Publisher” means a person that publishes or manufactures instructional  
21 material.

22 (j) “State repository” means the state repository for instructional materials  
23 established under sub. (2) (a) 1.

24 (k) “Student with a disability” means a student enrolled in an institution of  
25 higher education who is blind or visually impaired, or who has a specific learning

**ASSEMBLY BILL 469**

1 disability or other disability affecting the activity of reading, and who needs  
2 reasonable accommodations to read.

3 (L) "Working day" means a day that is not a Saturday, a Sunday, a holiday  
4 designated under s. 230.35 (4) (a), or a legal holiday under federal law.

5 (2) STATE REPOSITORY. (a) The board and the board of regents shall jointly under  
6 s. 20.901 (4) do all of the following:

7 1. Subject to the availability of funds, establish a state repository for the  
8 purpose of collecting instructional materials in electronic and alternative formats  
9 and facilitating timely access to those materials by students with disabilities. The  
10 board and the board of regents shall jointly determine the location of the state  
11 repository so as to best meet the needs of students with disabilities enrolled at  
12 institutions of higher education in this state.

13 2. Develop policies and procedures to ensure to the maximum extent possible  
14 that a student with a disability has access to instructional material in an appropriate  
15 alternative format within the first week of the class for which the material is  
16 required.

17 (b) If a state repository is established under ~~sub. (2)~~ <sup>para</sup> (a) 1., the state repository  
18 shall serve as the central point for processing all requests for instructional materials  
19 in electronic format or alternative format from institutions of higher education under  
20 sub. (3) (a) 1. and, in performing that function, shall do all of the following:

21 1. Compile and maintain a collection of instructional materials in electronic  
22 format and alternative format received from publishers, institutions of higher  
23 education, and other sources.

24 2. Receive requests for instructional materials in electronic format or  
25 alternative format from institutions of higher education under sub. (3) (a) 1.

ASSEMBLY BILL 469

1           3. If the instructional material requested is available in the state repository's  
2 collection or is otherwise available to the state repository, provide a copy of the  
3 instructional material to the requester.

4           4. If the instructional material requested is not available in the state  
5 repository's collection or is otherwise not available, request the publisher to provide  
6 the instructional material in electronic format under sub. (3) (a) 1. and obtain  
7 permission from the publisher to convert or arrange for the conversion of that  
8 instructional material into ~~an~~ alternative format.

9           5. Receive instructional material in electronic format from publishers under  
10 sub. (3) (a) 1., convert or arrange for the conversion of that instructional material into  
11 ~~an~~ alternative format, and provide the alternative format version to the requesting  
12 institution of higher education at no additional cost.

without requesting the publisher  
without requesting the publisher  
to provide that material  
to provide that material

13           (c) If a publisher has previously responded to a request from the state  
14 repository for instructional material in electronic format under sub. (3) (a) 1., the  
15 state repository shall satisfy all subsequent requests for the material from an  
16 institution of higher education. On request of a publisher, the state repository shall  
17 provide to the publisher all of the following:

18           1. A summary of all instructional materials published by that publisher that  
19 the state repository has provided in electronic format or alternative format to  
20 institutions of higher education from its holdings.

21           2. Copies of requests for instructional materials published by that publisher  
22 that the state repository has received from institutions of higher education.

23           (d) In its biennial report under s. 15.04 (1) (d), the Board of Regents shall  
24 include an assessment of the need for technical assistance, training, and other  
25 support to increase the availability and effective use of instructional materials in

ASSEMBLY BILL 469

1 alternative formats by students with disabilities enrolled in the University of  
2 Wisconsin System. In its biennial report under s. 15.04 (1) (d), the board shall include  
3 an assessment of the need for technical assistance, training, and other support to  
4 increase the availability and effective use of instructional materials in alternative  
5 formats by students with disabilities enrolled in the technical college system.

6 (3) PROVISION OF INSTRUCTIONAL MATERIALS IN ELECTRONIC OR ALTERNATIVE  
7 FORMAT. (a) If a state repository is established under sub. (2) (a) 1., all of the following  
8 shall apply:

to the state repository repository

9 1. An institution of higher education, on behalf of a student with a disability,  
10 may request the state repository to provide instructional material in electronic  
11 format or alternative format by submitting a request that complies with par. (b) and

12 with any requirement imposed by the publisher under par. (c) ~~to the state repository~~  
13 and the state repository shall satisfy the request as provided in sub. (2) (b) 3. to 5.

14 If it is necessary for the state repository to request instructional material in  
15 electronic format from the publisher, within 15 working days after receipt of the  
16 request the publisher, subject to par. (e), shall provide the instructional material in  
17 an electronic format that complies with par. (d) to the state repository at no  
18 additional cost.

19 2. All requests to publishers for instructional materials in electronic format  
20 from institutions of higher education shall be made through the state repository. A  
21 publisher is required to honor and respond only to those requests for instructional  
22 materials in electronic format from institutions of higher education that are made  
23 through the state repository.

24 (b) A request under par. (a) for instructional material in electronic format or  
25 alternative format shall be prepared and signed by the coordinator of services for



**ASSEMBLY BILL 469**

1 students with disabilities at an institution of higher education or by another  
2 employee of an institution of higher education who is responsible for monitoring  
3 compliance with the federal Americans with Disabilities Act, 42 USC 12101 to 12213,  
4 or the federal Rehabilitation Act of 1973, 29 USC 701 to 796L, by a representative  
5 of the division of vocational rehabilitation in the department on behalf of an  
6 institution of higher education, or by a representative of the state repository on  
7 behalf of an institution of higher education, and shall certify all of the following:

8 1. That a copy of the instructional material in standard format has been  
9 purchased for use by a student with a disability by the student or by the institution  
10 of higher education in which the student is enrolled.

11 2. That the student has a disability that prevents the student from using  
12 instructional material in standard format.

13 3. That the instructional material is for use by the student in connection with  
14 a course at the institution of higher education in which the student is enrolled.

15 (c) A publisher may require a request under par. (a) to be accompanied by a  
16 statement signed by the student or, if the student is a minor, the student's parent,  
17 guardian, or legal custodian agreeing to all of the following:

18 1. That the student will use the instructional material solely for his or her own  
19 educational purposes.

20 2. That the student will not copy or distribute the instructional material for use  
21 by others.

22 (d) Instructional material provided by a publisher in electronic format shall  
23 meet all of the following requirements:

24 1. Maintain the structural integrity of the original instructional material,  
25 except that this requirement does not apply to nontextual instructional material

ASSEMBLY BILL 469

1 unless technology is available to maintain the structural integrity of the nontextual  
2 instructional material.

3 2. Be compatible with commonly used Braille translation or speech synthesis  
4 software.

5 3. Include corrections and revisions as necessary.

6 4. Be in an electronic format that is mutually agreed to between the publisher  
7 and the requester. If good faith efforts fail to produce an agreement as to an  
8 electronic format that will maintain the structural integrity of the original  
9 instructional material, the publisher shall provide the instructional material in an  
10 electronic format that is suitable for the creation of instructional material in  
11 alternative format and that maintains the structural integrity of the original  
12 instructional material as much ~~as possible~~ as possible.

13 (e) If providing instructional material in electronic format within 15 working  
14 days after receipt of a request under par. (a) 1. would impose an undue burden on a  
15 publisher, the publisher shall, within those 15 working days, submit a statement to  
16 the requester certifying the date by which the publisher expects to transmit or  
17 deliver the instructional material. If a publisher has previously responded to a  
18 request from the state repository for instructional material in electronic format, the  
19 state repository shall satisfy all subsequent requests for that material from an  
20 institution of higher education ~~without requesting the publisher to provide that material~~

21 (4) USE OF INSTRUCTIONAL MATERIALS IN ELECTRONIC FORMAT. (a) An institution  
22 of higher education may ~~assist a student with a disability by using~~ <sup>use</sup> instructional  
23 material provided by the state repository or a publisher in electronic format solely  
24 to convert or arrange for the conversion of that material into an alternative format.

25 If an institution of higher education converts or arranges for the conversion of that

~~for use by a student with a disability or to otherwise assist such a student~~  
~~for use by a student with a disability or to otherwise assist such a student~~

**ASSEMBLY BILL 469**

1 material into an alternative format, the institution of higher education may share  
2 the alternative format version of the material with the state repository, with any  
3 other institution of higher education that is serving a student with a disability, or  
4 with an authorized entity, as defined in 17 USC 121 (c) (1), that commonly provides  
5 instructional materials in alternative formats to students enrolled in institutions of  
6 higher education.

*an electronic format version of*

7 (b) If an institution of higher education permits a student with a disability to  
8 directly use instructional material ~~in electronic format~~, the disc or file of the  
9 electronic format version shall be copy protected, or the institution of higher  
10 education shall take reasonable precautions to ensure that the student does not copy  
11 or distribute the electronic format version in violation of the federal Copyright Act,  
12 17 USC 101 to 1332.

13 (c) Nothing in this section shall be construed to authorize any use of  
14 instructional materials that would constitute an infringement of copyright under the  
15 federal Copyright Act, 17 USC 101 to 1332.

16 (5) PUBLISHER A PUBLIC PLACE OF ACCOMMODATION OR AMUSEMENT. A publisher is  
17 considered to be a public place of accommodation or amusement for purposes of s.  
18 106.52. Any publisher that refuses to provide instructional material in electronic  
19 format as required under sub. (3) (a) 1. is in violation of s. 106.52 (3).

**SECTION 4. Effective date.**

*2010*

20  
21 (1) This act takes effect on January 1, ~~2008~~, or on the day after publication,  
22 whichever is later.

*e*

(END)

23

## Malaise, Gordon

---

**From:** Verette, Natalie  
**Sent:** Friday, March 05, 2010 10:44 AM  
**To:** Malaise, Gordon  
**Subject:** LRB 2990

Gordon,

Earlier this year you redrafted 2007 AB 469. The draft was identical and assigned as LRB 2990/1. The bill requires publishers to give electronic versions of instructional materials upon request to higher education institutions. It also establishes a state repository operated by the UW & Tech System.

We have held off on introducing the bill because of budget concerns. Unfortunately we do not believe we can get the bill through with a fiscal impact. But the advocate groups we have been working with still feel strongly about establishing the requirement for publishers in statute.

Therefore, I would like to request a /2 of the bill that removes the language establishing the repository (Page 7, Line 16 through Page 8, Line 24). There are also a few other references to the repository throughout the bill:

Page 5, Lines 1-2  
Page 6, Lines 3-4  
Page 9, Line 7  
References in the Analysis

I think that's all of them, but you know all the technicalities better than me so you may want to do another look through. I know all of the drafters are very busy, so I'm trying to be as helpful as possible.

Once we have the new draft Senator Wirch will be introducing a Senate companion. It is our intention to circulate the bill for a short co-sponsorship period and move it through both houses still this session. So like everyone else in the Legislature time is very short. Thank you very much for all of your help!

Natalie

---

Natalie Verette  
Legislative Assistant  
**Office of State Representative Donna Seidel**  
*Assistant Majority Leader*  
85th Assembly District

State Capitol, 218 North  
P.O. Box 8953  
Madison, WI 53708

608.266.0654  
888.534.0085 (toll-free)  
natalie.verette@legis.wisconsin.gov



State of Wisconsin  
2009 - 2010 LEGISLATURE

In 3/8  
soon

LRB-2990/10  
GMM:bjk:rs  
Stays  
RNR

2009 BILL

SA  
Inserts

regen.

1 AN ACT *to amend* 106.52 (1) (e) 1.; and *to create* 106.52 (3) (a) 6. and 106.57 of  
2 the statutes; **relating to:** accessible instructional materials for students with  
3 disabilities enrolled in the University of Wisconsin System or the Technical  
4 College System.

***Analysis by the Legislative Reference Bureau***

Under current state law, the University of Wisconsin System (UW System) and the Technical College System (TCS) may not deny to a student admission to, participation in, or the benefits of, or discriminate against a student in, any service, program, course, or facility because of the student's disability. In addition, under current federal law, a college, university, or other postsecondary institution, including a private postsecondary institution, may not exclude a student from participation in, deny a student the benefits of, or subject a student to discrimination under any program or activity receiving federal financial assistance. Federal regulations specify that a postsecondary institution receiving federal financial assistance must ensure that no student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

~~This bill directs the TCS Board and the Board of Regents of the UW System jointly to do all of the following:  
1. Subject to the availability of funds, establish at a location that best meets the needs of students with disabilities enrolled at institutions or college campuses~~

**BILL**

within the UW System or at technical colleges within the TCS (institutions of higher education) a state repository for the purpose of collecting instructional materials in electronic and alternative formats and facilitating timely access to those materials by students with disabilities. "Student with a disability" is defined in the bill as a student who is blind or visually impaired, or who has a specific learning disability or other disability affecting the activity of reading, and who needs reasonable accommodations to read. "Alternative format" is defined in the bill to mean Braille, large print texts, audio recordings, digital texts, digital talking books, or any other medium or format for the presentation of instructional materials, other than standard print, that a student with a disability needs to make those materials accessible to the student.

2. Develop policies and procedures to ensure to the maximum extent possible that a student with a disability has access to instructional material in an appropriate alternative format within the first week of the class for which the material is required.

Under the bill, if a state repository is established, the state repository is required to serve as the central point for processing all requests for instructional materials in electronic format or alternative format from institutions of higher education and, in performing that function, to do all of the following:

1. Compile and maintain a collection of instructional materials in electronic format and alternative format received from publishers, institutions of higher education, and other sources.

2. Receive requests for instructional materials in electronic format or alternative format from institutions of higher education.

3. If the instructional material requested is available in the state repository's collection or is otherwise available to the state repository, provide a copy of the instructional material to the requester.

4. If the instructional material requested is not available in the state repository's collection or is otherwise not available, request the publisher to provide the instructional material in electronic format and obtain permission from the publisher to convert or arrange for the conversion of that instructional material into alternative format.

5. Receive instructional material in electronic format from publishers, convert or arrange for the conversion of that instructional material into alternative format, and provide that alternative format version to the requesting institution of higher education at no additional cost.

If a state repository is established, the bill permits an institution of higher education, on behalf of a student with a disability, to request the state repository to provide instructional material in electronic format or alternative format by submitting a request to the state repository. The bill requires the state repository to satisfy the request either by providing a copy that is available in the state repository's collection or is otherwise available to the state repository or, if a copy is not available from those sources, by requesting the publisher to provide the material in electronic format. If it is necessary for the state repository to request instructional material in electronic format from the publisher, within 15 working days after

**BILL**

institution of higher education

receipt of the request the publisher must provide the instructional material to the ~~state repository~~ at no additional cost.

Under the bill, a request for instructional material in electronic format must certify that: 1) a copy of the instructional material in a standard format has been purchased for use by a student with a disability; 2) the student has a disability that prevents the student from using instructional material in a standard format; and 3) the instructional material is for use by the student in connection with a course at the institution of higher education in which the student is enrolled. In addition, the publisher may require the student to sign a statement agreeing that the student will use the electronic copy of the instructional material solely for his or her own educational purposes and that the student will not copy or distribute the instructional material for use by others.

Under the bill, instructional material provided by a publisher in electronic format must: 1) maintain the structural integrity of the original instructional material, which means that all of the information provided in printed instructional material, including the text of sidebars; the table of contents; chapter headings and subheadings; footnotes; indexes; glossaries; bibliographies; nontextual elements, such as pictures, illustrations, graphs, charts, and screenshots; and any other data that are pertinent to the instructional material, is included when that printed instructional material is provided in electronic format; 2) be compatible with commonly used Braille translation or speech synthesis software; 3) include corrections and revisions as necessary; and 4) be in an electronic format that is mutually agreed to between the publisher and the requester or, if the publisher and the requester cannot agree to a format, be in a format that is suitable for the creation of instructional material in an alternative format and that maintains the structural integrity of the original material as much as possible.

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. The bill also permits an institution of higher education that converts instructional material into an alternative format to share the alternative format version of the material ~~with the state repository~~ with any other institution of higher education that is serving a student with a disability, or with an entity that is authorized under the federal Copyright Act to reproduce and distribute previously published works in alternative formats exclusively for use by persons with disabilities and that commonly provides instructional materials in alternative formats to students enrolled in institutions of higher education.

Finally, current law prohibits any person from denying to another the full and equal enjoyment of any public place of accommodation or amusement because of disability (public accommodations law). This bill provides that a publisher of instructional material is considered to be a public place of accommodation or amusement and that any publisher that refuses to provide instructional material as required under the bill is in violation of the public accommodations law.

**BILL**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 106.52 (1) (e) 1. of the statutes is amended to read:

2           106.52 (1) (e) 1. "Public place of accommodation or amusement" shall be  
3 interpreted broadly to include, ~~but not be limited to~~, places of business or recreation;  
4 lodging establishments; restaurants; taverns; barber or cosmetologist, aesthetician,  
5 electrologist or manicuring establishments; nursing homes; clinics; hospitals;  
6 cemeteries; publishers, as defined in s. 106.57 (1) <sup>h</sup>; and any place where  
7 accommodations, amusement, goods, or services are available either free or for a  
8 consideration, subject to subd. 2.

9           **SECTION 2.** 106.52 (3) (a) 6. of the statutes is created to read:

10           106.52 (3) (a) 6. Refuse to provide instructional material in electronic format  
11 in violation of s. 106.57 <sup>2</sup> (a).

12           **SECTION 3.** 106.57 of the statutes is created to read:

13           **106.57 Postsecondary education; accessible instructional material for**  
14 **students with disabilities. (1) DEFINITIONS.** In this section:

15           (a) "Alternative format" means Braille, large print texts, audio recordings,  
16 digital texts, digital talking books, or any other medium or format for the  
17 presentation of instructional materials, other than standard print, that a student  
18 with a disability needs to make those materials accessible to the student.

19           (b) "Board" means the technical college system board.

20           (c) "Board of Regents" means the Board of Regents of the University of  
21 Wisconsin System.



**BILL**

1 (d) "Institution of higher education" means an institution or college campus  
2 within the University of Wisconsin System or a technical college within the technical  
3 college system.

4 (e) "Instructional material" means any material that the instructor of a course  
5 of study at an institution of higher education includes in the syllabus of that course  
6 of study.

7 (f) "Maintain<sup>the</sup> structural integrity" means to include all of the information  
8 provided in the original printed instructional material, including the text of sidebars;  
9 the table of contents; chapter headings and subheadings; footnotes; indexes;  
10 glossaries; bibliographies; nontextual elements, such as pictures, illustrations,  
11 graphs, charts, and screenshots; and any other data that are pertinent to the  
12 instructional material, when that printed instructional material is provided in  
13 electronic format.

14 (g) "Nonprinted instructional material" means instructional material in a  
15 format other than print, including instructional material that requires the  
16 availability of electronic equipment, such as a computer software program,  
17 videodisc, videotape, or audiotape, to be used as a learning resource.

18 (g) (h) "Printed instructional material" means instructional material in a book or  
19 other printed form.

20 (h) (i) "Publisher" means a person that publishes or manufactures instructional  
21 material.

22 (j) "State repository" means the state repository for instructional materials  
23 established under sub. (2) (a) 1.

24 (k) "Student with a disability" means a student enrolled in an institution of  
25 higher education who is blind or visually impaired, or who has a specific learning

(i)

**BILL**

1 disability or other disability affecting the activity of reading, and who needs  
2 reasonable accommodations to read.

3 ~~(k)~~ ~~(d)~~ "Working day" means a day that is not a Saturday, a Sunday, a holiday  
4 designated under s. 230.35 (4) (a), or a legal holiday under federal law.

5 ~~(2) STATE REPOSITORY. (a) The board and the board of regents shall jointly under~~  
6 s. 20.901 (4) do all of the following:

7 1. Subject to the availability of funds, establish a state repository for the  
8 purpose of collecting instructional materials in electronic and alternative formats  
9 and facilitating timely access to those materials by students with disabilities. The  
10 board and the board of regents shall jointly determine the location of the state  
11 repository so as to best meet the needs of students with disabilities enrolled at  
12 institutions of higher education in this state.

13 2. Develop policies and procedures to ensure to the maximum extent possible  
14 that a student with a disability has access to instructional material in an appropriate  
15 alternative format within the first week of the class for which the material is  
16 required.

17 (b) If a state repository is established under par. (a) 1., the state repository shall  
18 serve as the central point for processing all requests for instructional materials in  
19 electronic format or alternative format from institutions of higher education under  
20 sub. (3) (a) 1. and, in performing that function, shall do all of the following:

21 1. Compile and maintain a collection of instructional materials in electronic  
22 format and alternative format received from publishers, institutions of higher  
23 education, and other sources.

24 2. Receive requests for instructional materials in electronic format or  
25 alternative format from institutions of higher education under sub. (3) (a) 1.

**BILL**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

3. If the instructional material requested is available in the state repository's collection or is otherwise available to the state repository, provide a copy of the instructional material to the requester.

4. If the instructional material requested is not available in the state repository's collection or is otherwise not available, request the publisher to provide the instructional material in electronic format under sub. (3) (a) 1. and obtain permission from the publisher to convert or arrange for the conversion of that instructional material into alternative format.

5. Receive instructional material in electronic format from publishers under sub. (3) (a) 1., convert or arrange for the conversion of that instructional material into alternative format, and provide the alternative format version to the requesting institution of higher education at no additional cost.

(c) If a publisher has previously responded to a request from the state repository for instructional material in electronic format under sub. (3) (a) 1., the state repository shall satisfy all subsequent requests for the material from an institution of higher education without requesting the publisher to provide that material. On request of a publisher, the state repository shall provide to the publisher all of the following:

1. A summary of all instructional materials published by that publisher that the state repository has provided in electronic format or alternative format to institutions of higher education from its holdings.

2. Copies of requests for instructional materials published by that publisher that the state repository has received from institutions of higher education.

(d) In its biennial report under s. 15.04 (1) (d), the Board of Regents shall include an assessment of the need for technical assistance, training, and other

BILL

1 support to increase the availability and effective use of instructional materials in  
 2 alternative formats by students with disabilities enrolled in the University of  
 3 Wisconsin System. In its biennial report under s. 15.04 (1) (d), the board shall include  
 4 an assessment of the need for technical assistance, training, and other support to  
 5 increase the availability and effective use of instructional materials in alternative  
 6 formats by students with disabilities enrolled in the technical college system

7 <sup>(B) (2)</sup> PROVISION OF INSTRUCTIONAL MATERIALS IN ELECTRONIC ~~OR ALTERNATIVE~~  
 8 FORMAT. (a) ~~If a state repository is established under sub. (2) (a) 1, all of the following~~

9 ~~shall apply.~~ <sup>An</sup>  
 10 ~~An~~ <sup>NO</sup> institution of higher education, on behalf of a student with a disability,  
 11 may request ~~the state repository~~ <sup>a publisher</sup> to provide instructional material in electronic  
 12 format ~~or alternative format~~ by submitting to the ~~state repository~~ <sup>publisher</sup> a request that  
 13 complies with par. (b) and with ~~any~~ <sup>additional</sup> requirement imposed by the publisher under par.

14 ~~(c) and the state repository shall satisfy the request as provided in sub. (2) (b) 3. to~~  
 15 5. If it is necessary for the state repository to request instructional material in  
 16 electronic format from the publisher, within 15 working days after receipt of the  
 17 request the publisher, subject to par. (e), shall provide the instructional material in  
 18 an electronic format that complies with par. (d) to the ~~state repository~~ <sup>institution of higher education</sup> at no  
 19 additional cost.

20 2. All requests to publishers for instructional materials in electronic format  
 21 from institutions of higher education shall be made through the state repository. A  
 22 publisher is required to honor and respond only to those requests for instructional  
 23 materials in electronic format from institutions of higher education that are made  
 24 through the state repository.

(c) and a request for permission to convert or arrange for the conversion  
 of mat instructional material into alternative format <sup>format</sup> within

## BILL

1 (b) A request under par. (a) for instructional material in electronic format <sup>or</sup>  
2 ~~alternative format~~ shall be prepared and signed by the coordinator of services for  
3 students with disabilities at <sup>the</sup> ~~an~~ institution of higher education <sup>or</sup> ~~by~~ by another  
4 employee of <sup>the</sup> ~~an~~ institution of higher education who is responsible for monitoring  
5 compliance with the federal Americans with Disabilities Act, 42 USC 12101 to 12213,  
6 or the federal Rehabilitation Act of 1973, 29 USC 701 to 796L, <sup>or</sup> ~~by~~ by a representative  
7 of the division of vocational rehabilitation in the department on behalf of <sup>the</sup> ~~an~~  
8 institution of higher education, ~~or by a representative of the state repository on~~  
9 ~~behalf of an institution of higher education,~~ and shall certify all of the following:

10 1. That a copy of the instructional material in standard format has been  
11 purchased for use by a student with a disability by the student or by the institution  
12 of higher education in which the student is enrolled.

13 2. That the student has a disability that prevents the student from using  
14 instructional material in standard format.

15 3. That the instructional material is for use by the student in connection with  
16 a course at the institution of higher education in which the student is enrolled.

17 (c) A publisher may require a request under par. (a) <sup>also</sup> ~~to~~ be accompanied by a  
18 statement signed by the student or, if the student is a minor, the student's parent,  
19 guardian, or legal custodian agreeing to all of the following:

20 1. That the student will use the instructional material solely for his or her own  
21 educational purposes.

22 2. That the student will not copy or distribute the instructional material for use  
23 by others.

24 (d) Instructional material provided by a publisher in electronic format shall  
25 meet all of the following requirements:

BILL

1 1. Maintain the structural integrity of the original instructional material,  
2 except that this requirement does not apply to nontextual instructional material  
3 unless technology is available to maintain the structural integrity of the nontextual  
4 instructional material.

5 2. Be compatible with commonly used Braille translation or speech synthesis  
6 software.

7 3. Include corrections and revisions as necessary.

8 4. Be in an electronic format that is mutually agreed to between the publisher  
9 and the requester. If good faith efforts fail to produce an agreement as to an  
10 electronic format that will maintain the structural integrity of the original  
11 instructional material, the publisher shall provide the instructional material in an  
12 electronic format that is suitable for the creation of instructional material in  
13 alternative format and that maintains the structural integrity of the original  
14 instructional material as much as possible.

15 (e) If providing instructional material in electronic format within 15 working  
16 days after receipt of a request under par (a) would impose an undue burden on a  
17 publisher, the publisher shall, within those 15 working days, submit a statement to  
18 the requester certifying the date by which the publisher expects to transmit or  
19 deliver the instructional material. If a publisher has previously responded to a  
20 request from the institution of higher education for instructional material in electronic format, the  
21 institution of higher education shall satisfy all subsequent requests for that material from an  
22 institution of higher education without requesting the publisher to provide that  
23 material.

24 (4) USE OF INSTRUCTIONAL MATERIALS IN ELECTRONIC FORMAT. (a) An institution  
25 of higher education may use instructional material provided by the state repository

24  
25  
Insert  
10-23

Insert  
10-23

**BILL**

1 a publisher in electronic format solely to convert or arrange for the conversion of  
 2 that material into an alternative format for use by a student with a disability or to  
 3 otherwise assist such a student. If an institution of higher education converts or  
 4 arranges for the conversion of that material into an alternative format, the  
 5 institution of higher education may share the alternative format version of the  
 6 material ~~with the state repository~~ with any other institution of higher education that  
 7 is serving a student with a disability or with an authorized entity, as defined in 17  
 8 USC 121 (c) (1), that commonly provides instructional materials in alternative  
 9 formats to students enrolled in institutions of higher education.

10 (b) If an institution of higher education permits a student with a disability to  
 11 directly use an electronic format version of instructional material, the disc or file of  
 12 the electronic format version shall be copy protected, or the institution of higher  
 13 education shall take reasonable precautions to ensure that the student does not copy  
 14 or distribute the electronic format version in violation of the federal Copyright Act,  
 15 17 USC 101 to 1332.

16 (c) Nothing in this section shall be construed to authorize any use of  
 17 instructional materials that would constitute an infringement of copyright under the  
 18 federal Copyright Act, 17 USC 101 to 1332.

19 ~~(b)~~ <sup>4</sup> (b) PUBLISHER A PUBLIC PLACE OF ACCOMMODATION OR AMUSEMENT. A publisher is  
 20 considered to be a public place of accommodation or amusement for purposes of s.  
 21 106.52. Any publisher that refuses to provide instructional material in electronic  
 22 format as required under sub. <sup>2</sup> (b) (a) ~~(b)~~ is in violation of s. 106.52 (3).

23 **SECTION 4. Effective date.**

**BILL**

(1) ~~This act takes effect on January 1, 2010, or on the day after publication,~~  
whichever is later

(END)

1  
2  
3

Insert  
12-2



BILL

Insert 12-2  
POLICIES AND PROCEDURES

1 disability or other disability affecting the activity of reading, and who needs  
2 reasonable accommodations to read.

3 (L) "Working day" means a day that is not a Saturday, a Sunday, a holiday  
4 designated under s. 230.35 (4) (a), or a legal holiday under federal law.

5 (2) STATE REPOSITORY. The board and the board of regents shall jointly under  
6 s. 20.901 (4) do all of the following:

7 1. Subject to the availability of funds, establish a state repository for the  
8 purpose of collecting instructional materials in electronic and alternative formats  
9 and facilitating timely access to those materials by students with disabilities. The  
10 board and the board of regents shall jointly determine the location of the state  
11 repository so as to best meet the needs of students with disabilities enrolled at  
12 institutions of higher education in this state.

13 2. Develop policies and procedures to ensure to the maximum extent possible  
14 that a student with a disability has access to instructional material in an appropriate  
15 alternative format within the first week of the class for which the material is  
16 required.

17 (b) If a state repository is established under par. (a) 1., the state repository shall  
18 serve as the central point for processing all requests for instructional materials in  
19 electronic format or alternative format from institutions of higher education under  
20 sub. (3) (a) 1. and, in performing that function, shall do all of the following:

21 1. Compile and maintain a collection of instructional materials in electronic  
22 format and alternative format received from publishers, institutions of higher  
23 education, and other sources.

24 2. Receive requests for instructional materials in electronic format or  
25 alternative format from institutions of higher education under sub. (3) (a) 1.

**BILL**

Insert ~~10-23~~ 12-2

3. ~~If the instructional material requested is available in the state repository's collection or is otherwise available to the state repository, provide a copy of the instructional material to the requester.~~

4. ~~If the instructional material requested is not available in the state repository's collection or is otherwise not available, request the publisher to provide the instructional material in electronic format under sub. (3) (a) 1. and obtain permission from the publisher to convert or arrange for the conversion of that instructional material into alternative format.~~

5. ~~Receive instructional material in electronic format from publishers under sub. (3) (a) 1., convert or arrange for the conversion of that instructional material into alternative format, and provide the alternative format version to the requesting institution of higher education at no additional cost.~~

(c) ~~If a publisher has previously responded to a request from the state repository for instructional material in electronic format under sub. (3) (a) 1., the state repository shall satisfy all subsequent requests for the material from an institution of higher education without requesting the publisher to provide that material.~~ On request of a publisher, the state repository shall provide to the publisher all of the following:

1. ~~A summary of all instructional materials published by that publisher that the state repository has provided in electronic format or alternative format to institutions of higher education from its holdings.~~

2. ~~Copies of requests for instructional materials published by that publisher that the state repository has received from institutions of higher education.~~

24 ~~(B)~~ In its biennial report under s. 15.04 (1) (d), the Board of Regents shall include an assessment of the need for technical assistance, training, and other

(B) (C) (D) REPORT

**BILL**

8  
[Inst 12-2]

1 support to increase the availability and effective use of instructional materials in  
 2 alternative formats by students with disabilities enrolled in the University of  
 3 Wisconsin System. In its biennial report under s. 15.04 (1) (d), the board shall include  
 4 an assessment of the need for technical assistance, training, and other support to  
 5 increase the availability and effective use of instructional materials in alternative  
 6 formats by students with disabilities enrolled in the technical college system.

7 **(3) PROVISION OF INSTRUCTIONAL MATERIALS IN ELECTRONIC OR ALTERNATIVE**

8 **FORMAT.** (a) If a state repository is established under sub. (2) (a) 1., all of the following  
 9 shall apply:

10 1. An institution of higher education, on behalf of a student with a disability,  
 11 may request the state repository to provide instructional material in electronic  
 12 format or alternative format by submitting to the state repository a request that  
 13 complies with par. (b) and with any requirement imposed by the publisher under par.  
 14 (c), and the state repository shall satisfy the request as provided in sub. (2) (b) 3. to  
 15 5. If it is necessary for the state repository to request instructional material in  
 16 electronic format from the publisher, within 15 working days after receipt of the  
 17 request the publisher, subject to par. (e), shall provide the instructional material in  
 18 an electronic format that complies with par. (d) to the state repository at no  
 19 additional cost.

20 2. All requests to publishers for instructional materials in electronic format  
 21 from institutions of higher education shall be made through the state repository. A  
 22 publisher is required to honor and respond only to those requests for instructional  
 23 materials in electronic format from institutions of higher education that are made  
 24 through the state repository.

(ed of inst)

BILL

Insert 10-23

3. If the instructional material requested is available in the state repository's collection or is otherwise available to the state repository, provide a copy of the instructional material to the requester.

4. If the instructional material requested is not available in the state repository's collection or is otherwise not available, request the publisher to provide the instructional material in electronic format under sub. (3) (a) 1. and obtain permission from the publisher to convert or arrange for the conversion of that instructional material into alternative format.

5. Receive instructional material in electronic format from publishers under sub. (3) (a) 1., convert or arrange for the conversion of that instructional material into alternative format, and provide the alternative format version to the requesting institution of higher education at no additional cost.

(c) If a publisher has previously responded to a request from the state repository for instructional material in electronic format under sub. (3) (a) 1., the state repository shall satisfy all subsequent requests for the material from an institution of higher education without requesting the publisher to provide that material. On request of a publisher, <sup>an institution of higher education</sup> ~~the state repository~~ shall provide to the publisher all of the following: <sup>institution of higher education</sup> x2

1. A summary of all instructional materials published by that publisher that the <sup>state repository</sup> ~~state repository~~ has provided in electronic format or alternative format to <sup>other</sup> ~~other~~ institutions of higher education from its holdings.

2. Copies of requests for instructional materials published by that publisher that the <sup>state repository</sup> ~~state repository~~ has received from <sup>other</sup> ~~other~~ institutions of higher education.

(d) In its biennial report under s. 15.04 (1) (d), the Board of Regents shall include an assessment of the need for technical assistance, training, and other

(F)

20

23

24

25

(eA & inc) 10-23

Insert A

¶ This bill permits an institution or college campus within the  
 UW System or a technical college within the TCS (institution of  
 higher education) on behalf of a student who is blind or  
 visually impaired, or who has a specific learning disability or other  
 disability affecting the activity of reading and who needs reasonable  
 accommodations to read (student with a disability) to request  
 a publisher to provide instructional material in electronic  
 format by submitting to the publisher a request <sup>for that material</sup> that complies  
 with the bill and a request for permission to <sup>convert</sup> convert or to  
 arrange for the <sup>conversion</sup> conversion of that material into Braille,  
 large print text, audio recordings, digital text, digital  
 talking books or any other medium or format for the  
 presentation of instructional materials other than standard print  
 that a student with a disability needs to make those  
 materials accessible to the student (alternative format) AA  
Within 15 working days after  
 (ed of mat)

**Barman, Mike**

---

**From:** Verette, Natalie  
**Sent:** Friday, March 12, 2010 1:30 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2990/2 Topic: Instructional materials in alternative formats for postsecondary students with disabilities

Please Jacket LRB 09-2990/2 for the ASSEMBLY.

**Barman, Mike**

**From:** Malaise, Gordon  
**Sent:** Friday, March 26, 2010 11:48 AM  
**To:** Barman, Mike  
**Subject:** RE: AB 882 and SB 638 FES

Oked by Paula  
in Senator Winch's office  
06-26-2010  
9MB

Mike:

Exactly the same scenario as that other one a couple of weeks ago. If we get the OK of the primary author, WTCS can do a local fiscal estimate for the district technical colleges.

Gordon

**From:** Barman, Mike  
**Sent:** Friday, March 26, 2010 10:40 AM  
**To:** Malaise, Gordon  
**Subject:** FW: AB 882 and SB 638 FES

Oked by  
Natalie in  
Rep. Seidel's  
office  
03-26-2010  
9MB

**From:** Nelson, Linda S - DOA [mailto:linda.nelson@wisconsin.gov]  
**Sent:** Friday, March 26, 2010 10:39 AM  
**To:** Barman, Mike  
**Subject:** FW: AB 882 and SB 638 FES

Mike -- Here is the request. -- Linda

**From:** Foy, Morna [mailto:morna.foy@wtcsystem.edu]  
**Sent:** Friday, March 26, 2010 10:29 AM  
**To:** Linda.Nelson@Wisconsin.gov  
**Subject:** AB 882 and SB 638 FES

Linda - the WTCS is requesting the fiscal estimate requests for AB 882 and the companion SB 638 be expanded to allow inclusion of local costs. The costs associated with these proposals will be incurred by local technical colleges.

~~Also, the link in the FES system to your address has an incorrect typing of your last name (Nelson).~~

Thank you for your assistance.

Morna

*Morna K. Foy*  
Vice President - Executive Assistant  
Wisconsin Technical College System  
4622 University Avenue  
Madison, WI 53705  
phone: 608.266.2449 fax: 608.266.1285  
[morna.foy@wtcsystem.edu](mailto:morna.foy@wtcsystem.edu)

## Barman, Mike

---

**From:** Barman, Mike  
**Sent:** Friday, March 26, 2010 1:53 PM  
**To:** Nelson, Linda S - DOA  
**Subject:** FW: AB 882 and SB 638 FES

Linda,

The drafter (*GMM*) and a representative from each office have all Oked adding "local" fiscal estimate information.

Thanks,

**Mike Barman** (Lead Program Assistant)  
State of Wisconsin - Legislative Reference Bureau  
Legal Section - Front Office  
1 East Main Street, Suite 200, Madison, WI 53703  
(608) 266-3561 / [mike.barman@legis.wisconsin.gov](mailto:mike.barman@legis.wisconsin.gov)

---

**From:** Malaise, Gordon  
**Sent:** Friday, March 26, 2010 11:48 AM  
**To:** Barman, Mike  
**Subject:** RE: AB 882 and SB 638 FES

Mike:

Exactly the same scenario as that other one a couple of weeks ago. If we get the OK of the primary author, WTCS can do a local fiscal estimate for the district technical colleges.

Gordon

---

**From:** Barman, Mike  
**Sent:** Friday, March 26, 2010 10:40 AM  
**To:** Malaise, Gordon  
**Subject:** FW: AB 882 and SB 638 FES

---

**From:** Nelson, Linda S - DOA [<mailto:linda.nelson@wisconsin.gov>]  
**Sent:** Friday, March 26, 2010 10:39 AM  
**To:** Barman, Mike  
**Subject:** FW: AB 882 and SB 638 FES

Mike -- Here is the request. -- Linda

---

**From:** Foy, Morna [<mailto:morna.foy@wtcsystem.edu>]  
**Sent:** Friday, March 26, 2010 10:29 AM  
**To:** [Linda.Neslon@Wisconsin.gov](mailto:Linda.Neslon@Wisconsin.gov)  
**Subject:** AB 882 and SB 638 FES

03/26/2010



Linda - the WTCS is requesting the fiscal estimate requests for AB 882 and the companion SB 638 be expanded to allow inclusion of local costs. The costs associated with these proposals will be incurred by local technical colleges.

Also, the link in the FES system to your address has an incorrect typing of your last name (Neslon).

Thank you for your assistance.

**Morna**

*Morna K. Foy*  
Vice President - Executive Assistant  
Wisconsin Technical College System  
4622 University Avenue  
Madison, WI 53705  
phone: 608.266.2449 fax: 608.266.1285  
[morna.foy@wtcsystem.edu](mailto:morna.foy@wtcsystem.edu)