

116TH CONGRESS
2D SESSION

S. 3410

To amend the Higher Education Act of 1965 to improve access to postsecondary instructional materials for students with print disabilities.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2020

Mr. CASSIDY (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to improve access to postsecondary instructional materials for students with print disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Access to Instructional
5 Materials in Higher Education Act of 2020” or the “AIM-
6 HIGH Act”.

1 **SEC. 2. PROGRAMS TO SUPPORT IMPROVED ACCESS TO**
2 **POSTSECONDARY INSTRUCTIONAL MATE-**
3 **RIALS FOR STUDENTS WITH PRINT DISABIL-**
4 **ITIES.**

5 Title VII of the Higher Education Act of 1965 (20
6 U.S.C. 1133 et seq.) is amended—

7 (1) in section 771, by striking “in nonspecial-
8 ized formats, including an individual described in
9 section 121(d)(2) of title 17, United States Code”
10 and inserting “in nonaccessible formats, including
11 an individual who is blind, has a visual or perceptual
12 impairment, has dyslexia, or has another form of
13 reading disability that renders the individual unable
14 to read printed works to substantially the same de-
15 gree as an individual without an impairment or dis-
16 ability, or who has a physical disability making the
17 individual unable to hold or manipulate a book or
18 focus or move the individual’s eyes to read”; and

19 (2) in section 773—

20 (A) in subsection (a), by striking “instruc-
21 tional materials in specialized formats” and in-
22 serting “commercially produced or open source
23 instructional materials in accessible formats”;

24 (B) in subsection (b)(1)—

1 (i) in subparagraph (A), by striking
2 “an institution” and inserting “one or
3 more institutions”; and

4 (ii) in subparagraph (B), by striking
5 clauses (i) and (ii) and inserting the fol-
6 lowing:

7 “(i) demonstrated expertise in devel-
8 oping accessible instructional materials in
9 accessible formats for postsecondary stu-
10 dents with print disabilities;

11 “(ii) demonstrated capability to part-
12 ner with national consumer organizations
13 that have the capacity to engage postsec-
14 ondary students with print disabilities in
15 the development and implementation of ac-
16 cessible instructional materials; and

17 “(iii) the technical development exper-
18 tise necessary for the efficient dissemina-
19 tion of such materials, including proce-
20 dures to protect against copyright infringe-
21 ment with respect to the creation, use, and
22 distribution of instructional materials in
23 accessible formats; and”;

24 (C) in subsection (f)—

25 (i) in paragraph (1)—

1 (I) in subparagraph (A), by strik-
 2 ing “specialized” and inserting “ac-
 3 cessible”;

4 (II) in subparagraph (B), by
 5 striking “instructional materials in
 6 specialized formats” and inserting
 7 “commercially produced or open
 8 source instructional materials in ac-
 9 cessible formats”;

10 (III) in subparagraph (C), by
 11 striking “specialized” and inserting
 12 “accessible”;

13 (IV) in subparagraph (D)—

14 (aa) by striking “instruc-
 15 tional materials in specialized
 16 formats” and inserting “commer-
 17 cially produced or open source in-
 18 structional materials in accessible
 19 formats”; and

20 (bb) by striking “may” and
 21 inserting “shall”;

22 (V) in subparagraph (E), by
 23 striking “specialized” and inserting
 24 “accessible”;

25 (VI) in subparagraph (F)—

1 (aa) by striking “special-
 2 ized” and inserting “accessible”;
 3 and

4 (bb) by striking “may” and
 5 inserting “shall”; and

6 (VII) in subparagraph (G)—

7 (aa) by striking “special-
 8 ized” and inserting “accessible”;
 9 and

10 (bb) by striking “utilizing”
 11 and inserting “that are born ac-
 12 cessible and utilize”; and

13 (ii) in paragraph (2), by inserting
 14 “and evidence” after “recommendations”;

15 (D) in subsection (g), by striking para-
 16 graphs (1) through (3) and inserting the fol-
 17 lowing:

18 “(1) Approaches for the provision of commer-
 19 cially produced or open source instructional mate-
 20 rials in accessible formats that advance the state of
 21 the art in producing instructional materials used in
 22 smaller categories of postsecondary courses, such as
 23 advanced topics in mathematics and science.

24 “(2) Approaches supporting a unified search for
 25 commercially produced or open source instructional

1 materials in accessible formats across multiple data-
 2 bases or lists of materials available to all postsec-
 3 ondary students with a qualified print disability.

4 “(3) Market-based approaches for making com-
 5 mercially produced or open source instructional ma-
 6 terials in accessible formats directly available to eli-
 7 gible students at prices comparable to standard in-
 8 structional materials.”;

9 (E) in subsection (h)(3), by striking “spe-
 10 cialized” and inserting “accessible”;

11 (F) in subsection (i)—

12 (i) by inserting “complete national ex-
 13 pansion of the models or expand to” after
 14 “expand the program under this section
 15 to”; and

16 (ii) in paragraph (1), by striking
 17 “specialized” and inserting “accessible”;
 18 and

19 (G) by adding at the end the following:

20 “(j) DEFINITION OF ACCESSIBLE FORMAT.—In this
 21 section, the term ‘accessible format’ has the meaning given
 22 the term in section 121 of title 17, United States Code.”.

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