

essary for fiscal year 2009 and each of the five succeeding fiscal years.

(b) Reservation of funds

For any fiscal year for which appropriations are made for this subpart, the Secretary shall reserve funds to enter into a cooperative agreement to establish the coordinating center under section 1140q(b) of this title, in an amount that is—

- (1) not less than \$240,000 for any year in which the amount appropriated to carry out this subpart is \$8,000,000 or less; or
- (2) equal to 3 percent of the amount appropriated to carry out this subpart for any year in which such amount appropriated is greater than \$8,000,000.

(Pub. L. 89-329, title VII, §769, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3367.)

SUBPART 3—COMMISSION ON ACCESSIBLE MATERIALS; PROGRAMS TO SUPPORT IMPROVED ACCESS TO MATERIALS

§ 1140k. Definition of student with a print disability

In this subpart, the term “student with a print disability” means a student with a disability who experiences barriers to accessing instructional material in nonspecialized formats, including an individual described in section 121(d)(2) of title 17.

(Pub. L. 89-329, title VII, §771, as added Pub. L. 110-315, title VII, §709(2), Aug. 14, 2008, 122 Stat. 3367.)

Editorial Notes

REFERENCES IN TEXT

Section 121(d) of title 17, referred to in text, was amended by Pub. L. 115-261, §2(a)(1)(D), Oct. 9, 2018, 132 Stat. 3667, and no longer defines blind or other persons with disabilities. However, section 121(d) of title 17, as amended, does define “eligible person” to include blind persons, persons with visual impairment or perceptual or reading disability, and persons with other physical disabilities that inhibit reading skills.

PRIOR PROVISIONS

A prior section 771 of Pub. L. 89-329 was renumbered section 781, and is classified to section 1141 of this title.

Another prior section 771 of Pub. L. 89-329 was classified to section 1132h of this title, prior to repeal by Pub. L. 102-325.

Another prior section 771 of Pub. L. 89-329 was classified to section 1132d-11 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

§ 1140l. Establishment of Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities

(a) Establishment

(1) In general

The Secretary shall establish a commission to be known as the Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities (in this section referred to as the “Commission”).

(2) Membership

(A) Total number of members

The Commission shall include not more than 19 members, who shall be appointed by the Secretary in accordance with subparagraphs (B) and (C).

(B) Members of the Commission

The Commission members shall include one representative from each of the following categories:

- (i) The Office of Postsecondary Education of the Department.
- (ii) The Office of Special Education and Rehabilitative Services of the Department.
- (iii) The Office for Civil Rights of the Department.
- (iv) The Library of Congress National Digital Information and Infrastructure Preservation Program Copyright Working Group.
- (v) The Association on Higher Education and Disability.
- (vi) The Association of American Publishers.
- (vii) The Association of American University Presses.
- (viii) The National Council on Disability.
- (ix) Recording for the Blind and Dyslexic.
- (x) National organizations representing individuals with visual impairments.
- (xi) National organizations representing individuals with learning disabilities.

(C) Additional members of the Commission

The Commission members shall include two representatives from each of the following categories:

- (i) Staff from institutions of higher education with demonstrated experience teaching or supporting students with print disabilities, including representatives from both two-year and four-year institutions of higher education of different sizes.
- (ii) Producers of accessible materials, publishing software, and supporting technologies in specialized formats, such as Braille, audio or synthesized speech, and digital media.
- (iii) Individuals with visual impairments, including not less than one currently enrolled postsecondary student.
- (iv) Individuals with dyslexia or other learning disabilities related to reading, including not less than one currently enrolled postsecondary student.

(D) Timing

The Secretary shall appoint the members of the Commission not later than 60 days after the Commission is established under paragraph (1).

(3) Chairperson and vice chairperson

The Commission shall select a chairperson and vice chairperson from among the members of the Commission.

(4) Meetings

(A) In general

The Commission shall meet at the call of the Chairperson.