



December 2022

TO: BOCES District Superintendents
Superintendents of Schools
Superintendents of State-Operated and State-Supported Schools
Public School Administrators
Nonpublic School Administrators
Charter School Administrators
Administrators of Approved Special Education Programs
Directors of Special Education
Directors of Pupil Personnel Services
Chairpersons of Committees on Special Education
Chairpersons of Committees on Preschool Special Education
Head Start Directors
Family and Community Engagement Centers
Independent Living Centers
New York State Commission for the Blind
Others Involved with the Education of the Blind and/or Visually Impaired

FROM: Christopher Suriano

SUBJECT: Annual Registration of All New Individuals Classified as Legally Blind for Procurement of Adapted Educational Materials Produced by the American Printing House for the Blind

The Federal Act to Promote the Education of the Blind was enacted by Congress in 1879. This act is a means for providing adapted educational materials to eligible individuals. Annual registration of eligible individuals determines a per capita amount of money designated for the purchase of educational materials produced by the American Printing House for the Blind (APH). These funds are credited to Federal Quota accounts which are maintained and administered by APH and its Ex Officio Trustees throughout the country. New York State's fund administrator is located at the New York State Resource Center for the Visually Impaired (NYSRCVI) in Batavia, New York.

The annual registration form is for individuals who are legally blind and newly enrolled in your school/agency by January 2, 2023. Please do not re-register an individual if he/she was previously registered by you or another school/agency unless the individual is new to your school/agency prior to January 2, 2023. If you are unsure about an individual's registration status, please contact Lisa DeSantis at Lisa.DeSantis@nysed.gov. Your cooperation in designating one person for this process is appreciated and will help to eliminate duplication of registrations.

Eligibility Requirements for Students

For students to be counted in the census as eligible for registration in the Federal Quota Program, they **MUST** meet the following requirements as outlined in the Act to Promote the Education of the Blind:

- **Meet the definition of blindness (MDB)**—a central visual acuity of 20/200 or less (using a Snellen chart or an acuity determined in Snellen equivalents) in the better eye with the best correction or a peripheral field of vision no greater than 20 degrees; or

Function at the definition of blindness (FDB)—when visual function meets the definition of blindness as determined by an eye care specialist (ophthalmologist or optometrist) or a medical doctor such as a neurologist. Students in this category manifest unique visual characteristics often found in conditions referred to as neurological, cortical, or cerebral blindness or low vision (e.g., brain injury or dysfunction).

- Be enrolled in a formally organized public or private, nonprofit educational program of less than college level and have a written education plan.
- School-aged students, preschool students, toddlers, and infants must be enrolled with the registering school/agency on the first Monday in January. Adult students must be registered for at least three months of instruction during the preceding calendar year (an accumulation of 12 weeks).
- Parent permissions for students 18 and under and legal guardian permissions for students of any age.
- The educational programs providing services to these students can include public, private, and parochial schools as well as vocational and rehabilitation programs for true adults.
- There is **NO chronological age limit for eligibility**. Federal law limits registration to persons working at less than college level but places no restriction on the ages of eligible students.

Eligibility Requirements for Adults

The following types of adults are eligible for registration in the Federal Quota Program:

- School-aged students registered with the Department of Education, aged 22 and over, are required by the federal government to be registered as adults in their grade field. Adult students with legal guardians, even though they are over age 18, must have legal guardian permissions on file.
- Adults in vocational or rehabilitation programs who have received a minimum of twenty hours of documented instruction per week for twelve weeks in the previous calendar year also qualify for registration in this program. The twelve weeks do not need to be consecutive. Social and leisure programs do not qualify as instruction.

Practice to develop skills can be included in instructional hours. These adults should be registered by an agency serving adults in a vocational or rehabilitation program. Adults with legal guardians in these programs, even though they are over age 18, must have legal guardian permissions on file.

Eligibility Requirements for Infants

Eligible infants (birth to three) can be registered if they are enrolled in a formally organized, regularly scheduled educational or training program and have a written education plan. An individualized family service plan (IFSP) or any other written plan may be used. This includes any child diagnosed with a vision impairment, or suspected of having a vision impairment, with a high probability of resulting in a developmental disability. Parent or legal guardian permissions are required for all students in the birth to three age group.

Eligibility Requirements for Preschool and School-Aged Children

Eligible children (preschool through high school) can be registered if they are enrolled in a formally organized, regularly scheduled educational or training program and have a written education plan. An individualized education program (IEP) for students eligible for services under the Individuals with Disabilities Education Act (IDEA), or any other written education plan may be used.

Parent or legal guardian permissions are required for all students in preschool through their eighteenth birthday. If the child has a legal guardian, a legal guardian permission is still required no matter the age.

Directions for Completing the Registration Form

The attached 2022-2023 Registration Form for Individuals Classified as Legally Blind must be completed and received no later than March 1, 2023. The per capita amount of money designated for the purchase of educational materials produced by APH is contingent on appropriate registration of eligible individuals. It is important that the following information be completed on the registration form:

- Level of **Visual Functionality Codes** (i.e., MDB or FDB)

- **Grade codes** as described below:
 - **IP** – Infants: Children birth to three years of age served by infant programs.
 - **PS** – Preschool: Children of preschool age served by preschool programs.
 - **KG** – Kindergarten: Children enrolled in kindergarten classes.
 - **01-12** – School Age: Determined by State law, in regular academic grades 1 through 12. Please indicate grade placement by using numerals 01 through 12.
 - **12+** - Students who are in grade 12 or are continuing to receive special education services under the IDEA until the student turns age twenty-two (22).
 - **AD** – All individuals above the State’s age/grade limitation for high school.

Maintenance of Records:

The following document must be kept on file by the school/agency in the event an audit is conducted, and evidence of the individual's educational program or visual acuity is required:

- A written education plan for each individual registered that verifies the individual is in a formally organized educational program. This verification may be an IEP, a Section 504 Accommodation Plan or any other written action plan.

New York State Education Law Section 2-d:

Registration forms cannot be emailed due to data security. Completed registration forms must be faxed or mailed to the following:

- For individuals in New York City: Educational Vision Services, Attn: Jeannine Hobbes, 400 First Avenue, 7th Floor, New York, New York 10010 or Faxed (718) 706-4554. You can reach Jeannine at JHobbes@schools.nyc.gov or (917) 256-4259 with questions.
- Individuals enrolled at the New York State School for the Blind, Lavelle School for the Blind, Helen Keller National Center for Deaf Blind Youths and Adults, and the New York Institute for Special Education are registered through their own Ex-Officio Trustees and should not be sent to the NYSRCVI.
- For all other schools/agencies including those in Nassau and Suffolk Counties: New York State Resource Center for the Visually Impaired – APH, 2A Richmond Avenue, Batavia, New York 14020 or Faxed to (585) 343-0652. You can reach Lisa DeSantis at Lisa.DeSantis@nysed.gov or (585) 343-5384 ext. 207 with questions.

Once an individual is approved for APH materials, schools/agencies need to assign the responsibility of ordering materials to one person who can also act as a contact between the school/agency and the NYSRCVI to track the orders and use of the school/agency's total allotment. All orders should be emailed to Lisa DeSantis at Lisa.DeSantis@nysed.gov or Robert Graham at Robert.Graham@nysed.gov. Materials acquired with Federal Quota Program funds are considered New York State property. Any questions regarding procedures for ordering APH materials may be referred to Lisa or Robert at the above email addresses or by calling (585) 343-5384 ext. 418. All requested information **MUST** be included when ordering or the order may be returned causing a delay in the arrival of materials. Forms for ordering books and materials can be found on the NYSRCVI website at <http://www.p12.nysed.gov/specialed/nyssb/rc.html>.

Please Note: Obtaining instructional materials in alternative formats is a process that requires sufficient lead time and clear and timely communication among school/agency personnel. Orders should be placed as soon as possible so individuals have access to their instructional materials in a timely manner. It generally takes approximately three to four months for texts to be converted to large print. It takes an average of three to six months for straight literary text (without mathematics, special symbols or graphics) to be converted to Braille. Mathematics, music, science, social studies or other textbooks containing symbols, maps, graphs and other graphics take an average of six to nine months or longer to produce. For more detailed information about APH materials and registration, visit www.aph.org.

Attachment