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Life Member

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May 14, 2003

Assemblymen Wendell P. Williams  
Chairman Assembly Education Committee  
Legislative Building  
401 South Carson Street  
Carson City, Nevada 89701

**Re: Senate Bill Number 62 (S.B. 62)**

Chairman Williams and Members of the Assembly Education Committee:

My name is Steven W. Dickerson, and I am at this hearing today to offer testimony in support of the passage of S.B. 62. Additionally, I am here to offer you the opinion of not just the private citizen who requested this proposed legislation, but also as a college student that has been directly affected by the subject matter at the core of this proposed bill.

God willing in January 2004 I will begin a doctoral program in special education. I anticipate that much of my academic time will be spent reading. This reading will be connected to my pursuits in higher education. However, to highlight why I am here today, I cannot read without technological assistance because I have a print access disability.

The original concepts I embraced when I requested legislative support in bringing S.B. 62 to the legislative session this year were connected to having publishers provide accessible computer file formatted textbooks to the University and Community College System of Nevada (UCCSN). These accessible computer file textbooks could then be used by students with a wide array of disabilities, including those with print access disabilities who use technological assistance to read printed materials. In short, the driving force that was the impetus for me coming forward was connected to having publishers provide textbooks to students with disabilities in a more user friendly format than just standard print.

As S.B. 62 has moved through the legislative process I feel its pure focus has been somewhat clouded. While I personally appreciate the work thus far that has been done in support of S.B. 62, I firmly believe there is still much to be done before college students in Nevada with disabilities have the necessary tools in their toolboxes to successfully construct their educations.

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ASSEMBLY EDUCATION  
DATE: 5/14/03 ROOM: 3143 EXHIBIT G  
SUBMITTED BY: STEVEN DICKERSON

While the Senate Human Resources and Facilities Committee heard testimony on S.B. 62 many questions were addressed. Including questions surrounding the UCCSN's proposed fiscal note connected to the original bill draft language, and possible ramifications that could come from the publishing industry with the strong enforcement language of the initial bill draft. Thus, the proposed bill as originally drafted was amended, passed in the Senate, and is now before you today.

The adopted language that is now in S.B. 62 is scarce, at best, of any firm regulatory mandate from the state to publishers on their requirement to provide the UCCSN with alternative format files of printed textbooks, specifically textbooks in a computer file format. In fact what is now contained in S.B. 62 is more directive to the UCCSN, and not much more than what the UCCSN is currently doing, and required to do under the mandates of Section 504 of the Rehabilitation Act, 29 U.S.C. sec. 794, or the Americans with Disabilities Act, 42 U.S.C. secs. 12101 et seq.

In coming here today I am not only asking for your support of S.B. 62, but also to ask that the language contained in the proposed bill be strengthened and clear in its requirement on publishers. I believe this still can be accomplished in Nevada without a fiscal note, and without causing a chill effect within the publishing industry on conducting business with the UCCSN.

I offer you one of the newest laws in the State of Kentucky that was passed approximately one month ago as an example of the type of language in use in other states addressing this exact issue. It is clear from Kentucky's use of,

"The Council on Postsecondary Education may, to the extent funds are available, establish or otherwise designate a consortium to be called the State Repository for Alternative Format Instructional Materials to serve as a state repository for electronic files and alternative format materials for the purpose of facilitating the timely access of appropriate alternative instructional materials by postsecondary students with a disability."

fiscal note questions were discussed. Additionally, it should be noted that within the body language of Kentucky's law the mandates on publishing are clearly stated.

29 U.S.C. sec. 3001 Congress finds the following:

Disability is a natural part of the human experience and in no way diminishes the right of individuals to - benefit from an education; enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of society in the United States.

Technology has become one of the primary engines for economic activity, education, and innovation in the Nation, and throughout the world. The commitment of the United States to the development and utilization of technology is one of the main factors underlying the strength and vibrancy of the economy of the United States.

As technology has come to play an increasingly important role in the lives of all persons in the United States, in the conduct of business, in the functioning of government, in the fostering of communication, in the conduct of commerce, and in the provision of education, its impact upon the lives of the more than 50,000,000 individuals with

disabilities in the United States has been comparable to its impact upon the remainder of the citizens of the United States. Any development in mainstream technology would have profound implications for individuals with disabilities in the United States.

Substantial progress has been made in the development of assistive technology devices, including adaptations to existing devices that facilitate activities of daily living, that significantly benefit individuals with disabilities of all ages. Such devices and adaptations increase the involvement of such individuals in, and reduce expenditures associated with, programs and activities such as early intervention, education, rehabilitation and training, employment, residential living, independent living, and recreation programs and activities, and other aspects of daily living.

In the current technological environment, the line of demarcation between assistive technology and mainstream technology is becoming ever more difficult to draw.

S.B. 62 is just another bridge that will connect with what is already underway across the United States. Publishing is not running for cover, in fact, they are embracing dialog with education because they understand the concepts of universal print accessibility, and know that connected with technology there is a future in market expansion.

My confidence in your leadership is extremely high. I have no doubt that you will be able to sift through all of the material connected to S.B. 62 and put the emphasis of this proposed legislation in its appropriate place, and take the necessary action to move our Great State forward. In doing this I know you will be assuring that each college student, those with and without disabilities, has an accessible toolbox full of the tools necessary to build bright and rewarding futures in any arena.

I close saying, "You can't read it if you can't access it!" S.B. 62 is about improving access directly from the source.

Thank you,



Steven W. Dickerson