

Declaration of Leslie Penko

Re: Case Western Reserve University/Kindle DX

I, Leslie Penko, declare as follows:

1. The facts in this declaration are based upon my personal knowledge. If called to testify, I could testify competently to the facts described in this declaration.
2. My name is Leslie Penko.
3. I live in Euclid, Ohio.
4. I am a member of the National Federation of the Blind.
5. I am legally blind.
6. I graduated from Case Western Reserve University in May 2009 with a Master of Arts in Social Science Administration.
7. I am currently completing my licensing exams and intend to pursue a career as a counselor.
8. Prior to attending Case Western, I completed my Bachelor of Arts degree in Psychology, with a minor in Gender Studies, from the University of Notre Dame.
9. I started the Social Science Administration program (MSSA) at Case Western in the fall of 2007. The MSSA program at Case is designed to prepare students for advanced social work practice in a variety of settings. Most of the courses in the program required a combination of assigned textbooks and handouts.
10. Because I am blind, I cannot read print and require text-to-speech or audio to access text. Specifically, I read electronic versions of text on my computer with automated text-to-speech software that "reads aloud" the text. Alternatively, I listen to audio books or other human voice recordings on a CD or cassette.
11. Prior to starting the MSSA program at Case Western, I met with Case Western's Disability Resources Office (DRO) to discuss the accommodations for

textbooks and reading material the DRO could offer me. A DRO representative explained that to obtain my books in accessible formats, I would need to provide a textbook list for each class to the DRO as early as possible. Once received, the DRO would attempt to locate an audio recording of the textbook through Recordings for the Blind & Dyslexic (RFB&D). If not available, the DRO would contact me and ask me to purchase the print textbooks and bring them to the DRO, where the DRO would scan each page on a machine, and then use Optical Character Recognition (OCR) software to convert the scans into text files that I could read using text-to-speech software on my computer or Audio Port.

12. Once I started classes and obtained my reading lists, however, I quickly realized that Case Western's DRO process would not be workable for me. It was clear that DRO's process would take an inordinate amount of time to handle the volume of reading material I was assigned. I was also aware that the DRO is a small office that provides services to all students with disabilities, and feared that I would not receive my materials on time. Therefore, during the two years I studied at Case Western, I used my own scanner and software to scan all of my textbooks and reading material myself. Doing so offered me the flexibility of selecting the chapters I needed to read for class and the assurance that I was in complete control of my reading material. However, the burdens of doing so, and the inherent shortcomings of scanned materials, severely impacted my experience as a student.

13. I obtained audio recordings of my textbooks through Recordings for the Blind and Dyslexic (RFB&D) when I could. However, the vast majority of my textbooks and assigned readings, were not directly available in an accessible format. For those books, I scanned the assigned material, page-by-page, and converted it into text using OCR software so that I could read the material on my computer or Audio Port. I had, on average, 100 -- 300 pages of reading per week. With each page taking 30 to 40 seconds to scan, I spent 20 hours a week scanning my reading material throughout grad school,

while maintaining my status as a full time student, participating in internships, and trying to read and study for my classes.

14. Where I could, I would multitask, by reading pages as they were scanned. Sometimes, admittedly, I became overwhelmed with the amount of reading material to scan and skipped my reading altogether. At those times, in particular, I wished I had the opportunity to simply pick up the assigned reading and skim through it, like my sighted classmates could.

15. Because converting a print book to text using OCR software is an approximation of the print experience and not a perfect process, oftentimes the quality of the scanned material had errors, like exclamation marks or numbers in the middle of words, that made it difficult or impossible to read. As a result, I would often skip over pages that I could not read and simply miss out on that material. Moreover, scanned books lack structural markers and navigation, making it difficult or impossible to find page numbers, or select a particular chapter.

16. Though I graduated with my MSSA on time and performed well academically, the stress and time involved in obtaining comparable access to the reading materials that my sighted classmates had at their fingertips was profound.

17. The opportunity to have instant access to electronic textbooks with text-to-speech, free of errors and complete with structural and chapter mark-ups, is difficult for me to fathom. To be able to simply purchase a textbook for class, pick it up and start reading my assignment, to be able to read on the bus or on the go rather than tied to my computer and scanner, like my sighted classmates can, would provide a level of equality I have never experienced. It is far beyond anything that I could offer myself or that the DRO at Case Western could offer blind students while I attended.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Executed this day of June 24, 2009, at Euclid, Ohio,

A handwritten signature in cursive script that reads "Leslie Penko". The signature is written in black ink and is positioned above a horizontal line.

LESLIE PENKO