The New ACCESSIBILITY:

Students With Disabilities and Access to Technology

INSIDE HIGHER ED

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Introduction

Accessibility issues are crucial to the ability of students with disabilities of all types to fully receive a higher education. In the digital era, this means issues big and small – from the usability of an LMS to a professor's choices on a syllabus.

This booklet features articles on approaches colleges and universities are taking and some of the tough questions institutions are facing to serve this student population. We think the approaches are worth studying at other institutions.

Inside Higher Ed will continue to cover accessibility issues. We welcome your comments on this compilation and your thoughts on future coverage.

--The Editors
editor@insidehighered.com

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Helping Make Learning Accessible for Every Student

Our mission at D2L is simple: to transform the way the world learns. Making that happen means reaching all learners, regardless of their abilities or disabilities, with learning experiences that adapt to their individual needs and give them the motivation and ability to succeed.

That, in a nutshell, is why accessibility matters so much to us.

We talk a lot about "designing with empathy." It's an attitude and approach that's woven throughout our processes; but what does it mean in practice? Put simply, it's creating a learning platform that's built with accessibility in mind from the ground up—whether it's a built-in function like our Accessibility Checker, leveraging a product like ReadSpeaker, or partnering with a service like Aira.

It also means listening to people with disabilities who use our platform and actively involving them in its design. We do this by working with companies like Fable to engage users of assistive devices in testing our technology and being a member of programs like the National Federation of the Blind's SNAP, which audits products like ours to make sure they're non-visually accessible. We also host our own Accessibility Interest Group, a forum on our Brightspace Community, which has helped us improve our platform in many meaningful ways over the years.

I'm proud to talk about our alignment with a host of industry standards like WCAG 2.1 Level AA and Section 508 of the Rehabilitation Act of 1973. But accessibility is about more than that—not only to me but to all of us at D2L. It's about the people who use Brightspace every day and the impact it has on them.

For students, it's about giving them choice. From simple things like making sure they only need to update their font size preferences once or optimizing videos to better interact with screen readers, to bigger ones like giving them the confidence and capacity to lead their own learning journeys by deciding how they consume and showcase their knowledge.

For administrators and content creators, it means making it easier to implement accessible courses. That could include giving them access to HTML templates that have accessibility features baked in or letting them set special access conditions that reflect individual learning paths, just to name two.

The great thing is that when you step back and look at it, you realize that making learning accessible can benefit students across the board. Why? Because at its core, accessibility is about creating a diverse scope of learning experiences that are engaging and effective for everyone.

After all, we're here to transform the way the world learns—and that means empowering all learners to reach their full potential.

Nick Oddson
Chief Technology Officer
D2L

NEWS

The Digital Courseware Accessibility Problem

High-tech instructional materials are gaining popularity with instructors, but they can be problematic for students with disabilities. Colleges and publishers say there's no easy fix.

By Lindsay McKenzie // December 2, 2019

SOURCE: ISTOCKPHOTO.COM/OKSANASTEPOVA

Educational publishers such as Cengage, McGraw-Hill and Pearson are investing heavily in digital courseware -- interactive, personalized course content that aims to improve the learning experience.

Videos, simulations, quizzes and built-in homework assignments make these products an attractive option for faculty and students alike. But not every student's learning experience is enhanced by them. College accessibility staff say that digital courseware is frequently inaccessible to students with disabilities, particularly blind students who use screen readers.

Universities and colleges that receive federal financial aid are required by law to ensure their digital learning materials are accessible to all students or provide reasonable alternatives in a timely manner. Failure to do so can result in an accessibility complaint to the Education Department's Office for Civil Rights or a discrimination lawsuit.

Earlier this year the Los Angeles Community College District lost a discrimination lawsuit brought by two blind students, the National Federation of the Blind and its California affiliate. The Federal District Court for the Central District of California ruled that the college district had breached Title II of the Americans With Disabilities Act and Section 504 of the Rehabilitation Act as it failed to provide accessible course materials to the students.

The court specifically criticized the use of Pearson's MyMathLab, a popular digital courseware product, at Los Angeles Community College. The software, which was used by one of the blind students, was inaccessible, the court said. The college also failed to quickly provide materials from an equivalent math textbook as an alternative. In the court's final ruling, the college was ordered to hire a dean of educational technology, make its website accessible and improve procurement practices so that no technology is purchased without an accessibility evaluation.

While many colleges and universities have introduced stringent accessibility checks for software purchased for use across the institution, these checks rarely extend to digital courseware -- which is

often selected by individual faculty members without coordination from IT accessibility staff.

"It's a sticky wicket because of academic freedom," Cyndi Wiley, digital accessibility coordinator at Iowa State University, said in an email.

Wiley said she and colleagues are actively working to include digital courseware in their procurement processes and educate faculty about accessibility issues.

"Some faculty simply don't know products are inaccessible or are just relying on accommodations to provide alternative means to the content," she said. "The problem is publishers often take weeks, not days, to provide alternate content that is equal to what is being used in classes." A few weeks is a long time in a college course, and students waiting for alternative content can fall way behind their peers. "That leads to attrition and retention issues for the university."

Although Wiley doesn't have the power to stop faculty from selecting courseware with accessibility issues, she can make recommendations for alternative options and help them look for other possible solutions. She suggested some professors might be resistant to the idea of accessibility staff telling them what materials they can and cannot select.

"We want to partner with faculty and departments as much as possible. Mostly, faculty have been supportive of this approach. It demonstrates that we are not mandating what their choices are, but we are encouraging them to choose accessibly."

Wiley, like many other digital accessibility staff, believes publishers should be doing more to make their products accessible, even if it is the institution's legal responsibility to ensure accessibility.

"Some faculty simply don't know products are inaccessible or are just relying on accommodations to provide alternative means to the content."

"One hundred percent, the publisher should be responsible for providing accessible content. They need to put money and resources into their content creation," she said. "We do not have the means to fix courseware issues. We try and work with the publishers, but some are very resistant to making changes. It costs them money. It's not our place to fix publisher content. We believe it is their responsibility, and if they are not going to make their content accessible, we are going to try our best not to buy it."

Chris Danielsen, director of public relations for the National Federation of the Blind, said the organization has received dozens of complaints about digital courseware from students in the past two years.

"We have been concerned about this for a long time," he said. "We are doing what we can to put pressure on the publishers."

Danielsen noted that the more components software has, the more things that can potentially go wrong. Some professors may get "prickly" about being told what courseware they can and can't use, but universities have a legal obligation to make content accessible, he said.

"Accessibility is not a content-based decision," he said. "If universities were to act in concert, they could put a lot of pressure on the publishers. After all, it is the universities that the publishers are selling to."

Danielsen said stricter procurement policies could prevent colleges from having to make "stopgap accommodations" for students when publishers don't quickly make fixes or provide alternative content.

He said the court case against the Los Angeles Community College District was significant because the court recognized that "at least part of the liability was created by the publisher product."

"It doesn't change who has the legal obligation, but it does signal that a publisher can create a problem for the university that gets them into legal jeopardy," he said. "Universities need to be making the argument aggressively, that they can't buy a product that is inaccessible."

Danielsen said increased user testing by publishers and institutions would prevent situations

where students are denied the opportunity that new technology presents.

"The ultimate irony is that technology can actually level the playing field if it is applied appropriately," he said.

Elynsey Price, a spokeswoman for Pearson, said the company is committed to providing accessible course materials.

"We stand behind our digital products, which are rigorously tested for compatibility with the most commonly used accessibility tools and devices," she said. The company recognizes, however, that it has "many opportunities for improvement."

"Pearson has invested significant resources to continuously improve the accessibility of our digital products. We routinely update our existing digital learning platforms to improve accessibility, usability and compatibility with assistive technologies through an ongoing audit and remediation process," said Price. The company is also integrating accessibility requirements into new product development and working to meet Web Content Accessibility Guidelines 2.1 and plans to soon publish a Global Accessibility Policy, she said.

Tiffany Anderson, a blind student at Johnston Community College who uses a screen reader to access online content, said she has had frustrating experiences with McGraw-Hill courseware. She has encountered issues such as her screen reader not reading content in order and being completely unable to interact with interactive content. She described how she couldn't answer any of the math questions she was assigned to do for homework in one of her classes. Her instructor emailed her the questions instead.

"My grades have suffered as a result in some classes," she said. "Some of my instructors didn't really know how to deal with it."

Scott Virkler, chief product and operations officer at McGraw-Hill Education, said the company is working to address these issues. The publisher's accessibility team is devoting time to making their content more compatible with screen readers. Most recently, the team developed a way to make drag-and-drop-style questions work.

"It's not easy to retrofit products," he said. Products that are not accessible will be phased out over time and replaced with products that have been developed to be accessible from the outset, he said.

"It's a journey," he said. "These changes aren't going to happen overnight." ■

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Going Online With a Learning Disability

Landmark College, the first institution for students with learning disabilities, is growing online courses. Here's how they're different.

By Lilah Burke // January 15, 2020

Courtesy of Landmark College

Landmark College, the first college in the United States for students with learning disabilities, is growing enrollment in its online courses. The rural Vermont college is designed exclusively for students who have diagnosed learning disabilities, such as dyslexia, autism spectrum disorder or ADHD.

"These are bright students, intelligent students, but often they have not succeeded in traditional classroom settings," said Rick Bryck, dean of Landmark's school of educational research and innovation.

The National Center for Learning Disabilities estimates that one in five children in the U.S. has learning or attention issues, although only a small portion of those are identified in schools. Only about 71 percent of students with specific learning disabilities leave high school with a regular diploma -- trailing the national rate by about 10 percentage points. Students with learning disabilities are half as likely as their peers to enroll in a four-year college and twice as likely to be jobless when they reach working age. The gap widens for African American, Hispanic and Native American students with learning disabilities -- only 65 percent of whom leave high school with a diploma.

To address these problems and hopefully enable students with learning disabilities to succeed, Landmark employs some different pedagogies and structures in both its online and on-campus classes.

Much of Landmark's philosophy revolves around a concept called universal design for learning. The framework asks instructors to provide students with multiple options for learning material and multiple options for demonstrating their learning. Learning through video or audio might be better for some students than text, the framework suggests. Writing papers or taking an exam might not be best for everyone.

"We can best serve all of our range of students with learning differences by starting from the beginning with good design principles," Bryck said.

Landmark also focuses on providing students with "executive function support." Executive function refers to mental skills like short-term memory, self-control and flexible thinking, which many students with learning disabilities struggle with. Poor executive functioning might mean a student has trouble getting to class on time or starting

work in advance.

In Landmark classes, executive function support means breaking learning down into "microunits," Bryck said, and being explicit in instructions. Outside the classroom, on-campus students have access to executive function coaches who use questioning and reflection to help students achieve their goals, while online students have access to similar advisers.

Meghan Whittaker, director of policy and advocacy at the National Center for Learning Disabilities, said that the curriculum, courses and trained faculty Landmark offers are certainly helpful for students with learning disabilities. But getting those supports and services into every college should be the real goal for higher education, she said. Persistence in college can be a major problem among students with learning disabilities as they struggle to get the accommodations they need. Many faculty members at traditional colleges are subject matter experts, Whittaker said, but they are often not trained in teaching, potentially adding to problems for students with disabilities.

"What schools like Landmark offer is that students learn to self-advocate but are in an environment that is much more welcoming and inclusive of their needs," Whittaker said. "The unfortunate part is that it's only available for students that can afford it."

Of Landmark's population of first-time, full-time, degree-seeking students, only about 36 percent graduate, which in this context means completing their associate degree in three years or their bachelor's degree in six years.

But in 2018 only 33 percent of students who entered Landmark counted as first-time, full-time, meaning that they arrived straight from high school and are taking a full course load. Internal findings by the college say 83 percent of Landmark college students achieve their goals, though those goals may not include getting a degree from Landmark.

> We are mixing two different laws, two different obligations, and neither is really addressing this responsibility.

Whittaker noted that colleges exclusively for students with learning disabilities often act as a sort of bridge into traditional higher education.

While the college attracts over 450 students to campus, its online courses for students with disabilities are available only to high school or gap-year students. In many cases students can earn college and high school credit simultaneously.

Part of the goal in focusing on younger students was to help them transition into college, a move that can be more fraught for students with learning disabilities. "They're not only earning college credit," said Tabitha Mancini, director of customer relations and outreach for online programs at Landmark, "but we're also helping to scaffold and build the skills they need for successful transition into higher education."

Landmark officials say they try to migrate their philosophy into an online classroom. The online dual-enrollment classes keep student numbers small (12 to 14 students) and limit the amount of text students are required to read.

Online courses at Landmark are offered in a wide range of disciplines and are $1,000 per course. The majority of the 100 or so students who participate each semester are from public or private high schools that have partnered with Landmark, some of which focus on students with learning disabilities. The college also deploys "liaisons," modeled after on-campus executive function support, to help online students succeed. A liaison might be a designated employee of one of these partner schools, or otherwise an employee of Landmark's. Although liaisons are taught Landmark's philosophy, approach and technology systems, they are not required to be special educators.

The Challenges of Online for Students With Disabilities

Whittaker said that generally there have been concerns around both online programs and dual enrollment for students with learning disabilities -- ones she is hopeful a place like Landmark can mitigate.

"By and large, we have not seen online programs do a good job for students with disabilities," she said. "In online programs it's much harder for teachers to read student cues, to know if they're falling behind, to know if they're struggling."

Dual-enrollment programs for high school students at traditional colleges can sometimes result in students with learning disabilities not being accommodated.

"The student who is enrolled in a dual-education program is still a K-12 education student," Whittaker said. "The high school the student is enrolled in is still responsible for providing that student's [individualized education program] and accommodations and special education services."

But the college and faculty are under different legal obligations, making the responsibility for accommodations in those cases unclear.

"We are mixing two different laws, two different obligations, and neither is really addressing this responsibility," she said. "The Department of Ed has really not answered questions about who is responsible for what and under what circumstances."

If students cannot find accommodation in dual-enrollment programs, they might choose not to participate, Whittaker said, setting them even further behind their peers.

"I'm glad to see that Landmark, as a school that specializes in [learning disabilities], is getting involved in the dual-enrollment program," Whittaker said, "because I think they could be a great partner." ■

Read Original Article ▸▸ https://www.insidehighered.com/news/2020/01/15/landmark-college-expands-online-courses-students-learning-disabilities

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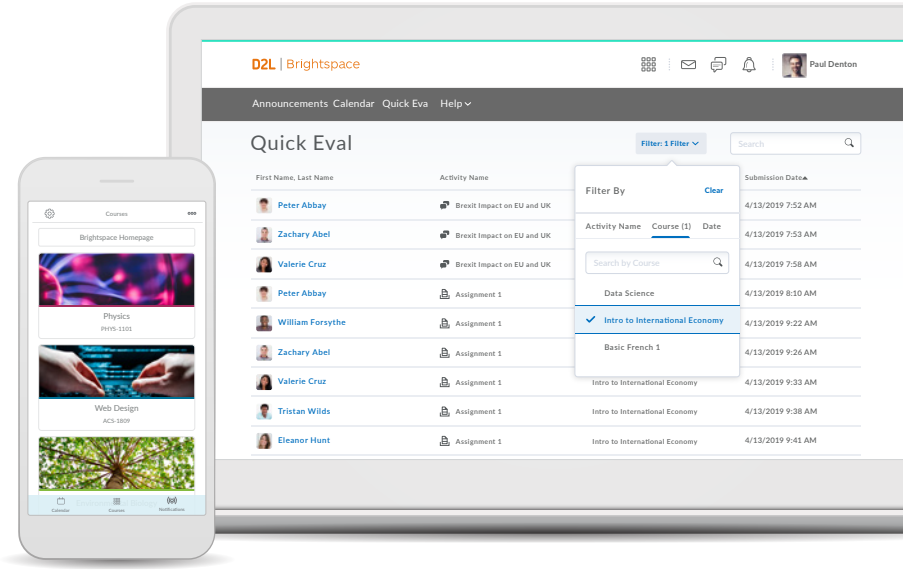

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Helping Institutions Reach Accessibility Goals

Many colleges lack formal policies for digital accessibility, leaving students with disabilities at a disadvantage. A new set of quality indicators could lay the foundation institutions need.

By Mark Lieberman // February 20, 2019

ISTOCKPHOTO.COM/MATEJMO

Champions of accessibility awareness have made strides in highlighting that all students, not just those with disabilities, benefit from multiple, flexible options for learning materials. A recent uptick in high-profile lawsuits alleging failure to comply with the Americans With Disabilities Act has motivated many institutions to think carefully about how they work with students.

But many colleges and universities still lack coherent policies around accessibility, and those that have them sometimes struggle to enforce or define them across the entire university.

A new set of quality indicators for accessible educational materials aims to help institutions ensure at scale that all students have the same learning opportunities in face-to-face classrooms and digital learning environments. The guide took 16 months to complete, and time will tell whether institutions will widely adopt it, underscoring the challenge of gathering consensus on an issue that's only recent risen on institutions' priority lists.

The quality indicators were developed by the National Center on Accessible Educational Materials (AEM), an arm of the Massachusetts-based nonprofit organization the Center for Applied Special Technology (CAST). CAST has received funding for AEM since 2007 by an award from the U.S. Department of Education's Office of Special Education Programs (OSEP). OSEP's primary role is to support organizations that promote accessibility for K-12 students under the Individuals With Disabilities Education Act of 1990, but its purview has gradually expanded to include organizations related to higher education and work-force development, as well as an increased focus on technology tools like learning management systems, hardware and devices used in classrooms.

The AEM center's document lists

seven quality indicators and offers techniques for achieving them. Each one is accompanied by a detailed set of critical components -- recommendations for implementation.

- The institution has a coordinated system for offering students with disabilities tools that meet their needs.
- Students who require special support receive it "in a timely manner."
- Written guidelines clearly outline procedures students can follow to receive support.
- Materials for students with disabilities come from a variety of sources and methods -- "e.g., coaching, presentations, webinars, briefs, book studies."
- A "systematic data collection process" monitors the institution's commitment to its accessibility goals.
- Data collected from the above process informs subsequent decision making about improvements to accessibility offerings.
- Accessibility efforts are supported by "sufficient fiscal, human and infrastructure resources."

Cynthia Curry, an accessibility expert with close to two decades of experience working on similar issues at public universities, joined the AEM center in 2016 and became its director in 2017. She was immediately tasked with developing quality indicators of accessibility for higher education, as well as for K-12 and work-force programs.

"Part of the problem is that people don't have the time to do something systemic around accessibility within their institutions, which is exactly what the quality indicators are designed for," Curry said. "Most institutions, of course, aren't looking proactively at accessibility. They're looking at it more as a retrofit, or they're being reactive if something litigious comes up."

She reached out to specialists in the field for support, including accessibility experts at institutions including Virginia Tech, the University of Southern Maine and the University of Tennessee at Knoxville.

The goal of the indicators is to provide a comprehensive guide for institutions looking to formalize campuswide policies on accessibility. But achieving the goal wasn't straightforward.

The indicators are geared toward a broad audience, including two- and four-year colleges and career and technical institutions of widely varying shapes, sizes and locations. All of the language in the indicators had to be "generalizable," Curry said, rather than naming specific titles or functions to which some universities might not relate.

Securing broad adoption of the indicators is likely to take time as well. Curry has been surprised thus far that organizations getting an early preview of the quality indicators haven't had much feedback. She attributes the tepid response to the fact that accessibility remains a difficult topic for many key players in the field.

"We really haven't gotten anybody saying that they're incomplete," Curry said. "For us the challenge has been getting them out there and used."

The indicators strike accessibility proponents as well intentioned and potentially valuable, according to Tom Tobin, faculty associate on the learning design, development and innovation team in the Division of Continuing Studies at the University of Wisconsin at Madison. He sees them as a motivator for institutions to "build strong foundations for inclusive practices."

Professional organizations like the WICHE Cooperative for Educational Technologies and the Online Learning Consortium have recommended the indicators to their members, but few institutions have formally adopted them, according to Tobin. One of their shortcomings, he says, is that they're "narrowly conceived."

"While the description of the quality indicators alludes to the broad access benefits for all learners when accessible materials, tools and interface are adopted, the actual indicators and critical components are focused squarely on meeting the needs of learners with disabilities -- only a part of the access conversation," Tobin wrote in an email.

Tobin suggests institutions focus accessibility efforts on the potential impact on student access and learning outcomes, rather than merely on "legal-compliance arguments."

"By adopting an accessibility-versioning tool or a set of standards like the quality indicators, leaders can think that they have 'checked the box' for accessibility and that there is nothing more to be done," Tobin said.

He also hopes decision makers keep in mind that the definition of students is broad, encompassing "learners on mobile devices, people with work, family, military and other time-based barriers to learning and studying." ■

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Overcoming Professors' Skepticism About Digital Accessibility

Faculty members often worry that making digital courses accessible to all students will be too time-consuming or expensive -- but some of their colleagues want to convince them otherwise.

By Mark Lieberman // August 29, 2018

SOURCE: ISTOCKPHOTO.COM/CYBRAIN

Dan Smith was frustrated. A colleague had just told him he needed to make his online Introduction to Theater course more accessible, in compliance with federal law and a new mandate from the Michigan State University administration.

Smith immediately objected on two fronts: he didn't have time, and he didn't feel he should have to do something just because administrators demanded it.

"A lot of it is, once you've got a class that you've got the ball rolling on it … for six years, you have this expectation that the class runs itself," Smith told "Inside Digital Learning."

Smith's interaction with Kate Sonka, Michigan State's assistant director of academic technology, happened in March 2016. Two and a half years later, Smith has changed his tune. He's reluctant to describe himself as a "champion" of accessibility among faculty members, but actions may speak louder than words.

When the institution hosts meetings or advertises conferences that address accessibility, Smith attends. When he sees something that violates what he now sees as a commonsense imperative for inclusion, he points it out. When Sonka tells him his course could benefit from another multimedia option or accessible feature, he adds it.

"Now he's one of our greatest collaborators in the college," Sonka said. "I go to him any time I want to talk about accessibility."

"Inside Digital Learning" talked to several instructors who have been thinking deeply about accessibility issues. All aspire to spread the word to their colleagues, and to make experiences palatable for as many students as possible.

From 'Why?' to 'Why Not?'

When Sonka first told Smith about the course's accessibility blind spots, he was defensive -- he hadn't even designed the course originally, and he didn't have time to rewrite all of his lectures.

As it turned out, he didn't have to. The institution had enough funding to pay two assistants to help Smith add headings, break content into chunks and identify videos that needed captions.

"There can be a collaboration involved," Smith said. "It doesn't fall entirely on one individual to do this work."

Smith now thinks of accessibility as a philosophy that applies to all students, not just those with

disabilities. In another one of his classes, he assigns students to design a poster. Some students fret that they won't be able to design a visually attractive piece. So Smith added an option for students to assemble a proposal that would be given to a hypothetical poster designer.

"We should ensure that students feel able to succeed," Smith said.

Previously, Smith felt confident he was adequately focused on ensuring his students' success. Now he feels more willing to admit when he doesn't know something. At a workshop last December, someone told him that "speaking into a microphone is an accessibility issue." Some professors and presenters who claim to have loud voices decide to project without the help of electronic amplification -- but sometimes a microphone is being used so transcribers and videographers can preserve the contents of a lecture for future consumption.

"It's important to be compliant with the law. Those arguments are certainly valid," Smith said. "But, 'it's going to improve your relationships with your students' -- I think that's more of an argument to make for why this is something that should get done."

What Motivates Introspection

Faculty champions can be inspired as much by individual experiences with students as by their engagement with the broad topic of inclusion. Dustin De Felice, assistant professor and director of the master's program in foreign language teaching at Michigan State, felt wounded after a student complained late in the semester that she couldn't take online quizzes because she suffered from extreme vertigo when staring at screens for more than a few minutes. The student ended up failing

Dustin De Felice

the class and struggling the next semester as well, De Felice said.

The student had applied for and received an accommodations waiver from Michigan State's disability office. But the options on that waiver -- taking the quiz in a location of her choice, getting more time to complete assignments -- didn't reflect the student's needs, and the student never raised her specific concerns with De Felice.

"That bothers me a lot," De Felice said. "I think there were ways that I could have met her needs."

Now De Felice encourages colleagues to invite him to discuss pathways to accessibility. He gets fewer takers than he'd like, but he always eagerly agrees when asked. He brings two different copies of the same syllabus -- one that's been run through an electronic disability checker, and another that hasn't. He lets a screen reader interpret both to show attendees the difference.

"When they see what very simple formatting things do in a screen reader, it's very impressive," De Felice said.

Context shapes instructors' perspectives on accessibility. Weber State University, in Utah, near a local military base, has a higher-than-average number of students with post-traumatic stress disorder, according to Jenny Kokai, an associate professor of theater there. She spends time thinking about how students might react to videos or stories she shares in class.

For various reasons, many of Kokai's students struggle with hand-

Lecture for future consumption.
"It's important to be compliant with the law. Those arguments are certainly valid. But, it's going to improve your relationships with your students.

writing, so she offers take-home essay exams that can be typed at a student's chosen pace. Everybody wins: the students have more flexibility, and Kokai doesn't have to deal with proctoring.

Further Reading

Michigan State put together an accessibility guide for instructors and teaching assistants. It could be a model for efforts on your campus.

The institution's limited resources also dictate Kokai's approach to improving accessibility. Because Weber State doesn't have the money to undertake a massive captioning project, Kokai gravitates to videos that come with captions.

Kokai laments that she hasn't had more structured training on these issues, particularly when she knows she should be paying attention but doesn't have time or resources. Being a faculty champion doesn't mean having all the answers.

"Everything I know about accessibility was self-taught, I sought out or I learned through necessity," Kokai said. "While I have spent a lot of time thinking about this and striving to educate myself and to improve things for students, it has been an ongoing process and I am by no means an expert or a model." ■

Read Original Article ▸▸ https://www.insidehighered.com/digital-learning/article/2018/08/29/faculty-champions-accessibility-shed-doubts-about-investing-time

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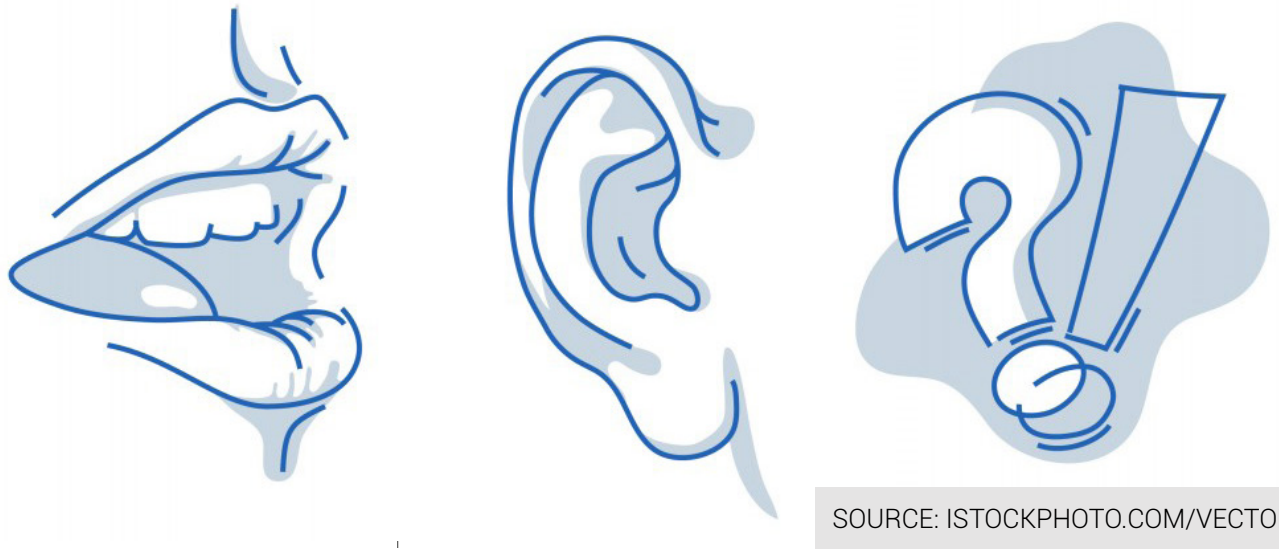
Legal Battle Over Captioning Continues

A legal dispute over video captions continues after court rejects requests by MIT and Harvard University to dismiss lawsuits accusing them of discriminating against deaf people.

By Lindsay McKenzie // April 8, 2019



SOURCE: ISTOCKPHOTO.COM/VECTORFUN

Two high-profile civil rights lawsuits filed by the National Association of the Deaf against Harvard University and the Massachusetts Institute of Technology are set to continue after requests to dismiss the cases were recently denied for the second time.

The two universities were accused by the NAD in 2015 of failing to make their massive open online courses, guest lectures and other video content accessible to people who are deaf or hard of hearing.

Some of the videos, many of which were hosted on the universities' YouTube channels, did have captions -- but the NAD complained that these captions were sometimes so bad that the content was still inaccessible.

Spokespeople for both Harvard and MIT declined to comment on the ongoing litigation but stressed that their institutions were committed to improving web accessibility.

This is not the first time a university has faced legal consequences for failing to adequately caption videos. The University of California, Berkeley, decided to remove thousands of educational videos from public view in 2017 after the U.S. Justice Department ordered the university to provide captions. The decision drew criticism from disability rights advocates but highlighted the financial and administrative burden placed on universities by web-accessibility requirements.

Both MIT and Harvard have argued in court filings that they should not be required to provide closed captions for every video they create or host on their websites. After the institutions' first attempt to dismiss the cases was denied, there was a yearlong attempt to reach a settlement out of court. When that attempt failed, the universities again moved to dismiss the cases.

Judge Katherine A. Robertson of the U.S. District Court of Massachusetts largely rejected the universities' second attempt to dismiss the cases. On March 28, Robertson denied the institutions' pleas for the exclusion of their websites from Title III of the Americans With Disabilities Act and Section 504 of the Rehabilitation Act. Title III of the ADA prohibits disability discrimination by "places of public accommodation." Section 504 of the Rehabilitation Act prohibits discrimination on the basis of disability in programs that receive federal funding.

Judge Robertson did, however, agree that the universities could not be held responsible for the accessibility of third-party content on their websites under the

Communications Decency Act. The CDA was an attempt by Congress in 1996 to regulate pornographic material on the internet, but Section 230 of the act has been used to argue that operators of internet services should not be regarded as publishers and cannot, therefore, be held liable for content they did not create.

Arlene Mayerson, directing attorney of the Disability Rights Education and Defense Fund and one of the lawyers representing the plaintiffs in the case, said that the third-party content represents "a tiny amount of the material that we have been looking to have captioned." The most significant part of Judge Robertson's ruling was her rejection of the universities' arguments that much of their online content was outside the accessibility requirements of the ADA and the Rehabilitation Act, Mayerson said.

Harvard and MIT define third-party content as "including content posted by students, individual faculty members and other scholars." But in court documents, the plaintiffs disagreed that content created by "individuals such as faculty members and students who are closely associated" with the universities should be classified as "third party." Judge Robertson ruled that third-party content could not include content created or developed "in whole or in part" by the universities, or "someone associated" with the universities.

Scott Lissner, the ADA coordinator at Ohio State University, said he believes it is his responsibility to make all content on Ohio State websites accessible, regardless of where it comes from.

"If we believe the information is useful to our constituents and program participants then it should be available to all of our constituents and program participants with the same level of independence, planning and effort," he said.

Mayerson believes the recent ruling against the universities is the "end of the line" in terms of having their cases dismissed.

"I don't think there's anything left for Harvard or MIT to argue," she said. "The outcome that we've always sought is for accessibility on these websites for people who are deaf and hard of hearing. We're still on that road." ■

Read Original Article ▸▸ https://www.insidehighered.com/news/2019/04/08/mit-and-harvard-fail-get-out-video-captioning-court-case

Accessibility Rules the Conversation

Administrators and professors alike wonder how their institutions' progress in making course content available to all students compares with others, as advocates continue their push.

By Mark Lieberman // August 15, 2018

MADISON, Wis. -- Kelly Paynter and Jimmy Barnes have been teaching online courses for nearly two decades. They consider themselves veterans of the modality at this point. But when their boss, the dean of the School of Education at Jacksonville State University, in Alabama, not so subtly requested that they enroll in the institution's new certificate course in online instruction, they had no choice but to confront what they didn't know.

They quickly discovered they had a lot to learn, particularly on the value of a proactive approach to ensuring that digital courses and curricular materials are fully accessible to all students.

"It's a lot easier to make something accessible up front than to go back and fix it later," Paynter said during a discussion session at the Distance Teaching & Learning conference last week. "It's almost easier to do it and get in the habit and then you're fine."

Many attendees at this conference likely experienced an echo of the journey Paynter and Barnes took during their certification class. Accessibility popped up in a few places on the conference schedule, and the topic was top of mind even in sessions that weren't explicitly focused on it. Comments from attendees reflected a wide range of progress and perspectives, from a full-throated embrace of accessibility efforts to lingering concern over the best path to implementation.

For accessibility advocates like Kate Sonka, assistant director of academic technology at Michigan State University, frank conversation around the topic is a step in the right direction.

"Give a round of applause to yourselves, high-five yourselves, pat yourself on the back for being in a session around accessibility and inclusion," Sonka told attendees at one panel. "I think people sometimes feel intimidated by coming to talk about or hearing about it -- not sure what's going on in your campuses or how to handle it. I always want to begin by saying, 'Welcome. You're here; you're among friends.'"

Three Steps

The session featuring Sonka outlined three steps in an institution's evolution of improving accessibility. According to Heidi Pettyjohn, electronic and information technology accessibility coordinator at the University of Cincinnati, some institutions can reach one step with one part of their efforts, while at the same time they're at another step on a different part.

- Compliance: Understanding relevant federal, local and internal policies.
- Commitment: Understanding the spirit of the law; investing in tools and resources; securing buy-in from affected offices.
- Culture: Understanding the need for accessibility as part of a commitment to inclusion; intentionally designing courses and programs to promote inclusion; providing full support to staff and faculty on accessibility efforts.

SOURCE: ISTOCKPHOTO.COM/ALEXSL

Moving from one step to the next, according to Pettyjohn, requires snappy answers to a question accessibility proponents often hear from skeptics: What's in it for me? (Advocates have taken to abbreviating the question WIIFM, pronounced "wiffem.")

For senior leadership, it's keeping the institution out of court at a reasonable price. For supervisors and directors, it's streamlining their procedures and widening the pool of potential students. For professors and instructional designers, it's the opportunity to improve the learning experience for all students, not just the ones with disabilities.

"We're talking about it as a social justice issue and a student success initiative," Sonka said. "It's a lot harder for faculty to look me in my eyes and say, 'I don't care about these things,' rather than, 'Oh, this is a thing we have to do because of a policy.'"

Those questions can be asked in a variety of ways. Starting in spring 2017, Megan Wuebker, an instructional designer at Cincinnati, helped lead a yearlong pilot of Blackboard Ally, a tool that integrates with an institution's learning management system and roots out areas of text, images and multimedia that might be difficult for some students to access. Wuebker found that giving instructors something tangible to do over a long period of time, rather than explaining in one sitting the importance of accessibility, helped them feel more involved and engaged in the process.

Wuebker said she heard one faculty member participating in the pilot say the experienced helped them more clearly understand what it takes to make courses accessible, rather than leaving workshops on accessibility ready to take action and then quickly forgetting about it.

Some faculty members latched onto the colored gauge icon on the Ally tool that indicates whether a course is not that accessible (red) or very accessible (green). "It turned into a game -- how can I get the dial green," Wuebker said.

One audience member pointed out that some hands-on programs like nursing pose accessibility challenges inherent to the course content. Pettyjohn recommended that this attendee reach out to her institution's Americans With Disabilities Act coordinator and reminded her that the institution is obligated to provide access to all program content once it admits a student to a particular program.

Practical Applications

Installing a culture of accessibility requires time and money -- but over time, it can help an institution save both. At another conference session, Jordan Cameron, assistant director for academic accessibility at Kennesaw State University, in Georgia, outlined her less-than-fond memory of the institution's old process for captioning online courses. Faculty members uploaded videos to a closed server, and student assistants edited the captions before sending them back to the instructor, who had to complete 12 steps by the time the process was complete.

> We're talking about it as a social justice issue and a student success initiative. It's a lot harder for faculty to look me in my eyes and say, 'I don't care about these things.

Student assistants could only work 19.5 hours each week. Some faculty members submitted videos between 50 and 90 minutes long. A clip on the latter end of that spectrum could take two weeks to several months to caption. "It was a really terrible situation," Cameron said.

A year later, the institution had subscribed to a media platform (Kaltura) and a corporate subscription service (Cielo24) that streamlined the process and minimized the amount of effort instructors had to put in. During fiscal year 2016, Kennesaw State completed 240 hours of professional captioning, followed by 160 the following year. "Anything above 100 hours is a ton," Cameron said. Cielo24 also created a tool that allows faculty members to efficiently write their own captions without having to send individual videos to another office.

Cameron said accessibility efforts on her campus can even serve students who don't have learning disabilities but learn better from reading text than hearing it out loud, or struggle to make sense of a professor's thick accent.

During the same session, John Raible, associate instructional designer at the University of Central Florida, offered a preview of his institution's major captioning effort, which began last week and will cost $20,000 worth of students' distance learning fees over the next year. The institution will use a video accessibility scanning tool to identify media files that need captioning, all of which will be sent to a vendor (Rev) for processing. The goal is for 10,000 minutes to be captioned this fall, followed by 7,500 more in the spring and 2,500 next summer.

Until this year, the institution had mainly worked on captioning on a case-by-case basis. If this year's initial efforts are a success, Raible hopes funding can be extended for

future years. As his institution's enrollment continues to soar, scrutiny will only increase, he said.

"The bigger the footprint, the bigger the binoculars looking at you," Raible said.

Lessons Learned

Back at Jacksonville State, the two online instructors who thought they had it all figured out now admit that they're still learning, too, thanks to a course led by the institution's two instructional designers and two educational technologists. Paynter found just-released accessibility features on Microsoft Word, like a table tool that automatically treats the top row as a header, as well as key principles like maintaining a plain-text printing option on each page and embedding a link within a description rather than writing out a cumbersome URL that would sound clunky through a screen reader. Barnes now sees the value of creating videos that augment existing written content, and added a Little Prompter to his repertoire to help smooth out his delivery.

"The moral of our story is old dogs can learn new tricks," Paynter said. "Even though we went into it that we weren't going to get anything out of it, we actually did."

Perhaps that's why Sonka took time out of her Aug. 8 presentation to ask the crowd a leading question.

"Are we ever done with accessibility?" she asked. There was no doubt which answer she hoped to hear. ■

Read Original Article ▸▸ https://www.insidehighered.com/digital-learning/article/2018/08/15/accessibility-concerns-large-and-small-dominate-conference

ADA Lawsuit Prompts Institutional Change, Draws More Students

Atlantic Cape Community College reformed its accessibility practices after a disability discrimination lawsuit. Now students with disabilities are enrolling in record numbers.

By Lindsay McKenzie // May 22, 2019

Atlantic Cape Community College

Atlantic Cape Community College administrators were shocked when the college was sued for discrimination under the Americans With Disabilities Act. They thought the college was doing a pretty good job providing accommodations for students with disabilities, given staff and budget constraints.

Two blind students at the college felt otherwise, however, and, backed by the National Federation of the Blind, filed a lawsuit in 2015 claiming Atlantic Cape violated the ADA.

One of the students, Anthony Lanzilotti, said in court documents that he failed several courses because the course materials were not provided in an accessible format. The other student, Mitchell Cossaboon, objected to an institutional policy requiring visually impaired students to be accompanied at all times by a sighted aide.

Atlantic Cape agreed to settle the case, entering into a consent decree that required the college to conduct a full audit of its technology and develop a plan to make all student-facing materials accessible to blind students. The consent decree also required ADA training for all faculty, among other conditions.

The college has since taken steps not only to become ADA compliant but to make accessibility part of its institutional culture. Though the college still has work to do, it has started to build a reputation as an institution that supports students with disabilities -- so much so that their numbers at the college are rising.

At the time of the consent decree in 2015, Mark Riccobono, president of the National Federation of the Blind, commended the college on its "willingness to engage in a comprehensive program to ensure that all of its students, including the blind, receive a truly equal education."

Riccobono said it was "especially significant" that the college agreed to make all of its technology accessible within three years. The college has since received an extension on the consent decree.

Sharon Krevor-Weisbaum, managing partner at the law firm Brown Goldstein Levy, who represented the plaintiffs in the case, said it's typical for such lawsuits to be settled with a consent decree. The advantage of a consent decree over a

private settlement is that the court retains jurisdiction -- it's a "stronger way to ensure compliance," she said.

Though Atlantic Cape has made good progress toward full accessibility, Krevor-Weisbaum notes that it has taken time for the college to find the right strategy. The three-year consent decree was extended in late 2018 for another three years.

"They have certainly shown they are making this consent decree high priority, and we're very pleased about that," she said. "It took a while for them to get the right people in place to make the change that they needed to make, but they are doing that now."

Michael Barnes, director of the Center for Accessibility at Atlantic Cape, said the college has made a lot of progress since 2016 toward integrating accessibility into the culture of the institution.

"Lawsuits are painful -- I don't want to sugarcoat that at all," said Barnes. But the impact on Atlantic Cape has been positive, he said.

"It made us look at ourselves, our processes. It made us really evaluate how we work with students and think about how to be a better, more inclusive, institution."

One of the first actions the college took was to change the name of the Office of Disability Support Services to the Center for Accessibility, said Barnes. The college signed a $274,000 contract with accessibility consultants Interactive Accessibility Inc. in 2016 to perform a technology audit, report accessibility outcomes and help provide accessibility training to faculty and staff, as required by the consent decree.

"We rebuilt all of the policy and procedures from the top down," said Barnes. It was important that the Board of Trustees, the president and the deans were all on board, he said.

"We wanted to make accessibility part of the culture of the institution," he said. "We didn't want to be thinking about accessibility just for the sake of compliance."

Rather than retroactively fixing inaccessible content created by instructors or provided by third parties, Atlantic Cape focused on encouraging the creation and procurement of accessible content, said Barnes. As part of this effort, the Center for Accessibility and the instructional technology department started working closely together to provide training to faculty members.

Michelle Perkins, director of instructional technology at Atlantic Cape, said the college now offers four accessibility workshops to instructors, from beginner level to advanced. Basic training is mandatory, but participation in the more advanced sessions is voluntary. Perkins said she has been pleased with the number of faculty members who have taken part in the more advanced training, even if they don't have great computer skills. The training teaches faculty how to create accessible content with colors, fonts and descriptions that can be picked up by screen readers and other assistive technologies. It also teaches them how to assess whether products they purchase from publishers are accessible.

Persuading busy faculty to attend workshops is never easy, but attendance has been encouraged through emails and the work of "accessibility champions" -- faculty members who are available to offer support or answer questions should other faculty need help. The instructional technology team is also on hand to troubleshoot any specific issues faculty have, said Perkins.

Atlantic Cape uses Blackboard Ally technology that alerts faculty if the content they upload to the learning management system is not accessible, with specific feedback and instructions on how to fix each issue, said Perkins.

Nicolaas Matthijs, product director of Blackboard Ally, said the tool is now used by 550 colleges and universities. Unlike other commercially available website-accessibility checkers, Ally is designed to work with digital course content and multiple learning management systems, he said.

The Ally team is working not

only to give institutions more detailed accessibility reports, but is also building out the tool to offer live feedback and support -- possibly checking the accessibility of content not just in the LMS or on a college website, but in instructors' Google Drive or Dropbox accounts. A spokesperson for Blackboard Ally declined to comment on how much the tool costs.

According to Ally stats, 90 percent of the course material in Atlantic Cape's LMS is now accessible to students with visual or other impairments, said Perkins. The tool also enables administrators to identify materials that are not meeting requirements. This data insight can be used to generate reports on progress in ADA compliance by departments and also pinpoint faculty who may need extra support.

"Ninety percent looks awesome, but we still have work to do," said Barnes. "We spend a lot of time reviewing content on our LMS -- sometimes there are files that are buried."

Though individual faculty can be identified and potentially ranked on the accessibility of their course materials, the objective is not to shame or punish anyone who is not meeting the desired standard, said Barnes.

"We're not going to people's bosses and telling them someone's course materials are not accessible," he said. "We'll have brown-bag lunches; we'll go through the content one on one and see how we can be of support."

"This is not about minimizing the instructor's experience -- some of them have been teaching for 30 or 40 years. This is about taking the valuable materials that they've created and asking how we can make them into an accessible digital format."

In addition to data insights, Blackboard Ally also automates some work, said Perkins.

If an instructor uploads a PDF, for example, Blackboard Ally will automatically generate the document in multiple file formats for students to download. Students can then easily access the material on their phone, tablet, e-reader or other assistive technology.

Making content available in multiple formats has benefited all students, not just those with disabilities, said Perkins. Students with long commutes can now have course materials narrated to them while they drive, for example. Accessibility isn't just for the obvious students who need it -- it's for the benefit of everyone, she said.

Because students with disabilities are not required to register with the Center for Accessibility, faculty are keenly aware that their classes need to be accessible to all students at all times, said Barnes.

"This has really resonated with faculty," he said. "My office could have no idea if they're here, and they have the legal right to take your class."

Barnes said the college has seen an increase in the enrollment of students with disabilities.

"We have students now forgoing other institutions to come here," he said.

Since 2016, the number of students with disabilities who have registered with the Center for Accessibility has increased by 25 percent and is now at around 500 students. College administrators have no way of knowing how many others are enrolled but didn't register with the center.

Juliana Torres, a student at Atlantic Cape who is due to graduate this month, is visually impaired. In her four years at the college pursuing three majors, Torres said she has noticed major improvements in the support services available to her.

"I had a lot of anxiety deciding whether or not to go to college," she said. A New Jersey native who wants to become a professional caterer, Torres said she was attracted to Atlantic Cape because of its strong culinary arts program.

"I don't want to say that there weren't support services when I started, but they have improved," she said. "I now have the accommodations that I need to have a seemingly normal day-to-day school life."

Support staff helped her plan her course schedule and ensured she was able to access course materials in a way that worked for her.

Though the support staff has been instrumental in helping her succeed, Torres believes they are stretched too thin and feels guilty that she took up so much of a staff member's time. "The support staff needs more support," she said.

Torres said she has nonetheless been pleased with her experience.

"Not everyone needs or wants to go to college," she said. "But I'm very grateful for the fact that I was able to come here and get the support I needed." ■

Read Original Article ▸▸ https://www.insidehighered.com/news/2019/05/22/accessibility-turnaround-atlantic-cape-community-college

Technology Can Address Digital Accessibility -- to an Extent

Institutions are working harder to ensure digital accessibility than ever before. Technology tools in the LMS and elsewhere can help, but only so much.

By Mark Lieberman // May 2, 2018

SOURCE: ISTOCKPHOTO.COM/LEOWOLFERT

Adam Nemeroff, an instructional designer in Dartmouth College's department of academic and campus technology services, admits he has "super-complicated and conflicted" thoughts about the role of technology in ensuring that digital courses and curricular materials are fully accessible to all students. He's seen his institution and others in recent years talk more about accessibility and invest in digital tools to address concerns head-on. But he thinks there's a downside to being too tool focused.

"If you're starting with the technology, you're doing it wrong," Nemeroff said. "In my experiences, it's mostly an issue of perspective to show where these problems could arise for specific individuals and people really understanding that."

Institutions have begun taking accessibility more seriously as the threat of litigation has grown, enforcement has grown more stringent and challenges for students have garnered more mainstream discussion. Learning management systems like Blackboard and Canvas are among the companies offering products and services billed as early-warning systems and even antidotes to accessibility shortcomings. Institutions are striving in greater numbers toward universal design for learning, which emphasizes multifaceted tech-driven approaches to improving students' access to learning.

Technology has limitations, of course. Institutions rely on it so heavily so that some have considered joining forces for a more unified quality-review process. Most observers agree human intervention will always need to remain part of the accessibility conversation, given the diverse array of definitions of the term. Thus far, however, digital tools have proved more successful at identifying superficial failures in courses than at digging into the nuances that make courses more deeply accessible to a wider range of students.

"I have not yet found a digital tool that replaces human knowledge and experience when it comes to accessibility," said Eric Moore, a UDL and accessibility specialist in the University of Tennessee's office of information technology. "I liken it to a warning light in their car -- it lets you know there's an issue, but you still need to know whether

How are students with disabilities affected?

Format	Barrier	Accessible Alternative
Printed text(paper)	Incompatible with screen readers used by blind/low vision students with learning disabilities	Supplement with audio, provide and electronic copy of text
Audio	Hearing impaired students may not hear it, students with LD (auditory processing) may have difficulty understanding it.	Supplement with printed text
Video	Blind/low vision students may not see it, students with LD (auditory processing) may have difficulty understanding it.	Provide description, caption or written transcript
Picture	Blind/low vision students may not see it	Add description/caption
Synchronous (real time) discussion	Blind/low vision students, students with LD and ADHD, students with medical/physical/physiological disablities may have difficulty following up keeping up	Use asynchronous (online format for all or some discussions to allow more time for processing and responding
Tests/quizzes	Many students with disabilities have slower processing speeds that impact performance	Provide extended time/ Supplement with audio/provide large text size option

Source Wendy Velez-Torres,
instructional technologist at Coppin State University

that's a serious thing or something that's not that big of a deal."

Ask a tech company the same question, though, and the answer is a shade more optimistic.

"I think [institutions] would like to have a magic button to push to make all content accessible," said Jared Stein, vice president of higher education strategy at Canvas. "We're still a ways away from having that magic button. But it's feasible." Stein adds a note of caution, though: "Even if we have that magic button, I don't know that that by itself is necessarily the right solution."

What Falls Under "Accessibility"?

The first challenge that comes with addressing accessibility concerns is a matter of defining terms.

Broadly, "accessibility" refers to allowing individuals with disabilities to use a product or system as easily as someone without those disabilities. Estimates put the number of students in higher education with disabilities at around 10 percent -- though that number is complicated by the fact that many students with disabilities don't feel empowered to share those details with professors and administrators.

Moreover, "disabilities" is another fraught term with parameters that are increasingly difficult to pin down. Kate Sonka, assistant director of academic technology at Michigan State University, operates from the premise that accessibility in its ideal form helps everybody, regardless of abilities. Making courses more accessible doesn't just mean checking boxes or addressing known quantities, Sonka said.

"If I'm using a tool to make my content accessible, or even designing a course with UDL in mind, I still need to understand that I could have a student come into my class with an accommodation request I hadn't planned for -- and that will always be the case," Sonka said.

Under a federal law established in 1973, organizations are required to ensure equal accessibility for people with disabilities. That law and subsequent federal guidance served as the basis for a 2013 case in which a blind Louisiana Tech University student successfully sued the institution because his professor didn't provide an alternative to an internet-based application he couldn't use. The judge ruled that the institution needed to allow that student and all others to be integrated into a class, rather than separated based on availability.

The Web Content Accessibility Guidelines, updated most recently in 2008 by the World Wide Web Consortium (W3C), now offer a detailed road map for ensuring compliance with federal law. But, Sonka points out, "even if you fully meet WCAG 2.0 requirements, content can still be inaccessible" for students outside the disability categories conventionally associated with accessibility.

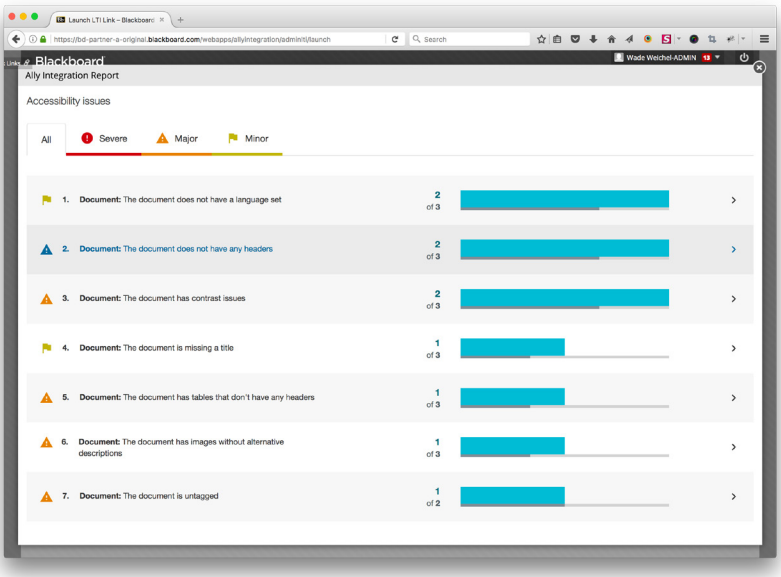
Where Technology Comes In

Tools like Blackboard Ally, Canvas Accessibility Checker and the open-source Udoit from the University of Central Florida offer opportunities for institutions to quickly ascertain their accessibility progress, both in individual courses and as a whole. These tools are embedded within an institution's learning management system and provide reports on digital course materials.

Ally runs materials through a checklist of common accessibility issues and assigns an "accessibility score" between one and 100 to each. The goal is to alert an institution or instructor of areas where it needs improvements, suggest a road map to greater accessibility, and in some cases generate additional resources (such as mobile versions of documents) that can make a course more accessible.

"Ally is a catalyst, opening the door to have an even larger conversation with those institutions as to what needs to be addressed," said Nicolaas Matthijs, product manager at Blackboard Ally. "The score that we're seeing on the average is fairly low. But they didn't know that until they had Ally."

When Blackboard last year conducted an anonymized survey of



the accessibility factor of institutions' courses, the average accessibility score was 27 percent. That has since crept up to 30 percent.

"In the last five years, there's been some progress. The bad news is the starting point is very poor," Matthijs said. "Progress that has been made is fairly small. There's a lot of work to be done."

Blackboard doesn't pretend that using Ally on its own is a workable solution. Ally can address "low-hanging fruit," according to Matthijs, and point to areas where an institution's disability services can intervene more closely, but it doesn't substitute for a human's watchful eye.

Canvas's Jared Stein similarly describes the company's Accessibility Checker as "a very human-centric, engaging tool that doesn't eliminate the human interaction from the equation."

Udoit, an open-source tool funded in part by Canvas, was born half a decade ago at Central Florida out of a similar desire to streamline accessibility conversations. The institution's Center for Distributed Learning and Student Accessibility Services secured a $10,000 grant from Instructure (Canvas's developer) to create the tool, which is now used by more than 50 institutions, according to Kelvin Thompson, the center's executive director. The tool analyzes announcements, assignments, discussions, files, pages, syllabi and module URLs. Items outside its purview include external documents and some video/audio files.

"It's an arrow in the quiver; it's a step in the right direction," Thompson said of the tool.

What Tech Can (and Can't) Do

From Blackboard's perspective, "low-hanging fruit" includes identifying documents that have been scanned rather than originated online. Scanned documents are much more difficult to make accessible than digitally native content, because they don't lend themselves to screen readers.

But digital tools are likely to miss subtle details that can make a big difference. For instance, text or images in particular colors might pose a challenge to colorblind readers, but technology tools are unlikely to flag those as problematic. Technology might not have the firmest grasp on "Italian opera, organic chemistry" and other fields with jargon that tools might not seamlessly transcribe, Nemeroff said.

In some cases, technology is better suited to answering binary questions than to identifying more complex defects, according to Jared Smith, associate director of Web Accessibility in Mind (WebAIM), a Utah-based nonprofit that provides web-accessibility consulting to higher education institutions and other organizations. A tool can say whether an image has been outfitted with alternative text that blind readers can hear in place of seeing the image -- but it often can't say whether alternative text is accurate, or whether it's been installed automatically by the software program, Smith said.

Technology can determine whether a video has been outfitted with captions, but not whether those captions are more than "automatically generated gibberish," Smith said. Drop-down menus are another source of confusion. Automated tools struggle to analyze those menus' complex code, which can be problematic for users who operate the computer without a mouse.

Smith estimates that augmented tools identify a little more than a quarter of potential errors. "That means there's another 70 percent that's going to extend beyond the tools to identify," Smith said.

Tech tools can be misleading in the opposite direction as well, Moore said. Some images, for instance, don't require embedded alternative text for screen readers because they're stock images that aren't essential to understanding the written material, or because they're technically tables that function like text boxes. Observers of accessibility reports might get discouraged by seeing a large number of errors, but that number might be

artificially high.

What More Is Needed?

Nemeroff at Dartmouth believes institutions have started to take a more active role in addressing accessibility for reasons that go beyond avoiding lawsuits. His team has started discussing accessibility with instructors throughout the design process.

"If you're not doing this kind of broader strategic and operational planning to make sure these things are happening and that people are changing their behaviors, simply putting Ally out there isn't going to change the underlying practices that are either promising or problematic entirely," Nemeroff said.

Blackboard's work with institutions has followed a similar path, according to Matthijs.

"As we've started having these conversations with institutions, I've seen a noticeable trend -- that fear of litigation is less and less the starting point of the conversation, less and less becoming a driver," Matthijs said. "Institutions are more and more starting -- it's a slow evolution but noticeable -- to see some of the opportunities, and they're now starting to see other institutions that are trying to tackle this problem."

Companies are still grappling with the right balance between serving institutions and enabling them to tackle accessibility more effectively on their own. For its part, Canvas hopes to partner specialized tools and companies in an effort to tackle accessibility at a more granular level. Though the company is light on specifics, Stein believes it's likely technology will within the next five years be much more capable of addressing accessibility questions than it is now.

"I think institutions are realizing more what the limitations of those tools are," Stein said. "They're not a plug-and-play solution, but it can be part of a broader accessibility effort." ■

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OPINION

5 Principles as Pathways to Inclusive Teaching

By Soulaymane Kachani, Catherine Ross and Amanda Irvin // February 19, 2020

Implementing inclusive teaching strategies in your classroom does not require huge changes or full course redesigns. Nor does inclusive teaching demand the abandonment of favorite classroom techniques, topics, readings or assignments. Rather, it suggests ways to be more intentional about how you deploy those tools to create the best learning environment for your students.

In fact, inclusive teaching practices may not be something totally new; you may already be using many inclusive teaching strategies without specifically calling them such. You can implement them in small steps along a number of paths, as long as your compass is set to intentionality and forethought.

To help instructors better structure their intentional approaches to inclusion in teaching, the Columbia University Center for Teaching and Learning synthesized the research on inclusive teaching into five principles, then added research summaries and suggested teaching strategies to accompany each principle. The five principles, which serve as guideposts for the different paths that lead to inclusive teaching practices, provide instructors some options for their journey, as described in detail in our Guide for Inclusive Teaching at Columbia. Our goal is to offer instructors everywhere many ways to meet their teaching needs through strategies that are guided by these research-based principles.

We encourage all instructors to review the strategies in the five principles below. You can choose what works best for your own teaching style and disciplinary context, students, learning goals and classrooms -- both digital and physical. While all five principles are essential to cultivating an inclusive teaching practice, you do not need to use every teaching strategy to get to inclusive teaching; instructors should adopt the strategies that work best to advance diversity, equity, inclusion and belonging in their distinct teaching contexts.

Principle 1: Establish and support a class climate that fosters belonging for all students. Instructors should recognize and value students' varied identities, experiences and backgrounds and work to create a space where students are both challenged and heard. Research has shown that course climate can influence everything from student engagement in class to student motivation and persistence -- and is strongly connected to how much students learn.

Teaching Strategies

- Build instructor-student rapport. Make a point of learning students' names (and how to pronounce them) and get to know students through in-class surveys and activities, office hours, and online chats. Share your passions, interests and personal learning process with students.
- Build student-student rapport. Encourage students to work in pairs or groups and share learning experiences.
- Treat each student as an individual. Do not expect them to speak for an entire demographic group or make suppositions about their membership in one. Ask for preferred pronouns.
- Avoid making assumptions about students' abilities based on stereotypes. Be aware of those stereotypes and work to not perpetuate them.
- Convey the same level of confidence in the abilities of all of your students. Be even-handed and cautious about being overprotective of or unduly strict toward any group or individual.
- Address challenging classroom behaviors and attitudes, such as microaggressions and offensive and alienating comments. Make it a teachable moment, asking stu-

Project-based learning at York College of Pennsylvania

dents to reflect critically on assumptions and positions without attributing motives.

See here for other classroom practices related to these teaching strategies.

Principle 2: Set explicit student expectations. Give students clear guidelines for class components, so they know what learning they are accountable for, including how they will be graded and why. Explicit articulation of learning objectives and goals, transparency around performance expectations and criteria-based grading systems empower students to share the responsibility for their learning and to develop growth mind-sets.

Teaching Strategies

- Explicitly articulate assessment criteria. Share grading rubrics and practice applying those rubrics to anonymized work. Offer students multiple low-stakes opportunities for demonstrating learning.
- Provide timely, clear and actionable feedback that helps students take ownership of their learning.
- Establish community agreements and discussion guidelines. Work with students to create those guidelines to promote an inclusive learning environment.
- Provide examples of exemplary work. Use those examples to communicate expectations, facilitate understanding, demonstrate discipline-specific skills and help articulate assessment expectations and standards.
- Model expected behavior. Adhere to community agreements and display the skills that students are asked to demonstrate in their assessments and assignments.

See here for other classroom practices related to these teaching strategies.

> Instructors should recognize and value students' varied identities, experiences and backgrounds and work to create a space where students are both challenged and heard.

Principle 3: Select course content that recognizes diversity and acknowledges barriers to inclusion. Effective instructors meaningfully consider the role that content plays in creating a learning environment where students see themselves reflected and valued. Content -- broadly defined to include metaphors, case studies, project and assignment topics, statistics and data, as well as textbooks and course readings -- sends powerful messages to students about their place in the discipline and in the courses we teach.

Teaching Strategies

- Select content that engages a diversity of ideas and perspectives. Consider whether some perspectives are systematically underrepresented or absent.
- Choose content by authors of diverse backgrounds. Discuss contributions made to the field by historically underrepresented groups.
- Use multiple and diverse examples that do not marginalize students. Use examples that speak across gender, cultures and socioeconomic statuses, ages, and religions.

See here for other classroom practices related to these teaching strategies.

Principle 4: Design all course elements for accessibility. Recognize the diversity of different learners' abilities and experiences and provide multiple ways for them to engage with course materials and express what they have learned. Using Universal Design for Learning approaches to course design and teaching ensures that all students will be able to demonstrate their learning without unnecessary challenges unrelated to the academic content of the course. Such approaches benefit all learners and eliminate the guesswork for instructors when determining whether the learning experiences they are designing will be both cognitively and physically accessible to everyone.

Teaching Strategies

- Provide multiple means of representation and supporting materials (illustrations, glossaries, etc.). Use a variety of modalities and adjustable formats.
- Provide multiple means of action and expression. Offer a range of assessments for students

to demonstrate learning and frequent opportunities for feedback on progress.

- Provide multiple means of engagement. Encourage learner autonomy with choice of topics or assignment formats. Invite students to co-design elements of classroom activities or assignments.

See here for other classroom practices related to these teaching strategies.

Principle 5: Reflect on your beliefs about teaching to maximize self-awareness and commitment to inclusion. Examine your personal assumptions and views. Inclusive teaching requires that you be intentional and explicit about the strategies you want to use in your teaching. Thus, self-reflection is a necessary step for the planning, preparation and implementation of those strategies. Ask yourself the questions outlined below.

Teaching Strategies

- What are my identities and how do my students perceive me? Consider your positionality and take inventory of the way your affiliations and identities shape your perceptions of others and their perceptions of you.
- What are my implicit or explicit biases? Do I propagate, neutralize or challenge stereotypes in my class? Take an honest inventory of your own conscious and unconscious biases and strive to create an explicitly centralizing classroom climate.
- How do I handle challenges in the classroom? Build your awareness of student behaviors (tardiness, lack of preparation, indifference) that trigger strong emotions for you and strategize how to maintain your equilibrium.
- How might the ways I set up classroom spaces and activities foster inclusion or disinclusion? Be attentive to your own use of space in the classroom (where you stand and sit, for example) and vary your class activities to offer opportunities for students to participate in large group, paired, small group and individual work.

See here for other classroom practices related to these teaching strategies.

We invite you to reflect on how many of these practices you already use in your classes, as well as to consider any new ones you might want to try based on areas that might need more attention in your teaching. This is not about students' preferences but about how students learn. The practices in the Guide for Inclusive Teaching at Columbia are based on decades of research that demonstrate how students' perceptions of class climate can significantly impact their learning. The very best result of choosing to teach inclusively -- transparency of intention, explicit conversations about learning and a sharing of power and responsibility for learning between student and instructor -- is that it creates equitable and transformative learning opportunities for all of our students.

Bio

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Read Original Article ▸▸ https://www.insidehighered.com/advice/2020/02/19/practical-steps-toward-more-inclusive-teaching-opinion

Online Education Is a Disability Rights Issue

It is time to destigmatize and expand online learning opportunities for college students with disabilities, Brittany Collins argues.

By Brittany R. Collins // August 29, 2018

SOURCE: ISTOCKPHOTO.COM/Z_WEI

From a young age, I fantasized about getting a Ph.D. more than I ever dreamed of my wedding. Learning was, and continues to be, my greatest love. For that reason, when the onset of a physical disability forced me to leave college after my sophomore year, I was faced with the task of recalibrating.

How could I continue to learn and grow in an academic environment if my body did not allow me to return to campus? How could I forge a path to self-sufficiency? As an education major, could I still contribute to the field even if my standing at the front of a classroom was precluded?

Though isolated, I knew that I was not alone in my predicament. One in 5 Americans lives with a disability, and one in 10 has a severe condition. As an American studies professor once told me and a lecture hall of classmates, we are fragile; despite what mainstream culture leads us to believe, young people are no exception -- even if our prefrontal cortices tell us otherwise.

The Americans With Disabilities Act of 1990 added breadth to the educational opportunities afforded students with disabilities: 2007-08 and 2011-12 studies conducted by the National Center for Education Statistics show that 11 percent of college students reported having a disabling condition, which is not an insignificant fraction of the general student body.

But I find myself hovering amid the gaps in that data. What about those whose conditions impede college attendance without fitting into ADA guidelines, for example? What if disability services aren't always enough?

Retention rates hint at a more complex story than enrollment rates allow. A recent study by The Hechinger Report found that only one-third of college students with disabilities graduate from four-year institutions within eight years of enrollment, and 41 percent graduate from two-year institutions within the same time frame. *The Huffington Post* concurs that this is a crisis, and these data do not encompass the number of students who -- like me -- have to halt their educational careers due to the onset of an illness or injury.

Higher education therefore presents a catch-22 for students with

disabilities. Enrolling may seem tenuous, physically strenuous (if at all possible) and even irresponsible given that many people with disabilities are poor or low income, and a pile of student loans adds burden to an already tilted probability of independence.

The National Council on Disability interviewed students with disabilities and found that the majority of subjects "were worried about student loans because of their disability-related needs … will not take out loans because of their concerns about being able to work and repay them … [or] were concerned that they might not be able to work enough hours to repay their student loans, but did not specifically state that they would not take out loans in the future."

So what are the solutions? While many colleges have part-time programs, online courses or blended learning options, my liberal arts campus was not one of them. In 2012, 89 percent of public institutions offered online courses, compared to just 60 percent of private. Far fewer offer online undergraduate programs, and this poses a complicated problem: Is it reasonable for students whose disabilities impede campus attendance to request technological accommodations that would catalyze their remote participation in an otherwise in-person program? Must their educational opportunities be narrowed to those available at online schools?

Would their virtual engagement in traditional courses (through programs like Skype, Blackboard or Zoom) change the nature of educational programs in a way that poses undue burden? Or, as disability accommodations, could these alterations be framed differently -- not as an institutional programmatic restructuring, but as a case-by-case option, since the technology already exists? Where is the line?

For students whose disabilities prevent their physically attending a full course load, a more seamless option would be to pursue or complete a degree through an established online program. But, to quote Shakespeare's *Hamlet*, "there's the rub." Despite the fact that respected institutions are increasingly incorporating educational technology and online learning into their milieus, there remains a pervasive stigma surrounding the validity and value of online degrees.

An article published by the *U.S. News & World Report* states, "There are still some who would hesitate to hire or consider an online degree holder." To those degree holders, they warn that employers "will be curious about your collaboration skills," given the isolated nature of computer-based programs.

Such attitudes layer additional hurdles atop the pile of disadvantages that those with disabilities face. Should a student commit to the financial implications of pursuing an online degree despite (or because of) their limitations, it seems dire that they could then graduate from that program with a compounded sense of inferiority in the job market.

It is not uncommon for radical change to spark a wave of skepticism (see the Luddites of the industrial revolution). But at a time when technology affords the expansion of quality online learning -- which is proven equitable when compared with face-to-face learning, perhaps even better in some cases -- it is crucial that we, as students, educators and employers broaden our perceptions of virtual degree seekers and holders by taking a mindful approach to the consideration of context.

A recent *Chronicle of Higher Education* article makes the striking statistical claim that online education is a feminist issue. It is time to consider that it is an ability justice issue as well.

As someone who thrives in a classroom setting, I never would have considered online or blended learning had I not been forced to weigh their merits. But I, like many before me (see Maureen Ann Nolan, who attended college by phone in the '70s; bestselling author Laura Hillenbrand; and Lily Altevena), found myself humbled by the fragility of my physicality. What's worse than that vulnerability is the narrow attitudes of others.

When it comes to online learning, it is time for a collective shift in perspective. Anything different perpetuates inequity. ■

Bio

Brittany R. Collins *is a reader for the Harvard Review and New England Review and an author with a focus on equity in education.*

Read Original Article ▸▸ https://www.insidehighered.com/digital-learning/views/2018/08/29/online-education-disability-rights-issue-lets-treat-it-way-opinion

Unfair at Any Speed

The long-held belief that faster is better in learning -- speedism -- hurts students of all speeds, writes Myk Garn, and should be replaced with individualized and guided learning models.

By Myk Garn // March 13, 2019

SOURCE: ISTOCKPHOTO.COM/GORODENKOFF

Faster students are smarter students. So declared Edward Thorndike of Columbia University's Teachers College a century ago.

You would think we are more enlightened today. Unless you looked at Mingus Union High School in Cottonwood, Ariz., where students are required to wear a red badge that "publicly identifies and shames underperforming students." (The policy has since been dropped.)

It is patently true that "Society rewards rapid thinkers!" as my high school humanities teacher, Mr. Sabo, said many times, usually as I searched my suddenly blank mind for an answer. But faster is not always right, and it is rarely an equitable measure of performance -- or potential. Like racism and sexism, speedism (the belief that faster is better) is a contemptuous conceit that eviscerates our colleges and the souls of our most needy students.

During a recent training to develop online instruction for students with disabilities, our instructor, who was blind, demonstrated how a screen reader worked. Eyes closed, we listened and were challenged to follow the stilted robotic voice and to keep (literally) in mind where on the page we were and in what context the words were falling. After less than a minute, most of us admitted we were hopelessly lost.

"You were listening at about 80 words a minute," our instructor said. "Seems pretty fast, doesn't it? Well, I work at about 150 words a minute. Here's what that sounds like." Then he cranked up the speed to what sounded like somewhere between that old FedEx commercial and a squawking modem handshake.

You get the point. Tables turned. Now we were the slow learners. Fortunately, our instructor did not judge us.

Judgements like Thorndike's can seem out of touch with modern sensibilities, much as the speeches of supporters of segregation in the 1940s and '50s are cringe-worthy today. But unlike a civil rights or Me Too movement to illuminate the blind, education has not had its movement to identify and change the hegemony of speedism. But it's time to start.

In his excellent book *The End of Average: How We Succeed in a World That Values Standardization*, Todd Rose provides a chilling narrative of Frederick Taylor's fight to eliminate inefficiency in business by developing a new science of work -- with a core belief that individuality no longer mattered. However, to efficiently employ its human components, employers needed to differentiate applicants

between who should be manager and who should be workers.

Enter Edward Thorndike, for whom the purpose of schools was not to educate all students to the same level, but to sort them according to their innate level of talent so they could be assigned efficiently to their proper station in life, whether eminent leader (manager) or worker or disposable outcast, and so that educational resources could be allocated accordingly. Thorndike's guiding axiom was "Quality is more important than equality."

Because Thorndike equated faster than average with smarter than average, he presumed the smart students would perform better when given an average allotment of time. Thus, he argued, by standardizing time for classes, homework and tests, students could be sorted and ranked based on how long it took the average student to complete a task.

Just as academic calendars still hew to our agrarian past, our teaching model is still decidedly and disturbingly based on these speedist, Taylor/Thorndike hypotheses. Those who learn best (the fastest) are rewarded. Those who muddle through can continue. Those who lag get the help we can afford until they leave or are gated out.

While time equity is essential to slow learners, it is also an issue for fast learners. How could that be? Our current educational system was designed by fast learners to advantage fast learners because, well, they are the smart ones. Right? But when fast learners are enrolled in palletized courses with peers of all learning speeds, their progress is slowed, which is frustrating and wasteful. Indeed, in top-level programs and time-critical disciplines (think emergency medicine), speed is a valid expectation and criteria. But freshman composition, what we in Georgia call a "catapult course" that dramatically impacts success in future courses, proficiency is more important than speed.

Yet speedism is most insidious for slow learners.

And, like racism and sexism, speedism is so embedded in our educational systems as to be almost unrecognizable. Consider this 2018 incident in Texas: former Texas Supreme Court justice Scott Brister, chair of a commission appointed to find ways to fund a federal mandate to improve instruction for young people with disabilities, asked members if the state should be spending education dollars "on the brightest kids or the slow learners?" He later apologized for the comment.

Even when academia tries to get it right, it can get it wrong. In its 2015 report, "The Carnegie Unit: A Century-Old Standard in a Changing Education Landscape," the Carnegie Foundation argues that moving from the Carnegie unit as a proxy for learning to measuring actual competency is too fraught with issues to consider changing either quickly or completely. While they may be right on some points, they misstep when they note that by staying put, "at a minimum, the Carnegie unit ensures students equal time to learn." Hopefully you can see the speedism in that statement. Equal time is not equality. Giving all students the time to achieve proficiency is equality.

Our current Taylor/Thorndike industrial, palletized, time-based, one-speed-fits-all model is unfair for any speed of learner. Fortunately, alternative models of teaching and learning are on the ascendancy. The Great Schools Partnership is leveraging proficiency-based learning, flexible learning pathways and learner-centered accountability to ensure high-quality teaching and learning is every student's right. In this model students are held to high expectations and work until they meet them, every day. In addition, progress in K-12 is being informed by work from Competency Works and iNACOL.

In postsecondary education, the recognition is coming more slowly. But networking and guidance from projects including the Competency-Based Education Network, Every Learner Everywhere and the Association of Public and Land-grant Universities are building a critical mass of innovative models that address and replace speedist hegemony with individualized, adaptive and guided learning models where failure is not an option.

In the past the system set the speed and measured students against the average. In the (not too distant) future the speed of the individual learner will be first, and no learner will be last. ■

Bio

Myk Garn is assistant vice chancellor for new learning models at the University System of Georgia.

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Device Etiquette

Norms are evolving, write Matt Reed.

By Matt Reed // November 13, 2019

Blog Column at *Inside Higher Ed*

I'm old enough to remember when "left to their own devices" simply meant "ignored." Now the meaning is much more literal.

Students bring devices with them to class in ways that weren't possible a decade or two ago. The etiquette around devices is still catching up.

In some ways, device ubiquity is great. For students with various disabilities, for instance, certain applications can be liberating. In-class polling has become infinitely easier. Students can photograph complicated diagrams rather than trying lamely to copy them down. And those of us with catastrophically bad handwriting -- not that I know anybody like that -- can attest that the opportunity to take legible notes is a game changer.

Some of the negatives are well-known. The most basic is distraction. If I'm struggling to follow a difficult concept anyway, it's that much harder when the student next to me is playing Fortnite. And even students who are honestly trying can find themselves falling down electronic rabbit holes before they know what happened.

I'm more intrigued, though, by the ways that the omnipresence of devices has shifted some long-standing cultural norms.

For example, most colleges have long had rules against recording classes without the instructor's consent. Recordings made for disability accommodation purposes were allowed, but they had some pretty restrictive strings attached. And in olden times, distributing a recording was difficult. Anyone who remembers dual cassette decks will know what I mean.

Now, it's easy for students to record classes without anyone knowing and to distribute those recordings to the world in seconds. That makes the old prohibitions much harder to enforce and raises the possibility of brief snippets being taken out of context to make someone look terrible. I used to teach political philosophy, so I can only imagine what could have happened if someone had posted, say, 10 key seconds of explaining Marxism. ("Pinko Prof Says 'Smash State' at State U, Still Cashes Paycheck") Someone with an agenda could do tremendous damage to someone else just for doing their job.

Still, I'd be lying if I didn't admit that people bring devices into work meetings all the time. Sometimes they're for note taking or looking things up, but most folks multitask to one degree or another. The sort of purity that some professors try

to recreate with mandatory Faraday cages doesn't even exist in many professional workplaces anymore. If anything, I'd argue that device etiquette is becoming a new workplace skill.

Part of the historic role of higher education was to impart the cultural norms of the professional class. That may sound -- and be -- sort of creepy, but it's part of enabling upward mobility. The catch is that those norms are evolving, especially where device etiquette is concerned. People acting in the best of faith, trying to recreate the classroom of 1995, aren't preparing their students for the world they'll encounter.

Whether the evolution of those norms is good or bad is sort of beside the point; change happens. As much as I cringe when I see people sitting in groups staring at phones at tables in restaurants, they do. And I want the graduates of my college to be successful in the world that actually exists.

Wise and worldly readers, have you found effective ways to teach students device etiquette? Even better, have you found ways to get them to think critically about device etiquette?

Bio

Matt Reed is vice president for learning at Brookdale Community College.

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