



Blackboard

Why accessibility

The accessibility imperative for education

Since its founding in 1997, Blackboard has been helping academic institutions—colleges, junior colleges, universities, K-12 schools—fulfill their mission to provide a better education for their students. Blackboard does so by offering a broad portfolio of technology-based products and services. Working in close partnership with our clients, we use technology to solve many of the challenges that today's schools face: how to make learning more engaging, how to improve learning outcomes, how to help make schools run more effectively and efficiently for students, teachers, and administrators. One area on which we have long placed an intense focus is accessibility.

The moral and legal imperative

Worldwide, one billion people experience some type of physical, visual, hearing or cognitive disability—that's roughly 15% of the world's population.¹ For as many as one-fifth of that number, the disabilities are significant. In the United States, it's estimated that slightly more than 12% of K-12 students have a disability.² For undergraduates, the figure is 11%; for graduate students, 5%.³ These numbers are alarming. On average, those with disabilities are more likely than those without to experience adverse outcomes. They have less education, worse health, lower employment rates and higher levels of poverty. These costs are not just borne by individuals and their families: they are costs borne by society as a whole. Today, alongside the thousands of institutions we work with, we see making education accessible to those with disabilities as both a moral and legal imperative.



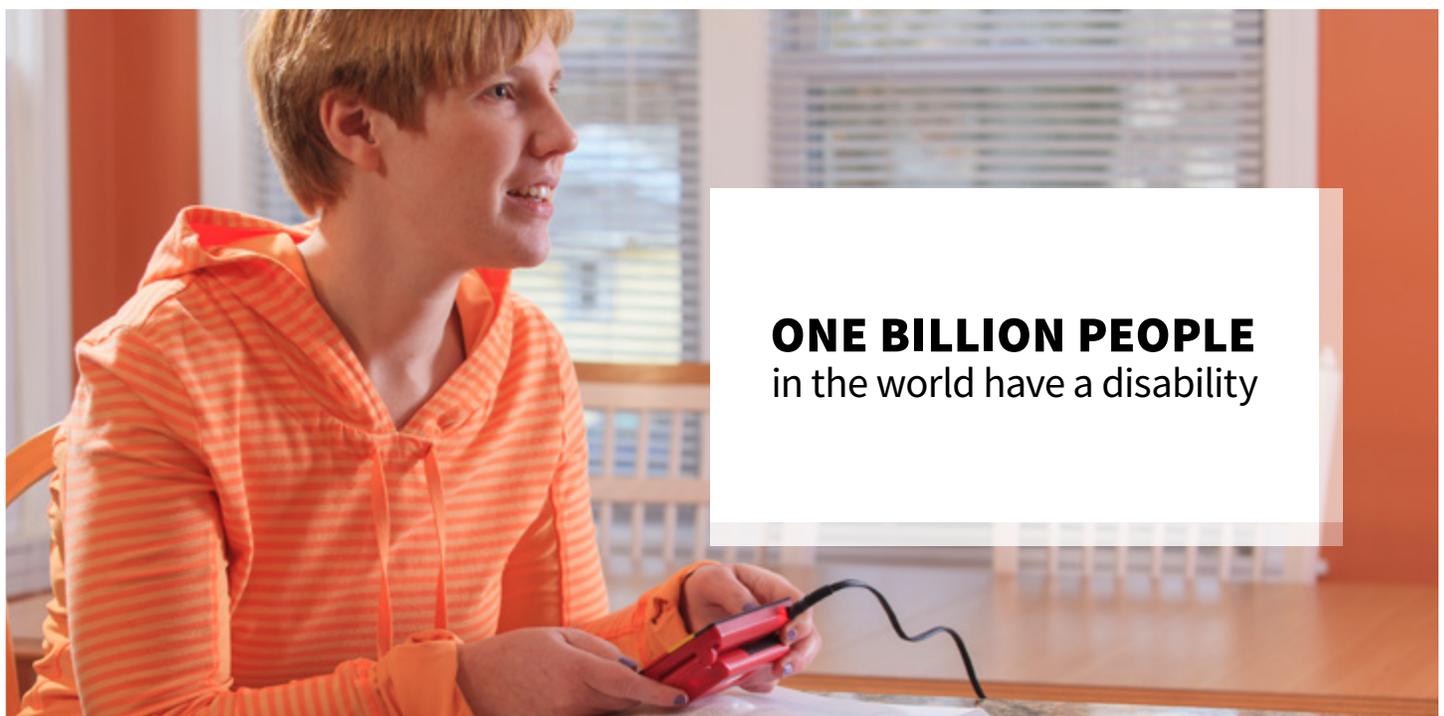
of K-12 students
have a disability



of undergraduates
have a disability



of graduates
have a disability



ONE BILLION PEOPLE
in the world have a disability

Disability defined

Australia's Disability Discrimination Act (DDA) defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. Under the U.S. Anti-Discrimination Act, an individual with a disability is a person who: 1. Has a physical or mental impairment that substantially limits one or more major life activities. 2. Has a record of such an impairment. 3. Is regarded as having such an impairment. (Source: [Disabled World](#))

There are many other definitions. As the World Health Organization has stated, "Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions... Disability is a complex phenomenon, reflecting an interaction between features of a person's body and features of the society in which he or she lives." (Source: [WHO](#))

Accessibility defined

Accessibility refers to the design of products, devices, services or environments for people with disabilities. The concept of accessible design ensures both "direct access" (i.e., unassisted) and "indirect access", meaning compatibility with a person's assistive technology (for example, computer screen readers). (Source: [Disabled World](#))

Educational mandates for students with disabilities throughout the world

The U.S. is not alone in enacting—and enforcing—mandates regarding students with disabilities. Many countries in the developed world have similar laws, and many developing nations are also implementing them.



Many countries throughout the world have educational mandates for students with disabilities

The Americans with Disabilities Act (ADA) prohibits discrimination, and, along with Section 504 of the Rehabilitation Act of 1973, outlines a number of obligations that public school (K-12) systems have to accommodate children with disabilities. These obligations cover not only classroom-based programs, but recreational, social, and cultural activities as well. ADA and Section 504 mandates also apply to public colleges and universities, as well as private schools that directly or indirectly receive federal aid (which includes accepting students who receive such aid).

A more recent provision to the Rehabilitation Act is Section 508, which was added in 1998. Recognizing the growing importance of technology, Section 508 (the Electronic and Information Technology Standards) was enacted so that technology barriers in information technology—whether device, equipment, Internet, or content related—can be eliminated. One implication of Section 508 is that any materials presented in an online format must be compatible with assistive technology.

Given the increasing role that technology plays in the traditional classroom and the parallel growth of online learning, Section 508 is becoming especially meaningful and important. Section 508 applies to the federal government, and to those wishing to do business with the federal government. It may also apply to schools or school districts that are recipients of federal funds through the Assistive Technology Act or other federal sources. Additionally, many states have enacted laws that mandate compliance with Section 508.

There's more exercise of accessibility rights —and more enforcement of them

There is, of course, nothing new about the Rehabilitation Act (including Section 504). It was enacted over four decades ago. The ADA was put into law in 1990. Even the relative newcomer provision—Section 508—has been around since 1998. What has changed is that, over the last few years, the U.S. Department of Justice (DOJ) and the Department of Education's (DOE) Office of Civil Rights (OCR) have begun to articulate what these laws mean for educational institutions. Increasingly, the interpretation is that the provisions of both the ADA and the Rehabilitation Act of 1973 *do* apply to institutions of higher learning and to distance education. Armed with the clarifications coming out of these departments, more students with disabilities and their families, along with organizations representing the disabled community, are advocating for their rights—and the DOJ and the OCR are now enforcing these rights. (It's also important to note that students who received accommodations for their disabilities in a K-12 setting have expectations that they will receive the same level support when it comes to post-secondary education.)

In 2015, the National Association of the Deaf (along with a number of Deaf and hard of hearing individuals) lodged federal complaints against Harvard and MIT. These complaints cited both the Rehabilitation Act of 1983 and the ADA, and claimed that Harvard and MIT failed to caption the online content these institutions have made available to the general public, including the many massive open online courses (MOOCs) that they offered, as well as on-campus speeches and podcasts. DOJ sided with the National Association of the Deaf.

A photograph showing a person's legs in a wheelchair. The person is wearing light-colored, vertically striped trousers. Their feet are positioned over a computer keyboard. The wheelchair has large, treaded tires. The background is a plain, light-colored wall.

“The complex problem of ensuring that technology is accessible to people with disabilities touches nearly every aspect of a campus, from course material to enterprise systems for registration and financial aid to public web pages. Solutions to creating an accessible IT environment require a full campus effort.”

Rob Carr

Accessibility Coordinator, Oklahoma
ABLE Tech, Oklahoma State
University (from “Web Accessibility
in Higher Education”, EDUCAUSE
Review, February 22, 2015)

Even more recently, in August of 2016, the DOJ, acting on complaints that originated from the National Association of the Deaf, notified the University of California at Berkeley that the school's YouTube Channel, iTunesU platform, and MOOCs are not designed for accessibility, and is asking the University to remedy this matter.

Recent resolution agreements that OCR/DOJ have forged with universities include:

- A 2014 agreement with the University of Cincinnati and Youngstown State that resolved complaints filed with OCR regarding the inaccessibility of the websites of those universities. Among the steps that each of these schools agreed to were the development of a web accessibility policy, and the review of e-learning platforms and the creation of remediation plans.
- Also in 2014, the University of Montana resolved an OCR complaint regarding, among other issues, the inaccessibility of the school's learning management system and lack of captioning on videos.
- In 2013, Louisiana Tech University resolved a complaint that had been filed with the DOJ by a student who is blind. The problem was that a professor had adopted (and required) a web-based application that was inaccessible. Louisiana Tech was required to design and implement an accessibility policy.
- The South Carolina Technical College System (SCTCS) had voluntarily adopted Section 508 standards—only to fail to meet them. Among the web accessibility problems that led to a complaint filed with the OCR were that pdf's on the web site were inaccessible; videos were provided without captioning, and were delivered by media players that lacked labels on controls and which could not be used by keyboard; campus calendars that didn't work with screen readers. In 2013, SCTCS agreed to a resolution regarding these issues.

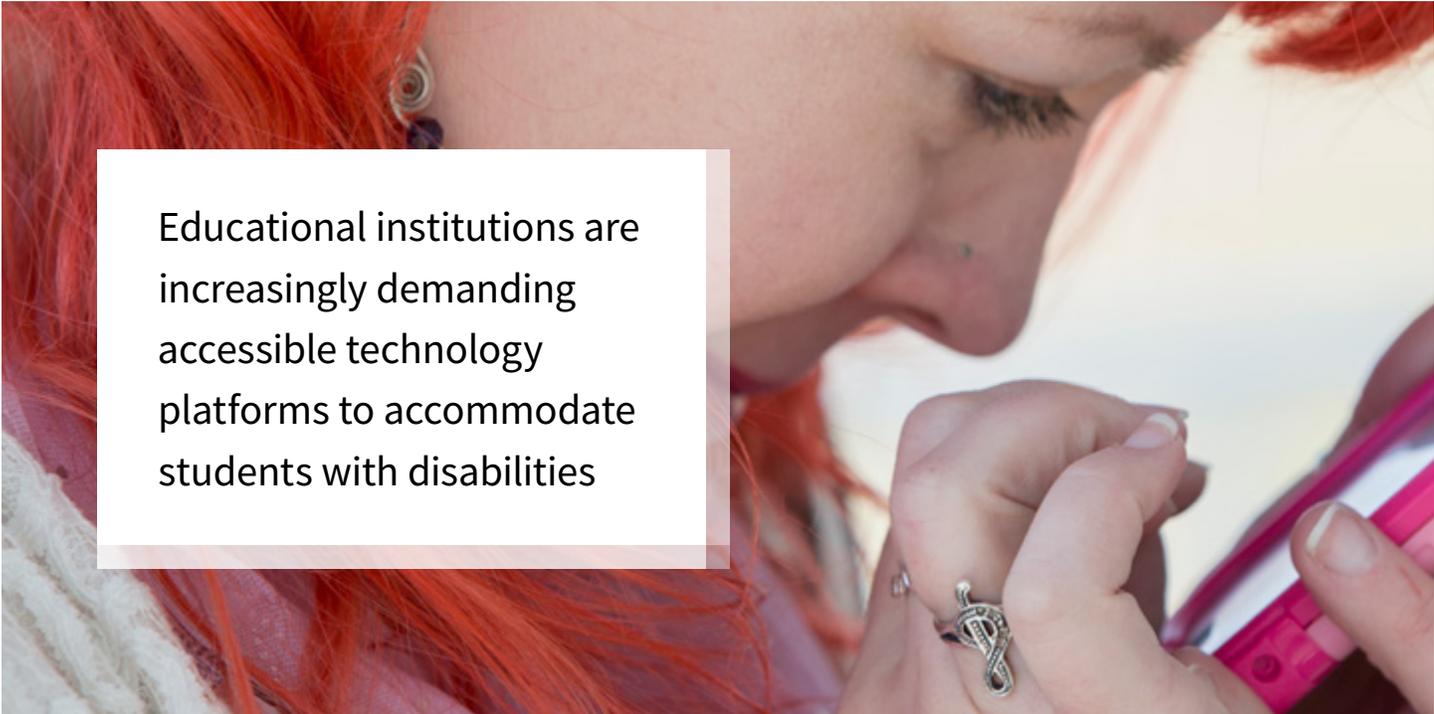
The bottom line here is that schools that are not doing enough to satisfy the moral and legal imperatives around accessibility are increasingly finding themselves the subject of complaints that are agreed to by DOJ and OCR.

These complaints are the outcome of a heightened awareness around civil rights for learners, one of the key trends that we have observed over the last decade or so. This level of awareness—and the ability to act on it—is improving the dismal statistics associated with students with disabilities, who have historically gone on to higher education at far lower rates than their non-disabled peers, and who a decade ago had a graduation rate that by some estimates were in the low single digits. Things have improved. A 2011 report looked at 2009 data on how many young adults with disabilities had attained a four-year college degree within eight years after graduating from high school. They found that 34.2% had done this. While this is a marked improvement over earlier reports, the graduation rate for disabled students lags far behind that of the non-disabled, which was 51.2%.⁴

Another trend we've identified is that colleges and universities are now moving to proactively create policies, training programs, and regular audit projects around accessibility. This proactivity is, understandably, motivated by the desire to avoid a having a complaint lodged against them. But while educators may be responding to the legal accessibility imperative, they are also motivated by the desire to see that there are equal educational opportunities given to all of their students.

Six accessibility resources you can tap for information on making your courses more accessible:

1. [Web Content Accessibility Guidelines \(WCAG\) 2.0](#)—Covers a wide range of recommendations for making web content more accessible. Following these guidelines will make content accessible to a wider range of people with disabilities, including blindness and low vision, deafness and hearing loss, cognitive limitations, and others.
2. [Universal Design for Learning Series](#)—Offered by the National Center on Universal Design for Learning (UDL), the UDL Series provides web-based rich media presentations and resources to increase understanding of the UDL framework; enhance utilization of UDL tools, processes, and resources; support effective UDL implementation; and inform UDL advocates, families, and communities about professional development and policy initiatives.
3. [CAST](#)—A nonprofit education research and development organization that works to expand learning opportunities for all individuals through Universal Design for Learning. CAST pledges to work to understand the full extent of human learner variability and to find transformative approaches that make education more effective for all.
4. [Quality Matters](#)—A faculty-centered, peer review process that's designed to certify the quality of online and blended courses. Submit a course for review and receive feedback.
5. Section 508.gov's list of [Accessibility Programs in the Academic Community](#)—A list of institutions offering a wide array of expertise and opportunity for enhancing the implementation of Section 508.
6. [The National Center on Disability and Access to Education](#)—Addresses issues of technology and disability in education policies and practices to enhance the lives of people with disabilities and their families.



Educational institutions are increasingly demanding accessible technology platforms to accommodate students with disabilities

Accessibility from the learner's perspective

Behind the legal cases that are being made for greater accessibility from their colleges and universities, are the students themselves. For students coping with physical or cognitive challenges, the academic journey can be daunting. In working with students with a diversity of physical and cognitive needs, we have learned that:

1. The fundamental goals of all students, regardless of ability, are the same: to learn in order to live meaningful, independent, and successful lives.
2. Social perceptions and support have a big impact on the ability of any student to meet these goals.
3. Our society is still reactive about disability support, especially in education.
4. The problem is not just the lack of awareness—it's a lack of imagination around how to make the education system work in favor of these students.

Although technology alone cannot solve the accessibility challenge and eliminate barriers in their entirety, some of the most imaginative work being done to make the education system work in favor of students with disabilities is happening in the technology arena, where there is a steady flow of breakthroughs when it comes to assistive devices and tools. The Internet, of course, holds special promise to make learning more accessible to students with disabilities. But as the spate of complaints that have been lodged against colleges and universities illustrates, the promise of the Internet is not always delivered.

Using technology to help accommodate students with disabilities

Technology is well-positioned to accommodate students with disabilities by removing the barriers facing those who can't hear a lecture, read a document, or physically attend class in a traditional classroom. And educational institutions are increasingly demanding that the technology providers that serve them take accessibility very seriously. Captioned videos. Applications that are accessible to those with visual impairments. Tools that work with screen readers. Best practices that promote the creation of more inclusive classrooms. Technology partners that help to deliver accessible platforms, and tools to help ensure the accessibility of the content delivered on those platforms. There are many different ways in which access to learning finds its expression.

“Many students with disabilities chose online learning because they felt that it would be very supportive of their learning styles and disabilities. I think that is a tremendous compliment to online learning.”

Valerie Haven

Academic Technology Coordinator for the Ross Center for Disability Services at UMass Boston and Consultant to the Online Learning Consortium (formerly the Sloan Consortium)

At Blackboard, accessibility is an imperative, not an afterthought

Blackboard has a commitment of long-standing to making sure that its products are accessible. It began with an awareness that we needed to develop a more holistic approach to and understanding of students and instructors with disabilities, and the people who support them.

- Blackboard Collaborate began to define itself in terms of making sure that there would be “no user left behind.”
- Universal design courses were built and shared with the teaching and learning communities.
- Blackboard Learn became the first LMS in the industry to achieve gold-level certification for non-visual access from the National Federation of the Blind.
- In 2012, Blackboard was the first to publish a third-party validated statement of conformance with W3C’s Web Content Accessibility Guidelines.
- Also in 2012, we were invited to work with groups like SLATE and the Online Learning Consortium (Sloan) to help educate people about the importance of accessibility in educational technology.
- In 2015, Blackboard created a full-time Accessibility Manager role, which is centrally positioned in the organization to drive product improvements, community involvement, and continued evolution across all of our products and services. In 2016, Blackboard then added an Accessibility Engineer role to support accessible design and development for all our products.
- In 2016, Blackboard acquired Fronteer, which developed the course content accessibility service, Ally.
- In 2017 Blackboard launched Accessibility Planning Services to provide institutions with guidance in creating barrier-free eLearning experiences for individuals with disabilities.

Blackboard is fully committed to delivering product experiences that meet or exceed the highest levels of expectation around accessibility. Our products are designed and developed in accordance with the Web Content Accessibility (WCAG) Guidelines 2.0 Level AA, as well as the Section 508 standards in the United States. A third party conducts regular audits of our software to ensure quality expectations are met and maintained.

Our work is guided by three core beliefs:

- **Accessibility is an imperative, not an afterthought.** As inclusive thinking spreads across the education landscape, we have a unique opportunity to positively impact the lives of people with disabilities. To do so we must deeply integrate accessibility thinking into all aspects of our organizational culture.
- **Understand, empathize, and act.** The fundamental goals of teachers and students remain the same, regardless of their physical or cognitive abilities. We must endeavor to fully understand the needs of people with disabilities. However, awareness is not enough. We must act.
- **Deliver the promise.** The edu-tech industry’s accessibility focus is rapidly increasing due to the tremendous promise technology offers to people with disabilities. We must focus on providing tools and services that deliver on this promise and inspire people of all abilities to learn.

For today’s educational institution, there is an undeniable imperative—one that’s both moral and legal—to deliver learning to all students. As the leading educational technology vendor, Blackboard has embraced this thinking as our own.

Blackboard[®]

1. **World Bank**
2. **Data First** (Center for Public Education)
3. **National Center for Educational Statistics**
4. **College & Career Readiness and Success Center at American Institutes for Research, citing a report from the National Longitudinal Transition Study-2.**

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