

ACADEMIC AFFAIRS COUNCIL

AGENDA ITEM: 3 – B

DATE: April 22, 2020

SUBJECT

Digital Accessibility Update

PERTINENT HISTORY

Accessibility Task Force Update (5/2019)

https://www.sdbor.edu/administrative-offices/academics/aac/Documents/2019/2019-05-AAC/3_G_AAC0519.pdf

CONTROLLING STATUTE, RULE, OR POLICY

United States Access Board – [Information and Communication Technology \(ICT\) Final Standards and Guidelines](#)

BACKGROUND / DISCUSSION

At the beginning of 2019, the AAC Accessibility Task Force began work to assess the state of digital accessibility, with respect to the ICT refresh, at BOR institutions. The task force also developed a revised ADA statement that was twice reviewed by AAC, with the expectation that the final version be adopted by institutions in time for the 2019 fall term:

[Institution] strives to ensure that physical resources, as well as information and communication technologies, are accessible to users in order to provide equal access to all. If you encounter any accessibility issues, you are encouraged to immediately contact the instructor of the course and the Office of Disability Services [contact information], which will work to resolve the issue as quickly as possible.

While some institutions did this, others still had concerns about the wording of the statement and wanted further revisions; however, these concerns did not get raised to AAC until recently.

After the task force drafted the new ADA statement and conducted its initial system accessibility compliance review, it was quickly realized that the scope of work involved in addressing digital accessibility was beyond just the academic areas, and representatives from the other standing councils needed to be involved as well. To that end, the system assembled the Digital Accessibility Workgroup, which was convened by Nathan Lukkes,

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DISCUSSION AND RECOMMENDATION

general counsel for the SDBOR, on August 13th, 2019. After that initial meeting, though, the workgroup has not met and there has been very little correspondence since then.

In October of 2019, the Department of Education's Office of Civil Rights (OCR) published four complaints against SDBOR institutions, including two against the SDSBVI, and separate complaints against South Dakota State University and the University of South Dakota:

<https://www2.ed.gov/about/offices/list/ocr/docs/investigations/open-investigations/dis1.html?queries%5Bstate%5D=SD>

Due to these complaints and that there is still much work left to do on the accessibility front—specifically, the accessibility compliance review and if approved, the implementation of Blackboard Ally—it would be prudent to reassemble the task force to continue its work.

Finally, Eric Mosterd, Regents Fellow for e-Education Initiatives, represented the SDBOR and the MHEC Accessibility Advisory Group at the [North Dakota University System's Digital Accessibility Conference](#) held on March 9th, in Fargo, ND. Among many other resources, NDUS provided a copy of the [ND State Board of Higher Education's Digital Accessibility policy \(1203.1\)](#). Such a policy statement may serve as a framework for a similar policy at the SDBOR.

IMPACT AND RECOMMENDATION

Review, revise, and approve the ADA statement from 2019 and implement for fall of 2020.

Reconvene the system Digital Accessibility Workgroup as soon as possible and continue its work. Specifically, it should review Blackboard Ally and if the system still feels it is worthy of adoption, determine a funding source/mechanism and proceed with implementation as soon as possible.

Consider a similar policy to that of the [North Dakota State Board of Higher Education's policy on digital accessibility \(1203.1\)](#).

ATTACHMENTS

None