EDUCUSE Live! Participant Chat: Links and Abbreviated Transcript

TEACH Act Update: The Path to Voluntary Guidelines for Accessible Instructional Materials

September 22nd, 2015: 1:00 p.m. ET (UTC-4; 12:00 p.m. CT, 11:00 a.m. MT, 10:00 a.m. PT)

Abbreviated Chat Transcript:

Educause Help, Elizabeth Cline: (13:01) The session archive with slides and recording will be available later today here: http://www.educause.edu/events/educause-live-teach-act-update/2015/teach-act-update-path-voluntary-guidelines-accessible-instructional-materials

Karen Sorensen, Portland Community College: (13:07) YAY!!! TEACH act is so confusing, considering copyright TEACH

Chris L: (13:07) what is wrong with TACH?

UCF-Center for Distributed Learning: (13:09) how about AIM: Accessible Instructional Materials?

Karen Sorensen, Portland Community College: (13:09) Chris L: TEACH is also the name of a Copyright Law used by Distance Ed instructors

Brenda Adrian: (13:10) WebAIM is an existing accessibility organization if you are considering AIM as an acronym

Corrie @ Lakeland CC: (13:10) "Working within existing law" - I like that.

Scott Krajewski - Augsburg College: (13:10) TEACH act: accessibility awakens

Laurie Vasquez, SBCC: (13:14) Very Exciting!

Jiatyan Chen: (13:14) We've been using "NFB TEACH Act" for a while.

Pam Riesmeyer, Purdue Calumet: (13:15) Sometimes it takes a lawsuit to get someone's attention. Unfortunate but true

Karen Sorensen, Portland Community College: (13:15) True 'dat Pam from Purdue


Tracy: (13:15) What are the standards to which accessibility is being set?

Pari Bhatt (Univ of Mississippi): (13:16) Thanks for the link Laura.
Dev Bose, University of Arizona: (13:16) Should we tie in to Universal Design for Learning?

Dev Bose, University of Arizona: (13:16) Thanks for the link, Laura

Christine Mullins: (13:17) In that light, are other organizations that represent those in the disability behind this? This is a concern for legal reasons, but also to ensure students with a variety of accessibility issues are represented.

April Hathcock: (13:18) Tracy: the ADA is the standard.

Laura Carlson, University of Minnesota Duluth: (13:18) Legal Settlement Agreements that Reference WCAG http://www.d.umn.edu/~lcarlson/wcagwg/settlements/

Karen Sorensen, Portland Community College: (13:19) Great question Chris!

Michael Cyr (UMaine): (13:19) "'Accessible’ means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use.” (US-DOJ Resolution Agreement. 11-11-6002)

Laura Carlson, University of Minnesota Duluth: (13:19) You're welcome!

Pam Riesmeyer, Purdue Calumet: (13:19) The ADA is not specific yet when it comes to digital content, April. So I would echo Tracy's question. Is it WCAG or the antiquated verison of Section 508 that's still in place? Thanks,

Dev Bose, University of Arizona: (13:20) Great point, Pam.

John Jordi University of Florida: (13:20) Is there a mandate that all online course content be accessible? Specifically that videos be closed captioned? If so, this could impact many institutions due to the high cost of captioning

Karen Sorensen, Portland Community College: (13:20) hmmm.... I think not including other disability organizations besides just the NFB could backfire


April Hathcock: (13:21) That's true, Pam. When I say the ADA, I include all the accompanying case law used to interpret it. Not just the text of the statute. All of it counts as law, even more so than guidelines.

Karyn Schulz UB: (13:21) 18 months is listed on the slide, is that for institutions to complete the entire process or for the guidelines to be created?

Corrie @ Lakeland CC: (13:22) 18 months to create the guidelines.

Univ. of Illinois 2: (13:23) Will there be a period for public review?
Jim J - MiraCosta: (13:23) When does/did the clock start ticking on the 18 months?


Pam Riesmeyer, Purdue Calumet: (13:23) Thanks, April. However there is very little case law. Many of the compliants have been settled out of court.

Univ. of Illinois 2: (13:23) Will there be a period for public review of the guidelines?

Jayme Johnson: (13:24) Very curious about the standards for qualifying for "safe harbour" status. How much effort needs to be demonstrable, versus just saying the things people want to hear?

Corrie @ Lakeland CC: (13:24) "Voluntary" but if you don't follow them you're open to lawsuits? Not all that voluntary, it seems.

Terrill Thompson: (13:24) Who determines whether an institution is "following guidelines", and how will that be measured?

Tracy: (13:25) Is the DOJ expected to put WC3 2.0 AA for Title II and Title III of the ADA?

Karyn Schulz UB: (13:25) Thank you Corrie @ Lakeland CC!

Texas A&M Libraries: (13:25) How do library materials tie to the concept of "instructional program"?

Kathy: (13:25) Will the panel include private/public Tier1 Research & Liberal Arts, schools, large and small schools? Budget widely vary!

April Hathcock: (13:26) I suppose, Pam. Though even settlements can be helpful. And cases outside of academic arena can also be helpful. I guess I look at it from a legal background and have mixed feelings about standards that don't get made into law. I'd love these standards to be codified even if just as regulations.

Pam Riesmeyer, Purdue Calumet: (13:27) I agree, April. I would love to see ADA regs finally published. We have been waiting a long time. Same with the 508 refresh.

Kara Zirkle, Mason: (13:28) Will the Q and A that is going on via the chat session going to be saved and shared along with the ppt? The questions and networking from the chat is just as inspiring as the presentation.

Brent Whiting, Temple University: (13:28) Pertaining to web... 508 refresh is at least in part looking at WCAG 2.0 Level AA as a benchmark.
Corrie @ Lakeland CC: (13:29) A big challenge for CCs in particular is adjuncts who create their own materials.

Michael Cyr (UMaine): (13:30) The DOE "Dear Colleague" letter doesn't require that all materials in online ed be accessible but that the institution has to have a plan in place to "immediately" make those materials accessible upon request. hence, from a practical point of view, all have to be accessible.

Laurie Vasquez, SBCC: (13:30) After this presentation where can we track the ongoing conversation?

Karyn Schulz UB: (13:30) sorry to bring this up again, but my brain is confused about the 18 months. is this for institutions to create their own internal guidelines or for the legislature to create them?

Linda Morosko, Stark State College: (13:30) That's a huge issue, Corrie. We try to control large volume classes by creating master courses, but, there's no block preventing folks from doing their own thing.

Dev Bose, University of Arizona: (13:30) Yes, adjuncts do not have money or resources with regards to accessibility guidelines. I'd love to hear the panel's thoughts.

Karen Sorensen, Portland Community College: (13:31) Is the Educause Accessibility group heavily involved in this?

Corrie @ Lakeland CC: (13:31) We put links to accessibility resources in our Blackboard course template. Not sure how often they're used.

Laurie Vasquez, SBCC: (13:32) Yes on public comment you need us!

Stan - NC State: (13:32) For those not aware, EDUCAUSE has a very active IT Accessibility Constituent Group:


Linda Morosko, Stark State College: (13:32) We work closely with our Disability Support office, but, we are often addressing issues as they come up rather than being proactively prepared.

Dev Bose, University of Arizona: (13:32) The learning management systems (d2L, Blackboard, etc.) could use work in terms of accessibility.

Christine Mullins: (13:33) It is important to have as many of the accessibility groups involved as possible - they are the ones that are going to take any legal actions against our colleges, and having them on board will help prevent that. This was extremely important during the copyright negotiations. In a similar vein the AAP doesn't represent the entire publishing community.

Sue Cullen- Cal State Univ CO ATI: (13:33) The ITACCESS CG looks forward to working on this
Tracy: (13:35) Wouldn't the nature of this work be how to implement the standards, which by nature is voluntary?

Brent Whiting, Temple University: (13:36) Will these guidelines aim strictly to making content accessible and related timeframes, or will it also provide guidelines for institution hierarchy and escalation for non-compliance?

Stacey: (13:36) I attended an AHEAD meeting in the spring -- if I recall correctly someone there talked about "displacement" of responsibility, where universities purchase software that is not compliant -- we are held responsible where companies producing the software are not? Is there likely to be a shift of responsibility as a result of TEACH?

Pam Riesmeyer, Purdue Calumet: (13:36) Great question Stacey!

Terrill Thompson: (13:36) Any consideration of whether/how to certify compliance of vendors' IT products so we can procure IT with confidence that we're not jeopardizing our safe harbor status?


Corrie @ Lakeland CC: (13:37) Great question, Stacey. Our instructors use a LOT of publisher materials, including interactive multimedia elements. Making those accessible is a huge challenge.

Texas A&M Libraries: (13:37) So is there library representation on the commission?

Sue Cullen- Cal State Univ CO ATI: (13:37) On a related topic- The IT Accessibility Risk Statements and Evidence http://net.educause.edu/ir/library/pdf/accessrisk15pdf provides useful info and was created by the ITACCESS CG for Educause

Jayme Johnson: (13:37) Looking forward to help with determining "equivalent ease of use"...

Catherine Carlson - SUNY C-GCC: (13:38) Lost the sound!

Carolyn Dorr, University of Northern Iowa: (13:38) Sound dropping out

Michael Cyr (UMaine): (13:38) Jayme, I know it means that we can't ask an online student to come to campus for "equal access" when other students have access from home.

Stacy Cohen (FSU): (13:39) That is a great question, Stacey!

Karen Sorensen, Portland Community College: (13:39) How can the publishers say they will comply with this, if they can't even ensure accessibility of their textbooks and platforms? What will this look like? Can you give an example of something?

Todd Barber - UTHSC: (13:40) I agree with others. Great question Stacey. Would love to have that one asked.

Laurie Vasquez, SBCC: (13:40) Provide us with language to contact out congressmen and senators.

Marianne CB IUSB: (13:41) Answer to Stacey's excellent question would be much appreciated

Sue Cullen- Cal State Univ CO ATI: (13:41) thanks for correcting the url Michael

Karen Sorensen, Portland Community College: (13:42) Great post yesterday Jarret!

Diana Prieto: (13:42) Please go back to the second to last slide with the resource links. Thanks.

Stacey: (13:43) Stacey, Lehigh University :-)

Laurie Vasquez, SBCC: (13:43) AHEAD - https://www.ahead.org/ 

Stacey: (13:45) At the same AHEAD conference, they stressed that "compliant with issues" is not compliant. Very few software systems are truly 100% compliant, so this is problematic.

Pam Riesmeyer, Purdue Calumet: (13:45) Yes, but the litigation isn't the goal is it? It's serving the students, right? So if the vendors aren't doing the right thing and we're not doing the right thing in pressuring them .. it's cold comfort to know that we're not "responsible."

Karen Sorensen, Portland Community College: (13:45) Don't forget community colleges when working to verify accessibility!

Dev Bose, University of Arizona: (13:45) yes, the learning mangement systems need work.

Tracy: (13:46) The institution that is sued under ADA could turn around and sue the vendor, but I doubt that a vendor certification would act as an affirmative defense, unless the legislation spelled out that safe harbor specifically.

Linda Hubble, STLCC-Meramec: (13:46) Request VPAT from vendors - Voluntary Product Accessibility Template - during procurement process

Karen Sorensen, Portland Community College: (13:46) We will need verification of textbooks and the supplemental materials, not just the platforms

Jayme Johnson: (13:46) A responsible method of administration needs to ensure proper access, your intentions are not the issue...

Michael Connor- Suffolk University: (13:47) Take a VPAT with a grain of salt. they can say its accessible with "some exceptions"- this means it not accessible..

Stacey: (13:47) I've not seen a VPAT that does not have exceptions.
Pam Riesmeyer, Purdue Calumet: (13:47) True on the VPATs. Vendors have been known to.. shade the truth. Okay. Lie.

Rich Hershman, NACS: (13:47) An ED First in the World grant on course materials at Georgia Tech is developing a voluntary labeling system.

Tracy: (13:48) Procurement must be included in a discussion of standards; to that end, I recommend attention to ISO standards as both the Rehabilitation and Disability Acts refresh/establish standards. Will ACE and EDUCAUSE be involved in those developments in the administrative legal processes?

Dev Bose, University of Arizona: (13:49) Good article on accessibility and platforms: [http://jbt.sagepub.com/content/28/3/271.refs](http://jbt.sagepub.com/content/28/3/271.refs)

Tracy: (13:49) The market will not follow unless there are clear standards.

Karen Sorensen, Portland Community College: (13:49) I agree Tracy

Michael Cyr (UMaine): (13:49) Tracy, we've had great success with our strategic procurement area in building accessibility requirements into RFP and contract templates. Getting cooperation during the procurement process is difficult

Michael Cyr (UMaine): (13:50) perceived as slowing things down

Jiayan Chen: (13:50) Part of the difficulty with the 'market place' is that textbook supply is inelastic, thus needing firmer intervention from the regulators.

Claudia Holland: (13:51) Who will ultimately pay for making content fully accessible—the publisher, feds, state, institution, library or all? This would be a boon to publishers/distributors who license any derivatives, such as captioning, of copyrighted content. For libraries, who are usually the primary content providers for their community, it could be yet another way for these businesses to force purchase of another type of license for content we either own or merely have access to.

Penn College: (13:51) It would be nice of EDUCAUSE or NFB or a Tier 1 school built a clearinghouse site that all of higher ed could use to verify status of a products accessibility

Tom Wallace - MTSU: (13:51) What seems to be missing from this effort is any basis for funding assistance to Higher Education to meet the commission’s recommended ‘voluntary’ guidelines. This approach would only require funding to create and fund the commission. I expect most of us are aware of the need and even how to meet those needs, what we really need is substantial funding to meet whatever criteria is established. Will anybody associated with the development and establishment of the proposed legislation be lobbying for some type of funding for compliance with the proposed guidelines?

Michael Cyr (UMaine): (13:51) department of homeland security has a huge project going to test products for accessibility, but they won't share the findings
Karen Sorensen, Portland Community College: (13:52) I'd like to see a national center to share captioning done by schools. Currently this isn't possible due to copyright. This is the sort of thing I worry is being left out having only the NFB at the table.

Linda Macaulay - E-Town College: (13:52) Yes, please share the Educause URLs so are alluding to

Pam Riesmeyer, Purdue Calumet: (13:52) That is a great idea, Karen.

Jiatyan Chen: (13:53) +1 @Karen

Rich Hershman, NACS: (13:53) Here is the link to info on the Center for Accessible Materials Innovation (CAMI) http://cami.gatech.edu/

Claudia Holland: (13:53) I agree, Karen.

Sue Cullen- Cal State Univ CO ATI: (13:53) CSU Procurement process is outlined at http://teachingcommons.cdl.edu/access/procurement_process/index.shtml

Corrie @ Lakeland CC: (13:53) Claudia, that's a good question. I've been correcting YouTube's automatic CC on my own videos, and it's a very laborious process.

Sue Cullen- Cal State Univ CO ATI: (13:54) to join ITACCESS http://www.educause.edu/discuss/constituent-groups-about-information-systems-and-services/it-accessibility-constituent-group

Linda Hubble, STLCC-Meramec: (13:55) Thank you Sue for both links!

Tes Zakrzewski Wentworth Institute of Technology: (13:56) thanks to all for sharing these great resources

Dev Bose, University of Arizona: (13:57) Great resources. Thank you.

Univ. of Illinois 2: (13:57) Do you consider accessibility a form of innovation for helping all learners learn more?

Dev Bose, University of Arizona: (13:58) @Univ of Illinois: Universal Design for Learning

Univ. of Illinois 2: (13:58) For example one recent study found that captioning helped online learners reduce viewing time by 40%

Tracy: (13:58) Hear, hear! /Thanks!

Pam Riesmeyer, Purdue Calumet: (13:58) Yes, Dev - changing the conversation to UDL sometimes does help.

Corrie @ Lakeland CC: (13:58) Accessibility is indeed an effective practice to increase learning.

Anita Norton (JHU/Excelsior College): (13:59) great information!

Laurie Vasquez, SBCC: (14:00) Keep the wheel turning we are in support of action that supports our students.

Anita Norton (JHU/Excelsior College): (14:00) Thank you!

Jayme Johnson: (14:00) Thanks for your work!

Linda Hubble, STLCC-Meramec: (14:00) Great session! Thanks!

Jill Robbins Johnson & Wales University: (14:00) Thank you!

Michael Connor- Suffolk University: (14:00) Thanks guys!

Laura Carlson, Univeristy of Minnesota Duluth: (14:00) Thank you!

Claudia Holland: (14:00) Thanks very much.

Reed College: (14:00) So useful - thank you all!

Pari Bhatt (Univ of Mississippi): (14:00) Thanks.

UCF-Center for Distributed Learning: (14:00) THanks!

Marianne CB IUSB: (14:00) THANK YOU!

Deborah Barnett, UC Berkeley: (14:01) Thank you