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**Subject:** Blackboard Ally Memo  
**Date:** Monday, February 10, 2020 at 12:50:22 PM Central Standard Time  
**From:** UHD Provost  
**To:** UHD Provost  
**CC:** Bowen, Lucy



UNIVERSITY OF HOUSTON-DOWNTOWN

# Office *of the* Provost

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## Blackboard Ally

Dear UHD Colleagues,

On behalf of the Office of the Provost, we hope that your spring semester is off to a great start.

This memo briefly summarizes key facts about Blackboard Ally, related legal compliance efforts, requirements for faculty action, and commitments from the Provost's Office to support this initiative.

### **Legal Requirements and System Status**

According to Texas code ([TAC 1.10.206.C, section 206.70](#)) and system policy ([SAM 01.D.13](#)) regarding accessibility of electronic documents and website materials, all "new or changed web pages" must be in compliance by April 18, 2020.

We have requested clarification from the UH System in defining "compliance." We have also requested information regarding system-wide objectives for this project. We are awaiting their response and will share any information with you as soon as we receive it.

In addition, we have consulted several recent Office of Civil Rights (OCR) Resolutions and Settlements with institutions of higher education regarding accessibility compliance issues. In these settlements, it is clear that the electronic access requirements extend to online and Blackboard learning environments. This accessibility is expected regardless of other ADA requests, which may still be used for other accessibility needs.

Our collective commitment to this endeavor is not only to achieve compliance with state law and system policies and increase accessibility for our students, but also to do so in a manner that is explicit in its commitment to academic freedom and that recognizes the potential challenges faced by discipline-specific pedagogies and learning outcomes.

At this point, Blackboard Ally has been identified as a system-wide tool to support our efforts toward compliance. Ally itself does not define the compliance standards (the minimum legal thresholds for institutions of higher education), nor occupy any legal position in the state and federal laws regarding accessibility. However, it allows faculty to determine to what extent their materials are “accessible” according to standards established in the TAC referenced above.

Thanks to the dedication and hard work of the faculty at UHD, our institution is currently a system leader in terms meeting our accessibility objectives; UHD has a 60% average accessibility score for Blackboard materials (as measured at the beginning of the spring 2020 semester).

### **Faculty Responsibilities**

While we await additional guidance and definitions from the system, we want to capitalize on our strong start and move forward to meet the state statute timeline as follows:

We ask that **faculty who are teaching in the Summer Term** make a *good faith effort* to make their courses accessible to all students in a reasonable and timely manner. **We are currently defining good faith effort as having each course being actively taught at 67% accessibility, and/or no content files in the ‘red’ (below 33% accessibility) as measured by Blackboard Ally.** Beginning with the summer 2020 term, we will measure and report on the overall course accessibility of summer courses at the beginning of each summer term. We will take a similar measurement at the end of each summer term in order to document the efforts of the faculty and the progress being made.

Whether or not you are teaching Summer term courses, we are making the same good faith effort **request for the Fall 2020 term**; the goal is for each fall course to register **67% accessibility, and/or no content files in the ‘red’ (below 33% accessibility) as measured by Blackboard Ally.** Each subsequent term will have the same target until we receive further guidance from the UH System, at which time we will communicate new targets and deadlines.

In making this request, we remain aware of and concerned about the potential impact on pedagogy and remind faculty that a fundamental alteration in course content, pedagogy or activities may warrant exception under the current Undue Burden clause of the Americans with Disabilities Act. We therefore encourage faculty to use the Provost Office Ally hotline described below to report such concerns.

As you work toward these accessibility goals, here are a few quick tips:

1. **Focus on easy-to-change items** (see list [here](#), especially items 1-5, 8, 10). Support and resources for these tasks can be found on the [Blackboard Ally resource page](#) –see contact links at the bottom of the linked webpage. You may also share concerns or questions through the Provost Office Ally Hotline described in the next section.
2. Focus your efforts on **forward-facing documents** that your students are required to interact with in the course of completing work for your class. Do not worry about materials that you have in development for future semesters and/or are not forward-facing to students in Blackboard.
3. **Maximize your efforts.** If you get stuck on a particular document or file, notify us at the Provost Office Ally Hotline, and move on to what you can fix. Strive to make significant gains in accessibility by maximizing your efforts on easy-to-change items.

### **Plans for the Provost's Office to Support the Initiative**

The Office of the Provost will work with colleagues across the university as well as the UHS and Office of General Council to continue to clarify system-wide policies and goals for digital accessibility standards. As currently unanswered questions are finally resolved, we will make sure to communicate all relevant information to the campus community quickly and clearly.

Furthermore, and more specifically, we commit to the following immediate actions:

1. A "Provost Office Ally Hotline": We ask that you call or e-mail Elizabeth Wade at [wadee@uhd.edu](mailto:wadee@uhd.edu) or 713-221-8288 for any questions or concerns related to pedagogical implications, discipline-specific issues, or specific challenges you are having in making your instructional materials accessible. (Having said that, if you know that your question is specifically related to an IT issue, please feel free to reach out directly to IT for assistance at [allygator@uhd.edu](mailto:allygator@uhd.edu).)
2. Focus Groups: This spring, we will hold one or more focus groups with faculty who have significantly engaged the Blackboard Ally tool to make their course materials accessible. Feedback from these focus groups will help inform the deployment of campus-wide resources to assist faculty in this effort and identify broad inter-disciplinary issues.
3. Department-specific Resource Identification: We will work with Department Chairs in the coming weeks to determine discipline-specific challenges and needs so that we can deploy resources to help faculty move towards compliance in a way that preserves academic freedom and the pedagogical and educational integrity of the disciplines.

Our general goals over the coming months are to do the following: 1) identify issues and concerns so that we may address them in a reasonable time frame that is respectful of faculty workload and accounts for the complex relationships among curriculum and materials; 2) identify common issues across the campus that we can work to fix quickly; 3) communicate those fixes to faculty across campus to positively impact many courses at once; and 4) understand the specific needs of faculty in each department so that we can strategically deploy resources to each department.

We recognize the scope of this request for our faculty, and we know that we need to invest in human and financial resources to make accessibility part of our regular processes and university culture. Moving forward, we will make sure that informational items and updates are routinely posted to the Blackboard Ally resource page for all faculty and staff.

Thank you again for all of your efforts to improve accessibility for the students of UHD.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Carl Link". The signature is stylized with a large, sweeping initial "E" and "C".

Eric Carl Link