Accessibility for Courses Converted to Online
3/23/20

Issue
Conversion of face-to-face courses to online in response to COVID-19 may be a challenge to students with disabilities. The Department of Education (USED) guidance was issued on March 16, 2020, in the form of a fact sheet and on March 17, 2020, in the form of a webinar by Kenneth Marcus, Assistant Secretary of Education for Civil Rights. Additional USED guidance was offered on March 21, 2020, in the form of a supplemental fact sheet.

Impacted
Students and institutions are impacted. Institutions, and more specifically faculty members, must be aware of accessibility of digital materials to prepare accordingly and support students with disabilities when converting face to face courses to online. Other impacted staff include directors of distance education, instructional designers, compliance officers, and disability services staff.

Effective Dates
Access to materials for students with disabilities is expected contemporaneously when faculty members convert face-to-face courses to online. USED has not waived any existing regulations regarding student access.

Background
Students with disabilities may find the conversion of face-to-face courses, for which they may have support strategies in place, difficult to manage due to inaccessible materials in the conversion to online due to the response to COVID-19. Federal law prohibits disability discrimination. Post-secondary institutions must continue to comply with non-discrimination obligations. However, USED issued guidance clarifying that federal law should not be used to prevent schools from offering distance learning opportunities to all students, including students with disabilities.

Faculty is challenged to move quickly to make materials available online for purpose of educational continuity to complete the current term. In doing so, faculty is directed to seek support through provided resources and guidance. USED specifically states that federal law does not mandate specific methodologies to provide materials to a student. Simple and creative methods to share materials with the student are suggested.

Recommended Action(s)
- **Review digital materials for accessibility**: When faculty moves materials to digital format, they should use tools to determine if the materials are accessible.
- **One accessible format for all not required**: Rather than not providing the important materials, the inaccessible material can be provided to the rest of the class.
- **Develop plans to share materials to other student(s) if material is inaccessible**: If the materials are not accessible for all, a plan is to be developed to share the materials with the student(s) by another method.
Applicable statutes & regulations

- Section 504 of the Rehabilitation Act of 1973 (Section 504)
- Title II of the Americans with Disabilities Act of 1990 (Title II)
- Title VI of the Civil Rights Act of 1964 (Title VI)

Resources

- U.S. Department of Education Fact Sheet: Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students – 3/16/20
- U.S. Department of Education Supplemental Fact Sheet: Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students – 3/21/20
- Office of Civil Rights Webinar on Online Education and Website Accessibility
- Keeping Accessibility In Mind During the COVID-19 Conversion of Courses; WCET Frontiers; 3/24/20