



University of Colorado

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April 14, 2014

Via Email and Federal Express

William F. Lynch, Trial Attorney

Paula N. Rubin, Trial Attorney

U.S. Department of Justice

Civil Rights Division

Disability Rights Section

1425 New York Avenue, NW

4th Floor

Washington D.C. 20005

william.lynch@usdoj.gov

paula.rubin@usdoj.gov

Regarding: Americans with Disabilities Act Investigation of the University of Colorado Boulder; DJ# 204-13-314

Dear Mr. Lynch and Ms. Rubin:

In response to the United States Department of Justice, Civil Rights Division, Disability Section's information request dated February 18, 2014 regarding the above-noted matter, the University of Colorado Boulder ("CU-Boulder") respectfully submits the following information for consideration:

- 1) *The name, phone number, and email address of the designated contact person for purposes of this investigation, and a statement of whether this person has the authority to negotiate settlements.*

Response: Michelle Krech is the designated contact for the purposes of this investigation and has the authority to negotiate settlements. Her contact information is as follows:

Michelle Krech

Senior Assistant University Counsel

Office of University Counsel

(303) 492-1285

Michelle.krech@cu.edu

Office of University Counsel • Boulder Campus

924 Broadway • 013 UCB • Boulder, Colorado 80309-0013
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- 2) *The name and contact information for the employee responsible for coordinating the University's efforts to comply with and carry out its responsibilities under title II of the ADA as more fully set forth in 28 C.F.R. § 35.107.*

Response: Michael Roseberry is CU-Boulder's ADA Coordinator.¹ The ADA Coordinator is responsible for providing disability-related information, education, services, and resources for faculty, staff, and visitors. Additionally, the ADA Coordinator provides reasonable accommodations for faculty and staff who have disabilities.

Michael Roseberry
Michael.roseberry@colorado.edu
(303) 492-1334
<http://hr.colorado.edu/ADA/Pages/default.aspx>

Tracee DeAntoni
Backup ADA Coordinator (15% FTE)
Tracee.DeAntoni@colorado.edu
(303) 735-5416

Disability Services ("DS") ensures that students with disabilities receive reasonable accommodations and services to participate fully in the academic environment. DS provides students with disabilities the tools, academic adjustments, and support services to participate fully in the academic environment. Support services include teaching self-advocacy skills, providing academic advising, facilitating collaboration among members of the CU-Boulder community, the Assistive Technology Lab and the Career Program for Students with Disabilities.² John Meister serves as the Interim Director of DS.³

John Meister
John.meister@colorado.edu
(303) 492-5602
<http://disabilityservices.colorado.edu/>

¹Mr. Roseberry reports to the Manager of the Office of Discrimination and Harassment ("ODH"), Llen Pomeroy. Ms. Pomeroy reports to Katherine Erwin, the Director of ODH and the Office of Labor Relations, which are in the Division of Human Resources. Candice Bowen is the Associate Vice Chancellor for Human Resources and she reports to the Vice Chancellor for Administration. For more information about the organization, see [Attachment 1](#) and [Attachment 2](#). See also [Attachment 3](#).

² For more information about DS's mission, vision, and values, see <http://disabilityservices.colorado.edu/mission/mission-vision-philosophy-core-values>.

³ DS is a division of the Office of Diversity, Equity and Community Engagement ("ODECE"). Mr. Meister reports to Assistant Vice Chancellor, Alphonse Keasley. Robert Boswell is the Vice Chancellor for Diversity, Equity and Community Engagement. For more information about the organization of ODECE, see [Attachments 3](#) and [4](#).

- 3) *All documents reflecting guidance, directives, or training provided to professors, instructors, and other University personnel on making the University's courses accessible to students with disabilities, including students who are blind or have low vision.*

Response: CU-Boulder provides guidance, directives, and training to faculty and staff as follows:

a. Policy Directives

See Section 6.

b. ODH, ADA Coordinator, and DS Trainings

CU-Boulder is committed to providing a community free of discrimination and harassment. All CU-Boulder staff and student employees are required to complete discrimination and harassment training within their first 30 days of employment and faculty within their first semester. All employees are required to take updated training at least once every five years.⁴ An employee may access online video training or request on-site training from the ODH.⁵ Following the training video, employees are required to take a quiz.⁶

The ADA Coordinator provides training to faculty and staff about a variety of ADA topics including employment, service animals, and effective communication. The ADA Coordinator's most recent trainings are listed in Attachment 7. An example of a recent ADA Coordinator presentation is provided in Attachment 8.

DS also provides training to faculty and staff, typically addressing Universal Design and accommodation delivery. In addition, DS frequently presents at CU-Boulder community events such as the Colorado Learning and Teaching with Technology conference ("COLTT"), CU Women Succeeding symposium, the Arts & Sciences Support of Education Through Technology program ("ASSETT"), and the CU-Boulder Diversity Summit on topics such as Universal Design, web accessibility standards (WCAG2.0), and other accessibility topics. DS also presents at outside events such as the Accessing Higher Ground Accessible Media, Web, and Technology Conference ("AHG"). A summary of training and

⁴ See <http://hr.colorado.edu/dh/Pages/Training.aspx>.

⁵ The training video may be viewed here:
https://cdnapisec.kaltura.com/index.php/extwidget/openGraph/wid/0_gmi2fuka.

⁶ Additional information and the quiz are provided as Attachments 5 and 6.

presentations is provided as Attachment 9. Examples of DS trainings and presentations provided are attached as Attachments 10-22.

c. DS General Guidance

DS provides a brochure to faculty called "Faculty Guide to Accommodations" that concerns student accommodation, including the accessibility of information resources and technology, see Attachment 23. This brochure is also available on DS's website, along with other guidance for faculty, including responses to frequently asked questions, a recommended syllabus statement, and universal design of instruction recommendations.⁷

d. DS Directives

DS communicates to faculty and students with disabilities about required, individualized reasonable accommodations through early notification letters and accommodation letters.

Early notification letters are written communications, often via email, that DS sends to faculty when a student is enrolled in the faculty member's course and needs alternative access to print materials and/or an accommodation that will require more complex collaborative programming between the student, faculty, and DS (for example, a lab assistant, access to online homework, or other classroom modifications). These letters include guidance about how to provide accessible information to students with disabilities. DS sends these letters to faculty approximately one month prior to the start of each semester. For examples, see Attachments 24-25. This proactive notification process enables faculty to plan their courses accordingly with the specific individualized accessibility needs of the student in mind.

Accommodation letters are letters that DS sends prior to the beginning of each semester to students that are registered with DS to confirm that the student has been approved for academic accommodations. See, for example, Attachment 26. The letter instructs the student to print out and submit the letter to their course faculty and to continue the interactive process by initiating a conversation with them about the implementation of each accommodation.

In addition, DS provides on-going consultation to faculty as they implement required student accommodations. See, for example, Attachment 27.

⁷ See <http://disabilityservices.colorado.edu/faculty-information>.

e. OIT Technical Guidance and Support

The Office of Information Technology ("OIT") provides the CU-Boulder campus with information technology ("IT") support and core IT services.

i. Email Configuration Guidance

OIT provides written guidance to faculty, staff, and students on how to use and access the CU-Boulder email services, such as Microsoft Outlook for faculty and staff and Google Gmail for students. See Attachment 29, pages 5-94.⁸ Faculty, staff, and students with disabilities may also utilize this guidance to personalize their services, including modifying their email delivery location to use a preferred, accessible email service (e.g. Yahoo, Hotmail). See Attachment 29, pages 95-98.⁹ OIT staff are available to assist faculty, staff, and students with any of the information in this guidance.

ii. Computer Lab Design Guidelines

OIT manages sixty-three student computing labs and generally provides software that helps achieve academic missions in teaching and learning. OIT provides guidance related to design considerations for planning and building computer labs, including meeting physical and technology accessibility standards. See Attachment 28, page 8.¹⁰ When planning and providing OIT-operated computer labs, academic departments are guided to "provide students the best possible computing resources with the highest level of accessibility and stability." See Attachment 28, page 3.¹¹

- 4) *A description of the University's use of Google Apps in its services, programs, and activities, including a list of all University services, programs, and activities in which Google Apps are used- whether mandatory or permitted.*

Response: OIT provides campus-wide services and resources for CU-Boulder Google Apps for Education. The service is available for use for all students, faculty and staff. All students, faculty and staff may use any of the enabled CU-Boulder Google Apps for academic, administrative, general collaboration and personal use.¹²

⁸ This is also available online at <http://www.colorado.edu/oit/services/messaging-collaboration/google/help>.

⁹ This is also available online at <http://www.colorado.edu/oit/tutorial/identity-manager-e-mail-delivery-location>.

¹⁰ This is also available online at <http://www.colorado.edu/oit/software-hardware/recommended-software-and-hardware-list/computer-lab-design>, "Accessibility."

¹¹ This is also available online at <http://www.colorado.edu/oit/services/teaching-learning-spaces/computing-labs/help/service-guidelines>, "Guideline Objectives."

¹² For more information about CU-Boulder Google Apps for Education, see <http://www.colorado.edu/oit/services/messaging-collaboration/google-apps>.

a. Student Use of Gmail

CU-Boulder provides all students a Gmail account when they are accepted to the university and defaults to sending all official university email communication to the Gmail account. Students are expected to check their official e-mail address on a frequent and consistent basis in order to stay current with university communications; however, students may change their email delivery location at any time, as noted above in Section 3.e.i. If a student changes their e-mail delivery location, all official university email communications are sent to the service he or she selects. At this time, faculty and staff are not permitted to use CU-Boulder Gmail.

b. CU-Boulder Google Apps

Faculty are permitted to assess the suitability of and use any of the CU-Boulder Google Apps for use in teaching and learning as well as for use in fulfilling any administrative. Faculty may require the use of Google Apps for a course. However, should a Google App not be accessible to students with disabilities, the student may work with DS to receive an accommodation. Similarly, students are permitted to assess the suitability of and use any of the CU-Boulder Google Apps for use with student groups, student government, academic projects and/or coursework, or other student lead activities.

5) *For each service, program, or activity listed in your response to Item 4, above:*

a. a list of each and every Google App used;

Response: The following core applications are currently permitted:

- **Gmail** - email management. Receive, send, read, organize and search email messages. Students only, not available for faculty or staff.
- **Calendar** - personal and collaborative calendaring. Schedule individual and group events, manage event details, provide location details, search for events, and categorize events.
- **Contacts** - manage contact details. Add/edit contact names, thumbnail pictures, office/mobile/home phone, email address, physical address, and birthday information.
- **Groups for Business** - mailing lists and discussion groups. Send/receive email to group members, manage membership, subscribe/unsubscribe from lists, and threaded web discussion tracking.

- **Mobile** - mobile Google applications for Android and iPhone/iOS devices. Provides search, maps, email, calendar, drive, etc. access to Google Apps from mobile devices.
- **Sites** - website creation and management. Create simple web pages and web content including formatted text, formatted page layout (fonts/colors/themes), images, tables, and links.
- **Talk/Hangouts** - instant messaging, voice, and video communication. Provides text based chat, internet voice/phone, and video conferencing.
- **Drive** - storage and document creating/editing. Drive includes:
- **File Storage** - Create, edit and store files. Organize, search and share/collaborate on files.
- **Docs (word processor)** - Create documents with formatted text, images, tables, equations, and links. Collaborate on the creation and editing with others.
- **Sheets (spreadsheets)** - Create and format lists, numerical values, equations, charts, and calculated tables. Collaborate on the creation and editing with others.
- **Slides (presentation)** - Create slideshow presentations with formatted text, images, tables, videos, animations, and slide transitions. Collaborate on the creation and editing with others.
- **Drawing** - Draw lines, curves, squares, circles, arrows, etc. Add bitmapped images, text and comments. Collaborate on the creation and editing with others.
- **Form** - Create forms users can fill out for gathering data/feedback. Forms can include text boxes, multiple choice (radio buttons), checkboxes, scales, etc.

The following marketplace applications are currently permitted:

- **Blogger** - blog-publishing service to allow time stamped posted entries. Entries can be open to the public or access control protected. Users can post comments about blog entries.
- **Google Analytics** - tracks web site usage and creates reports and statistics about website traffic and use. Used by website developers.
- **Google Bookmarks** - save shortcuts to favorites web pages/sites.
- **Google Chrome Sync** - synchronized Google application data from email, contacts and calendars to a phone, tablet computer, or desktop computer.
- **Google Code** - computer source code repository. Allows for the publishing, sharing, and safe editing (checkin/checkout) of computer code.
- **Google Groups** - mailing lists and discussion groups. Send/receive email to group members, manage membership, subscribe/unsubscribe from lists, and threaded web discussion tracking.

- **Google Maps** - web mapping service including full world, country, state, city and road maps. road maps, satellite image maps, location/business searches, etc.
- **Google Takeout** - allows the export of some Google data (Gmail, Blogger, Drive, Calendar, etc.) to a downloadable .zip file.
- **Google Webmaster Tools** - assists web developers in analyzing how a web page will be seen and used by a web search engine. Provides information about HTML errors, link details, site crawling errors, and search optimization criteria.
- **Google+** - social networking service for posting entries, monitoring the entries of social contacts, commenting on entries, editing/seeing user profile information, and creating/joining interest groups.
- **Picasa Web Albums** - digital photo/image viewing, organizing, editing, and sharing.

b. the number of users or accounts;

Response: As of February 28, 2014, a total of 139,949 accounts have been created and approximately 30,000 are active each day. The following table breaks down usage by specific application:

Application	Total User Accounts	Total Active User Accounts
Gmail	140,000	30,000 users/week
Calendar	140,000	2,000 users/week
Contacts	140,000	Unknown
Groups for Business	140,000	76 groups created
Mobile	140,000	Unknown
Sites	140,000	Unknown
Talk/Hangouts	140,000	Unknown
Drive		
		1,500,000 total documents 20,000 users/month 11,000 users/week 5,000 users/day
File Storage	140,000	
Docs (word processor)	140,000	103,000 documents
Sheets (spreadsheet)	140,000	23,000 sheets
Slides (presentation)	140,000	8,000 presentations
Drawing	140,000	677 drawings
Form	140,000	290 forms
Google Marketplace Applications		
Blogger	140,000	Unknown
Google Analytics	140,000	Less than 500

Google Bookmarks	140,000	Unknown
Google Chrome Sync	140,000	Unknown
Google Code	140,000	Less than 50
Google Groups	140,000	Unknown
Google Maps	140,000	Unknown
Google Takeout	140,000	Unknown
Google Webmaster Tools	140,000	Unknown
Google+	140,000	Unknown
Picasa Web Albums	140,000	Unknown

- c. copies of any documents or materials concerning the accessibility of Google Apps reviewed by the University in determining whether to use Google Apps in the identified service, program, or activity; and*

Response: A research team that included representatives from the College of Engineering, University Libraries, and OIT examined the viability of Google Apps for CU-Boulder. The research team reviewed the Assistive Technologist Higher Education Network February 2012 report that identified accessibility issues. Thereafter, they consulted with DS who indicated that Gmail and Google calendar presented shortcomings for visually impaired users, including limitations for screen reader users. DS staff reported that work between higher education institutions and Google was underway to resolve issues. A report of their findings, including accessibility, is attached as Attachment 30.

OIT reviewed the Google Accessibility Web Documentation (Addendum A) prior to implementation of Google Apps capability, see Attachment 31.¹³

- d. copies of any policies, practices, or procedures regarding the use of Google Apps in University services, programs, and activities.*

Response: CU-Boulder's practices regarding Google Apps use are discussed in Sections 4 and 5a-c, above. OIT provides web documentation about the specific CU-Boulder Google Apps-provided services and how to use them. See Attachment 29. OIT currently refers students, faculty and staff with Google Apps accessibility questions to the Google provided documentation. See Attachment 31. While OIT has not historically provided guidance to faculty, staff, and students about CU-Boulder Google App accessibility, OIT is committed to future improvements, see Section 8.

¹³ Google's accessibility documents are provided online at <https://support.google.com/a/answer/1631886?hl=en> and <http://www.google.com/accessibility/>.

- 6) *Copies of any policies, practices, procedures, training materials, or other documents related to ensuring that University services, programs, and activities, including classroom, co-curricular, extra-curricular, or school-sponsored activities, are accessible to individuals with disabilities, including any documents related to the use of electronic devices and/or software in such services, programs, and activities. Please include:*

Response: CU-Boulder has many policies, guidelines and guidance with the respect to ensuring equal opportunity and the accessibility of its services, programs, and activities.

a. Regent Law Prohibits Discrimination and Requires Equal Opportunity.

The University of Colorado is governed by a Board of Regents. Regent Law, Article 10 provides that:

The University of Colorado does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation, or political philosophy in admission and access to, and treatment and employment in, its educational programs and activities. The university takes action to increase ethnic, cultural, and gender diversity, to employ qualified disabled individuals, and to provide equal opportunity to all students and employees. See Attachment 32.¹⁴

b. Regent Policy Requires Plan to Ensure Students with Disabilities Full Participation.

Regent Policy 10M applies specifically to persons with disabilities:

BE IT FURTHER RESOLVED that the University of Colorado develop plans for ensuring that the academic needs of the students with disabilities are met, specifically including access to library materials and computer facilities. The goal is to enable students with disabilities to participate fully in the educational experiences available at the University of Colorado while

¹⁴ Regent Law 10 is also available online at <https://www.cu.edu/regents/laws-and-policies/regent-laws/article-10-nondiscrimination>.

meeting the academic standards maintained by the institution.
See Attachment 33.¹⁵

c. CU-Boulder Flagship 2030 Strategic Plan Calls for Inclusivity.

CU-Boulder created the Flagship 2030 Strategic Plan in 2007 with the goal of becoming a leading model of the “new flagship university” of the 21st century— by redefining learning and discovery in a global context and setting new standards in education, research, scholarship, and creative work that will benefit Colorado and the world. The Flagship 2030 Strategic Plan includes a call for CU-Boulder to exemplify the power and promise of diversity, intercultural understanding, and community engagement to promote a greater sense of multiculturalism and inclusiveness in the state of Colorado and around the world.¹⁶

d. CU-Boulder Policy Prohibits Discrimination and Harassment.

In part, CU-Boulder implemented Regent Law Article 10 and Regent Policy 10M through its Discrimination and Harassment (“DH”) Policy. See Attachment 34.¹⁷ The DH Policy includes a mandatory reporting obligation for supervisors and grievance complaint procedures.¹⁸ See Id. at “Reporting Obligations” and “Definitions-Supervisors.”

e. ADA Coordinator Provides Guidelines on Disability Access and Accommodation. See Attachment 35.¹⁹

The most relevant provisions are as follows:

¹⁵ Regent Policy 10M is also available online at <https://www.cu.edu/regents/policy-10m-commitment-needs-persons-disabilities>.

¹⁶ CU-Boulder has a comprehensive website devoted to this strategic plan, see <http://www.colorado.edu/flagship2030/>.

¹⁷ The DH Policy is also available at <http://www.colorado.edu/policies/discrimination-and-harassment-policy-and-procedures>.

¹⁸ “Any supervisor who witnesses or receives a written or oral report or complaint of discrimination, harassment or related retaliation that occurs in CU-Boulder employment and educational programs and activities, shall promptly report it to the appropriate DH Officer. A failure to report this information is a violation of the [DH] Policy.” For purposes of the policy, a supervisor is “anyone who has the authority to hire, promote, discipline, evaluate, grade or direct faculty, staff or students. This includes anyone who manages or supervises others, including, but not limited to faculty, teaching assistants, resident advisors, coaches and anyone who leads, administers, advises or directs CU-Boulder programs.”

¹⁹ The ADA Coordinator Guidelines on Access and Disability Accommodations is also available here <http://hr.colorado.edu/ADA/Pages/access-guidelines.aspx>.

Integrated Settings

All programs, services and activities offered by CU-Boulder are to be provided in an integrated setting, appropriate to the needs of all participants, including persons with disabilities. Separate programs or activities for persons with disabilities may be considered only when there is no other feasible way to provide an effective accommodation in an integrated setting.

Communication and Access to Information

Campus communications with persons with disabilities are to be equally as effective as its communications with non-disabled persons, and information about the existence and location of accessible features, including accessible parking, entrances, restrooms, and elevators, is to be readily available to those who seek it.

Electronic media created by CU-Boulder, including e-mail, websites, online courses, online course assignments, and other online educational materials will be created using methodology that provides access to persons with disabilities. Electronic media created by CU-Boulder should be readable with a screen reader, and audio media should be scripted when relevant to the context. Video media by or for CU-Boulder, intended for public use, should be captioned. Video media used for instructional purposes will be made accessible to persons with hearing disabilities through the use of captioning, the use of a sign-language interpreter, or by providing the student a copy of the script. When selecting between differing methods of providing accessibility, preference should be given to the method that provides the greatest degree of accessibility.

Auxiliary Aids and Services or Adjustments

CU-Boulder is responsible for making reasonable academic adjustments and providing auxiliary aids and services to ensure equal educational opportunity for any qualified student with a disability. Examples of academic adjustments include testing accommodations, such as extended time, distraction-reduced environment, separate room, and use of a word processor. Examples of auxiliary aids that may be provided are materials in alternate format (e.g., Braille, electronic, etc.), note takers, interpreters, readers, and assistive listening devices, and captioning.

f. University Communications Provides Guidance Regarding Creating Accessible Web Pages. See Attachment 36.²⁰

This guidance provides that in order to comply with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and university non-discrimination policies, all CU-Boulder websites to the extent feasible, must be made accessible to people with disabilities. If it is not feasible, alternative methods must be made available to complete the same tasks.

6a) the University's policy and practices for making hard copy or electronic documents accessible to blind individuals for use with screen reader software, including what entity makes the documents accessible and the required timeframes for doing so;

Response: The Assistive Technology Lab (“AT Lab”) provides accessible learning materials to students with disabilities who are registered with DS. The AT Lab is a multi-purpose student lab that serves dual roles. The AT Lab has accessible computer stations and it also acquires and creates alternate formats of learning materials for students with print disabilities. Working with students, faculty and the university to minimize barriers and comply with the ADA, and Sections 504 and 508 of the Rehabilitation Act, the AT Lab also promotes Universal Design and web accessibility. The AT lab is located within and managed by DS, but is funded and supported through OIT.

The AT Lab provides:

- Alternate formats for texts and classroom materials, including electronic textbooks, Braille and tactile graphics.
- Assistive technology hardware and software
- Assistive technology support and limited training
- Access to accessible computer station, scanners and specialized printers
- Assistive technology and web accessibility resources
- Consultation to faculty regarding course accessibility issues

To acquire classroom materials in alternate formats, an eligible student must first meet with the Assistive Technology Coordinator (“AT Coordinator”). During the meeting, AT Coordinator will discuss the assistive technology the student regularly uses, the student’s learning style, strategies that work for the student as well as any barriers the student experiences. A student should provide the semester textbook

²⁰ University Communications Guidance Regarding Creating Accessible Web Pages is also available here <http://www.colorado.edu/webcom/access/>.

list, proof of purchase, and his/her laptop if used regularly. For future semesters, a student may provide booklists and specify preferred formats without meeting with the AT Coordinator.

Once the AT Lab has the course materials, it may take up to six weeks, depending upon factors such as whether the AT Lab must convert a hard copy text to an electronic format and make it accessible. To help expedite the process, students eligible for alternate format are provided priority registration in order to allow a student to acquire the information and provide it to the AT Lab very early.²¹

6b) the University's policy and practices for hiring or designating assistants and/or readers for blind students and students with low vision;

Response: DS staff, in consultation with students and faculty, determine on a case by case basis whether assistants and/or readers are necessary. The request for a reader/assistant may be made by a student, an instructor or raised by the accommodation coordinator in DS who works with a student. Once identified, a collaborative consultation is undertaken including carefully analyzing the course content and method of instruction and determining the student's specific limitations in the instructional setting. Once the determination has been made to utilize the assistance of a reader/assistant, someone is hired with content expertise. CU-Boulder, via DS and the academic department involved, pay for the cost of the reader/assistant. In general, the instructor supervises the assistant reader.

Students who are blind or those with vision or mobility impairments are often provided with assistants/readers in science courses, particularly the lab components. Examples are included in Attachments 37-38.

6c) the University's policy and practices relating to accessibility of online platforms to blind students, such as coursework submission portals (e.g., MasteringBiology), online course portals (e.g., MyStatLab), testing portals (e.g., ALEKS Testing), etc.

Response: In the instances where an online course or testing portal may not be fully accessible, CU-Boulder provides accommodations through DS in addition to working with platform vendors to provide accessible platforms. While OIT has not historically provided accessibility guidance to faculty, staff, and students about online platforms, OIT is committed to future improvements, see Section 8.

Information about specific programs is outlined below:

²¹ For more information about the AT Lab, see <http://disabilityservices.colorado.edu/services/assistive-technology-lab>.

a. ALEKS Corporation Math Placement Exam

In 2005, the Provost's office began evaluating solutions to enhance student success in earning a baccalaureate degree. One area where students experienced difficulty was in courses with math-dependent components. CU-Boulder targeted placement of students into the appropriate math class.

After examining options and researching the advice and recommendations of similar universities, CU-Boulder determined that ALEKS Corporation ("ALEKS") math placement to be the best solution, offering a sophisticated, intelligent, web-based system which requires a lot of student interaction well beyond a multiple choice mode.²²

CU-Boulder then conducted a one year restricted pilot program to determine the efficacy of ALEKS math placement exams. Based on the preliminary results, CU-Boulder purchased ALEKS math placement for all incoming freshman to use on an advisory basis for two years. Analysis of scores compared to grades indicated that students who were placed in accordance with ALEKS recommendations were 230% more likely to earn a successful grade of C- or better than students whose placement was not determined by ALEKS scores.

ALEKS math placement test proved to be an invaluable tool for student success and CU-Boulder made ALEKS math placement a prerequisite for the enrollment into a short list of math-dependent courses starting Fall 2014 term.²³ Students with disabilities who encounter accessibility issues are directed to contact an administrator who will work with DS to provide access.²⁴

CU-Boulder recently upgraded to ALEKS (PPL), a recent version reported to be more accessible. The upgrade is currently utilized for fall 2014 enrollment. The upgrade was due in part to accessibility issues experienced by students with visual impairments. See Attachment 39.

b. Desire2Learn

Desire2Learn is CU-Boulder online course platform that is supported by OIT. It is an online learning environment, which provides faculty and students with tools to support their teaching and learning including the distribution of content, submission

²² For more information about ALEKS, see http://www.aleks.com/about_us.

²³ Students enrolling in Summer or Fall 2014 semesters are directed to the following website to determine if they should take the ALEKS math placement exam:

http://orientation.colorado.edu/sites/default/files/ExplainingALEKSPrereqs_March_17_Web.pdf.

²⁴ See <http://www.colorado.edu/academicaffairs/AVCUEaleks.html>.

of coursework, assessments, and communication. Desire2Learn has achieved the National Federation of the Blind Nonvisual Accessibility (NVA) Gold Level Web Certification. Individual faculty and course designers can optimize a course for accessibility. The platform is highly utilized by CU-Boulder faculty and students.

c. Pearson Products

The Department of Ecology and Evolutionary Biology (“E-Bio”) contacted Pearson Publishing regarding the accessibility issues experienced by a student with a disability, initiating a collaborative effort between DS, E-Bio and Pearson. See Attachments 40-43. A Pearson representative came to CU-Boulder to discuss the issue in more detail and request an accessible software. See Attachment 40. Pearson responded with a draft plan of action, indicating that they would continually modify *MasteringBiology* to make it more accessible over time. See Attachment 41. In the interim, Pearson provided assistants to work with students with visual impairments on clicker questions during class, as well as to complete coursework outside of class. See, for example, Attachment 38. Pearson followed up on March 30, 2012 with an updated plan of action. CU-Boulder recently requested an update from Pearson.

d. WebAssign

WebAssign is another online course platform utilized by some departments at CU-Boulder.²⁵ WebAssign allows faculty to create assignments online within WebAssign and electronically transmit them to their class. Students enter their answers online, and WebAssign automatically grades the assignment and gives students instant feedback on their performance. The WebAssign interface is reported to be accessible for sight-impaired students and functions with several screen readers.²⁶ DS and faculty work to provide individual accommodations.

- 7) *For the past three (3) years, a description of all complaints or inquiries, formal or informal, received by the University about technology-related accessibility issues for people with disabilities in any University provided technology, including but not limited to Google Apps and online homework sites, and a description of the status or resolution of the matter.*

Response: CU-Boulder has two responsive procedures that are addressed below.

²⁵ See <https://www.webassign.net/colorado/login.html>.

²⁶ See <http://www.webassign.net/info/accessibility.html>.

a. Student Inquiries and Requests for Accommodation to DS

Students with disabilities may make inquiries on any disability related concern through DS. DS then works with the student to provide reasonable accommodations, if appropriate, or otherwise resolve the inquiry. Most issues are resolved through the student's assigned DS coordinator; however, students may also meet with the Director or Assistant Director of DS.²⁷ A list of inquiries and resolutions for the past three years is included as Attachment 44. If the student alleges discrimination or harassment, the complaint is referred to the ADA Coordinator or to the ODH.²⁸

b. CU-Boulder Grievance Process for Complaints

Pursuant to the Complaint Procedure outlined in the Guidelines on Disability Access and Accommodation, an individual with a disability who believes s/he has not been accommodated or that an accommodation is inadequate, or believes s/he has been discriminated against on the bases of his or her disability, may file a complaint with the ODH, the U.S. Department of Education Office for Civil Rights, or the U.S. Equal Employment Opportunity Commission. See Attachment 35, page 4. The ODH complaint process is outlined in the DH Policy. See Attachment 34.

As of the date of this Response, the ODH has not received any complaints regarding the issue of technology-related accessibility issues during the relevant timeframe. Likewise, the ADA Coordinator has not received any complaints.

8) *Any other documents or information you would like us to consider in investigating this matter.*

Response: The following is CU-Boulder's statement of position regarding the complaint allegations:

a. CU-Boulder Has A Demonstrated Commitment to Equal Opportunity and Effective Communication

The policies, guidelines, and practices explained above reveal CU-Boulder's on-going commitment to prevent discrimination and harassment and to provide equal opportunity for all students to have a quality education. CU-Boulder recognizes that the use of information technology and auxiliary aids in its programs and services is a critical part of meeting that commitment and that the law requires that information

²⁷ See <http://disabilityservices.colorado.edu/student-resources/resolution-and-grievance-options>.

²⁸ The ADA Coordinator reports to the ODH manager and refers complaints containing failure to accommodate or discrimination and harassment to the ODH manager to determine next steps.

technology be communicated in an equally effective manner to students with disabilities.

CU-Boulder's commitment is demonstrated currently on campus in many ways. For example, CU-Boulder has staff members dedicated to providing effective communication to students with disabilities, including the staff in DS and the ADA Coordinator. The AT Lab staff provides professional, specialized expertise and resources to students with disabilities, including the provision of auxiliary aids and other academic accommodations. CU-Boulder has consistently increased the funding and staffing of the AT Lab over the last four years to ensure students are able to access the appropriate alternative media for their needs.

In the fall of 2012, Robert Boswell, Vice Chancellor for Diversity, Equity, and Community Engagement ("VC Boswell") and Larry Levine, Associate Vice Chancellor for Associate Vice Chancellor for Information Technology and CIO ("AVC Levine") commissioned the University of Colorado Boulder Accessibility of Electronic Information Technology Study ("Accessibility Study") and formed a committee with representatives from across the campus ("Accessibility Study Committee"). From fall 2012 through spring 2013, this committee evaluated the university's compliance with technology accessibility requirements. In summer 2013, the committee submitted a written report to VC Boswell and AVC Levine, see [Attachment 45](#) ("Accessibility Study Report"). The documents regarding these efforts are available at <https://oitwiki.colorado.edu/display/study/Accessibility> (User Name: doj2014 Password: Sta5ufra!u).

b. An Internal Accessibility Study Revealed the Need for Improvements

Although CU-Boulder was engaged in the issues, the Accessibility Study Committee found there were areas that needed attention primarily because information technology accessibility has been addressed in a decentralized fashion. Various aspects of technology accessibility are handled among different areas of campus: OIT, DS, ADA Coordinator office, Communications, Academic Affairs, and Undergraduate Education. In the fall of 2013, VC Boswell and AVC Levine established a steering committee to review the Accessibility Study Report findings and recommendations, although these efforts have not progressed as rapidly as CU-Boulder would have hoped.

CU-Boulder understands that technology accessibility is a university responsibility that requires commitment and involvement from leadership. While CU-Boulder has consistently provided academic accommodations to students with disabilities, the Accessibility Study found that CU-Boulder provided such accommodations in a reactive manner rather than proactively providing students with disabilities equally

William Lynch
Paula Rubin
April 14, 2014
Page 19

timely information. CU-Boulder leadership is taking action so that equal access for all students is addressed for existing technology and also as new technology is integrated into the educational environment.

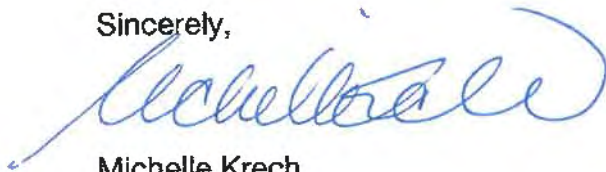
c. CU-Boulder Leadership is Taking Prompt Action to Make Technology Accessibility a Priority

Chancellor Philip DiStefano has decided to hire an outside, professional consultant to conduct an audit of CU-Boulder information technology and to provide recommendations regarding how to improve accessibility compliance, including potential changes to CU-Boulder's personnel and operational structure. This arrangement will be made in the next sixty days.

In addition, the Chancellor will be appointing an administrator who will be responsible, on an interim basis, for coordinating information between the consultant and CU-Boulder faculty and staff, in addition to assisting with maximizing compliance efforts in the meanwhile, until such time that CU-Boulder has fully implemented the consultant's recommendations. It is anticipated that a permanent administrator responsible for ensuring that CU-Boulder provides accessible technology will be appointed once the initial structural realignments have been made. CU-Boulder will be keeping the DOJ timely informed as these efforts progress.

Please contact me at (303) 492-1285, michelle.krech@cu.edu if we may provide you with any further information.

Sincerely,



Michelle Krech
Senior Assistant University Counsel

Attachments

cc. Philip DiStefano, Chancellor



U.S. Department of Justice
Civil Rights Division

Disability Rights Section - NYA
950 Pennsylvania Ave, NW
Washington, DC 20530

February 18, 2014

By Electronic Mail and Fax
Email: Patrick.o'rourke@cu.edu
Fax: 303-860-5690

Patrick T. O'Rourke, Esquire
Vice President, University Counsel
University of Colorado
1800 Grant Street
Suite 800
Campus Box 35 UCA
Denver, Colorado 80203

RE: Americans with Disabilities Act Investigation
of the University of Colorado at Boulder
DJ# 204-13-314

Dear Mr. O'Rourke:

This letter is to notify you that this office has opened an investigation of the University of Colorado at Boulder (the "University") under title II of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§ 12131-12134, and the Department of Justice's implementing regulation, 28 C.F.R. Part 35. Title II of the ADA provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132. As a public university, the University is covered by title II of the ADA. The Department of Justice is authorized to investigate alleged violations of title II, conduct compliance reviews, attempt informal resolution of any title II matter, and take appropriate action – including litigation – when informal efforts at resolution fail. 28 C.F.R. pt. 35.

This investigation is in response to complaints filed with our office by students at the University who are blind or have low vision. The students allege that they have been denied, and are currently being denied, an equal opportunity to participate in, and benefit from, the University's services, programs, and activities because of their disabilities. More specifically, the allegations outline numerous barriers to the University's services, programs, and activities faced by its students with vision impairments, including:

1. The use of Google Apps for Education¹ for email, document processing, spreadsheets, calendar, and notice and scheduling of activities, among others, when the Apps do not function fully, or at all, with screen reader software. For example, students with vision disabilities cannot use screen reader software to edit documents in Google Docs.
2. Digital textbooks that are not made accessible in a timely way. While efforts are made to scan hard copy text books into a digital format for students with vision disabilities, often the textbook is not known until soon before a class begins and is not converted in a timely fashion causing a student to fall behind in his or her studies.
3. Digital signs that provide information only in a visual, touchscreen format. Information may include campus-wide activities, closures, emergency alerts, and other notices.
4. A University portal that is inaccessible using screen reader software and cannot be used independently to register for classes, pay bills, obtain scholarship information, or make appointments with advisors.
5. Websites for homework and course-related content that are inaccessible using screen reader software.
6. Inaccessible online placement and diagnostic exams.

These barriers have caused students with vision impairments to:

- Spend many hours in frustration trying to access university services, programs, and activities, including coursework, rather than learning the material like other students;
- Require the assistance of advisors and others to complete routine tasks rather than having the ability to complete them independently; and
- Fall behind in their coursework and withdraw from courses rather than risk a poor or failing grade.
- Be denied access to information available to students without vision disabilities.

In order to facilitate this investigation, we request that you provide the following information in writing within 30 days of the date of this letter:

¹ According to Google's website, "Google is currently offering schools a hosted solution for their email, calendar, and chat through Google Apps for Education ("Google Apps")...an integrated communication and collaboration solution." The core suite (consisting of Gmail, Calendar, Drive, Docs, Sheets, Slides, Sites, and Vault) may also be complemented to meet users' needs with "access to dozens more Google applications."
<https://support.google.com/a/answer/13901?hl=en>.

1. The name, phone number, and email address of the designated contact person for purposes of this investigation, and a statement of whether this person has the authority to negotiate settlements.
2. The name and contact information for the employee responsible for coordinating the University's efforts to comply with and carry out its responsibilities under title II of the ADA as more fully set forth in 28 C.F.R. § 35.107.
3. All documents reflecting guidance, directives, or training provided to professors, instructors, and other University personnel on making the University's courses accessible to students with disabilities, including students who are blind or have low vision.
4. A description of the University's use of Google Apps in its services, programs, and activities, including a list of all University services, programs, and activities in which Google Apps are used – whether mandatory or permitted.
5. For each service, program, or activity listed in your response to Item 4, above:
 - a. a list of each and every Google App used;
 - b. the number of users or accounts;
 - c. copies of any documents or materials concerning the accessibility of Google Apps reviewed by the University in determining whether to use Google Apps in the identified service, program, or activity; and
 - d. copies of any policies, practices, or procedures regarding the use of Google Apps in University services, programs, and activities.
6. Copies of any policies, practices, procedures, training materials, or other documents related to ensuring that University services, programs, and activities, including classroom, co-curricular, extra-curricular, or school-sponsored activities, are accessible to individuals with disabilities, including any documents related to the use of electronic devices and/or software in such services, programs, and activities. Please include:
 - a. the University's policy and practices for making hard copy or electronic documents accessible to blind individuals for use with screen reader software, including what entity makes the documents accessible and the required timeframes for doing so;
 - b. the University's policy and practices for hiring or designating assistants and/or readers for blind students and students with low vision;
 - c. the University's policy and practices relating to accessibility of online platforms to blind students, such as coursework submission portals (e.g., MasteringBiology), online course portals (e.g., MyStatLab), testing portals (e.g., ALEKS Testing), etc.

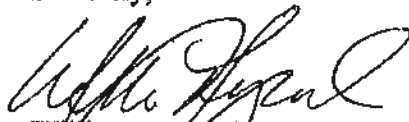
7. For the past three (3) years, a description of all complaints or inquiries, formal or informal, received by the University about technology-related accessibility issues for people with disabilities in any University provided technology, including but not limited to Google Apps and online homework sites, and a description of the status or resolution of the matter.
8. Any other documents or information you would like us to consider in investigating this matter.

Please send responsive information to Paula Rubin, preferably in electronic format on CD or by e-mail. If providing materials by mail, please send the materials using an overnight common carrier other than the U.S. Postal Service, such as Federal Express or UPS to: Paula Rubin, U.S. Department of Justice, Disability Rights Section, 1425 New York Avenue, NW, 4th Floor, Washington, D.C. 20005. Mail through the U.S. Postal Service will not arrive in a timely manner and will be irradiated.

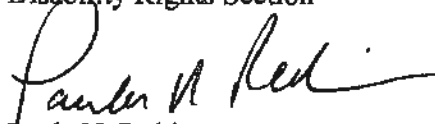
As a reminder, the University is bound by the anti-retaliation and anti-coercion provisions of the ADA, including the protections for individuals who oppose any unlawful ADA-related act or practice or who make a charge, testify, assist, or participate in any manner in an investigation, proceeding, or hearing. 42 U.S.C. § 12203.

If you have any questions please do not hesitate to contact either William Lynch at 202-305-2008, or by email at william.lynch@usdoj.gov or Paula Rubin at 202-305-2191, or by email at paula.rubin@usdoj.gov. We appreciate your cooperation in this matter and look forward to hearing from you shortly.

Sincerely,

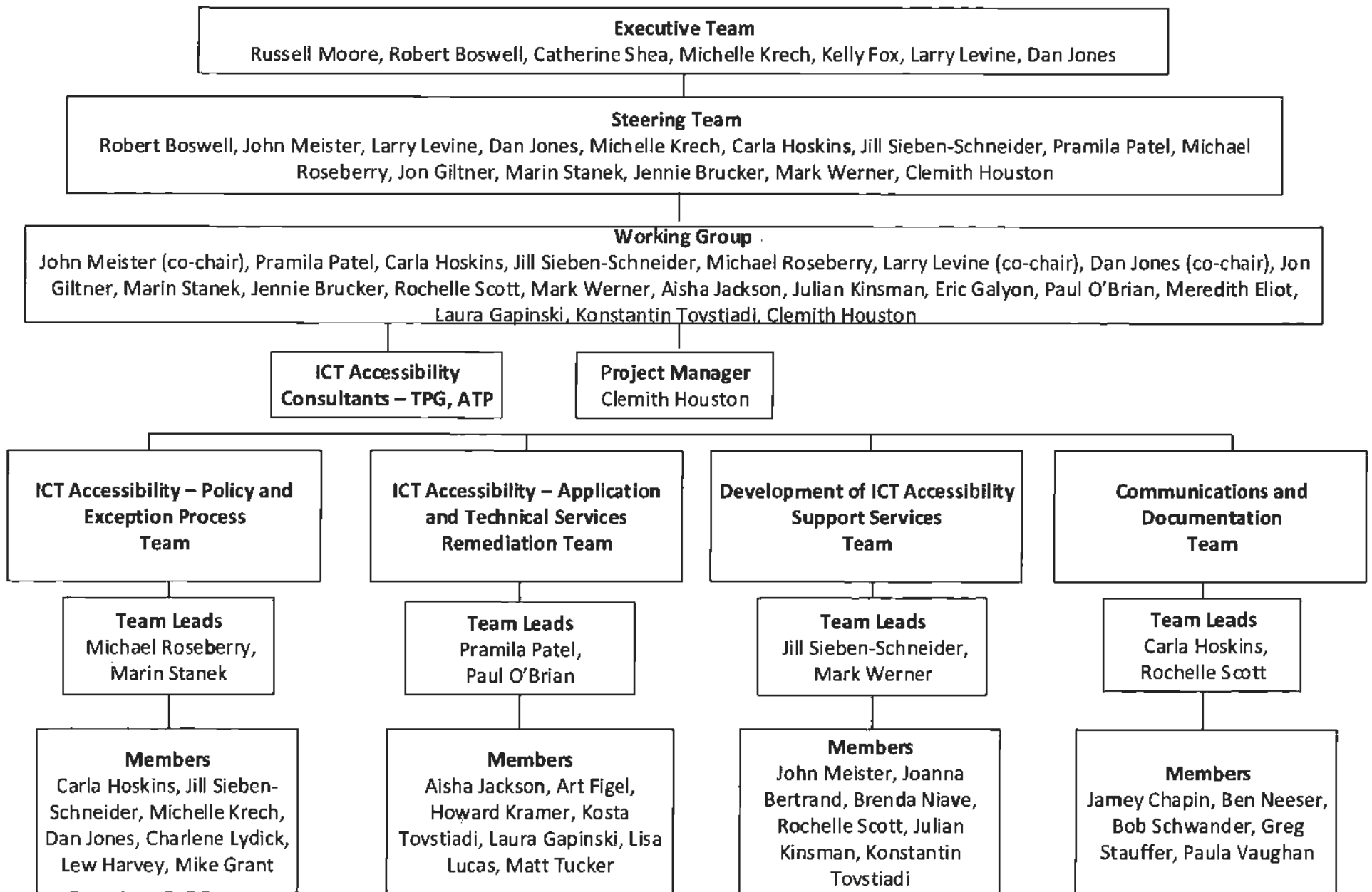


William F. Lynch
Trial Attorney
Disability Rights Section



Paula N. Rubin
Trial Attorney
Disability Rights Section

ICT Services and Applications Accessibility Project Organization Chart



ARPAC Self Study

Question Set for Disability Services

Question 1 - Mission

Mission

Disability Services ensures that students with disabilities receive reasonable accommodations and services to participate fully in the academic environment. Disability Services expects and coaches the campus community to embrace and embody a fully accessible and culturally sensitive campus.

Vision

We envision a fully accessible, integrated, and universally designed campus community. Students with disabilities are one of the many groups that make up our campus community. A diverse community broadens our understanding and appreciation for the talents and contributions of each individual.

Philosophy

Disability Services' role is to serve as the university's main consultant on disability matters regarding students and the community. Disability Services provides leadership and guidance regarding accommodations and universal access, which requires a collaborative relationship among all members of the university community.

Core Values

- Human variation is natural and vital in the development of dynamic communities
- Building and using an academic success toolkit (i.e., self-advocacy skills, resources, various study strategies) is essential for all students
- Responsibility for meaningful and universal access belongs to all
- A diverse and stimulating university community is a shared responsibility; disability is diversity
- Universal design is essential for achieving inclusion and social participation of all

Question 2 – Unit Structure

See attached document of *Disability Services Organizational Chart 10 03 14*.

Question 3 – Current Goals

Accomplishments for 2013-2014

- Created, gained support and completed a re-organization plan for Disability Services. This involved changing the model from an academic support to accommodation centered model (December 2013).
- Stabilized long term funding issues that have persisted for 5 to 7 years (July 2014).

- Moved to a Generalist staffing model to disperse the intensive caseloads across all professional staff members. This enabled the department to have larger caseload numbers per Coordinator (Spring 2014).
- Hiring of an Accommodation Support Coordinator to address staffing needs related to accommodated testing, scheduling CART and Interpreting services, coordinating external events and meetings, and overseeing the spring and summer documentation review process (Fall 2013).
- Initiated and completed first external review of DS by the Association of Higher Education and Disability (AHEAD) (Summer 2013).

Current Goals

- Transfer ownership of information technology accessibility and software deployment to the Office of Information Technology (OIT) as part of the Accessibility Initiative.
- Maintain a role in governance of ICT Accessibility for the institution.
- Realign the *Assistive Technology Lab* to become an *Alternate Format Production Center* where materials in alternate formats will be created for students, faculty and staff.
- Creation and identification of funding for a *University Center for Accommodated Testing* to administer all testing for students enrolled in academic programs of study.
- Rename the Disability Services unit to align with social model of disability.
- Further integrate the accommodations based model that supports the institutional goals of student persistence and retention.
- Create a welcoming and inclusive climate for students with disabilities by expanding outreach efforts about disability.
- Build upon efforts to create a culture of inclusion in academic units across campus through outreach programs specifically targeting teaching faculty and academic departments.
- Champion efforts to remove institutional barriers and negative perceptions to disability.
- Continue efforts to build supportive programs to assist students with disabilities through programs such as the Fayez Endowment Initiatives (ASK Mentors).

Question 4 – Future Goals

- Development of a fee-based academic living and learning community for students with and without disabilities. This will enable CU Boulder to be seen once again as a leading institution for students with disabilities.
- Development of a formalized student retention and persistence program to ensure students with disabilities have a sense of connection to the institution and a formal relationship that is developed around positive models of disability.
- Provide support for transition to the workforce programs for students with disabilities. Historically students with significant disabilities struggle more to find adequate and appropriate employment following graduation from university programs of study.
- Provide support for development of a curricular program that will enhance the understanding of disability as a component of diversity and civil rights.
- Provide support for the development of additional opportunities for students with disabilities to study abroad.

Question 5 – Self Assessment

Currently DS administers a Bi-Annual Survey. Registered students receive the survey every even year. The last survey was completed in spring 2014. In the spring of 2013, DS launched its first external program review. This review surveyed students, faculty and administrators of the institution. For program initiatives, DS surveys students following each occurrence of use. For example, when a student participates in a mentoring session within the ASK Service, students receive a survey about the session. Data is collected and reported on an annual basis.

See attached: ***Disability Services Bi-Annual Report 2014 Final***

AHEAD External Review

Question 8 – Resource and Space Needs

1. Financial resources and space are needed to operate a *University Center for Accommodated Testing* (as identified in Current Goals), space within the institutional structure must be identified to support this need. Currently DS has one room that is dedicated to provisioning accommodated testing for students with disabilities. This enables the unit to provide limited for testing for students with disabilities. Currently (2013-2014) DS accommodated approximately 120 tests for the institution. In any given fall or spring semester, there are an estimated 12,000 tests in which faculty are required to provide accommodations. Faculty have no identified resource to provision these exams. Approximate costs for the first year are \$220K for Salaries and administrative supplies, assuming use of one full time professional staff member, plus 4 Graduate Students at 20 hours per week each. This cost is estimated to rise over time and will need to be increased based upon volume of accommodated tests provisioned.
2. Financial resources will continue to be needed to support the Disability Services department. As part of the re-organization plan, DS maintains a 1:200-250 Coordinator to Registered Student ratio for service delivery. This ratio is in line with other comparable tier one research institutions. The university will need to identify resources as DS' student population continues to grow. In 2002, there were 604 students registered. In December 2014 that number has climbed to over 1,600. Cost to add a Coordinator to the department is approximately 60K per year, plus benefits. Administrative costs is approximately \$5k per year to include training, supplies, OIT support, etc.
3. Financial resources will be needed to create two positions. One position to support the department goals for faculty and university outreach. The second to address formal student retention and persistence of students with disabilities. It is vital that DS develop programs that support both of these areas if we are to participate effectively in the university community. Costs to add two Coordinators to address these needs is approximately 110K per year, plus benefits. Administrative costs are approximately \$10K per year to include training, supplies, OIT support, etc.

**Administrative Program Prioritization
Self-Study Form**

DUE: Friday, February 14, 2014

Program:	Disability Services
Department:	Disability Services, within the Office of Diversity, Equity and Community Engagement
Primary Contact:	John Meister, Interim Director, Disability Services
Unit Head Approval:	Robert Boswell, Vice Chancellor, Office of Diversity, Equity and Community Engagement <i>Robert E. Boswell</i>

Overview

Please provide a brief overview of your program, including key functions. (maximum 200 words)

Disability Services (DS) at the University of Colorado Boulder (UCB) ensures that students with disabilities receive reasonable accommodations and services to participate fully in the academic environment.

Key functions:

- Designated authority to address compliance with the *Americans with Disabilities Act (1990)*, the *ADA Amendments Act (2008)*, *Sections 504 and 508 of The Rehabilitation Act (1973)* and disability laws that impact students and the receipt of federal funding.
- Determine processes and policies for students requesting accommodations at UCB.
- Consultant to faculty and staff about implementation of granted student accommodations.
- Identify and resolve compliance concerns. Forward unresolved compliance concerns to UCB leadership

DS serves as the university's main consultant on disability matters regarding students and the UCB community. DS provides leadership and guidance regarding accommodations and universal access, which requires a collaborative relationship among all members of the UCB community.

DS expects and coaches the campus community to embrace and embody a fully accessible and culturally sensitive campus.

DS envisions a fully accessible, integrated, and universally designed campus community. Students with disabilities are one of the many groups that make up our campus community. A diverse community broadens our understanding and appreciation of the talents and contributions of each individual.

CRITERION 1: Importance to the University of Colorado Boulder	Weight: 25%
<p>This criterion focuses on the overall importance of the program to the success of the institution.</p>	
<p><u>Guiding Questions:</u></p>	
<ol style="list-style-type: none"> 1. What is the purpose of the program? Why does it exist? 2. How has the purpose changed in recent years? 3. How do you expect the purpose to change in the near future? 4. What are the most important goals of the program? 5. Is it essential that the University of Colorado Boulder offer this service? 6. What would be the impact if the university did not offer this service? 5. How does your program align with the university's strategic plan? 6. Does your program align with the university's signature areas of research? 7. Consider: <ol style="list-style-type: none"> a. Is your program necessary or beneficial for the promotion of research, teaching and outreach; b. Is your program value-added, although not required, to educate students and enhance their success and/or support other university goals; or c. Is your program critical to teaching, learning, research and discovery to take place? 	
<p>Key Question: How does your program contribute to CU-Boulder's priorities and mission of teaching, research and outreach? (maximum 300 words)</p>	
<p>The Disability Services (DS) department exists to determine and grant reasonable academic accommodations, adjustments, auxiliary aids and services for students with disabilities at the University of Colorado Boulder (UCB) and its varied academic program areas. DS supports students with disabling conditions by assisting in identifying campus resources, development of self-advocacy skills, development of appropriate academic strategies, and navigation of the diverse and complex campus community.</p> <p>The university must maintain compliance with the <i>Americans with Disabilities Act of 1990</i>, <i>ADA Amendments Act of 2008</i>, <i>Sections 504 and 508 of The Rehabilitation Act of 1973</i>, the <i>21st Century Communications and Video Accessibility Act of 2010</i>, as well as all additional relevant state and local laws regarding persons with disabilities.</p> <p>Ensuring compliance allows research, teaching and outreach programs that receive federal funding to continue. Requirements to comply with applicable Federal law will not decrease in the future. Additional legislation may place greater demands on already limited resources.</p> <p>As the numbers of students with disabilities have increased from 609 (2002) to 1,525 (2013) the department has decreased and eliminated all non-essential academic programming and has centered its focus on legal compliance with applicable disability laws impacting UCB and students.</p>	

CRITERION 2: Internal Demand **Weight: 15%**

This criterion focuses on factors related to the level of demand for the program that is internal to the institution. Possible examples of the internal demand include current undergraduate or graduate students, staff, faculty, research staff, visiting scholars, and/or entire units.

Guiding Questions:

1. Who are the primary and secondary internal users of this program? Please quantify when possible.
2. How is internal demand measured?
3. Who depends on your ability to deliver these services?
4. Does this program have mandatory demand (e.g. it is a program required by every user of a key group)?
5. To what degree is the service impactful to those who receive the service provided by your program?
6. What changes in demand have occurred in the past three years?
7. What changes in demand are expected in the near future (one to three years)?
8. Are there needs or demands for your program that you are not able to meet?
9. What other departments on campus does your program have the most continual interaction and briefly, what is the nature of those interactions?
10. What other departments on campus are providing a service or function similar to the one provided by your program?

Key Question: What is the internal demand for this service? (maximum 200 words)

Disability Services (DS) currently serves 1,525 students, which are comprised of active undergraduate, graduate and continuing education students enrolled at the University of Colorado Boulder. Student tracking is conducted through department interfaces within University Systems (ISIS) and current numbers show an increase from 1,265 students (2010) to 1,525 students (2013). This represents a 21% increase in students during the past 3 years. DS anticipates increases in student self-identification to continue. Impact from increasing international students and demand for additional support services will continue.

Additional constituents that utilize DS are: university faculty, staff, university departments, parents, clinicians, academic coaches and community partners. DS serves as the designated authority and counsels the larger university community on compliance with applicable disability laws and their impacts on students. The department ensures that students who are determined eligible receive appropriate accommodations to ensure equal access.

Fiscally, DS has been under strain since 2002. Student numbers have increased by over 150% with no additional financial resources. Currently, there is a projected \$280,000 deficit for 2014-2015. Additionally, there are several large scale legal compliance issues (testing space, accessible educational platforms and technology) with no funding support to resolve these concerns.

CRITERION 3: External Demand	Weight: 10%
<p>This criterion focuses on factors related to the level of demand for the program that is external to the institution, as well as external mandates influencing the program's efforts. External regulations or legal constraints qualify as external demand. Other possible examples of external demand include incoming or prospective students, parents, alumni, industry, employers, visitors, government/agencies, and the community.</p>	
<p><u>Guiding Questions:</u></p>	
<ol style="list-style-type: none"> 1. Who are the key users of this program? Please quantify when possible. 2. Do we have a legal or legislative requirement to provide this program? 3. How do you measure the external demand for the program? 4. Are there needs or demands for your program that you are not able to meet? 5. What changes in external demand have occurred in the past three years? 6. What changes in demand are expected in the near future (one to three years)? 7. Do you have any commitments to or legal agreements with external partners? Examples include, but are not limited to, contracts, MOU's, outreach efforts, corporate partnerships, etc. 8. What other departments on campus does your program have the most continual interaction and briefly, what is the nature of those interactions? 9. What other departments on campus are providing a service or function similar to the one provided by your program? 	
<p><u>Key Question:</u> What is the external demand for this service? (maximum 200 words)</p>	
<p>Disability Services (DS) currently works with prospective students and families as well as diagnosticians, academic coaches, interpreting agencies, the Colorado Division of Vocational Rehabilitation, the Veteran's Administration Vocational Rehabilitation Departments, K-12 Transition Programs, transportation agencies, donors, and the City and County of Boulder to ensure access. In situations where formal complaints are filed, DS works with the Office of Civil Rights – US Department of Education.</p> <p>DS continues to review and implement changes based on the passage of the <i>ADA Amendments Act of 2008</i>. The passage of this law broadens the definition of disability and will result in more demands on resources available.</p> <p>Additional challenges exist due to reduced available funding for people with disabilities through the Colorado Division of Vocational Rehabilitation (DVR) and the Veterans Administration (VA) Rehabilitation Services due to budget cuts and increases in requests for services through those external agencies.</p> <p>DS has agreements with and Memorandums of Understanding, with the following agencies: Colorado Division of Vocational Rehabilitation, Interpreting and Captioning providers, CU-Boulder Continuing Education, and the University of Colorado Denver and Colorado Springs campuses.</p> <p>The ADA Coordinator's office works in conjunction with DS to ensure facilities are accessible to students, guests, staff and faculty.</p>	

CRITERION 4: Cost Effectiveness & Efficiency	Weight: 20%
<p>This criterion focuses on the resources consumed by the program relative to its output and the revenues generated (if applicable). It assesses the relative efficiency and cost effectiveness of providing the program using factors such as the current cost of delivery, the potential for improved efficiencies and assessment of comparators to other organizations.</p>	
<p><i>Guiding Questions:</i></p>	
<ol style="list-style-type: none"> 1. How could the services provided by your program be more efficiently delivered? 2. List the attempts made by the program within the last three years to operate more efficiently? 3. Are there other units on or off campus providing similar services? If yes, how are your services different? Is this duplication of support service necessary? On what tasks do you collaborate with other units? 4. What have you done to ensure the resources you have are used most effectively? 5. What challenges if any have inhibited you from maximizing your available resources? 6. Have changes in your support service occurred that will impact your cost effectiveness or efficiency, as a result of university initiatives or external mandates? 7. What benchmarks do you use to measure your program's cost-effectiveness or efficiency? How does your program compare with those benchmarks? 	
<p>Do you believe the services provided by your program are delivered as efficiently and effectively as possible? (maximum 300 words)</p>	
<p>Disability Services (DS) completed a Re-Organization Plan (2013) that was approved, but not fully funded, by the Office of Diversity, Equity and Community Engagement (ODECE) and the Provost. This plan addressed structural changes needed to improve efficiencies, budget concerns and provided a framework for changes. This plan will be fully implemented, if funded, by July 2014.</p> <p>The following changes were made to the office to increase efficiencies and to reduce services not mandated. In 2012 the department:</p> <ul style="list-style-type: none"> • Discontinued direct provision of academic support services to meet the demands of increasing students; • Workforce Recruitment programming was transitioned to Career Services; • Intake and current student appointments were reduced from 60 to 45 minutes; • Informational appointments were reduced from 60 to 30 minutes; • Screening appointments were eliminated; • Orientation and parent-related programming were discontinued; • Interpreting Services Coordinator was replaced with a Disability Access Coordinator; • Interpreting services were transferred to an external agency; • Accessing Higher Ground Conference was transferred to a professional organization. <p>The department leadership team continues to review budget status and efficiency. Annual review of statistical data and peer institutions are used in benchmarking current service delivery framework. DS conducted a thorough review of historical programs and eliminated redundancies offered by other academic units on campus.</p> <p>Fixed financial resources have not increased in correlation with the number of students who self-identify and request academic accommodations and supportive services. Staffing levels (FTE equivalent) have remained unchanged in comparison with student increases. In 2002 there were 10.4 FTE, in 2013</p>	

there were 10.31 FTE. Additionally, as technology is continually introduced into the academic environment, without review for accessibility, it places undue burden on students enrolled in academic coursework and dictates solutions to be provided by DS to ensure compliance.

CRITERION 5: Quality

Weight: 20%

This criterion focuses on the quality of the services provided by the program. An inherently difficult task, the assessment of quality will rely on external validation where possible. Support services may use external benchmark comparators, internal success measures and/or results of recent surveys to demonstrate quality of outputs. In this criterion, we seek answers to questions such as:

Guiding Questions:

1. What are the main objectives of your program, and how do you measure success in achieving them?
2. How do you define quality in your program and who assesses quality?
3. Does your program fall short, meet or exceed your users' expectations? If so, how is this measured?
4. How would a reduction in resources affect the quality of your program? How would an increase in resources affect quality?
5. Have you received any internal or external recognition related to your program?
6. Have you conducted any user satisfaction surveys or have a formal feedback mechanism for your program? If so, provide key findings.
7. What benchmarks do you use to measure your program's quality?
8. How does your program compare to those benchmarks?
9. What were the key accomplishments of the program in the past two years?

With the understanding that quality is contextual, how would you characterize the quality of the program? (maximum 300 words)

Disability Services (DS) measures quality through the following: bi-annual student and faculty surveys; external program review by the Association of Higher Education and Disability ; monitoring of complaints registered with the CU-Boulder Office of Discrimination and Harassment and ADA Coordinator's Office; and legal action brought by students through the Federal Office of Civil Rights and Department of Justice .

DS meets the legal mandates, but often does not meet the expectations and needs of incoming students, parents, current faculty and staff. This impacts the perceived quality of DS. Reduction beyond the structure approved in the Re-Organization Plan (2013) would critically hamper DS' ability to meet the legal mandate as required.

An increase in resources enables DS to assist the university community in resolving continued issues around provision of accommodations by faculty and staff. DS surveys are consistent in identifying the need for an accommodation testing center as well as academic programming for students with disabilities. Additional resources specified to resolve accommodation provision issues and academic success, persistence and graduation will enhance the CU-Boulder's goals set in the 2030 Plan.

A decade ago, DS was recognized nationally for providing academic support programs for students with disabilities. Funding challenges and an increase of students with disabilities led to the beginning of service reductions in 2005.

DS continues to take steps to ensure that quality in providing the mandate is in place. DS has integrated student data management into University Systems (ISIS). DS completed a departmental review, which lead to establishment of new goals, objectives and a re-organization plan of the department. This plan lead to personnel restructuring, faculty outreach, development of student peer mentoring provided through endowment, pilot projects for technology to reduce long term costs, and outsourcing of Interpreting Services.

CRITERION 6: Opportunity Analysis

Weight: 10%

This criterion focuses on the potential for improvements or enhancements to the program. It seeks to identify opportunities for improved efficiency, effectiveness and outcomes through new investment or removing barriers that are limiting success. In this criterion, we seek answers to questions such as:

Guiding Questions:

1. How could the university help your program in improving outcomes or in becoming more cost effective?
2. What one thing does the program wish it could do differently, but has not had the opportunity, time or resources to do?
3. Would further investment in the program be counterproductive to advancing the university's priorities?
4. What opportunities exist to generate additional revenue, using current resources?
5. What are your peers at other institutions doing that CU-Boulder should be doing (and isn't)?
6. What functions within the program could be automated, performed elsewhere in the university, performed by an outside contractor for less money, consolidated or eliminated?
7. What technologies or training opportunities are available to you to provide your services better?
8. What additional cost-saving opportunities can you recommend for your program?
9. What would it take to make the program exemplary? (Explain and provide a cost estimation)
10. If you could start fresh and totally restructure the program (and/or your department), what would it look like?

What improvements or changes could be made to improve the program? (maximum 200 words)

Approval of funding as outlined in the Re-Organization Plan for 2014-2015 and beyond.

Development and funding of a University Testing Center to administer accommodated exams as proposed (2013).

Implementation of the Accessibility Study recommendations (2013) to ensure all academic technology and user interfaces are accessible to students, faculty and staff with disabilities. Refine responsibilities of making academic technologies and user interfaces a part of the cost structure of Office of Information Technology. Ensure technology interfaces are accessible prior to purchase and implementation.

Move toward a revenue generating academic support program that is supplemental to the primary mission of ensuring equal access to students with disabilities. This would enable DS to increase persistence and graduation rates through programming to support student success while keeping costs neutral.

Create programs for faculty outreach, universal design in instruction, transition, orientation, parents,

disability awareness and inclusion.

Expansion of the use of University Systems (ISIS) to digitize department records will reduce administrative cost pressures and provide a long term solution to file management.

Utilization of software solutions to allow for: web-based scheduling of appointments and testing, requesting alternate formats of textbooks and course materials thus reducing administrative costs and providing more efficient processes for the student.

Other Comments

Please provide any additional comments you feel would assist the Administrative Program Prioritization Task Force in assessing and prioritizing your program. (maximum 200 words)

Disability Services (DS) is designated by the institution to ensure that students with disabilities have equal access to the educational environment under applicable federal and state law. This mandate does not change.

Adaptation and use of inaccessible technology, software and external portals by the institution places the university and the University of Colorado System at risk for legal non-compliance and lawsuit. Addressing recommendations outlined in the Accessibility Study should lower compliance issues.

Funding to address test accommodations for students with disabilities continues to impact the university community. Addressing the Testing Center proposal should provide the institution with solutions and lessen the risk of non-compliance. The proposal has been submitted and is awaiting response.

DS continues to be under financial strain due to insufficient budget to address current student demand. Approval of funding for 2014-2015 and beyond, as outlined in the DS Re-Organizational Plan (2013), will enable the department to meet its legal and institutional mandates.

DS is passionate about bridging the link between the university and the professional world through the development of programs that enhance accessibility and achievement that are designed both to educate and empower students.