

POLICY ON FACULTY RESPONSIBILITY FOR ACCESSIBLE INSTRUCTIONAL MATERIALS

I. Overview

Faculty members have great latitude and freedom in determining the instructional materials that they assign as part of their course requirements. This policy is designed to provide instructional materials in an equitable and timely manner to all students at Fresno State without limiting an instructor's academic freedom in the selection of course materials. The timely and thoughtful selection and ordering of instructional materials enhances the learning environment for all students and is especially significant for students with disabilities.

Fresno State is proactive in eliminating physical and programmatic barriers to educational access by students with disabilities, including instructional materials. The preparation of instructional materials (e.g., textbooks, novels) in alternate formats may require a significant amount of time and effort by the university.¹ At Fresno State, we are dedicated to the success of all of our students. We must ensure that information and data are accessible, in equally effective forms, for persons with disabilities as well as those without disabilities.

According to the CSU Chancellor's Office, "The Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (504) require that qualified individuals be provided equal access to programs, services, and activities. California Government Code 11135 applies Section 508 of the 1973 Rehabilitation Act, as amended in 1998, to State entities and to the California State University (CSU). Section 508 of the Rehabilitation Act was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities, and to encourage the development of technologies that will help achieve these goals."² The CSU policy statement on accessibility is articulated in Executive Order 1111³. Additionally, the ADA Final Rule for Web⁴ content requires that all digital materials (i.e., instructor-developed online or in-person digital course materials or content provided by publishers) meet accessibility standards.

II. General Selection Guidelines

Instructional materials are defined in this document to include, but are not limited to, books and other assigned readings, course readers, software, apps for mobile devices, tutorials, recordings, videos, course syllabi, handouts, presentation slides, materials posted on the Learning Management System (LMS; e.g., Canvas) or external websites, and other educational tools. It

¹ A book may have to be ordered separately in e-text format, read aloud to produce an audio version, scanned and edited to produce an e-text version, photocopied for text enlargement, or sent off campus to be made accessible. The production of alternate forms of materials may take eight (8) weeks or more.

² Coded Memorandum AA-2013-03 is available at <https://www.calstate.edu/AcadAff/codedmemos/AA-2013-03.html>

³ <https://calstate.policystat.com/policy/9798168/latest>, enacted through the Accessibility Technology Initiative see <https://ati.calstate.edu>

⁴ <https://www.ada.gov/resources/2024-03-08-web-rule/>

does not apply to routine course materials that the student requires in the normal course of academic endeavors (e.g., paper, pencils, pens, notebooks, etc.).

- A. Faculty select instructional materials for their courses based on pedagogical considerations such as, but not limited to, instructional objectives, course content, teaching style, and the characteristics of the students enrolled in the course. The following guidelines shall also be considered:
1. Faculty shall submit instructional materials information requested by the Kennel Bookstore by the deadlines in Section V of this policy, even if no instructional materials are required or they can be purchased elsewhere. Instructional materials shall be ordered using the campus adoption platform for all instructional materials to include textbooks, digital materials, Open Educational Resources (OER), and other instructional materials, excluding materials produced by the instructor (e.g., syllabus, handouts, presentation slides).
 2. Instructional materials shall be available in alternate formats⁵ when possible. Given two (2) or more equivalent instructional materials, the instructor should select, in consultation with the Office of Innovation and Digital Excellence for Academic Success (IDEAS) and/or Services to Students with Disabilities (SSD), the version with the highest levels of accessibility.
 3. Faculty are encouraged to consider Open Educational Resources, as they are often less expensive options.
 4. The instructor shall avoid assigning or ordering ancillary materials (workbooks, CDs, etc.) that are not actively used in the course.
 5. Ancillary materials ordered for a course shall also meet all current requirements for accessibility.

III. Faculty Responsibility for Developing and Using Accessible Instructional Materials/Alternate Formats

Faculty members have a responsibility to be proactive in ensuring that the **required** instructional materials utilized in their courses are accessible to all students.⁶ Faculty members shall review the guidelines for creating and utilizing accessible materials and alternate formats provided by the Office of IDEAS⁷. Questions about the guidelines or development of accessible instructional materials should be directed to the Office of IDEAS.

⁵ Alternate Formats (accessible instructional materials) are defined as print and technology-based educational materials that are designed or converted in a way that makes them usable across the widest range of students, regardless of format (print, digital, graphic, audio, or video, etc.).

⁶ The party that initiates use of the instructional material is responsible for making it accessible; thus, if a program mandates use of particular materials for a given course, the program (rather than individual faculty assigned to teach the course), is responsible for producing the materials in an accessible format.

⁷ Making Course Materials Accessible <https://academics.fresnostate.edu/ideas/accessibility/accessible-materials.html>

Course materials that could benefit from accessibility remediation may be identified by automated checks conducted on the LMS via accessibility monitoring tools (e.g., ALLY), which is monitored by IDEAS along with SSD. Faculty are expected to address concerns raised by these checks in a timely manner to IDEAS/SSD to ensure the accessibility of their materials.

Materials must be accessibly available for students as soon as possible. If materials (print, digital, audio, or video) are not in an accessible format, SSD will connect with the faculty to determine the next possible steps:

A. Course Readings

1. For textbooks and other materials ordered through the campus bookstore, faculty and programs shall follow the general selection guidelines in Section II.
2. For materials owned by the university library, faculty shall be proactive in ensuring the accessibility of assigned readings. For example, if the only copy owned by the library is found to be damaged or illegible, faculty are responsible for notifying the appropriate library staff and requesting replacement materials in a timely manner.
3. For materials not owned by the university library, faculty are responsible for making a clearly legible copy available to students (e.g., on reserve and e-reserve at the library, via Canvas. Materials of insufficient quality shall be replaced by the faculty member within one week upon the request of a student or the SSD office to ensure access when required by the course.
4. Faculty and department chairs shall collaborate with SSD and IDEAS to identify a Temporary Alternate Access Plan (TAAP) for materials that cannot be made accessible in the current format⁸.

B. All Other Instructional Materials

1. The IDEAS guidelines for accessible instructional materials shall be implemented as follows:
 - a. New instructional materials authored by the instructor shall be created in an accessible format.
 - b. Existing materials shall be made accessible as they are revised and reused the next time the course is taught by the faculty member. In cases where a faculty member is teaching multiple courses with materials that need substantial revision for accessibility, the course with the highest enrollment shall be prioritized to minimize potential impact on students.
 - c. Course Syllabi and materials posted in the LMS shall meet accessibility requirements.

IV. Accessibility Review and Remediation

Accessibility remediation refers to the process of removing barriers that affect people with

⁸ CO ATI for compliance with ADA Title II, see <https://ati.calstate.edu/procurement/ecaap>

disabilities. In other words, remediation means fixing the problems — and ensuring compliance with the Americans with Disabilities Act (ADA), Section 508 of the Rehabilitation Act, and other laws that require organizations to make reasonable accommodations for disabled users. The CSU Accessible Technology Initiative (ATI) is charged with eliminating accessibility barriers across the university.

As a proactive measure, faculty members are encouraged to submit courses to IDEAS for review of instructional materials accessibility. The Office of IDEAS provides a *Course Accessibility Checklist* that faculty members can utilize during peer evaluations to document the use of accessible instructional materials and alternate formats. Faculty play a critical role in making course materials accessible, as their subject expertise and understanding of how materials are used in teaching are essential to ensuring accessibility decisions are accurate and appropriate. Given the volume and complexity of course content, effective remediation is not possible without their active involvement.

Courses that are identified for review and remediation support are prioritized based on criteria outlined by the ATI. The SSD team may contact faculty about specific course content if remediation of some files proves challenging or infeasible. Fresno State ATI, SSD, or IDEAS will not remove any course content or alter any course assignments or activities and will follow a two-phased approach for accessibility review and remediation, delineated in the subsequent sections:

A. Remediation Phase 1: SSD Targeted Course

1. Faculty are notified of accommodations within two weeks of students registering for courses. Services for Students with Disabilities (SSD) notification to faculty about alternate format accommodations includes information on working with IDEAS (Innovation and Digital Excellence for Academic Success) to support accessibility of materials.
2. Once notified of a course material accommodation, the faculty should ensure that their textbook adoptions are identified for the bookstore and that LMS materials are available as soon as possible so that these processes can occur.
3. SSDs Accommodation Information Management (AIM) system pulls textbook information from the Kennel Bookstore to research potential format needs.
4. IDEAS reaches out to SSD for a list of courses before the end of the previous semester (around Finals) for Spring/Winter and in Early Summer. SSD's list to IDEAS is typically prioritized for Low Vision and Blind students who use Alternative Formats.
5. Further IDEAS remediation efforts depend on when instructors on this list add content to the course. In the first two weeks of the semester, IDEAS checks courses for existing content on the LMS. Where content exists, IDEAS contacts the instructor to get their consent to remediate, and within a week, exports the course to work orders.
6. In the event instructors do not host content on the LMS, they are removed from the remediation list, and SSD is notified that materials cannot be accessed for review. Faculty are legally responsible for ensuring all materials are accessible

regardless of hosting on the university's LMS. As such, they are required to complete a self-review and contact the Office of IDEAS and SSD should assistance to update materials be required.

B. Remediation Phase 2: ATI Prioritized Courses and Faculty Requests

1. Once SSD work orders are nearing completion, following the census date:
 - a. IDEAS offers by-request remediation services to faculty.
 - i. Faculty can request support with ad-hoc or full course remediation from IDEAS
 - b. IDEAS generates a list of ATI Prioritized courses and compares the list to LMS accessibility score reports (e.g., ALLY) to identify courses for remediation. Other factors that are used to identify courses include:
 - i. 40+ enrolled students
 - ii. 60% or lower average accessibility score
 - iii. 15 or more files in the course
 - iv. Potential Course Attributes: Fully Online, High DFW, ZCCM, GE
2. Faculty of identified courses will be notified by IDEAS to coordinate and support immediate remediation efforts, such as increased compatibility with assistive technology and alternative formats.

C. Communication of Accessibility Review and Remediation

1. College and department accessibility information from the two-phased approach review is generated into reports that ATI Instructional Materials (ATI IM) committee members share with college leadership and department chairs, who are asked to review the information with their respective colleges and/or departments.
2. At the end of each calendar year, the ATI IM committee contributes to the Instructional Materials area of the ATI Annual Report. This report evaluates the progress the university makes towards accessibility goals and success indicators set by the Chancellor's Office ATI. The report is finalized by the ATI Executive Committee and sent to the Chancellor's Office.

V. Procedures for Ordering Instructional Materials

When instructional materials need to be ordered for student purchase, the following procedures are designed to ensure that instructional materials will be available to all students in a timely manner, as required by the federal Higher Education Opportunity Act of 2008⁹.

⁹ Complying with the HEOA requirements is a condition for the CSU receiving student financial aid from the

- A. Departments are encouraged to monitor or coordinate the timely ordering of instructional materials.
- B. Instructional materials shall be ordered by the instructor of record for a course, their designee, or the department, by the Monday of the third week in April for summer and fall courses, and the Monday of the last week in October for winter intersession and spring courses¹⁰.
- C. If a course does not have an instructor of record by the above due dates, instructional materials shall be ordered by the department chair (or designee) no later than the following:
 - 1. Monday of the last week in the Spring semester for summer courses;
 - 2. Monday of the second week in June for the following fall semester; and,
 - 3. Monday of the second week in November for the winter intersession and the following spring semester.
- D. Requests by faculty members for exceptions to the instructional materials deadlines must be made in writing to the department chair. These exceptions include, but are not limited to: course reassignments, addition of new sections of a course, new or late course assignments, or the replacement of flawed materials.
- E. Department chairs and deans shall be kept apprised of the status of textbook orders by the campus bookstore. The campus bookstore shall notify faculty who are delinquent in submitting instructional materials information.

Recommended by the Academic Senate

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Federal government. More information is available at <http://als.csuprojects.org/heoa>.

¹⁰ These dates permit students to take full advantage of the used books buy-back period established by the Kennel Bookstore and provide sufficient lead time for the conversion of instructional materials into alternate formats.