Universal Accessibility for Student Services

HTCTU
High Tech Center Training Unit

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Concerns about Technology

□ Office for Civil Rights…

  ■ Dear Colleague Letter (DCL) June 29, 2010 – jointly signed DOJ and Dept of Ed

□ "It is unacceptable for universities to use emerging technology without insisting that this technology be accessible to all students."

Not Equal

☐ Digital does not mean accessible!

☐ Just because something is digital does not mean that it is accessible to all!

Tech Complaints since the DCL…

☐ Complaints have centered around

- Inaccessible Web sites
- Inaccessible learning management systems
- Inaccessible instructional materials
- Inaccessible software used in instruction
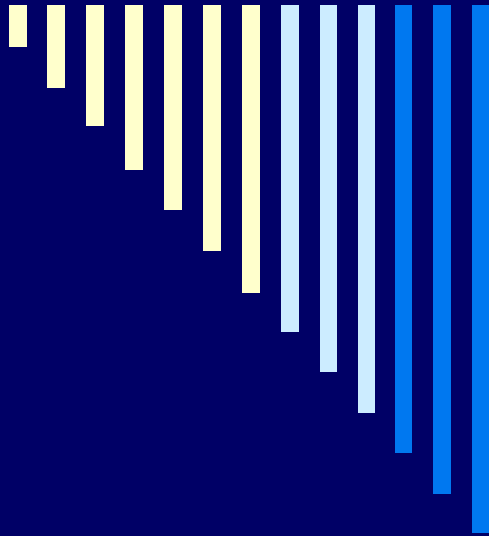- Lack of availability of assistive technology

So what do we do?

- Section 508
  - Create accessible documents
  - Develop accessible software, apps
  - Build accessible websites
  - Purchase accessible hardware, software, and apps
- Section 504
  - Accommodate as necessary

Section 504 vs. Section 508

One Act (Rehabilitation Act of 1973, as Amended) Two Laws

Section 504 vs. Section 508

- Section 504 addresses individuals' needs for auxiliary aids and services (accommodations).

- Section 508 addresses the infrastructure that allows access.

Rehabilitation Act of 1973

☐ Section 504 is about accommodation.
- Making it work for individuals
- Disability service offices created to serve students' needs.

☐ Section 508 is about access.
- Create accessible software, Web sites, videos, and documents.
- Purchase accessible products.
- Campuswide responsibility

Comparison

□ **Section 504**
- Accommodation
- Based on person's request and preference
- DSPS or ADA/Section 504 compliance officer usually assists
- Begins where 508 ends

□ **Section 508**
- Access
- No prior request needed—"open door"
- All technology purchases are affected for entire organization
- Ends where 504 begins

Access vs. Accommodation

Legend: Access, Accommodation
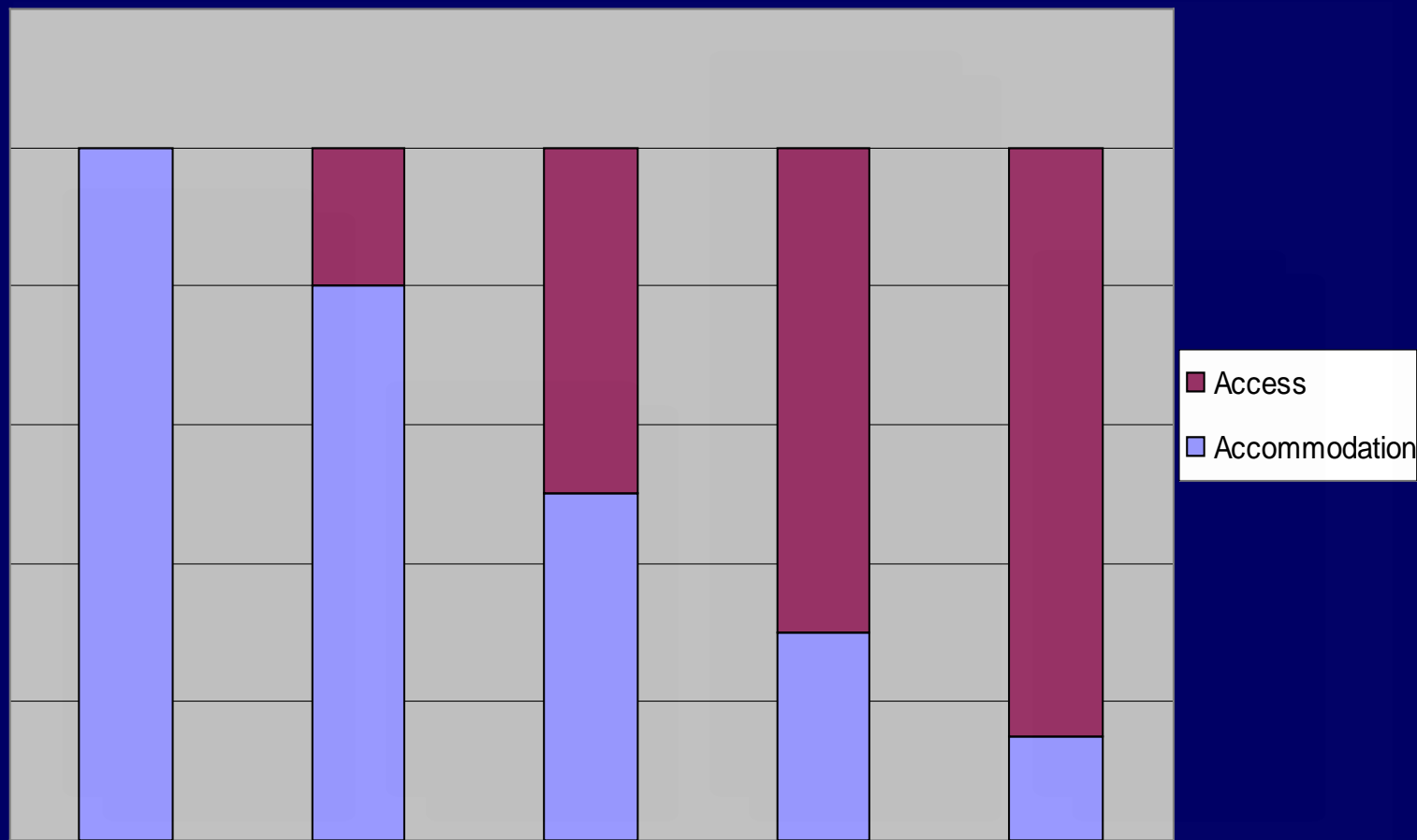
Analogy

□ Section 504
  - An individual who is deaf requests that all training videos be captioned

□ Section 508
  - New videos must be captioned before being shown for the first time

United We Stand

- Access and accommodation work together
    - It's a continuum
- Not fully accessible? Accommodate.

- But beware…
    - Some technology cannot be accommodated!

Saving Money on Campus

- Provide free AT in all campus labs
  - Balabolka (document access, TTS)
  - Natural Reader (simple document TTS)
  - NVDA (free screen reader)
- Provide more sophisticated solutions upon request
  - Install JAWS and Kurzweil as needed/when requested
- Tools already built in on Mac

Risk Management

- The more long-lasting and broadly available, the more things need to be accessible

- One-use materials or very limited availability, the more can rely on accommodation

How will you accommodate?

- Can still use materials that are not fully accessible, as long as you can accommodate individual needs in an **equally effective** manner

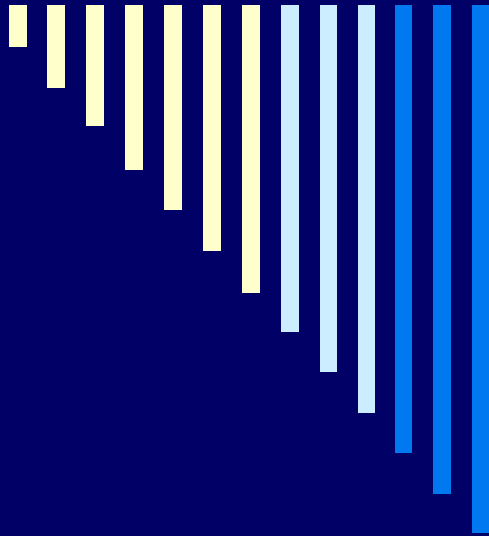- Make accommodation planning part of the design strategy and buying decisions!

Really Important!

- Do not **require** technology (software or hardware) that cannot be accommodated!

- In other words, if it is impossible to make the technology equally as effective for **all** users, do not **require** it of all users.

Complying with the 508 Standards

Section 508 of the Rehabilitation Act of 1973, as amended in 1998
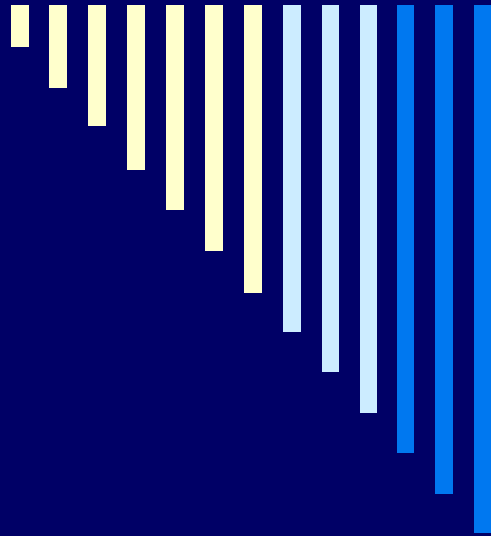
When Do Standards Apply?

- Section 508 standards apply to the California community colleges
  - As purchasers of ICT
  - As creators of ICT
- Standards are not enforceable on the vendors!
- Compliance is up to us

Remember the Acronym

- Section 508 applies to Information and Communication Technology (ICT) that is "DUMPed" on campus!
- **D:** Developed
- **U:** Used
- **M:** Maintained
- **P:** Procured

Section 508 Standards

Information & Communication Technology (ICT)—formerly Electronic & Information Technology (E&IT)

California State Law

- SB 105
  - Applied standards of Section 508 to California
  - Passed September 29, 2002
  - Effective January 1, 2003
  - Became part of Govt. Code 11135 (now 7405)
  - CCCs accepted this as applying to them

Cal. Gov. Code §7405

- "In order to improve accessibility of existing technology, and therefore increase the successful employment of individuals with disabilities, particularly blind and visually impaired and deaf and hard-of-hearing persons, state governmental entities, in developing, procuring, maintaining, or using electronic or information technology, either indirectly or through the use of state funds by other entities, shall **comply with the accessibility requirements of Section 508** of the Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794d), **and regulations implementing that act** as set forth in Part 1194 of Title 36 of the Federal Code of Regulations."

State vs. Federal Law

□ California state law actually puts some responsibility for conforming to the standards on the vendor.

§7405 states:

- "Any entity that contracts with a state or local entity subject to this section for the provision of electronic or information technology or for the provision of related services shall agree to respond to, and resolve any complaint regarding accessibility of its products or services that is brought to the attention of the entity."

Types of Standards

□ Two ways Section 508 applies

1. Creating
   - Web pages
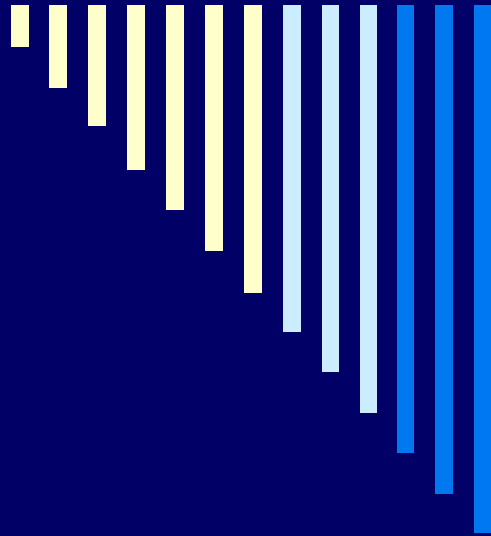   - Web applications
   - Software
2. Standards for purchasing
   - Functional standards

Exactly What IS the Standard?

- ☐ The standard is WCAG
- ☐ Web Content Accessibility Guidelines

- ☐ But what about non-web?
- ☐ Guidance on Applying WCAG 2.0 to Non-Web Information and Communications Technologies
  - ■ https://www.w3.org/TR/wcag2ict/

Section 508 Standards: Purchasing

At its heart, Section 508 is purchasing law…

Functional Criteria

☐ All Section 508 purchasing now based on functional criteria

☐ Can the technology be used by
- Individuals who cannot hear
- Individuals who cannot see
- Individuals who have mobility challenges

Functional Criteria

☐ At least one mode of operation and information retrieval that does not require _____ shall be provided, or support for assistive technology used by people who are _____ shall be provided.

☐ Standards are based on testing

The Process

☐ Figure out as specifically as possible what product you need.

☐ Do market research.

☐ Do accessibility research.

- ■ Is the product usable with assistive technology?

- ■ Is the product usable by persons with disabilities?

☐ Pick the most accessible product that meets your needs.

Function First

- Functional requirements drive the purchasing process
- Only buy the functionality you need!
- Consider all your needs (business, technical, logistical, academic, etc.) first and then add accessibility.

Adding Accessibility into the Equation

☐ Once you have determined your needs, research the market.

  ■ You already do market research for models, prices, features, durability, etc.

  ■ Just make accessibility one more item on the list.

☐ Consider two or three products that meet your needs and buy the most accessible.

Researching Accessibility

- VPATs
    - We're not really sure…
- VPATs were based on the Section 508 checklist, which is now gone

- Since VPATs were voluntary, the software industry may switch to a WCAG-based checklist

Instead

- ☐ We have WCAG and functional criteria
- ☐ Functional criteria apply to
  - ◾ Lack of vision
  - ◾ Lack of hearing
  - ◾ Inability to physically manipulate objects
- ☐ Best suggestions: Ask for user testing data; or ask vendor to demo product without a mouse!

Five Exemptions…

☐ Probably won't apply…

1) Is an integral part of a national security system

2) Is acquired by a contractor incidental to a contract

☐ Technology only used by technicians exempt

3) Is located in maintenance spaces

Exemptions cont.

4) Would require a fundamental alteration to be accessible

- In other words, product does not do what you need it to do

5) Is not commercially available

- No one has made it yet…

And Remember

- Purchase the most accessible tech that you can, and plan on how you will accommodate it

- If you cannot accommodate a product in an **equally effective** way, you cannot **require** it!

Section 508 Standards: Creation

In the beginning was the Web…

What Needs to Be Accessible

☐ **Anything** on the Web
- Webpages
- Websites
- Online forms
- Online courses
- Videos

☐ If it's on the Web, it must be accessible!

External or Internal

- ☐ ALL public facing content (documents, webpages, videos, etc.) must be accessible under the new standards

- ☐ Non-public documents must be accessible in eight categories of official communications

Eight Categories

(1) Emergency Notifications

(2) Decisions adjudicating administrative claim or proceeding;

(3) Program or policy announcements

(4) Notices of benefits, program eligibility, employment opportunity, or personnel action

Categories cont.

(5) Formal acknowledgements of receipt

(6) Survey questionnaires

(7) Templates and forms

(8) Educational and training materials

What Does Accessible Mean?

- ☐ Documents
  - ■ Must be readable with assistive technology
- ☐ Graphics
  - ■ Add "alt text"—**brief** description
- ☐ Videos and multimedia
  - ■ Captioned
  - ■ Back-up plan for audio description—text description, for instance

What about Software?

- ☐ Learning software/apps
  - ■ Either have accessibility built-in or work with assistive technology
- ☐ Learning objects
  - ■ Either accessible from the vendor or can be made accessible

And if it's not accessible?!?

- ☐ Work with DSPS to determine if an **equally effective** alternative exists

- ☐ If an equally effective alternative does not exist, you **cannot require** the material / software / learning object, etc.

Content vs. Container

- ☐ Academic freedom is about the content.
- ☐ Section 508 is about the container.

- ☐ Conforming to Section 508 simply allows equal access to the content.
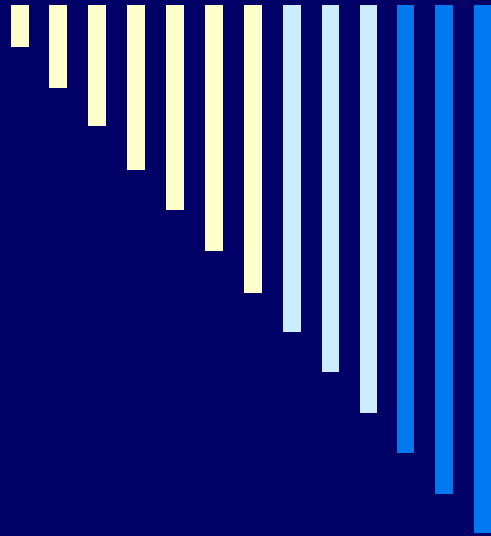
Strategies for Working with Your Campus

Decide Where to Start

- ☐ Remember risk analysis
  - ■ Start with areas of greatest exposure

- ☐ Look for low-hanging fruit

- ☐ When you rewrite, recreate, revise, add accessibility to the LIST

Find Places to Draw Lines

- ☐ Find areas to say "from now on…" and then rely on accommodation to fill in behind you—talk to DSPS
- ☐ Videos
  - ■ From now on…all videos either purchased captioned or captioned before use
  - ■ Caption legacy materials as an accommodation

Make a Plan

- Having a plan with a schedule will go a long way to limiting liability

- And remember…accommodation is your back-up plan!
  - Work with DSPS to see if an equally effective alternative is possible
  - Don't require what cannot be accommodated

Beyond Access

☐ We can go beyond access to inclusion

☐ Example of welcome and accessibility statement for an online course from Sheryl Burgstahler, DO-IT Director

  ■ http://www.washington.edu/doit/

Sheryl Burgstahler, Ph.D.

□ This course is designed to be welcoming to, accessible to, and usable by everyone, including students who are English-language learners, have a variety of learning styles, have disabilities, or are new to online learning. Be sure to let me know immediately if you encounter a required element or resource in the course that is not accessible to you. Also, let me know of changes I can make to the course so that it is more welcoming to, accessible to, or usable by students who take this course in the future.

OCR + 508 + 504

- Want to buy it?
  - Make sure it's accessible
- Not accessible?
  - Plan how to accommodate it
- Can't accommodate it?
  - Don't require it for student success!

Others can help!

RESOURCES

Resources

- WebAIM
  - Checklists, step-by-step information
  - http://webaim.org/
- DO-IT
  - How-tos, videos, general information
  - Resources to promote access on campus
  - www.washington.edu/doit/Resources/web-design.html

World Wide Web Consortium

- ☐ W3C
  - ■ Those who bring you the Web!
- ☐ Web Content Accessibility Guidelines
  - ■ http://www.w3.org/TR/WCAG20/
- ☐ Web Accessibility Initiative
  - ■ http://www.w3.org/WAI/gettingstarted/tips/

Color Contrast Checkers

☐ Color Contrast Analyzer (CCA)

- ■ http://www.paciellogroup.com/resources/contrastanalyser/

Read MathType in DOCX

- Central Access Reader
  - From Central Washington University
  - https://www.cwu.edu/central-access/reader

Digital Media

- ☐ DCMP Captioning Key
  - http://www.dcmp.org/captioningkey/
- ☐ NCAM – STEM
  - http://ncam.wgbh.org/experience_learn/educational_media/stemdx/guidelines
- ☐ WGBH – Web Media
  - http://ncam.wgbh.org/invent_build/web_multimedia/accessible-digital-media-guide/guideline-h-multimedia

One Site for Free Assistance

☐ @ONE: Course on accessibility for online ed

☐ Sidekick

■ www.toolsthatinspire.com

Thank you!

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