



IT ACCESSIBILITY: LEGAL UPDATES

Representing NYS-Disability Services Council:

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TOPICS

- NYS Disability Services Council
- Current legal environment
- Policy updates
- Who benefits from accessibility?
- Developing a campus-wide approach to web-based accessibility
- Evaluating web content for accessibility





NYS DISABILITY SERVICES COUNCIL

Membership includes SUNY, CUNY, Private
Colleges & Proprietary Colleges in NYS

DISABILITY SERVICES ROLE

- Enforce Section 504 of the *Rehabilitation Act of 1973* (Section 504) and Title II of the *Americans with Disabilities Act of 1990* which prohibit discrimination on the basis of disability
 - **How?** Attempt to create a level playing field for students with disabilities by arranging accommodations
- Protect our institutions from legal action
 - **How?** Inform faculty, staff & administrators about the law and what they can do to insure student has equal access to education





CURRENT LEGAL ENVIRONMENT

OCR – Office for Civil Rights

OFFICE FOR CIVIL RIGHTS CASES

- **June '10** - OCR Dear Colleague letter (Kindle) & FAQ
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-20100629.html>
- **June '10** - Florida State Univ. / NFB complaint: math textbook and math e-learning system (called eGrade) were inaccessible to blind students
<http://accessiblemath.dessci.com/>
- **Nov. '10** - Penn State / NFB complaint: multiple inaccessible IT claims
<http://www.nfb.org/nfb/NewsBot.asp?ID=702&MODE=VIEW>
- **Mar. '11** - Northwestern & Google Apps)
(www.nfb.org/NewsBot.asp?MODE=VIEW&ID=771)
- Chancellor Zimpher's letter to Google re. Google Apps
- CA State Univ. Google Apps Accessibility Evaluation Project (2010)
<http://ati.calstate.edu/mod/book/view.php?id=280>
- **Apr. '11** - Law School online application system / NFB
<http://www.nfb.org/NewsBot.asp?MODE=VIEW&ID=797&SnID=690577213>
- **May '11** - OCR Dear Colleague letter & FAQ
 - Letter: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201105-ese.html>
 - FAQ: <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-ebook-faq-201105.html>
- **Oct. '11** - Penn State / NFB case resolved
<http://www.educause.edu/blog/jcumings/NFBandPennStateresolveUSDeptof/238851>





POLICY UPDATES, ETC.

FEDERAL

- July 2010: DOJ Advance Notice of Proposed Rulemaking
 - **Accessibility of Web Information and Services Provided by Entities Covered by the ADA**
(http://www.ada.gov/anprm2010/web%20anprm_2010.htm)
 - Proposed revision to the regulations implementing titles II and III of the ADA to establish specific requirements for State and local governments and places of public accommodation to make their websites accessible to individuals with disabilities.
 - Public comment period ended Spring '11



FEDERAL

- Section 508 of the Rehabilitation Act
 - Federal employees with disabilities, and members of the public with disabilities seeking information or services, have access to and use of information and data that is comparable to the access and use by persons who are not individuals with disabilities, unless it causes an undue financial burden
- Section 508 Refresh
 - 2006 – 2008: Committee met
 - April 2008: Report to Access Board
 - March 2010: Advance Notice of Proposed Rulemaking & public comment period



FEDERAL

- Section 508 covers
 - Accessible websites
 - Accessible telecommunications
 - Accessible video and multimedia
 - Accessible desktop & portable computers
 - Accessible formats for documents



NY STATE

- May 2010: Revised New York State Policy, [NYS-P08-005](#), Accessibility of Web Based Information & Applications
 - Adopted Section 508 web accessibility standards
 - <http://www.cio.ny.gov/Policy/NYS-P08-005.pdf>



At Chancellor Zimpher's Urging, Google Upgrades Service for Visually Impaired Users

For Immediate Release: Thursday, Sept. 22, 2011

Contact: Morgan Hook; morgan.hook@suny.edu; 518-320-1311

Albany – State University of New York Chancellor Nancy L. Zimpher today commended Google, Inc. on its new initiative to increase accessibility for visually challenged users on its major Web services.

In March, Chancellor Zimpher wrote to Eric Schmidt, Chairman of the Board & CEO of Google, urging the company to make their [Apps for Education](#) service more accessible to the visually impaired. SUNY campuses began using the service in 2010, but some visually impaired SUNY students and faculty were having difficulty with the site, which prompted Chancellor Zimpher to contact Google.

“SUNY enrolls tens of thousands of blind and otherwise disabled students, and we are committed to providing them with the same top-quality technology that is available to all students and faculty,” said Chancellor Zimpher. “It is clear that Google shares our commitment to education and to students of all ages, and I commend the company for its prompt response to the needs of our students and faculty by upgrading its education technology in time for the 2011-12 school year.”

In the [letter](#), Chancellor Zimpher praised the service, but noted that changes needed to be made “in order to fulfill our mission to provide the people of New York with educational services of the highest quality and with the broadest possible access.” The letter continued, “Technology should make their educational experience more accessible, not less so.”

Google recently [announced](#) that it is rolling out accessibility improvements to Google Docs, Sites and Calendars, including new keyboard shortcuts and enhanced screen reader support.

However problems remain: <http://ati.calstate.edu/mod/book/view.php?id=280&chapterid=18>



SUNY



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OTHER HIGH PROFILE COMMUNICATIONS

- 2010 EDUCAUSE: IT Accessibility Constituent Group formed (<http://www.educause.edu/groups/itaccess>)
- 5/11 Inside Higher Education: Elaborating on Online Accessibility (http://www.insidehighered.com/news/2011/05/27/education_department_elaborates_on_guidelines_against_discriminating_against_disabled_students_with_technology)
- 5/11 EDUCAUSE Blog posting: Developments to Watch: Federal Accessible Instructional Materials (AIM) Commission (<http://www.educause.edu/blog/jcummings/DevelopmentsToWatchFederalAcce/229526>)
- 5/11 NFB Recommendations to AIM Commission (<http://www.educause.edu/blog/jcummings/DevelopmentsToWatchFederalAcce/229526>)
- NFB call for information about “accessibility barriers in digital technology used by all students, teachers...in K12 schools, universities and colleges in the United States” (www.nfb.org/technologyform)
- 6/11 Reports of U.S. Dept. of Education web accessibility audits (http://webaim.org/discussion/mail_thread?thread=4731)





WHO NEEDS ACCESSIBILITY?

PEOPLE WITH DISABILITIES

- Students
- Faculty
- Families
- Visitors
(Entertainment,
Athletics, theatre,
etc.)
- People who are blind
or visually impaired
- People who are
hearing impaired or
deaf
- People with mobility-
related impairments
- People with learning
and cognitive
disabilities





DEVELOPING A CAMPUS WIDE APPROACH TO WEB-BASED ACCESSIBILITY

WEB-BASED PROGRAMS – WHAT ARE THEY?

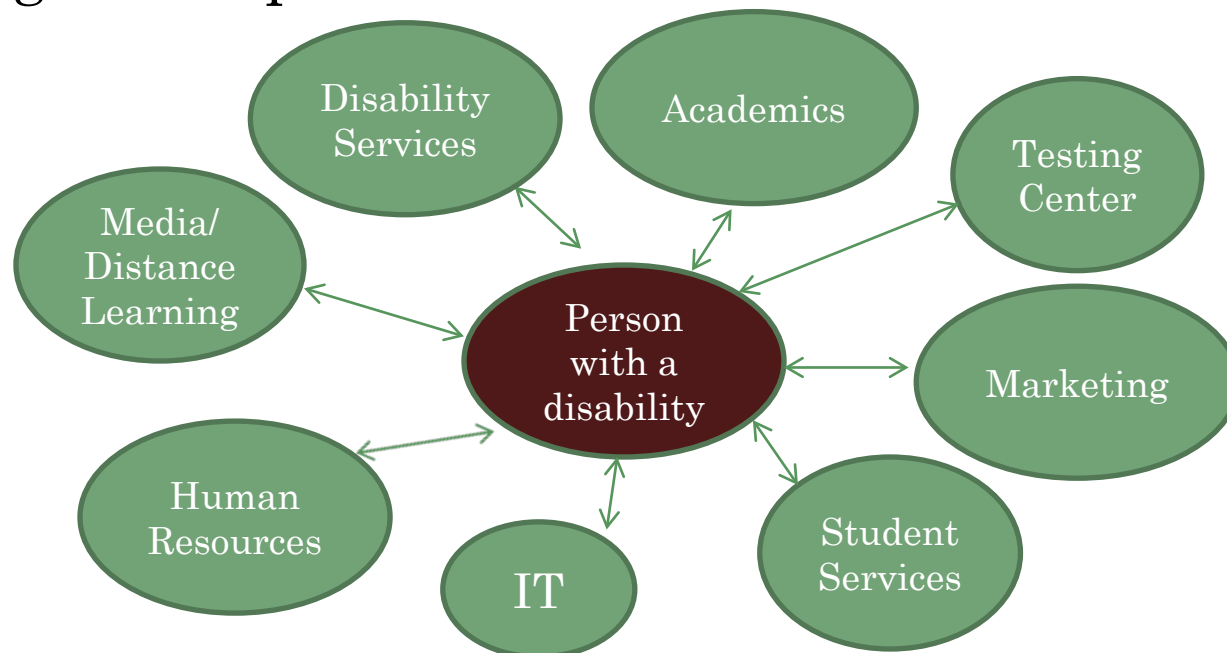
- Websites (not just campus- faculty, library)
- Web 2.0 (social media, chats, blogs, wikis)
- E-Text (Online free book sites –ex. Flatworld)
- Applications/online forms (job applications too)
- E-readers (Kindle, Nook, Sony Reader)
- Mobile apps (iPad, mobile phones)
- Distance Learning
- Supplemental Educational Material (Cartridges and publisher websites)
- In-class enhancements – (Smart boards, clickers)
- Virtual Tours



TEAM APPROACH-

TOO BIG FOR ONE DEPARTMENT

- Designate a point person for accessibility
- Develop an interactive process and PLAN by having a Web Accessibility Team
- Think past students (employees, entertainment, athletics, library resources, tours)
- No longer best practice to “Do best we can”



REPORTING MECHANISMS – WHAT ARE YOU DOING NOW?

- Clearly post an “accessibility” link on the Home Page
<http://www.newpaltz.edu/>
- Annual report of the status of accessibility of all public facing web-based information and applications, including content posted on social networking sites. (Every March 31st)
- Document receipt of and responses to any and all complaints regarding accessibility
- Develop an “Accessibility Resources” section on your website <http://www.oswego.edu/administration/guides/accessibility.html>
- Purchase requisitions – Accessibility check-off
- Accessibility Commitment (policy)
http://www.cit.cornell.edu/policies/accessibility/primer/wa1_intro.cfm





EVALUATING WEB CONTENT FOR ACCESSIBILITY

ACCESSIBILITY AUDIT TOOLS

- Use checklists

Laws and standards

<http://webaim.org/standards/508/checklist/>

Job Accommodation Network (JAN) snap tool

<http://askjan.org/bulletins/SNAPTool.htm>

- WAVE – Web accessibility evaluation tool (MANY FREE ONES – web based tools)

<http://wave.webaim.org/> <http://webaim.org/>

- Materials and Content tools

<http://aim.cast.org/learn>

- Web accessibility initiative

<http://www.w3.org/WAI/RC/tools/>

- Cornell University

<http://www.cit.cornell.edu/policies/accessibility/resources.cfm>



The left side of the slide features a series of vertical stripes in various shades of green and grey. To the right of these stripes, there are several green circles of different sizes, some overlapping the stripes. The main text is positioned to the right of these decorative elements.

**WHATEVER YOU DO,
DON'T IGNORE IT!**



QUESTIONS?

THANK YOU!