

WEBSITE ACCESSIBILITY: What's the Big Deal?

Carolyn Counce, Director, Policy Service
Texas Association of School Boards



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This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

Excerpt of complaint letter

“Most all Texas ISD's have a link to online policies and procedures that is created and maintained by Texas Association of Schools Boards, known as TASB.

In review of the TASB sites at the Districts identified below, all appear to have numerous accessibility issues when tested with 508/WCAG guidelines.

Please consider this an official complaint. An online OCR complaint has been filed.”



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Our Roadmap

Why are we
talking about
this?



Website
accessibility
standards



Accessibility
journey &
minimizing risk

What is “website accessibility”?

People with disabilities of
every kind can fully use a
website.

What is a “disability” in legal and functional terms?

A physical or mental impairment that substantially limits one or more major life activities













Americans with Disabilities Act

The outcome of the **interaction** between a **person** and **barriers**

International Classification of Functioning (ICF)



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	Permanent	Temporary	Situational
Touch	 One arm	 Arm injury	 New parent
See	 Blind	 Cataract	 Distracted driver
Hear	 Deaf	 Ear infection	 Bartender
Speak	 Non-verbal	 Laryngitis	 Heavy accent

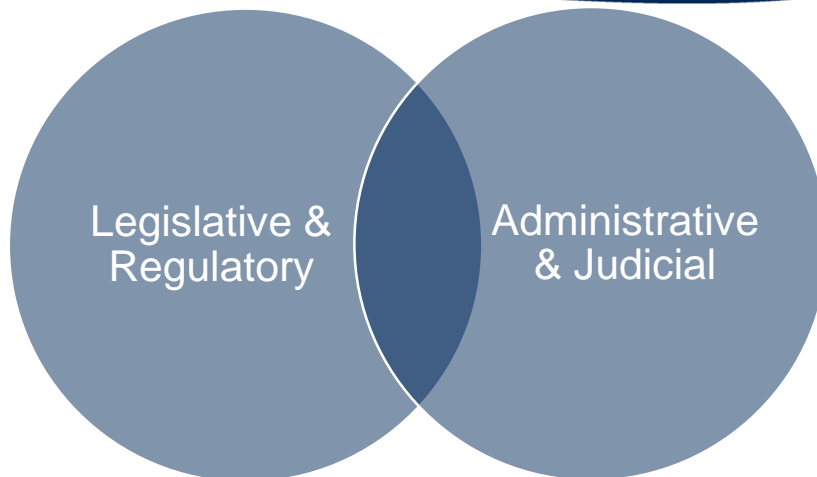
Excerpted from “Inclusive: A Microsoft Design Toolkit.”

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Why are we talking about this?



Legislative & Regulatory Developments





Americans with Disabilities Act: July 26, 1990



- Prohibits disability discrimination
- Requires equal access to services, programs, and activities, unless doing so would result in undue financial or administrative burden or would fundamentally alter the programs, services, or activities.



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Accessibility of State and Local Government Web Sites to People with Disabilities: June 2003



- DOJ guidance for local governments to make websites accessible to ensure equal access to services, programs, and activities provided through those websites
- “An agency with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use programs or services, such as a staffed telephone line.”



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Dear Colleague Letters: June 29, 2010 & May 22, 2011



- Sent to colleges using electronic book readers inaccessible to visually impaired students
- Sent to schools a year later with FAQ:
 - “Just as a school system would not design a new school without addressing physical accessibility, the implementation of an emerging technology should always include planning for accessibility.”



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Rulemaking: 2010 — present



- 2010: Advance Notice of Proposed Rulemaking:
 - “It is clear that the system of voluntary compliance has proved inadequate in providing Web site accessibility to individuals with disabilities.”
- 2014: Title II regulations submitted to the Office of Management and Budget (OMB)
- 2016: Supplemental Advance Notice of Proposed Rulemaking



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Rulemaking: January 30, 2017



Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs

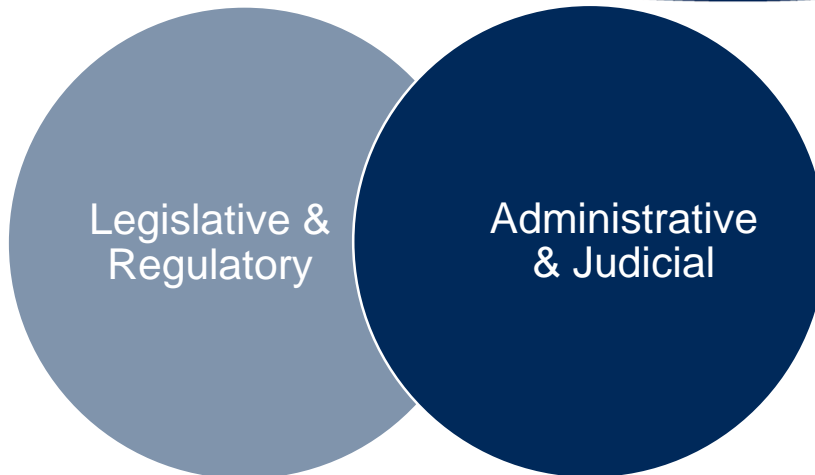
For every new regulation, **two** should be repealed.

The cost of new regulations must be **zero**.



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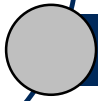
Administrative & Judicial Developments



Office for Civil Rights Investigations



Department of Justice Investigations

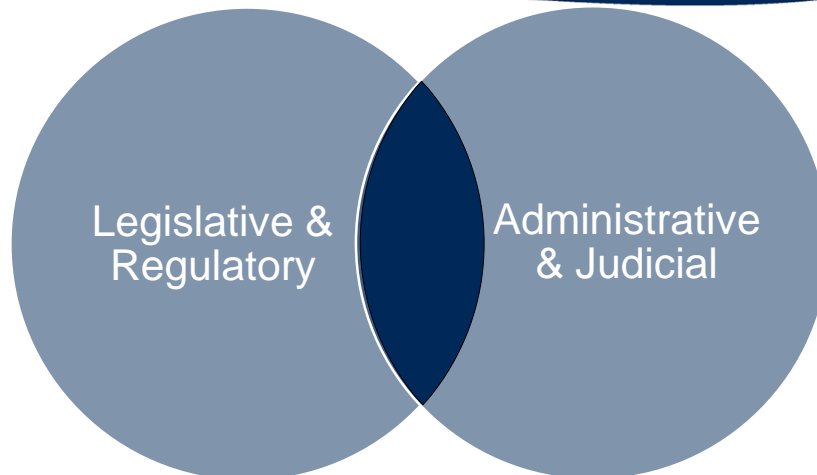


Lawsuits



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Policy On Line complaint

TASB Policy Service has become aware that a complaint may have been filed against your district regarding whether Policy On Line® satisfies federal accessibility standards for recipients of federal funds subject to Section 508 of the Rehabilitation Act of 1973 and state and local governments subject to Title II of the Americans with Disabilities Act. These laws are meant to ensure meaningful access to technology, including web sites and electronic information, for individuals with disabilities.

TASB has been engaged in an ongoing effort to make its online applications accessible for its members and clients. In light of the current concerns, we are engaging expert assistance from a nationally recognized accessibility consulting firm to help us evaluate Policy On Line so that we may promptly remedy issues that are identified.

We will stay in communication with you as we work through this process.



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What makes a website accessible?

Web Content Accessibility Guidelines (WCAG) 2.0

Perceivable

Operable

Understandable

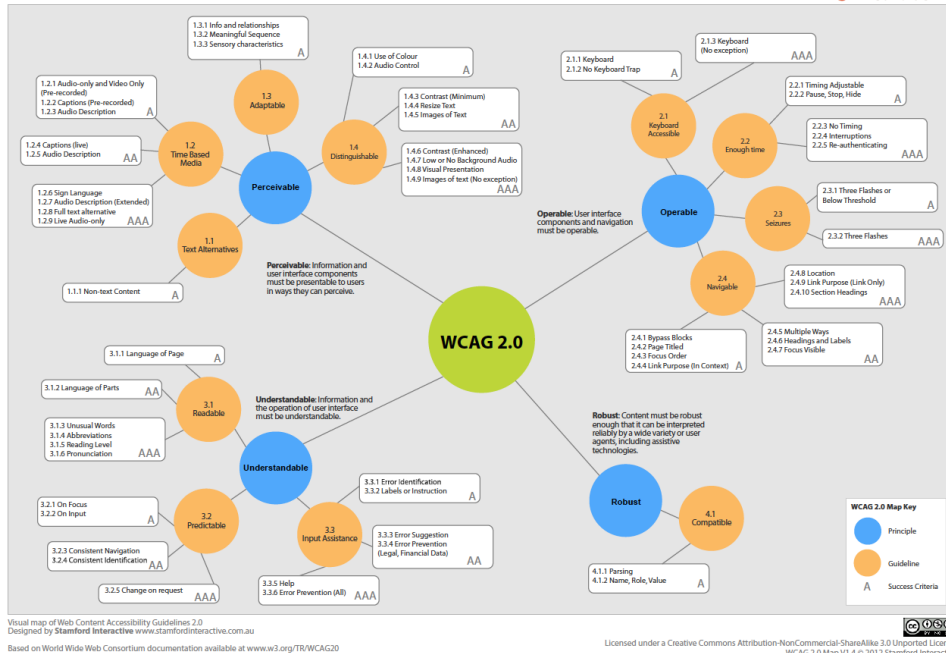
Robust



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WCAG 2.0 Map



Visual map of Web Content Accessibility Guidelines 2.0
Designed by Stamford Interactive www.stamfordinteractive.com.au
Based on World Wide Web Consortium documentation available at www.w3.org/TR/WCAG20

Licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 3.0 Unported License
<http://creativecommons.org/licenses/by-nc-sa/3.0/>

1.4.1 Use of Colour 1.4.2 Audio Control

A

1.4.3 Contrast (Minimum) 1.4.4 Resize Text 1.4.5 Images of Text

AA

1.4 Distinguishable

1.4.6 Contrast (Enhanced) 1.4.7 Low or No Background Audio 1.4.8 Visual Presentation 1.4.9 Images of text (No exception)

AAA



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Perceivable

Operable

Understandable

Robust

“Information and user interface components must be presentable to users in ways they can perceive.” – WCAG 2.0



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Red-Green Color Blindness

Less Perceivable

 = good

 = bad

But how can you tell?

More Perceivable

Good

Bad

This is better.



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Dyslexia and Typefaces

Less Perceivable

- Serif fonts like Times New Roman are full of “noise”
- But it’s a matter of degree

More Perceivable

- Sans serif fonts like Arial, Calibri, and even **Comic Sans**, may be easier to perceive



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Image + Alternative Text = Perceivable



Alt. text = “Texas Association of School Boards logo”



Screen Reader



Texas Association of School Boards logo



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Image With Important Text = Not Perceivable

Every Student Succeeds Act (ESSA)
[en Español](#)

A New Education Law

The Every Student Succeeds Act (ESSA) was signed by President Obama on December 10, 2015, and represents good news for our nation's schools. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the nation's national education law and longstanding commitment to equal opportunity for all students.

The new law builds on key areas of progress in recent years, made possible by the efforts of educators, communities, parents, and students across the country.

For example, today, high school graduation rates are at all-time highs. Dropout rates are at historic lows. And more students are going to college than ever before. These achievements provide a firm foundation for further work to expand educational opportunity and improve student outcomes under ESSA.

Image of
text



Screen
Reader



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Properly Styled Text = Perceivable

Every Student Succeeds Act (ESSA)

[en Español](#)

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For example, today, high school graduation rates are at all-time highs. Dropout rates are at historic lows. And more students are going to college than ever before. These achievements provide a firm foundation for further work to expand educational opportunity and improve student outcomes under ESSA.

The previous version of the law, the No Child Left Behind (NCLB) Act, was enacted in 2002. NCLB represented a significant step forward for our nation's children in many respects, particularly as it shined a light on where students were making progress and where they needed additional support.

Real text



Screen
Reader



Heading 1: Every Student Succeeds Act

Hyperlink: [en Español](#)

Heading 2: A New Education Law

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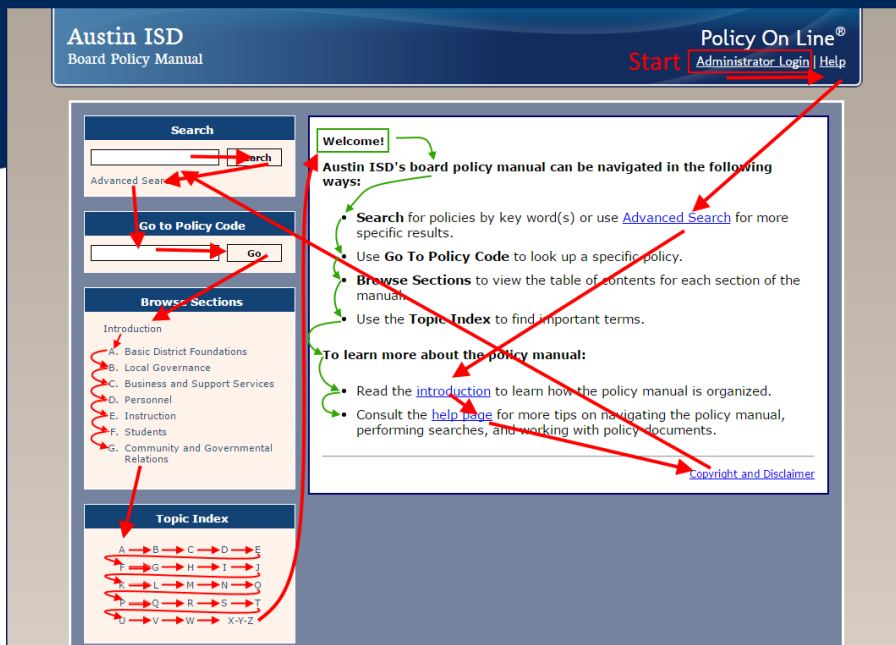
Perceivable Operable Understandable Robust

“User interface components and navigation must be operable.” – WCAG 2.0



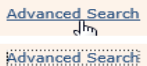

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Bad



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Policy On Line accessibility report

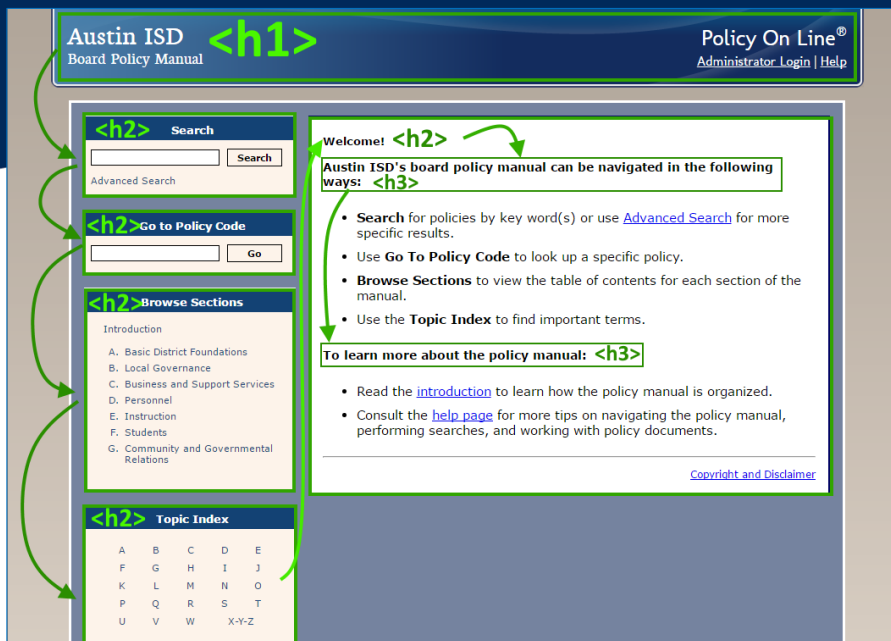
#	Issue	Std	Sev	Recommendation
1.14	Headings and Labels There are 5 Headings; 1 h1; 4 h2 in header and left navigation. There are no headers within the content. As a general rule, if content is formatted to look like a header, it should be coded as such so that users who do not see can more easily identify and move to that content that is of most interest.	2.4.6	Med	Suggested change to content frame: Add <h2> Welcome! in that way blind users will identify the central frame just as sighted users do. <h3> How To Navigate <h3> More about the policy manual and then demote left <u>nav</u> headers to h3 as well
1.15	Visible focus indication is stronger for mouse over than for tabbed, keyboard focus 	2.4.7	Med	Focus indicator is simple visible bounding box in IE 8 and Firefox/Mac, (blue glow in Chrome and Safari/Mac is function of browser). Mouse focus changes visibly (link underline), make keyboard focus more visible with larger bounding box in all browsers. 



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Better




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Good



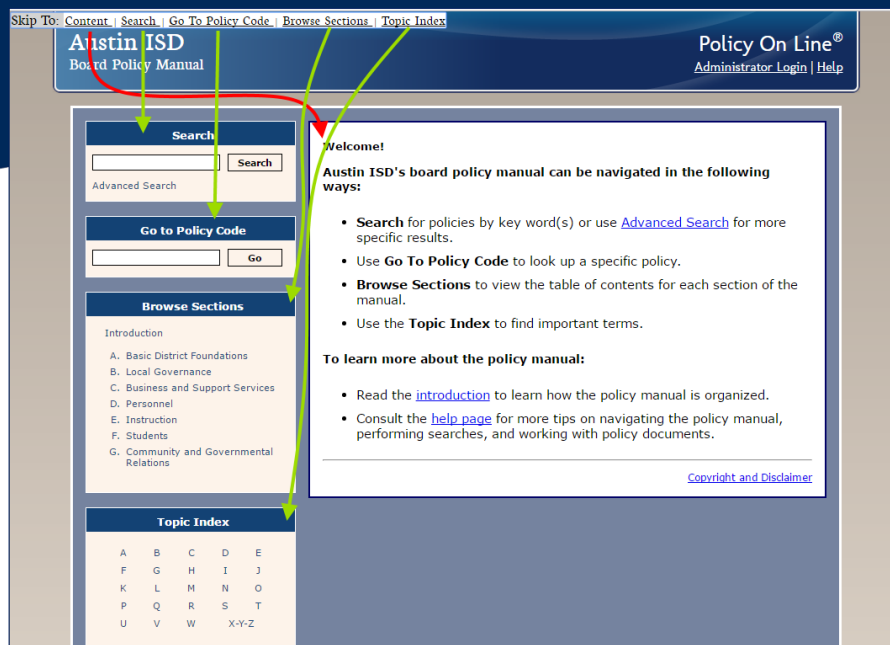
“Skip to” links



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Good



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Good

Welcome!

Austin ISD's board policy manual can be navigated in the following ways:

Visible focus: give the user feedback to show where the keyboard navigation has landed



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Perceivable

Operable

Understandable

Robust

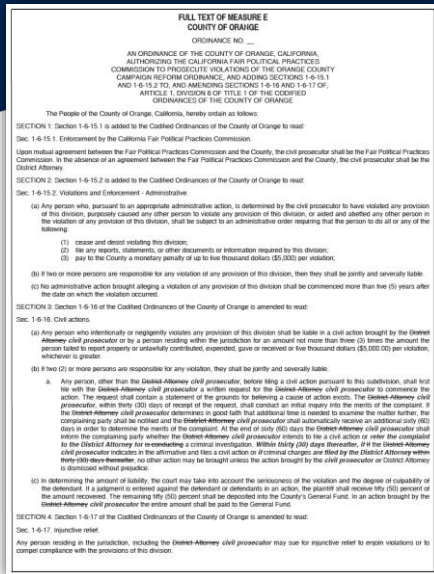
"Information and the operation of user interface must be understandable." – WCAG 2.0



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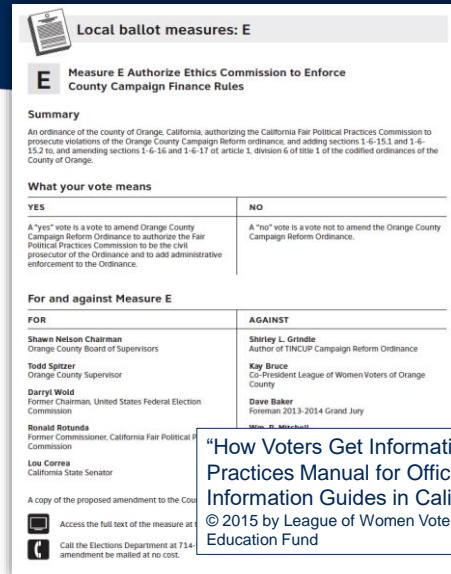
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Less Understandable



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More Understandable



“How Voters Get Information: Best Practices Manual for Official Voter Information Guides in California”
© 2015 by League of Women Voters of California Education Fund

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Less Understandable

Lorem ipsum dolor sit amet

Lorem ipsum dolor sit amet, consectetur adipiscing elit. Maecenas porttitor congue massa.

Fusce

Fusce posuere, magna sed pulvinar ultricies, purus lectus malesuada libero, sit amet commodo magna eros quis urna. Nunc viverra imperdiet enim.

Fusce est. Vivamus a tellus.

Pellentes

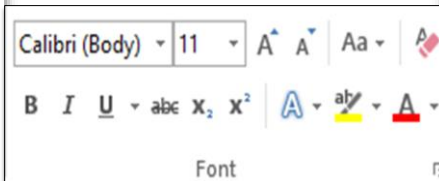
Pellentesque habitant morbi tristique senectus et netus et malesuada fames ac turpis egestas. Proin pharetra nonummy pede.

Mauris et orci. Aenean nec lorem.

Cosmetic
formatting



Screen
Reader



Lorem ipsum dolor sit amet
Consectetur adipiscing elit. Maecenas porttitor congue massa.

Fusce

Posuere, magna sed pulvinar ultricies, purus lectus malesuada libero, sit amet commodo magna eros quis urna. Nunc viverra imperdiet enim.

Fusce est. Vivamus a tellus.

Pellentes

Pellentesque habitant morbi tristique senectus et netus et malesuada fames ac turpis egestas. Proin pharetra nonummy pede.

Mauris et orci. Aenean nec lorem.

In porttitor. Donec laoreet nonummy augue.

Suspendisse dui purus, scelerisque at, vulputate vitae, pretium mattis, nunc. Mauris eget neque at sem venenatis eleifend. Ut nonummy.



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More Understandable

Lorem ipsum dolor sit amet

Lorem ipsum dolor sit amet, consectetur adipiscing elit. Maecenas porttitor congue massa.

Fusce

Fusce posuere, magna sed pulvinar ultricies, purus lectus malesuada libero, sit amet commodo magna eros quis urna. Nunc viverra imperdiet enim.

Fusce est. Vivamus a tellus.

Pellentes

Pellentesque habitant morbi tristique senectus et netus et malesuada fames ac turpis egestas. Proin pharetra nonummy pede.

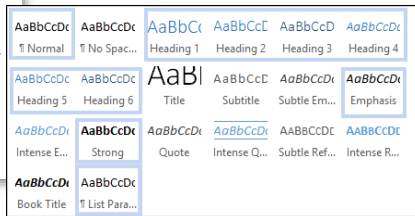
Mauris et orci. Aenean nec lorem.

In porttitor. Donec laoreet nonummy

Semantic Markup



Screen Reader



Heading 1 Lorem ipsum dolor sit amet

Consectetur adipiscing elit. Maecenas porttitor congue massa.

Heading 2 Fusce

Posuere, magna sed pulvinar ultricies, purus lectus malesuada libero, sit amet commodo magna eros quis urna. Nunc viverra imperdiet enim.

Fusce est. Vivamus a tellus.

Heading 2 Pellentes

Pellentesque habitant morbi tristique senectus et netus et malesuada fames ac turpis egestas. Proin pharetra nonummy pede.

Mauris et orci. Aenean nec lorem.



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More Navigable

Policy	HTML	PDF	Word
DEC(LEGAL)			
DEC(LOCAL)			
DEC(REGULATION)			

The Board has adopted an [innovation plan](#)¹ that affects application of provisions in this legally referenced policy.

AUTOMATIC
ADMISSION



Automatic
Admission



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Perceivable

Operable

Understandable

Robust

“Content must be robust enough that it can be interpreted reliably by a wide variety of user agents, including assistive technologies.” – WCAG 2.0



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Time

Technology



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What can our members do to minimize risk?

- Conduct an accessibility audit of content and functionality under WCAG 2.0 Level AA, including third-party content
- Develop a corrective action plan
- Train all staff responsible for website content
- Publish notice of how to request access to inaccessible content or functionality and how to file a complaint
- Develop web accessibility policy and administrative regulations



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Sample accessibility statement

Accessibility Statement

As of 2017, Policy On Line® has been re-designed to meet Level AA Success Criteria of Web Content Accessibility Guidelines 2.0 to the extent feasible. The application owner, TASB, Inc., is committed to making continuous accessibility updates to Policy On Line as commercially feasible. If you are a person with a disability having difficulty accessing any of the information in Policy On Line, please contact the Policy On Line account holder, **Austin ISD**, to request the information in an alternative format or for other assistance.

Contact information for **Austin ISD**:

- [Web site](#)
- Phone number: (512) 414-1700



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Web accessibility policy and regulations

Commit to equal access to programs, benefits, and services, including online

The District is committed to ensuring that individuals with disabilities have an opportunity equal to their nondisabled peers to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology except where doing so would impose an undue burden or create a fundamental alteration of the program, benefit, or service.

The accessibility of online content and functionality shall be measured according to the W3C Web Content Accessibility Guidelines (WCAG) 2.0 Level AA.



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Web accessibility policy and regulations

Notice of how to request access to inaccessible content or functionality and how to file a complaint

An individual who needs assistance with the District website should contact the District webmaster.

A District employee, student, parent, or member of the public who wishes to submit a complaint or grievance related to the accessibility of the District website may contact the District webmaster or file a grievance under the District's grievance policies. [See DGBA, FNG, and GF]



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During any pending investigation, the District shall, as soon as possible, provide the complainant equally effective alternative access to the information or service.

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Web accessibility policy and regulations

Train all staff responsible for website content

Periodic training on website accessibility will be provided to all appropriate personnel, including content developers, webmasters, procurement officials, and all others responsible for developing, loading, maintaining, or auditing web content and functionality.



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Web accessibility policy and regulations

Ongoing monitoring of all content

The District webmaster will periodically randomly audit District online content for accessibility or may engage an outside auditor for this purpose.



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Thank you!

Resources – FAQs and links to documents :

https://www.tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Business/documents/sch_district_website_accessibility.aspx

Contact information: Carolyn.counce@tasb.org 800-580-7529



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SAMPLE CQA(LOCAL) POLICY EXCERPT

ACCESSIBILITY

The District is committed to ensuring that individuals with disabilities have an opportunity equal to their nondisabled peers to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology except where doing so would impose an undue burden or create a fundamental alteration of the program, benefit, or service.

The accessibility of online content and functionality shall be measured according to the W3C Web Content Accessibility Guidelines (WCAG) 2.0 Level AA.

An individual who needs assistance with the District website should contact the District webmaster.

A District employee, student, parent, or member of the public who wishes to submit a complaint or grievance related to the accessibility of the District website may contact the District webmaster or file a grievance under the District's grievance policies. [See DGBA, FNG, and GF]

During any pending investigation, the District shall, as soon as possible, provide the complainant equally effective alternative access to the information or service.

The Superintendent shall develop administrative regulations addressing training of appropriate staff on website accessibility and monitoring of new and existing District online content.

SAMPLE CQA(REGULATION) EXCERPT

ACCESSIBILITY

The District is committed to ensuring that individuals with disabilities have an opportunity equal to their nondisabled peers to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration of the program, benefit, or service.

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During any pending investigation, the District will, as soon as possible, provide the complainant equally effective alternative access to the information or service.

TRAINING

Periodic training on website accessibility will be provided to all appropriate personnel, including content developers, webmasters, procurement officials, and all others responsible for developing, loading, maintaining, or auditing web content and functionality.

MONITORING

The District webmaster will periodically randomly audit District online content for accessibility or may engage an outside auditor for this purpose.