



Welcome!

- Wi-Fi Access
 - OSBA Guest
 - No password
- Today's Handouts
 - <http://www.ohioschoolboards.org/cyberlaw-2017>

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Website Accessibility: Is your district prepared?

Sara C. Clark, Director of Legal Services

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OSBA leads the way to educational excellence by serving Ohio's public school board members and the diverse districts they represent through superior service, unwavering advocacy and creative solutions.



WEBSITE ACCESSIBILITY

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What is website accessibility?

- Website can be used by the widest possible audience, including people with disabilities.
- Motor impairments
- Cognitive impairments
- Hearing impairments
- Visual impairments



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Common accessibility issues

- Content only available via use of a computer mouse
- Inaccessible color combinations
- Improperly captioned video content
- Lack of “alt tags”

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LEGAL FRAMEWORK

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Legal Framework

- Section 504 of the Rehabilitation Act
- Americans with Disabilities Act
- Protects qualified individuals from discrimination on the basis of disability in services, programs and activities provided by state and local government entities
- Requires public entities to ensure that communications with applicants, participants, and members of the public disabilities are as effective as communications with others

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Legal Framework

- DOJ Guidance (June 2003)
 - Government websites should have “accessible features for people with disabilities.”
 - “An agency with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use the programs or services, such as a staffed telephone information line. These alternatives, however, are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available.”

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Legal Framework

- DOJ Statements of Interest (2015)
 - Harvard University and MIT
 - Public accommodations must make their websites accessible, even in the absence of a regulation that provides guidance as to what DOJ considers a “legally compliant accessible website.”

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Legal Framework

- DOJ Supplemental Advance Notice of Proposed Rulemaking (SANPRM)
 - April 2016
 - Poses more than 120 questions for public comment
 - Appropriate technical standards
 - Compliance time frames
 - Potential exemptions
 - Applicability to mobile devices
 - Comment period ran through Oct. 7, 2016

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SANPRM: Technical Standards

- DOJ is considering Web Content Accessibility Guidelines 2.0 (WCAG 2.0), Level AA
- Four principles:
 - Perceivable
 - Operable
 - Understandable
 - Robust

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SANPRM: areas of interest

- “Archived web content” and “preexisting conventional electronic documents”
- Links to third-party websites and social media platforms
- Password-protected LMS

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Future of the SANPRM?

The White House

Office of the Press Secretary

For Immediate Release

January 30, 2017

Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs

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OCR RESOLUTION AGREEMENT

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OCR Resolution Agreements

- OCR “Reading Room”
<http://www2.ed.gov/about/offices/list/ocr/frontpage/faq/readingroom.html>
- Search: “Case Resolutions”
- Keyword: website accessibility

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OCR Resolution Agreement

- Typically voluntary resolutions
- Most of the OCR resolution agreements have contained the same general requirements...

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1) Policies and procedures

- “Plan for new content”
- Ensure that all new, newly-added, or modified online content is accessible
- Exception for “fundamental alteration or undue burden”

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2) Audit existing content

- Auditor must be pre-approved by OCR
- Compliance with WCAG 2.0 Level AA standards (can request permission to use different standard)
- Typically requires district to “seek input” from members of the public with disabilities

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3) Corrective action plan

- Plan to address inaccessible content identified during audit
- Set out a detailed schedule for:
 - Addressing current problems
 - Setting up systems of accountability and verifying claims of accessibility
 - Setting up a system of testing and accountability to maintain the accessibility of all online content on an ongoing basis

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4) Notice

- District will post notice on its website regarding how to access online information that is currently inaccessible
- Must include information on how to file more formal grievances under Section 504 and the ADA
- Notice must be pre-approved by OCR

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Website Accessibility

It is the goal of the Juneau School District that the information on its website be accessible to individuals with disabilities in compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 and that the statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35.

If you have difficulty accessing information on our website due to a disability, please contact us at webmaster@juneauschools.org and provide the URL (web address) of the material you tried to access, the problem you experienced and your contact information. Be sure to include your name, email address and phone number so that we may contact you to provide the information in another format.

Grievances can be filed with the district using the procedures established by the Public Complaint process Board Policy 9130 or the Student Grievance process Board Policy 5710. For more information or to obtain forms contact molly.hillis@juneauschools.org.

[Link to Public Complaint Process](#)

[Link to Student Grievance Process](#)

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5) Training

- Website accessibility training to all appropriate personnel
- Document list of attendees, position titles, description of content and presenter's credentials

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6) Reporting

- District must submit documentation of the steps taken by the district
- Timelines for reports are negotiable

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A FEW EASY CHECKS

*The following slides provide a non-exhaustive list

<https://www.w3.org/WAI/eval/preliminary.html>

<https://www.ada.gov/pcatoolkit/chap5toolkit.htm>

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Page Title

Zimbra: Inbox (29) x Legal Services | Ohio School E x Home | Ohio Department of E x Lawriter - ORC - 3319.01 Sup x

- Page titles help people know where they are and move between pages open in their browser.
- Titles should adequately and briefly describe the content of the page.
- Title should be different from other pages on the website and adequately distinguish the page from other pages.

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Image text alternative (“alt text”)

- Alt text conveys the purpose of an image
- Text should be functional and provide an equivalent user experience, not just describe the image
- You don't usually see the alt text – it's in the web page markup.

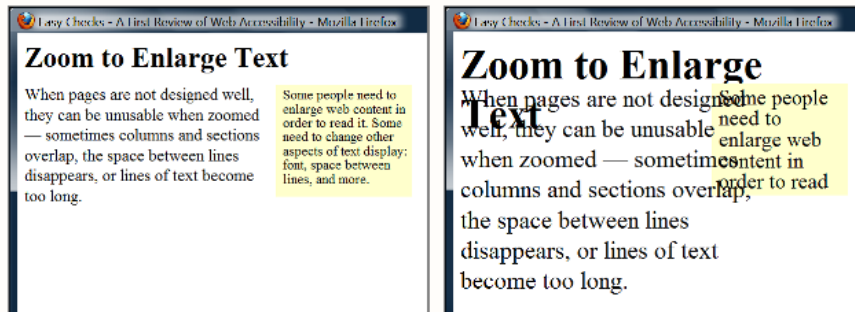


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Resize text

- When pages aren't designed properly, they can be unusable when the text size is changed.



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Keyboard access and visual focus

- Website should provide access to content and functionality through a keyboard
- Keyboard focus should be visible and follow a logical order through the page elements
- To check, click in the address bar, then put your mouse aside and do not use it
- “Tab” to Advance; “Shift-Tab” to reverse

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Keyboard access and visual focus

To learn more, see:

- [Accessibility Principles](#)
- [Introduction to Accessibility](#)
- [Other WAI resources](#)

Figure: Dotted border on middle link.

Free Newsletter (optional)

To receive our free newsletter fill in the following details:

Mr. Mrs. Name:

eMail Address:

Retype eMail:

Figure: Name field is highlighted red.

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Multimedia (video, audio) alternatives

- Things to review:
 - Keyboard access
 - Auto-start control
 - Captions (subtitles)
 - Transcripts
 - Audio description



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General Tips for Compliance

- Training for all staff responsible for uploading content to the website
- Self-review the district's website
- Develop internal policies for maintaining accessibility
- Work with IT department and legal counsel before complaint occurs

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