Web Accessibility: Background, History, & Legal Issues

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Our Focus Today

• Background
  – What do we mean by “web accessibility”?  
  – Who does it affect

• History
  – What happens to users?  
  – Why has it become so important?

• Legal issues
  – What protections are in place for users?  
  – What must we do?
“WEB ACCESSIBILITY REFERS TO THE INCLUSIVE PRACTICE OF MAKING WEBSITES USABLE BY PEOPLE OF ALL ABILITIES AND DISABILITIES”

Web Accessibility:
The electronic equivalent of curb cuts
Web Accessibility

Perceivable

Understandable

Operable

Robust

Quick Reference

Web Accessibility Principles

Article Contents

- Principles of Accessibility
- Provide appropriate alternative text
- Content is well structured and clearly written
- Help users navigate to relevant content
- Provide headers for data tables
- Do not rely on color alone to convey meaning
- Ensure users can complete and submit all forms
- Ensure links make sense out of context
- Caption and/or provide transcripts for media
- Ensure accessibility of non-HTML content
- Miscellaneous

See http://webaim.org/resources/quickref/
ANY QUESTIONS ABOUT WHAT WEB ACCESSIBILITY MEANS?

Feel free to put your question or comment into the chat.
Background: Who does this affect?

- 8.5% of the population have disabilities that affect computer or internet use. These problems include:
  - Vision
  - Hearing
  - Motor movement
  - Cognitive
  - Seizures
  - Combinations

Representing over 2.6 million individuals in the US alone
Overview of Web Accessibility

See

http://www.webaim.org/intro/

http://www.webaim.org/intro/#video
WHAT HAPPENS TO USERS?

Simulations and videos available on the WebAIM.org website
Brown University

Transfer Supplement to the Common Application

Application Type

This form will be used to initiate your application file and must be submitted before we can receive your Common Application Transfer documents. Please complete all the sections and submit the forms electronically.

Please indicate desired level of entrance:
- Sophomore
- Junior

Official standing will be based upon evaluation of transferable credit by the Office of the Dean of the College at Brown. Please refer to the Transfer section on the Admission Office website for more detailed information on transfer credit: http://brown.edu/Administration/Admission.

Check to indicate the semester of your preferred entrance:
- Fall Semester
- Spring Semester
Why is it such a big deal?

Internet use is 78% in US
Social inclusion means digital inclusion
Model of “accommodation” a nightmare
Data have been abysmal

National data on postsecondary web accessibility

1998 Accessibility of institutional home pages (n-326)

Data have been abysmal

National data on postsecondary web accessibility

2008: Accessibility of first level pages (n=100)

- Accessibility conformance: 3%
- Accessibility problems: 97%

ANY QUESTIONS ABOUT THE EXPERIENCES OF USERS OR PROBLEMS WITH ACCESSIBILITY?

Feel free to put your comment or question into the chat.
What is the current landscape?
Summary of Laws

• **U.S. Laws**
  – Sections 504 & 508 of the Rehabilitation Act
  – Application of ADA
  – State laws (currently 26 states)

• **International Laws**
  – UN Convention on the Rights of Persons with Disabilities
  – County or region specific (e.g., EU 2010 initiative)
Reactive, rather than proactive, model

Native access can be achieved in many cases, yet the model reinforces “accommodation”

Mindset of many is to go to 504 or ADA officer and they’ll do it. They may not have the expertise or see the big picture. IT must be integrated for success.
Legal Issues

• Issues under Section 504, ADA, and State laws
  • Timeliness
  • Effective Communication
  • Reasonableness of accommodation
  • Affirmative obligation
Section 504 of the Rehabilitation Act

“no otherwise qualified individual with a disability in the United States... shall, solely by reason of his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . .” (29 U.S.C. Section 794)
A public entity violates its obligations under the ADA when it only responds on an ad-hoc basis to individual requests for accommodation. There is an affirmative duty to develop a comprehensive policy in advance of any request for auxiliary aids or services.
Undue Burden

...the subsequent substantial expense of providing access is not generally regarded as an undue burden when such cost could have been significantly reduced by considering the issue of accessibility at the time of the initial selection
Recent Inertia on Accessibility

• Kindle DX controversy
  – Depts of Education & Justice
    “It is unacceptable for universities to use emerging technology without insisting that this technology be accessible to all students” (Perez, 2010).

• ANPRM on ADA and the Internet (DOJ 2010)
  – Comments ended 1/24/11

• Lawsuits, lawsuits, and more lawsuits. Most recent against institutions using Google Apps
ANY QUESTIONS ABOUT THE LEGAL LANDSCAPE?

Feel free to put your question or comment into the chat
Resources

WebAIM
Web Accessibility in Mind

WAVE
Web accessibility evaluation tool

GOALS
Thank You

Questions? Comments?