

The Section 508 Refresh and Americans with Disabilities Act

Update on Updates

SECTION 508 OF THE REHABILITATION ACT

The Section 508 Refresh, Cont'd

Section 508 Refresher

- Part of Federal Rehabilitation Act
- Directly applies to federal government and contractors
- Serves as procurement law
- Applies to state governments that receive funding through Technology Related Assistance for Individuals with Disabilities Act of 1988
- Foundation for several state accessibility statutes

What's this Refresh?

- Started in 2006 by U.S. Access Board
- Goal is to update technical standards, simplify regulation

What's Going On?

- Notice of Proposed Rulemaking published in February
 - Final draft
 - <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/news-release>
- Last week: Final Rule approved by Access Board, sent to Office of Management and Budget
 - Access Board announcement (<http://bit.ly/508Rule>)
 - 90 days for approval (probably)

New Standards!

- Web Content Accessibility Guidelines (WCAG) 2.0, Level A and AA included by reference
 - No more US-only standards
- PDF/UA-1 included by reference
 - Internationally accepted standards for accessible PDF

Specific Applicability!

- Web
- Installed software, operating systems
- Mobile
- Non-web ICT
 - Digital documents like Word, PDF, PowerPoint (more later...)

Agency Official Communications

- An emergency notification;
- An initial or final decision adjudicating an administrative claim or proceeding;
- An internal or external program or policy announcement;
- A notice of benefits, program eligibility, employment opportunity, or personnel action;
- A formal acknowledgement or receipt;
- A questionnaire or survey;
- A template or form; or
- Educational or training materials.

HARDWARE

Closed Functionality

- Cannot add or attach assistive technology
 - Kiosks, self-service machines
- Speech output
- Volume control
- Character specifications
 - Sans serif font, for example

Additional Considerations

- Biometrics
- Standard connections for assistive technology
- Operable parts
 - Keyboard keys with contrasting letters
 - One “tactilely discernable” input control
- Real-time speech must provide real time text
- Must support audio descriptions

More Benefits

- Clarity
 - Focus management
 - Keyboard accessibility
 - Multimedia
- Document accessibility
 - PDF/UA-1
 - WCAG 2.0 and ICT

Is it Perfect?

- No (but what is?)
 - Less focus on people with cognitive, low vision disabilities
 - Reflects WCAG
 - Adjustment for those that rely on current 508
 - Shift to function focus may take time

THE AMERICANS WITH DISABILITIES ACT

Technology Rules and Regs

ADA Refresher

- Broad civil rights law
- Aims to prevent discrimination against people with disabilities
 - Employment
 - Public programs, services, activities
 - Private programs, services, activities
- Also requires that we provide effective communication
 - May involve “auxiliary aids and services”

Accessibility and Accommodations

- Accessible space and resources
 - Fewer barriers to access
 - Proactive
 - General
 - Wide benefit
- Accommodations
 - Facilitate different interaction
 - Reactive
 - Specific to individual
 - Individual benefit (usually)

Specific Rules About Technology Under the ADA



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Previous Guidance

- Dear Colleague letters
 - (<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-20100629.html>)
- Settlement Agreements
 - (<http://www.d.umn.edu/~lcarlson/wcagwg/settlements/>)
- Statements of Interest
 - (https://www.ada.gov/briefs/harvard_soi.pdf)

Abundant Clarity

- Technology needs to be accessible, when
 - ...it delivers programs, services or activities
 - ...it is part of any phase of employment
 - ...it is used to communicate with people

No Need to Wait

- Final Rules may be a while
- You know what your institution should work toward already
- Form a plan
- Take steps

OKLAHOMA'S ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY STATUTE

Like Section 508. But different.

EITA for Short

- Procurement policy (like Section 508)
- Based on current, not draft, Section 508 standards
- Applies to
 - State agencies
 - Career and Technical System
 - Higher Education Institutions

EITA Adjustments

- Likely will mirror new Section 508
 - May tailor some to OK
- Timeline...undetermined
- Reason...Section 508 Refresh timeline...undetermined

What Now?

- Aim at WCAG 2, A and AA
- In-house stuff
 - Start with basics
 - Headings
 - Lists
 - Text equivalents
 - Table structure
 - Color contrast
 - Color use
- Procurement from third parties
 - ATAP webcast "Buying Accessibility" (<http://ataporg.org/ICTWebinars/Default>)

LIFE POST-WAHEP

Where Do We Go From Here?

WAHEP Ending September 30

- Website accessibility evaluation reports coming
- ABLE Tech doesn't disappear
 - Statewide training
 - Statewide technical assistance
 - Available for more, but fee kicks in
 - Email or call before you decide there's no money
 - Creativity is common

Keep Going!

- Build on any momentum you have
- Work with what you can control
- Bring others in as you have the opportunity
- Learn, then train
- Refer colleagues, leadership to ABLE Tech
- Stay in touch!

Resources Still Available

- All webinars recorded, archived
 - https://www.ok.gov/abletech/IT_Accessibility/WAHEP/Webinars.html
- Lots of changes coming to Oklahoma's Accessibility website
 - <https://www.ok.gov/accessibility/>
- Remember ABLE Tech's Accessibility Resources
 - https://www.ok.gov/abletech/IT_Accessibility/Resources.html
- Really, call or email if you have a question!

Questions?

Rob Carr, Accessibility Coordinator

rgcarr@okstate.edu

Oklahoma ABLE Tech

Oklahoma State University

1-888-885-5588

@OKABLEtech, @rgcarrjr on Twitter