

What Managers Need to Know about Access for All

Dr. Terri Goldstein • Director

**Disabled Students Programs &
Services (DSPS) CSS-10**

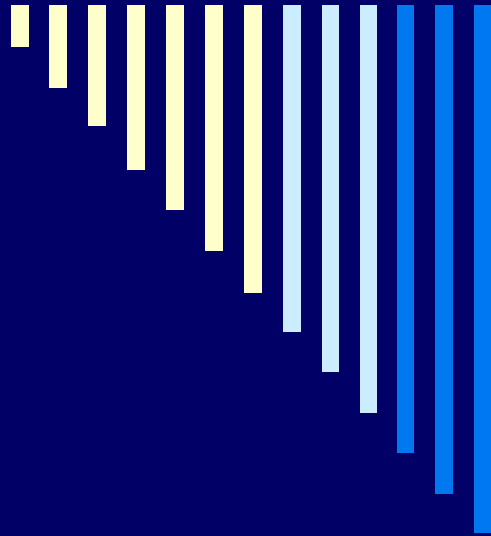
661-395-4590

terri.goldstein@bakersfieldcollege.edu



Why Consider Accessibility?

- Equal rights
 - Requiring use of inaccessible technology is discrimination
- Campus diversity
 - Students with disabilities are part of a rich, multicultural environment
- Better pedagogy
 - Teaching practices that acknowledge learning differences benefit all students



Emerging Technologies and the Issue of Access

It's new and cool...but is it
accessible?

How do you know?



Concerns about Technology

- Office for Civil Rights... DOJ & DOE
 - DCL June 29, 2010

- “It is unacceptable for universities to use emerging technology without insisting that this technology be accessible to all students.”



The “Kindle Letter”

- June 29, 2010 Dear Colleague Letter (DCL)
- Issued by the Office for Civil Rights (OCR)
 - Cosponsored by DOJ and Dept of Ed
- Expresses concern over campuses adopting inaccessible technology



Kindle Letter 6/29/10

- Requiring use of an emerging technology in a classroom environment when the technology is inaccessible to an entire population of individuals with disabilities--individuals with visual disabilities--is discrimination prohibited by the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) unless those individuals are provided accommodations or modifications that permit them to receive all the educational benefits provided by the technology in an equally effective and equally integrated manner



The Kindle Complaint

- Kindle DX was part of a pilot study
 - Arizona State University and Amazon.com
- Was required device in classes piloting it
- ASU's intention was to test the device with the hope of adopting it campus-wide
 - Device was to be issued to students with all textbooks



The Kindle Letter Reminds Us...

- Opportunity to participate must be equal
- Opportunity to achieve must be equal
- Services offered must be as effective
- Services should be equally integrated
- Should allow for independence and self-sufficiency



Not Equal

- Digital does not mean accessible!
- Just because something is digital does not mean that it is accessible at all!



Potential Areas of Inequality

- ❑ Learning management systems
- ❑ Distance ed courses
- ❑ Software in campus labs
- ❑ Online books
- ❑ Email attachments



Various Laws Apply

- ADA (Americans with Disabilities Act)
 - Title II (public colleges/universities)
- Rehabilitation Act
 - Section 504
 - Section 508
- State laws
 - Title 5, SB 105, AB 422, etc.



Focus on Two

- Both from Rehabilitation Act of 1973, as Amended
- Section 504
 - Applies due to federal law
 - Applies to all colleges that accept federal funds
- Section 508
 - Applies due to state law (SB 105)
 - Applies to all state entities—including CCCs



Section 504

- Auxiliary aids and services are provided to allow full participation by disabled student

- Accommodation model
 - i.e., if it doesn't work for a student fix it for that student
 - e.g. Sign language interpreters for students who are deaf



Section 508

- Applies to all electronic and information technology (E&IT)
- Access model
 - All videos must be captioned before they can be shown to a class



Section 504 vs. Section 508

- Section 504 addresses individuals' needs for auxiliary aids and services (accommodations).
- Section 508 addresses the infrastructure that allows access.



Rehabilitation Act of 1973

- Section 504 is about accommodation.
 - Making it work for individuals
 - Disability service offices created to serve students' needs.

- Section 508 is about access.
 - Create accessible software, Web sites, videos, and documents.
 - Purchase accessible products.
 - Campus-wide responsibility



A Campus Analogy

□ Section 504

- Student who is blind needs a scribe in order to access interactive exercises in a web-based text book

□ Section 508

- All aspects of electronic textbooks must be accessible to all students prior to their adoption for a course



Comparison

□ Section 504

- Accommodation
- Based on disabled person's request and preference
- Disability office handles student requests / HR handles employee requests
- Begins where 508 ends

□ Section 508

- Access
- No prior request needed—"open door"
- All E&IT purchases are affected for entire campus—students, staff, and faculty
- Ends where 504 begins

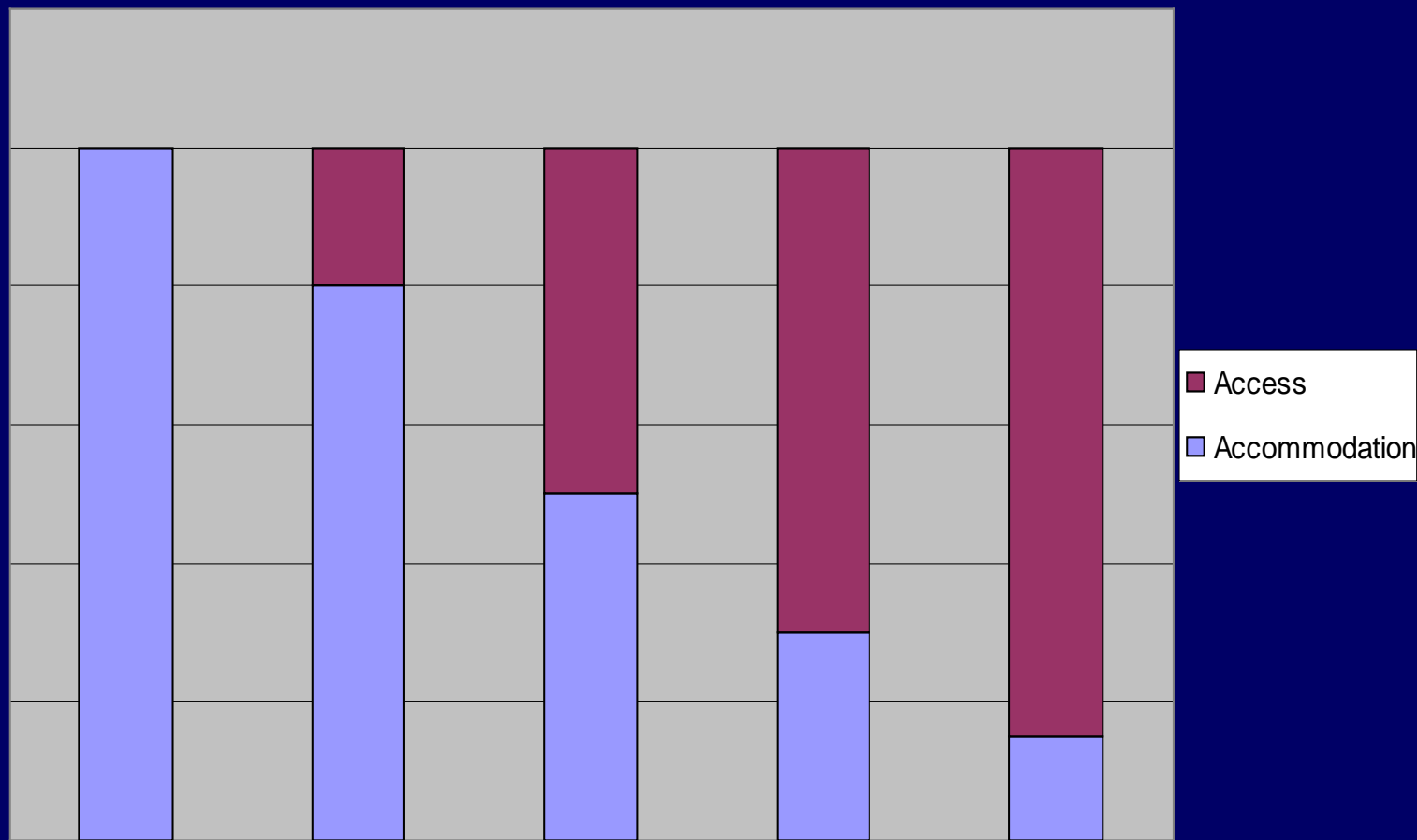


United We Stand

- Access and accommodation work together
 - It's a continuum
- Not fully accessible? Accommodate.

- But beware...
 - Some technology cannot be accommodated!

Access vs. Accommodation





Working Together

- ❑ The campus buys accessible products/creates accessible media
- ❑ Individual accommodations may still be required
- ❑ However, an accessible infrastructure will make providing accommodations far less difficult and expensive!



And Remember

- Do not require technology (software or hardware) of all students that cannot be accommodated!
 - The lesson of the “Kindle Letter”
- In other words, if it is impossible to make the technology equally as effective for *all* students, do not require it of all students.



Access is Multifaceted

- Hardware must be accessible
- Software must be accessible
- Content loaded into software must be accessible
 - e.g. CANVAS



Standards Apply

- Section 508 standards apply to the college
 - As purchaser
 - As creator

- Applies to Electronic and Information Technology (E&IT), aka Information & Communication Tech (ICT)