

“10 Things Schools Need to Know about Building ADA Compliant Websites”

Compiled by the Michigan School Public Relations Association Board from its 12/2/16 “Building ADA Compliant Websites” Workshop

An increasing number of complaints are being filed with the Office for Civil Rights (OCR) about inaccessible websites maintained by school districts, departments of education, and municipalities. *“As more and more of our social infrastructure is made available on the Internet - in some cases, exclusively online - access to information and electronic technologies is increasingly becoming the **gateway civil rights issue** for individuals with disabilities.”* -- Principal Deputy Assistant Attorney General for Civil Rights, Samuel R. Bagenstos Testifies Before the House Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties (April 22, 2010)

With the number of complaints about inaccessible websites—and the affected number of our members—growing daily, the Michigan School Public Relations Association (MSPRA) decided to host a one-day workshop on December 2, 2016 entitled “Building ADA Compliant Websites.” Presenters from the Office for Civil Rights (Cleveland), Thrun Law Firm, PC; Kent ISD, Monsido, Siteimprove, and eSchoolView shared information with us and answered our questions. Plus, a staff member from the Michigan Department of Education (MDE) offered tips based on what MDE has learned from its OCR website investigation. While we can’t share the proprietary presentations from that sold-out workshop, we can share some of the tips and associated links gleaned from the day’s presentations. **Please Note: This article addresses some of the potential communication aspects of this BIG topic. It is not meant to be comprehensive or replace any legal advice that your district may receive or due diligence that your district may need to take.**

With that stated, here are some basic facts about OCR plus tips and links to help maintain an accessible website. Thanks to all our presenters for sharing their knowledge.

1. Take steps NOW to make your website accessible—whether or not your district has received notice of an OCR investigation. Use this tip sheet as one of your resources. Note: If your district has received notice of an OCR website investigation, work with OCR, your school communicator, your technology department, your legal counsel and/or web governance software, and your staff to resolve it.

2. Know the Office for Civil Rights’ basic legal framework.

Qualified individuals with disabilities must receive equal access to all of a covered institution's programs, services, and activities. Almost everything a covered entity does is a program, service, or activity under Title II of the American with Disabilities Act (ADA) or Section 504.

OCR has jurisdiction over programs and activities that receive financial assistance from the Department of Education. These may include:

- state education agencies
- elementary and secondary school systems
- colleges and universities
- state vocational rehabilitation agencies

OCR also has jurisdiction over certain public entities under Title II of the Americans with Disabilities Act (ADA) of 1990, which prohibits disability discrimination by public entities whether or not they receive federal financial assistance.

3. Remember that it’s about providing equal access for everyone.

This includes individuals with disabilities who may be:

- Blind and Visually Impaired
- Deaf and Hearing Impaired
- Speech Impaired
- Mobility Impaired
- Learning Impaired (“Print Disabled”)
- Cognitively Impaired

- (or have) Seizure Disorders

These individuals could be your:

- Students
- Employees
- Parents/Guardians
- Applicants
- Participants
- Members of the Public

Note: Schools are prohibited from providing separate or different services to individuals with disabilities unless necessary to provide services that are as effective as those provided to students without disabilities. An accessible website is like an accessible building—it's usable by everyone. Website accessibility features are usually hidden; users without disabilities often won't even notice them.

4. Understand that, if OCR has opened an investigation, your district will receive a letter.

If OCR receives a complaint and determines it has jurisdiction over the institution, the allegation alleges a violation of one of the laws enforced by OCR, the complaint is timely, and the allegation contains sufficient detail for the OCR to infer that discrimination or retaliation may have occurred, letters are issued to the parties informing them that OCR is opening an investigation. A notification letter is sent to the complainant and a notification/data request letter is sent to the recipient. The [U.S. Department of Education Office for Civil Rights Case Processing Manual](#) provides OCR with the procedures to promptly and effectively investigate and resolve complaints, compliance reviews and directed investigations to ensure compliance with the civil rights laws enforced by OCR.

5. Research website accessibility.

- Use the Web Content Accessibility Guidelines (WCAG) at a Glance and [Top Six Website Compliance Areas](#) from Muskegon Area Intermediate School District to get started.
- Check out these Useful Guidelines for Web Accessibility:
 - [Web Content Accessibility Guidelines](#) (WCAG) from the World Wide Web Consortium (W3C)
 - [Section 508 of the Rehabilitation Act of 1973](#), as amended in 1998
- Examine this [ADA Checklist for Website Accessibility](#) from the ADA Best Practices Toolkit for State and Local Governments, Chapter 5 Addendum: Title II Checklist (Website Accessibility).
- Visit this link to a new [accessible technology section on the Department of Justice's \(DOJ\) website](#).
- Access the Michigan Department of Education's (MDE) ["Creating Word Accessible Documents."](#)
- Click this link for a [Microsoft Word Document Accessibility Checklist](#) from MDE.
- Go to this link to access the [Michigan Disability Resources Website](#).
- View this ADA compliance [training for accessible documents](#) (ADA compliant PowerPoint) from Muskegon Area Intermediate School District.

6. Learn about video closed-captioning.

Ron Houtman's presentation on [closed captioning](#) is an excellent resource. Ron is the Director of REMC #8 (Regional Educational Media Center) at Kent ISD.

7. Explore the benefits of using a website governance service provider.

These three sponsored our workshop: [Siteimprove](#), [Monsido](#), [eSchoolView](#). If you are considering purchased assistance from an outside vendor, be sure to reference these [Questions to Ask an ADA Compliance Provider](#) that MSPRA developed. Before calling any vendor, you may want to check with your intermediate school district or regional educational service agency to discover what information/resources it may know about or have.

8. Ask and answer these key questions in your district.

- Are there policies in place regarding what can be added to a website?
- Do any of these policies or guidelines address accessibility for people with disabilities?
- Who has responsibility for adding content to the website?

- Has everyone who has responsibility for adding content to the website been trained on website accessibility?
- Do alternative methods of access offer the same degree of timeliness, thoroughness, etc.?
- Which programs and services are provided online and through distance learning, including those provided through third-party vendors?
- Do we have a way for people with disabilities to report features or content that are inaccessible?
- Is there a system for following up on such reports?

9. Follow these steps as part of your continuing website maintenance.

- Build new websites and pages to be accessible from the outset.
- Ensure new content (linked Word or PDF documents, embedded audio and video clips, etc.) is accessible.
- Identify existing barriers to accessibility and remove them. Run websites through accessibility checkers (OCR uses <http://wave.webaim.org/>); if you see areas of concern, work through them with your webmaster.
- Check all web pages within your district's website. Don't just look at the home page. Try different functions (e.g., course registration) and departments (e.g., alumni home page or prospective students).
- Implement methods of monitoring, evaluating, and improving the accessibility of courses and websites.
- Continuously update accessibility information and training for web developers, on-line course designers, and teachers.

10. Employ these access-friendly web design tips.

- Use audio narration for text, or text that is amenable to a screen reader.
- Use detailed "Alt text" to describe graphics, symbols, and images. [Unhelpful alt text: "Logo." Better alt text: "Michigan Department of Education Logo."]
- Remain consistent in style and navigation.
- Offer accessible navigation.
 - Users should be able to "tab" through the page and get to all information and functions. (Pages should not require users to manipulate a mouse for navigation.)
 - Keep pages short.
 - Convey meaningful information through more than just color. (For example, "stop" and "go" functions should not be indicated solely through the use of green and red buttons. Instead, red buttons should be labeled "stop" and green buttons should be labeled "go.")
- Use captioned audio or simultaneous transcription.

11. Bonus Tip: Get more training.

There are plenty of opportunities to learn more; and there is plenty more to learn. You can attend the Annual Michigan School Public Relations Association (MSPRA) Conference on March 16 and 17, 2017 in Ann Arbor to discover even more tips about building accessible websites. Visit www.mspra.org for details.

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