

Western Kentucky University Policy (2003)

Western Kentucky University is committed to providing an equal accessibility opportunity for all persons with disabilities. Since 1973, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 establishes the foundation for equal educational opportunity. Western Kentucky University complied with the mission and spirit of the ADA years before it was codified to become law. This publication further demonstrates our commitment to provide equal access through reasonable accommodation efforts for qualified students with disabilities. Furthermore, the University recognizes that equal access for disabled students is an ethical course of action for a quality comprehensive university to pursue.

Western Kentucky University Guidelines

Objectives

After reviewing this document, the reader will:

1. Be able to define the basic principles and issues of accessibility.
2. Be aware of and understand these principles as they apply to campus technologies.
3. Understand the steps needed to create new and modify existing websites, email and other electronic communications that provide equal access to information when viewed using typical, industry-standard assistive technologies.
4. Be aware of campus resources for accessibility and compliance.

I. Section 1: Legal requirements

Both State and Federal legislation cover accessibility issues. Applications and Web sites should be assessed for their accessibility to persons with disabilities. Existing and potential needs should be examined with an eye to the impact upon the resources and operation of an agency or program.

Kentucky

KRS 61.980-988 covers accessibility: Go to the following link and scroll to .980 - .988. <http://162.114.4.13/KRS/061-00/CHAPTER.HTM>

National

Postsecondary education institutions are subject to provisions of:

- [Title I <http://www.kctcs.edu/edp/adaintro.html>](http://www.kctcs.edu/edp/adaintro.html) of the American with Disabilities Act as employers
- [Title II <http://www.kctcs.edu/edp/adaintro.html>](http://www.kctcs.edu/edp/adaintro.html) of the ADA as public educational institutions
- [Title III <http://www.kctcs.edu/edp/adaintro.html>](http://www.kctcs.edu/edp/adaintro.html) of the ADA as private educational institutions receiving federal monies

- [Section 504 <http://www.kctcs.edu/edp/rehabintro.html>](http://www.kctcs.edu/edp/rehabintro.html) of the Rehabilitation Act

Section 508 regulations went into effect on June 21, 2001, requiring federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public. The following lists the most relevant federal legislation:

The Federal Rehabilitation Act (1973)

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment, and in the employment practices of federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in [Title I of the Americans with Disabilities Act <http://www.kctcs.edu/edp/adaintro.html>](http://www.kctcs.edu/edp/adaintro.html).

Section 504 of the Federal Rehabilitation Act (1973)

Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives federal financial assistance or is conducted by any executive agency or the United States Postal Service.

Each federal agency has its own set of Section 504 regulations that apply to its programs. Agencies that provide federal financial assistance also have Section 504 regulations covering entities that receive federal aid.

Section 508 of the Federal Rehabilitation Act (1986)

Section 508 requires that federal agencies comply with accessibility guidelines when purchasing technology. This also applies to the Web; in response to a 1998 amendment to Section 508, the U.S. Access Board has created standards for electronic and information technology that utilize the World Wide Web Consortium (W3C) guidelines extensively.

Americans with Disabilities Act (1990)

The ADA is designed to make sure that public and commercial facilities are accessible to disabled persons, so long as the accommodations are not "structurally impracticable." In 1996, the Department of Justice ruled that ADA requirements apply to Web pages. Title II covers all the activities of postsecondary educational institutions whether or not they receive Federal funds. <http://www.usdoj.gov/crt/ada/t2hlt95.htm>

Section 255 of the Telecommunications Act (1996)

The Telecommunications Act of 1996, a comprehensive law overhauling regulation of the telecommunications industry, recognizes the importance of access to telecommunications for people with disabilities in the Information Age. Section 255 of the Act requires telecommunications products and services to be accessible to people with disabilities.

The Assistive Technology Act (1998)

The Assistive Technology Act was designed "to support programs of grants to States to address the assistive technology needs of individuals with disabilities."

Finally, the Office of Civil Rights (OCR) of the U.S. Department of Education questioned the practice of providing personal reader attendants as the primary way of making Web sites accessible to persons with disabilities. OCR is concerned that the quality of communication be as effective as that provided to other students without disabilities at the Web site.

II. Section 2: Access Issues with Electronic Communications

Defining disability

According to the Americans with Disabilities Act a person with a disability is defined as:

1. A person with a physical or mental impairment that substantially limits one or more major life activities; or
2. A person with a record of such a physical or mental impairment; or
3. A person who is regarded as having such impairment.

Examples include: persons who are hearing or visually impaired have Attention Deficit Hyperactivity Disorder, a learning disability or a motor impairment. Roughly 1 in 10 college students has a disability (UK, 2000). There is reason to believe that percentage is increasing.

Defining accommodation

At the college level, accommodation means providing those with a disability an equivalent experience that does not represent an undue burden on the University. In the realm of technology there are several levels of accommodation that can be built into materials or retrofitted (added after the materials are created). Building in accommodation is much easier than retrofitting technology.

WKU's accommodation policy explained

WKU has stated that its employees will conform to the law in providing accommodation as established by the EO/504/ADA office. University resources (for example, online courses, department webpages, and email) should be designed and delivered in such a way that the level of communication and educational outcomes are equivalent for students with or without disabilities. The Kentucky Governor's Office on Technology (GOT) is turning its attention toward ensuring state websites are minimally accommodating and the Kentucky Virtual University (KYVU) expects WKU to affirm that online courses are accommodating at Priority 1 of the W3C as of spring 2004.

Implications for accommodation with technology

Face-to-face classes are typically adapted when a student with a disability arrives in the class. Although technically one can wait to make accommodation until an incident, given the challenge and vast amount of time involved in retrofitting a course or website, it is much easier to build it in or to begin retrofitting before the instructor is faced with a short term deadline. For example, a course relying on video may have to create transcripts of all the videos at a

pace equivalent to how other students are managing the course. A website using .pdf files may need to provide an .html or .txt version. Those using JavaScript or even just intensely using images may have to provide a text-only version.

Materials covered by ADA

Anything required for a student to complete a course or to in some other way officially interact with the university (e.g., registration) or required for employees to complete their work should be evaluated for potential accommodation. This could include, for example, websites not based on the WKU server.

Another reason for accommodation

The basic accommodations for the most common disabilities are also standard design principles for universal access, providing a clear description in text of any images or carefully laying out tables for maximum understanding. For effective communication, design for universal accessibility.

Technology and accommodation

All audio, video, multimedia and text components of courses and electronic communication should be evaluated for accessibility. Some technologies that may require accommodation:

- email
- PDA
- Interactive online forms
- Satellite
- Instructional television
- Telephone
- Web pages
- Chats/instant messaging
- Discussion boards
- Instructional or general (e.g., MS Word, Excel) software
- CD-ROM
- DVD
- Laser disc
- Video and audio tape
- Electronic text
- Print materials.

Where access to Web sites not controlled by the University is required or necessary for completion of a course or other University business, the University should take steps to ensure that such sites are accessible or should provide the same material by other means.

Be aware that all of these technologies may also provide an accommodation solution for some types of disabilities.

Ensuring reasonable accommodation

Accommodation depends on the particular student, the task that must be accomplished and the technology available. Since technology changes over time, including assistive technology, the general trend is for it to be easier to

accommodate, assuming good design is built in from the start. Technology alone can't solve the problem because many accommodations are conceptual-e.g., describing an image, laying out navigation for someone who cannot see, or avoiding numerous animated gifs that distract a person with ADHD. The recommended strategy is to provide built-in accommodation for industry-standard assistive computer technology.

Choosing technologies for accommodation

When a new technology or software is adopted or a classroom or lab is constructed potential accommodation issues need to be considered. This means being familiar with at least the most common disabilities (see Defining Disabilities section above).

Factors to consider when choosing technologies are: 1) the nature of the learning task, 2) what it will take to maintain the accommodation, and 3) whether the task is necessary to accomplish the goals.

Existing procedures for adoption of technologies should be modified to include a step in which accommodation is considered. For example, the course approval process should include a statement about considerations for accommodation.

III. Section 3: Compliance

Compliance Process for ADA/508

A disclaimer will be added to all WKU compliant web pages which are necessary for institutional business:

“This website is in compliance with Section 508 and W3C Priority I guidelines 1.0. If you find it to be inaccessible, please contact ADAcompliance@wku.edu [\[mailto:ADAcompliance@wku.edu\]](mailto:ADAcompliance@wku.edu) [with the URL of the specific page and contact information]”

The WKU process for reporting and responding to complaint issues will entail:

1. The link in the above disclaimer will send an email to the ADA/508/504 Office containing the following information:

- a. Contact information for the complainant
- b. URL of the page in question
- c. Type of problem

2. Once the ADA/508 Officer determines that the complainant is certified as disabled, an “ADA 508 Compliance Taskforce” shall be established to determine the validity of the complaint and the proper response. The Taskforce should be composed of changing membership based on the complaint, e.g.

- a. Line Supervisor from non-compliant webpage unit
- b. ADA/504/508 Compliance Office
- c. Others at discretion of ADA Officer - ad hoc as needed for expertise

WKU shall develop and offer training programs for three distinct groups responsible for publishing web pages: Faculty, Staff, and Students.

a. Faculty - Possible training mechanisms:

- An ADA 508 website and online course
- ADA 508 training incorporated into WKU's Course Management System training.
- "Stand alone" training sessions for new faculty are offered yearly (at a minimum).
- "Stand alone" training sessions to update continuing faculty be offered yearly.

b. Staff

- An ADA 508 website and online course
- "Stand alone" training sessions to update continuing staff be offered yearly

c. Students

- ADA 508 awareness and training within appropriate curricula.

The compliance priorities and checklist in Appendix I for web pages and e-mail is a sample. The principles illustrated by this sample should be applied to other types of electronic communications. These priorities apply to both new and previously-created electronic communications

Specific situations may call for measures not covered in the checklist(s). Following the checklist(s) should indicate a good faith effort but may not guarantee ADA compliance.

Web Pages and E-mail

The Web Accessibility Initiative (WAI) guidelines fall into three priority levels and are addressed in detail in Appendix I.

Priority 1

These guidelines **must be followed** to assure minimal accessibility compliance with Section 508; otherwise, one or more groups of users will find it impossible to access Web content.

Priority 2

These guidelines **should be followed** to improve access to Web content; otherwise, one or more groups of users will find it difficult to access.

Priority 3

These guidelines **may be followed** to make it easier for most users to access Web content.

WKU electronic communications will meet Priority 1 of the WAI guidelines. (See Appendix 1 for WAI Guidelines).

Section 4: Resources for Accessibility and Compliance

Campus Information Resources

Compliance Policy or Grievance Issues: Equal Opportunity/ Affirmative Action/ University ADA Services Office. 745-5121. WAB 13.

Course Management System & Instructional Uses of Computer

Technology: Academic Technology. 745-3754. TPH 101 (moving summer 2003).

Departmental and Personal Webpages: WKU Webmaster. 745-6597.

Employee Accommodation: Human Resources. 745-5360. WAB 42.

Instructional Issues: Center for Teaching & Learning. 745-6508. Cravens Ground Floor. (<http://www.wku.edu/teaching>)

Interactive Television: Interactive Distance Education. 745-2625. MMH 252.

Student Accommodation: WKU Student Disability Services. 745-5004. Garrett 101. (<http://www.wku.edu/Dept/Support/Legal/EOO/sds.htm>)

Selected Additional Resources

Tutorial: National Center on Low Incidence Disabilities: Creating Accessible Websites (<http://vision.unco.edu/AccessibleDesign/>)

Web Accessibility:

- Alternative Web Browsers (<http://www.w3.org/WAI/References/Browsing>)
- W3C Web Content Accessibility Guidelines (<http://www.w3.org/TR/WAI-WEBCONTENT/wai-pageauth.html#toc>)
- WAI (Web Accessibility Initiative) Curriculum on Web Content Accessibility Guidelines (<http://www.w3.org/WAI/wcag-curric/>)-- Extensive online curriculum that explains and gives examples for the Web Content Accessibility Guidelines. Can be used as a self-study material or for presentations to groups.
- Evaluation, Repair, and Transformation Tools for Web Content Accessibility (<http://www.w3.org/WAI/ER/existingtools.html>)

Software Accessibility:

- Helping Visually Impaired Students Cope with the Windows Environment (<http://www.wku.edu/Dept/Support/AcadAffairs/CTL/visimp.htm>)-- a CTL resource
- Microsoft *Technology for Everyone* Accessibility website (<http://www.microsoft.com/enable/>)
- Microsoft step-by-step tutorials for using the accessibility features of Windows, Office, and Internet Explorer (<http://www.microsoft.com/enable/training/default.aspx>)
- [<Microsoft Power Point WWW Publishing Accessibility Wizard >](http://www.microsoft.com/enable/products/docs/default.aspx) Accessible Documentation for Microsoft Products (<http://www.microsoft.com/enable/products/docs/default.aspx>)

References:

Melky, H.N. & V.L. Sheeley (eds.), (2000). *Access and Opportunities: 504/ADA Guidebook for Students with Disabilities at Western Kentucky University*.

Kentucky Community and Technical College System. (2003). *504/ADA/508 Effective Virtual Communication Procedural Guidelines*.

University of Kentucky, (2000). *The Engaging Differences Project*. Retrieved 11/12/03 from http://www.uky.edu/TLC/grants/uk_ed/insd.html

Section 508 Rehabilitation Act

Western Kentucky University is committed to ensuring its web sites are accessible to the widest possible audience. We are continually improving accessibility by following all recommended guidelines outlined in Section 508 of the Rehabilitation Act Amendments of 1998. If you are experiencing difficulty accessing any element of this web site, please let us know. Please describe the nature of the problem and the section where the difficulty was encountered. We will do our best to provide you with the information you require.

Email Contact: [EO / 504 / ADA Compliance Office](#)



Appendix I

Priority 1 checkpoints

These guidelines **must be followed** to assure minimal accessibility compliance with Section 508; otherwise, one or more groups of users will find it impossible to access Web content.

WKU electronic communications will meet Priority 1 of the WAI guidelines.

In General (Priority 1)	Yes	No	N/A
1.1 Provide a text equivalent for every non-text element (e.g., via "alt", "longdesc", or in element content). <i>This includes:</i> images, graphical representations of text (including symbols), image map regions, animations (e.g., animated GIFs), applets and programmatic objects, ascii art, frames, scripts, images used as list bullets, spacers, graphical buttons, sounds (played with or without user interaction), stand-alone audio files, audio tracks of video, and video.			
2.1 Ensure that all information conveyed with color is also available without color, for example from context or markup.			
4.1 Clearly identify changes in the natural language of a document's text and any text equivalents (e.g., captions).			
6.1 Organize documents so they may be read without style sheets. For example, when an HTML document is rendered without associated style sheets, it must still be possible to read the document.			
6.2 Ensure that equivalents for dynamic content are updated when the dynamic content changes.			
7.1 Until user agents allow users to control flickering, avoid causing the screen to flicker.			
14.1 Use the clearest and simplest language appropriate for a site's content.			
And if you use images and image maps (Priority 1)	Yes	No	N/A
1.2 Provide redundant text links for each active region of a server-side image map.			
9.1 Provide client-side image maps instead of server-side image maps except where the regions cannot be defined with an available geometric shape.			
And if you use tables (Priority 1)	Yes	No	N/A
5.1 For data tables, identify row and column headers.			
5.2 For data tables that have two or more logical levels of row or column headers, use markup to associate data cells and header cells.			
And if you use frames (Priority 1)	Yes	No	N/A
12.1 Title each frame to facilitate frame identification and navigation.			
And if you use applets and scripts (Priority 1)	Yes	No	N/A
6.3 Ensure that pages are usable when scripts, applets, or other programmatic objects are turned off or not supported. If this is not possible, provide equivalent information on an alternative accessible page.			
And if you use multimedia (Priority 1)	Yes	No	N/A
1.3 Until user agents can automatically read aloud the text equivalent of a visual track, provide an auditory description of the important information of the visual track of a multimedia presentation.			
1.4 For any time-based multimedia presentation (e.g., a movie or animation), synchronize equivalent alternatives (e.g., captions or auditory descriptions of the visual track) with the presentation.			
And if all else fails (Priority 1)	Yes	No	N/A
11.4 If, after best efforts, you cannot create an accessible page, provide a link to an alternative page that uses W3C technologies, is accessible, has equivalent information (or functionality), and is updated as often as the inaccessible (original) page.			

Priority 2 checkpoints

These guidelines **should be followed** to improve access to Web content; otherwise, one or more groups of users will find it difficult to access.

In General (Priority 2)	Yes	No	N/A
2.2 Ensure that foreground and background color combinations provide sufficient contrast when viewed by someone having color deficits or when viewed on a black and white screen. [Priority 2 for images, Priority 3 for text].			
3.1 When an appropriate markup language exists, use markup rather than images to convey information.			
3.2 Create documents that validate to published formal grammars.			
3.3 Use style sheets to control layout and presentation.			
3.4 Use relative rather than absolute units in markup language attribute values and style sheet property values.			
3.5 Use header elements to convey document structure and use them according to specification.			
3.6 Mark up lists and list items properly.			
3.7 Mark up quotations. Do not use quotation markup for formatting effects such as indentation.			
6.5 Ensure that dynamic content is accessible or provide an alternative presentation or page.			
7.2 Until user agents allow users to control blinking, avoid causing content to blink (i.e., change presentation at a regular rate, such as turning on and off).			
7.4 Until user agents provide the ability to stop the refresh, do not create periodically auto-refreshing pages.			
7.5 Until user agents provide the ability to stop auto-redirect, do not use markup to redirect pages automatically. Instead, configure the server to perform redirects.			
10.1 Until user agents allow users to turn off spawned windows, do not cause pop-ups or other windows to appear and do not change the current window without informing the user.			
11.1 Use W3C technologies when they are available and appropriate for a task and use the latest versions when supported.			
11.2 Avoid deprecated features of W3C technologies.			
12.3 Divide large blocks of information into more manageable groups where natural and appropriate.			
13.1 Clearly identify the target of each link.			
13.2 Provide metadata to add semantic information to pages and sites.			
13.3 Provide information about the general layout of a site (e.g., a site map or table of contents).			
13.4 Use navigation mechanisms in a consistent manner.			
And if you use tables (Priority 2)	Yes	No	N/A
5.3 Do not use tables for layout unless the table makes sense when linearized. Otherwise, if the table does not make sense, provide an alternative equivalent (which may be a linearized version).			
5.4 If a table is used for layout, do not use any structural markup for the purpose of visual formatting.			
And if you use frames (Priority 2)	Yes	No	N/A
12.2 Describe the purpose of frames and how frames relate to each other if it is not obvious by frame titles alone.			
And if you use forms (Priority 2)	Yes	No	N/A
10.2 Until user agents support explicit associations between labels and form controls, for all form controls with implicitly associated labels, ensure that the label is properly positioned.			

12.4 Associate labels explicitly with their controls.			
And if you use applets and scripts (Priority 2)	Yes	No	N/A
6.4 For scripts and applets, ensure that event handlers are input device-independent.			
7.3 Until user agents allow users to freeze moving content, avoid movement in pages.			
8.1 Make programmatic elements such as scripts and applets directly accessible or compatible with assistive technologies [Priority 1 if functionality is important and not presented elsewhere, otherwise Priority 2.]			
9.2 Ensure that any element that has its own interface can be operated in a device-independent manner.			
9.3 For scripts, specify logical event handlers rather than device-dependent event handlers.			

Priority 3 checkpoints

These guidelines **may be followed** to make it easier for most users to access Web content.

In General (Priority 3)	Yes	No	N/A
4.2 Specify the expansion of each abbreviation or acronym in a document where it first occurs.			
4.3 Identify the primary natural language of a document.			
9.4 Create a logical tab order through links, form controls, and objects.			
9.5 Provide keyboard shortcuts to important links (including those in client-side image maps), form controls, and groups of form controls.			
10.5 Until user agents (including assistive technologies) render adjacent links distinctly, include non-link, printable characters (surrounded by spaces) between adjacent links.			
11.3 Provide information so that users may receive documents according to their preferences (e.g., language, content type, etc.)			
13.5 Provide navigation bars to highlight and give access to the navigation mechanism.			
13.6 Group related links, identify the group (for user agents), and, until user agents do so, provide a way to bypass the group.			
13.7 If search functions are provided, enable different types of searches for different skill levels and preferences.			
13.8 Place distinguishing information at the beginning of headings, paragraphs, lists, etc.			
13.9 Provide information about document collections (i.e., documents comprising multiple pages.).			
13.10 Provide a means to skip over multi-line ASCII art.			
14.2 Supplement text with graphic or auditory presentations where they will facilitate comprehension of the page.			
14.3 Create a style of presentation that is consistent across pages.			
And if you use images and image maps (Priority 3)	Yes	No	N/A
1.5 Until user agents render text equivalents for client-side image map links, provide redundant text links for each active region of a client-side image map.			
And if you use tables (Priority 3)	Yes	No	N/A
5.5 Provide summaries for tables.			
5.6 Provide abbreviations for header labels.			
10.3 Until user agents (including assistive technologies) render side-by-side text correctly, provide a linear text alternative (on the current page or some other) for <i>all</i> tables that lay out text in parallel, word-wrapped columns.			
And if you use forms (Priority 3)	Yes	No	N/A
10.4 Until user agents handle empty controls correctly, include default, place-holding characters in edit boxes and text areas.			