



Electronic and Information Technology Accessibility Oklahoma's 508 Model for Legislation

**Linda Jaco, Director
Oklahoma ABLE Tech
State Assistive Technology Act Program**




ABLE Tech

www.section508.gov



Federal Section 508

- 1998 Workforce Investment Act Rehabilitation Act Amendments strengthened Section 508.
- Requires that electronic and information technology developed, procured, maintained or used by federal government to be accessible to people with disabilities. *Creates Standards.*
- June 21, 2001 Enforcement began federally


www.access-board.gov

What is Electronic and Information Technology (EIT)?


Any electronic information equipment or interconnected system that is used in the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission or reception of data or information, including audio, graphic and text.

Information technology includes:

- computers;
- websites;
- hardware and software;
- operating systems;
- distance learning and digital media;
- telecommunication products.
- Email, chat, E-books, instructional software
- Multimedia (including video tapes)
- Applies to IT services, e.g. contracted desktop computing needs; help desks etc.




Access Board www.access-board.gov/508



508 Laws in States

- 508 and ADA unclear for States
- Better to model 508 than have too many state variances of the law
- Local enforcement ensures better implementation
- Inaccessible EIT causes barriers.
- Equality demands it.
- Educate/avoid possible lawsuits (Target)
- Promote Universal Design
- Many Vendors address 508.
- Should I wait until the renewed 508 Standards have passed? (2009)




States with 508 Legislation

Arizona	Arkansas	California
Colorado	Illinois Indiana	Kentucky
Louisiana	Maryland	Minnesota
Missouri	Montana	Nebraska
N. Carolina	Oklahoma	Texas
Virginia	W. Virginia	Florida

Section 508 Critical in the Era of Reliance on Technology

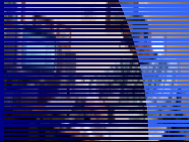
- 54 million Americans have some level of disability.
- In Oklahoma about 23% of the population has some type of disability or 1 in 5 and 12.3% are limited in the way they can use the Internet.
- Section 508 Laws help level the playing field for people with disabilities; access regardless of disability.
- ADA impacts physical buildings. 508 impacts EIT. "Curbcuts for virtual world"

AT works with accessible EIT adapted computers, alternative keyboards, screen readers, Voice recognition software



IT Access History in Oklahoma

- ❖ Oct. 1997 – Central Purchasing “Term”. Vendor to comply with Section 508 of the Rehab Act.
- ❖ April 1997 – Governor Assurance: agency compliance with Section 508
- ❖ Garnered Legislative Support
- ❖ March 2003 HB1342 Governor Appointed Electronic and Information Technology Accessibility Task Force
- ❖ Study and prepare recommendations concerning accessibility of publicly produced provided EIT.



Educating Task Force Business Case - Benefits to All

- FAQs, Brochure, Training materials
- Kickoff Task Force with Expert Presenters and AT Demo
- 508 is good business
 - Quality-based approach
 - Cost effective and proactive (retrofitting is expensive, less individual accommodations)
 - Avoid increased costs, personnel
- Changing workforce
 - People with disabilities
 - Aging workforce
 - Early adopters of technology



Task Force Legislation

- ❖ Cross Section of Stakeholders
- ❖ Staff for Task Force
- ❖ Presentation to Task Force
- ❖ Survey state agencies to determine accessibility compliance.
- ❖ End time 6 months Report of Recommendations.
- ❖ Accomplished in 6 meetings
- ❖ Recommended 508 Legislation
- ❖ Passage in 2004: Oklahoma's EITA law



Oklahoma EITA Legislation

- ❖ Stakeholder Council Members
- ❖ 2 Agencies to Monitor
- ❖ Agencies Make Assurances
- ❖ Standards
- ❖ Training and Tech Assistance
- ❖ Consult with DRS
- ❖ Complaint Procedures
- ❖ Staff for Task Force
- ❖ Access Clause for Procurement



Oklahoma 508 or EITA Law

- **OK Law:** HB 2197 in 2004
- Federal Section 508 of Rehab Act 1980s and 1998 reauthorized Increasing role of technology in work, school, leisure
- **OK Standards Effective Date:** Sept 8, 2005
- Agencies required to procure, develop, and maintain accessible EIT, unless it would pose an undue burden.
- **Enforcement:** OSF yearly audit of IT/Telecom Plan, DCS audits, Complaints
- **Impacts:** State agencies, Post Secondary Institutions, and *CareerTech*
- **Accessibility for:** Employees and Public
- **Benefit:** people with disabilities plus all end users



Keys to Success

- 2 Key Legislators, strategic committees
- Training Task Force: National experts, Research, AT Demo
- Use 508 model: don't reinvent.
- Subcommittee Work
- Roll out. 2004 Bill; Standards in 2005; Complaint process year later
- Implementation details in rules and standards.
- Ongoing Training, Promotion and Awareness
- Staff provide ongoing updates and technical assistance



Oklahoma Lessons Learned

- Build Capacity; Don't rely on one agency to do all the work.
- Ongoing Awareness and Training
- Build an understandable and confident purchasing process with documentation.
- The law allows you to purchase what you need but to purchase the most accessible.
- Attempted K-12
- Fiscal impact questioned



Four Components of Oklahoma EITA Law

1. Office of State Rules – provides EITA guidance for compliance with IT Standards and Oklahoma law (Ok Admin. Code 260:15-1-1 – 260:15-1-9)
2. OK Information Technology Accessibility Standards provide direction and measurement.
3. Dept. of Central Services Rules – provides procurement guidance to ensure compliance with Oklahoma law (Oklahoma Administrative Code 580:15-6-21)
4. Information Technology Access Clause



- Develop IT Accessibility Standards
- Evaluation of Custom Systems (DCS separate form)
- Accessibility Compliance Rep.
- Agency assurance on annual IT report to OSF oversight agency
- Formal complaint process
- Annual complaint report Due Oct. 1

508/OK Standards Provide Direction & Measurement



Technical Provisions

1. Software Applications and Operating Systems
 2. Web-based Intranet and Internet Information and Applications - adapted
 3. Telecommunications Products- adapted somewhat
 4. Video and Multimedia Products- adapted captioning requirements
 5. Desktop and Portable Computers
 6. Information, documentation, and support
- ❖ Did not adopt Self-Contained, Closed Products or Functional Performance Criteria but will when 508 is refreshed.

"Quick Reference Guide" for 508
http://www.accessibilityforum.org/paper_tool.html

ADMINISTRATIVE RULES FOR IT PROCUREMENT



- ✓ IT Subject to Accessibility Standards
- ✓ Accessibility weighted equally in purchases
- ✓ Required use of Access Clause in EIT purchases
- ✓ VPATs
- ✓ Under \$2500 COTS
- ✓ Alternative means of access
- ✓ Lists 508 Exceptions (must be documented)
- ✓ Undue Burden

Exceptions

- ✓ **Public Safety** - IT used in crypto logic activities related to public safety
- ✓ **Incidental IT** – contractor or grantee
- ✓ **Back Office** - "Products (always) located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment."
- ✓ **Fundamental alteration** - "Shall not be construed to require a fundamental alteration in the nature of a product or its components."
- ✓ **Specific accessibility-related software** – not required to install

Commercial non-availability

If products are commercially available that meet some but not all of the standards, the agency must procure the product that best meets the standards.


OK uses Form 055 Procurement Checklist to document exceptions

Procurement Process

A consistent process protects the agency

Success depends on team: Person requesting EIT product, IT Rep, agency contracting officer, and Accessibility Compliance Representative

1. Agency determines functional needs for IT product
2. Identifies applicable technical standard(s)
3. Market research to identify products that meet requirements and check for accessibility
4. Determine any Exceptions Procurement Checklist Form 055
5. Draft specifications, issue solicitations to receive offers
6. Every solicitation and contract for IT must include the [Access Clause](#)
7. Vendor must provide VPAT or comparable document.



Market Research



- Buy the most accessible product that meets agency's needs.
- Market research determines availability of products/services that meet applicable technical provisions.
- Vendor web sites information/VPATS
- Federal government's Section 508 web site. "Buy Accessible Wizard".

www.section508.gov

 Collection of VPATS
www.evengrounds.com


OK Dept. of Central Services Issued Purchasing Forms

www.accessibility.ok.gov

- Accessibility Clause
- 053 Voluntary Product Accessibility Template (VPAT)
- 055 Procurement Checklist and Exceptions
- 056 Undue Burden
- 057 Application Information System Checklist e.g. custom designed website

Lessons Learned

- Build capacity in agencies to learn the standards – they can be a challenge ex: CPOs often lack of experience with EITA.
- Training needs ongoing - Build in-state training expertise.
- Develop agency internal processes
- Need senior management support upfront
- Continually communicate the process throughout organization.
- Communicate expectations and interpretations through policy and information.
- Advise agencies to post policy and plan
- One-stop website
- Assess Progress (i.e. survey)
- Compliance Representative
- Require Access Clause (indemnification problem with vendors)
- Testing, Technical Expertise not readily available



Refresh of 508 Standards

- Access Board updating both Section 508 and the Telecommunications Act Accessibility Guidelines-Section 255
- Almost 8 years since the Section 508 standards were issued – 10 years for the Telecommunications Act Accessibility Guidelines

www.access-board.gov/sec508



TEITAC
Telecommunications and
Electronic and
Information Technology
Advisory Committee

www.accessibility.ok.gov

- EIT Standards
- [DCS Rules](#) and [OSF Rules](#) - provide procurement guidance to ensure compliance with Oklahoma law
- Web Technical Assistance Document
- WebAIM Accessibility Online Tutorial
- Section 508 Standards www.access-board.gov
- Products and Services



Wrap Up and Q & A

Linda Jaco linda.jaco@okstate.edu
Oklahoma ABLE Tech
OSU Seretean Wellness Center
1514 W. Hall of Fame
Stillwater, OK 74078
(800) 257-1705
(405) 744-9748
<http://okabletech.okstate.edu>
www.accessibility.ok.gov



ABLE Tech

Checking Websites for Accessibility Where to Start

- Simple audit of site with evaluation tool: WAVE www.wave.webaim.org,
- HiSoftware® Cynthia Says™ Portal
Cynthia Says www.contentquality.com
- Validate HTML and CSS validator.w3.org and jigsaw.w3.org/css-validator

WebAim.org

WebAIM - Web Development Accessibility

- Workshops
- Fact Sheets
- Simulations
- Quick Tips – 5 steps to fixing web pages
- Web Accessibility Resource Planner warp.webaim.org a free user-friendly, online interface for creating Web accessibility lessons available online at any time.
- WAVE Accessibility Evaluation Tool wave.webaim.org
- Tutorials on: Forms, Tables, Word Documents, PDFs, Javascript, Web Page Audits, Dreamweaver, Front Page
- WebAIM Guide to Web Accessibility Product
<http://www.webaim.org/products/>

Fast Track for Web Accessibility

1. Evaluate Site – Free tools – the Wave, Bobby
2. Fix the easiest issues first – alt images, unclear links such “click here”, frame titles.
3. Fix site templates – CSS, skip navigation link, keyboard accessible template
4. Fix HTML issues - tables, proper document structure, keyboard accessible forms,
5. Fix non-HTML issues –Videos, Flash, PDF

WebAIM

W3C Web Accessibility Initiative

- Evaluation, Repair, and Transformation Tools for Web Content Accessibility
www.w3.org/WAI/ER/existingtools.html
- CSS and HTML Validators
- EASI Equal Access to Software and Information - <http://easi.cc/>



- Information Technology in Education Accessibility Checklist making educational environment more accessible to students and employees with disabilities. <http://www.washington.edu/accessit/it-checklist>
- “Accessible Information Technology in Education” free online course <http://access-it-online.info/public/welcome.asp>
- Topics: Web Design, Distance Learning, Software, Telecommunications, Multimedia, Producing Rich Media For the Web, Accessible File Formats
- Laws
- IT Policy in Education



- **New FREE Web Design Curriculum** - This curriculum was designed for high school and post secondary introduction to web design courses.
 - standards-based and accessible design, and is vendor-neutral, project-based. Web Design & Development I
 - <http://www.washington.edu/accessit/webdesign/index.htm>

DO-IT Disabilities, Opportunities, Internetworking and Technology

- <http://www.washington.edu/doit/>
- Promotes the use of accessible information technology and universal design.
- Resources for students with disabilities, K-12 educators, postsecondary, faculty, and administrators, librarians, employers, and parents and mentors.

Virtual508.com "Accessible Web Publishing Wizard"

- For Microsoft Office
- Convert Power Point, Word, Excel into accessible HTML
<http://www.virtual508.com/>

Resources

- Accessibility in Distance Education a resource for faculty in online teaching
<http://www.umuc.edu/ade/>
- EASI - Equal Access to Software and Information <http://people.rit.edu/easi/>
- Web Accessibility Course
<http://www.catea.gatech.edu/accessibility/>

GRADE Modules

GRADE Georgia Tech Research on Accessible Distance Education <http://www.catea.org/grade/>

- Access eLearning free tutorial: 10-modules for accessible and usable distance education materials.
<http://www.accesslearning.net/>
- Modules cover barriers, PPT, PDF, video, Flash, Word, excel, webpages, scripts, Java
- Fact Sheets: Laws, CSS, accessible PPT, Accessible PDFs, video, Flash

Federal Agencies



- **Section 508** – GSA www.section508.gov
- **FAA** – www.faa.gov (508 self-study, standard operating procedures for procurement, self-check, web access guidelines and solutions)
- **USPTO** (cookbook, procurement checklists, standards reference guides www.uspto.gov)
- **US Dept of State** www.state.gov (sample solicitation, procurement process outlined)
- **Computer/Electronic Accommodations Program** CAP quick AT videos, speech recognition, screen magnification, braille display.
www.tricare.mil/CAP

More Resources

- Trace Center Video Series on Accessibility - Introduction to Screen Reader
<http://www.doit.wisc.edu/accessibility/video/>
- Compilation of AT videos and accessibility
<http://lab.dotjay.co.uk/notes/assistive-technology/videos/>
- Catea Web Accessibility Course
www.catea.gatech.edu/accessibility
- National Center on Disability and Access to Education Webcasts
Ncdae.org



State Resources

- Oklahoma www.accessibility.ok.gov
- Missouri State Statute and Standards
<http://www.at.mo.gov/access/statutes.html>
- Illinois Information Technology Accessibility Act (IITAA) Standards
<http://www.dhs.state.il.us/>
- California State University CSU Accessible Technology Initiative and EIT Procurement Resources
www.calstate.edu/Accessibility

"Accessibility is now on many individuals' radar, thanks in part to HB2197." Many of our web developers across the campus are starting to look at website accessibility requirements the same way that physical ADA regulations dictate what an architect must do to a building to accommodate persons with disabilities. We've nicknamed it 'Curbcuts for Technology'."

•Kevin Sesock, AT Specialist
Oklahoma State University



"This law has been tremendous for the State of Oklahoma," says Jason Price, SSA VR Coordinator with the Oklahoma Department of Rehabilitation Services.

"It provides substance to the statement that Oklahoma is committed to serving Oklahomans with disabilities. With all of the struggles and adversity facing our citizens with disabilities, it's comforting to know that any information received electronically from the state will be accessible to everyone. My hat is off to everyone who worked on this project."

