

## Web Accessibility: Required, Not Optional

By:

Karine Joly

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Did you get the memo on website accessibility? With the latest legal and regulatory developments, you'd better make sure you did. The time is now for web accessibility in higher education.

Literally. Next month at the EDUCAUSE annual national conference, web accessibility will get the lion's share of the agenda. No fewer than 11 sessions focus on the topic, including three with Daniel Goldstein, the lead counsel of the National Federation for the Blind (NFB). The following week, the art of accessible websites in higher education will also take center stage at HighEdWeb in Austin, Texas. The opening keynote speaker of this year's conference for web professionals in higher education is Shawn Henry, a recognized web accessibility advocate who leads education and outreach activities for the Web Accessibility Initiative (WAI) at the World Wide Web Consortium (W3C).

Web accessibility might not sound as "sexy" as social media or mobile apps, but it will become a hot topic in the coming months for colleges and universities.

### A Quiet Problem

"One of the biggest problems with accessibility is that it tends to be a quiet problem," says Glenda Sims, the HighEdWeb conference chair and a senior accessibility consultant at Deque Systems, Inc. Issues with inaccessible websites are, by nature, invisible to the eyes of the vast majority of web visitors and most web developers. With tighter budgets to manage, emerging technologies to implement, and other "more visible" issues to tackle, many institutions have let web accessibility slip off of their to-do lists and have overlooked for too long their obligation to comply with the laws and regulations in place.

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As findings from a 2008 study conducted by the WebAIM on behalf of the National Center on Disability and Access to Education (NCDAE) show, only 3 percent of web pages randomly selected from the websites of 100 institutions were deemed accessible by demonstrating full compliance with the federal standards of Section 508. This poor performance in terms of accessibility looked even more heartbreaking when compared to the conclusions of a similar study done by the

NCDAE 10 years earlier. In 1998, like in 2008, 97 percent of the web pages didn't meet the basic web accessibility standards.

Earlier this year, a more comprehensive research study led by John Gunderson, coordinator of assistive communication and information technology accessibility at the University of Illinois at Urbana-Champaign, revealed what might be interpreted by some as a brighter picture.

In a paper titled "The Status of Web Accessibility in Higher Education," Gunderson explains, he examines the results of analysis of 23,319 web pages from 180 universities done by the Functional Accessibility Evaluator (FAE), a web tool for checking compliance with a given set of accessibility standards. The actual level of accessibility designed into the websites was estimated via a subset of rules focusing on titles, subheads, forms, data tables, layout tables, and images. More than half, 53.6 percent, of the analyzed web pages complied with this limited set of rules. "ALT text for images, often the poster child for web accessibility, was fully implemented on 62 percent of the pages," said Gunderson.

While 53.6 percent might not sound too bad, on most tests it would be an F. Even more troubling: Beyond this class average, some of the award-winning websites, the A students in other words, have also flunked the web accessibility test.

How can a website failing to comply with several of the most basic standard requirements of the Web Content Accessibility Guidelines (WCAG 2.0) win a CASE Circle of Excellence Gold Award or be nominated for an eduStyle People's Choice's Award?

Simple. The WCAG 2.0 standards are only one of the many criteria used to evaluate website excellence, an evaluation approach perfectly reflecting the attitude of higher education toward web accessibility.

Yes, this nice-to-have position prevailing in our industry is wrong on several counts: ethically, legally, even economically. It has always been, but it's even more incorrect now.

## Formal Complaints

Federal and state organizations, as well as the NFB, have started to remind institutions—in more or less pleasant ways—of their obligations.

"Universities may not, under federal law—as the Department of Education again made clear with its May guidance on accessible instructional materials and related technology—acquire, offer, or recommend technology that is inaccessible to those with print disabilities," summarized Daniel Goldstein in an email.

After the successful settlements between the Department of Justice and several universities regarding use of the Kindle DX device in the classroom in January 2010, the NFB's attorney filed another formal complaint with the U.S. Department of Education's Office for Civil Rights against Penn State in November 2010. The official complaint said the institution was discriminating against blind students and faculty in providing access to services and information, thus violating Title II of the ADA and Section 504 of the Rehabilitation Act. Among the different problematic areas listed were the inaccessible websites of the library, the English department, the Computer Science and Engineering Department, the Communication Department, and ... the Office of Disability Services.

In March 2011, the NFB filed new complaints with the Department of Justice, Civil Rights Division, against Northwestern University (Ill.) and New York University for using Google Apps for Ed even though the application package was inaccessible to students with print disabilities. (Google committed to making the applications fully accessible by the beginning of this semester.)

In June 2011, the NFB and its counsel, known for leading the charge against Target in a web accessibility lawsuit, went a step further. They offered assistance to two blind students who filed suit against Florida State University and its board for failing to provide equal access to course materials and evaluation methods.

Until colleges put procedures in place to ensure purchases comply with the law, stop offering grants to faculty to develop online courses without a plan to make those courses accessible, fix their websites, and implement policies to ensure those websites stay accessible, warned Goldstein, they will be at risk of further liability.

## The Right Thing to Do

Web accessibility isn't a nice thing to have. It's the right thing to do to provide equal access to all. It's the legal thing to do to comply with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. It's the smart thing to do to assure that your web content will be found by search engines. Google is the ultimate disabled user: It doesn't see, it doesn't hear, and it can't use a mouse. Yet, along with the other search engines and the social web platforms powered by algorithms, it will increasingly function as your eyes and your ears in the search for relevant information. Making an institution's web content accessible to all users will soon be a mere prerequisite to becoming findable in the overflowing stream of data, and ultimately visible on the web.

It's time for your institution to follow in the footsteps of web and IT accessibility trailblazers and embrace the approach of universal design for digital environments—designing with an accessibility-for-all mindset as it has been done for years in architecture and urban planning.

Still confused by the alphabet soup of web accessibility (ADA, Section 508, WCAG 2.0, etc.)? Read this clarification written by Judy Brewer, WAI director, for web professionals in higher education:

“The Americans with Disabilities Act and Section 508 each address accessibility of information and communication technologies from different perspectives—civil rights on the one hand, and federal procurement of information technologies on the other.

“WCAG 2.0 is a standard from the World Wide Web Consortium (W3C), a standards body that develops technical standards for the Web. WCAG 2.0 is used by many web developers, and can also be referenced in policies. Increasingly, government agencies have been harmonizing their policies with the W3C’s Web Content Accessibility Guidelines.”

While individual institutions may differ in approach and policy, many find that WCAG 2.0 has the advantage of being supported by an extensive library of technical and educational resources. These resources can make it easier for website managers to comply with WCAG 2.0.