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Section 508 Best Practices Webinar Series

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- We will be testing sound quality periodically.
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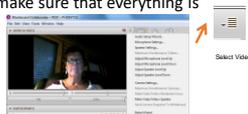
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- If you are connected via a mobile device, you may submit questions in the chat area within the App.
- If you are listening by phone and not logged in to the webinar, you may ask questions by emailing them to: info@adaconferences.org
- Please note: This webinar is being recorded and can be accessed on the Section 508 Best Practice Webinar Series website at www.adaconferences.org/CIOC within 24 hours after the conclusion of the session.



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The default is "fit page".



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Customize Your View, continued

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- Send a private chat message to the host by double clicking "Great Lakes ADA" in the participant list. A tab titled "Great Lakes ADA" will appear in the chat panel. Type your comment in the text box and "enter" (Keyboard - F6, Arrow up or down to locate "Great Lakes ADA" and select to send a message); or
- Email: info@adaconferences.org; or
- Call: 877-232-1990 (V/TTY, toll free)

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Welcome

This webinar is part of a series showcasing "Best Practices in Federal Section 508 Implementation". Other presentations can be viewed at:

- www.adaconferences.org/CIOC/archives and
- www.fedlink.org/aiqual/resource-shared-webinars.cfm

- A best practice is a policy, process, procedure or technique proven effective over time and repeatable by multiple agencies.
- A best practice is generalized so that diverse agencies may use it in their own organizations but specific enough to provide useful guidance and instruction.
- The CIO Council's Accessibility Community of Practice has published a library of 508 Best Practices at www.Section508.gov.

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Section 508 Best Practices Webinars

Webinars are bi-monthly:

- January, March, May, July, September, November

Next Webinar: September 25, 2018

- Topic: Incorporation of Accessibility into the IT Lifecycle: Identifying the Needs Users with Disabilities, Best Practices, and Agile Development
- Time: 1:00 to 2:30 p.m. Eastern

This webinar series is a collaborative program between the Accessibility Community of Practice of the CIO Council and The U.S. Access Board.

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How to Update Agency Policies for the Revised Section 508 Regulations

Presenters:

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Deborah Kaplan, Accessibility Consultant, Enterprise Accessibility

Moderator:

Timothy Creagan, Senior Accessibility Specialist, U.S. Access Board

July 31, 2018

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Agenda

- › Transition toolkit resource
- › New perspective in revised regulations
 - Collaborating between three sections of Rehab Act
 - User needs: "people" and not "Compliance"
- › More defined scope
 - Official Agency Communications
- › Exceptions better defined
 - Safe Harbor provision
 - Maintenance/monitoring spaces
 - Undue Burden
 - Fundamental Alteration
 - Alternative Means

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Transition Toolkit

- ▶ Resource for updating and creating a 508 Policy
 - <https://www.section508.gov/manage/laws-policies/quick-reference-guide#policies>

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Improved Perspective with Refresh

- ▶ Subtle changes making big differences
 - Documenting exceptions
 - Addressing convergence with wider categories
 - New disability modes
- ▶ E203.2 User Needs
 - People before checklists
 - Design, develop, acquire, install, and configure for people with disabilities
 - Publish agency "Personas"

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Collaborating Between the Three Sections

- ▶ Different laws/programs:
 - Section 501 – employee non-discrimination
 - Section 504 – reasonable accommodations
 - Section 508 – ICT accessibility
- ▶ Accessible ICT is cost-effective way to address Sections 501 and 504 obligations
- ▶ Design a policy that encourages programs to collaborate and have clear roles and responsibilities



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Updating Policy for User Needs

- ▶ New obligation
 - [Identify groups/roles] will identify the needs of users with disabilities when it procures, develops, maintains, or uses Information and Communication Technology (ICT). This will include a determination of how users with disabilities will perform the functions supported by the ICT and how the ICT will be developed, installed, configured, and maintained to support users with disabilities.

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Updating Policy for User Needs (cont.)

- ▶ New role:
 - The Chief Information Officer [and/or other role] will ensure that the needs of users with disabilities are identified when XX Agency procures, develops, maintains, or uses Information and Communication Technology (ICT). This will include a determination of how users with disabilities will perform the functions supported by the ICT and how the ICT will be developed, installed, configured, and maintained to support users with disabilities.

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More Scope Definition

- ▶ Hardware
- ▶ Software
- ▶ Support and Documentation
- ▶ Electronic Content
 - All public facing
 - Official Agency Communications

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More Scope Definition (cont.)

- ▶ Official Agency Communications
 - Emergency notifications
 - Notice of an administrative claim or proceeding
 - Program and policy announcement
 - Notice of benefits, program eligibility, employment opportunity, or personnel action
 - Formal acknowledgement of receipt
 - Survey questionnaire
 - Templates and forms
 - Educational and training materials
 - Intranet web pages

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Update Policy for Electronic Content

- ▶ [XXX Agency] will ensure that all electronic content that is made available to the public on or after January 18, 2018, such as web pages, blogs and social media, conforms to the Section 508 standards.
- ▶ [XXX Agency] will ensure that electronic content used for official agency communications on or after January 18, 2018, including such content posted to the agency Intranet, conforms to the applicable Section 508 standards. This requirement applies to the following types of official agency communications:
 - An emergency notification;
 - An initial or final decision adjudicating an administrative claim or proceeding;
 - An internal or external program or policy announcement;
 - A notice of benefits, program eligibility, employment opportunity, or personnel action;
 - A formal acknowledgement of receipt;
 - A survey questionnaire;
 - A template or form;
 - Educational or training materials; or
 - Intranet content designed as a Web page.

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Legacy ICT Exception

- ▶ Safe Harbor provision; not Grandfather clause
- ▶ Conformance with the original standards if
 - Tested for 508 compliance before January 18, 2018
 - Record of compliance results
 - All updated portions must meet new standards
- ▶ Updating a policy
 - Any component or portion of existing ICT that complies with an earlier standard issued pursuant to Section 508 of the Rehabilitation Act of 1973, as amended (as republished in Appendix D), and that has not been altered on or after January 18, 2018, shall not be required to be modified to conform to the Revised 508 Standards.

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Maintenance/Monitoring Spaces Exception (Back Office)

- ▶ Previous exception misunderstood and abused
- ▶ Revised to only recognize portions of hardware that require local use
 - ICT Functions Located in Maintenance or Monitoring Spaces. Where status indicators and operable parts for ICT functions are located in spaces that are frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment, such status indicators and operable parts shall not be required to conform to the Revised 508 Standards.

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Updating a Policy for Maintenance and Monitoring Exception

Status indicators and operable parts for ICT that is located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment are not required to conform to the Revised 508 Standards.

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Undue Burden Exception

- ▶ Undue Burden Combined with Fundamental Alteration
- ▶ More definition and tasks
 - Well defined "Basis for a Determination..."
 - Required documentation prior to claiming the exception
 - Requires ICT be available by "Alternative Means"
- ▶ Only applies to identified functions or features of ICT that cause the undue burden

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Updating Policy for Undue Burden Exception

The exception for Undue Burden is only applicable to the specific functions or features of an ICT product that cannot be made accessible without imposing significant difficulty or expense on the agency or component of the agency that will use the ICT. (XXX Agency Official) is responsible for making the final determination whether conformance to specific requirements of the Revised 508 Standards would impose an undue burden on the agency. This determination must be in writing and must include an explanation of the basis for the decision, including why and to what extent conformance to specific requirements would result in an undue burden on the agency.

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Fundamental Alteration Exception

- ▶ More definition and tasks
 - Required documentation prior to claiming the exception
 - Requires ICT be available by "Alternative Means"
- ▶ Only applies to identified functions or features of ICT that cause the undue burden

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Updating Policy for Fundamental Alteration Exception

(XXX Agency Official) is responsible for reviewing requests for and making a determination that conformance to the Section 508 standards would fundamentally alter the nature of a specific ICT product. This determination must be in writing and must include an explanation of the basis for the decision, including how conformance would fundamentally alter the nature of the product.

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Alternative Means

- ▶ Even when some legal exception apply
 - Agencies must provide "access to and use of information and data by an alternative means"
 - Applies to:
 - Undue Burden
 - Fundamental Alteration
 - Best Meets
- ▶ Updating a policy

When XXX agency makes a determination that an exception to the Section 508 standards is appropriate, XXX agency will provide access to the information and data to people with disabilities by alternative means. XXX agency will identify in advance the needs of people with disabilities affected by each exception and implement a plan to meet these needs through alternative means.

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Conclusion

- ▶ Still don't have a 508 policy?
 - Use transition to justify establishment of a policy
 - Use policy writing to gather stakeholders and build collaboration
- ▶ Already have a policy?
 - Time to update your policy

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Resources, Questions and Contact Information

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Resources

www.Section508.gov

www.access-board.gov

www.enterpriseaccessibility.tech

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Questions?



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or
press Control-M and enter text in the Chat Area

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Contact information

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Thank you for participating in
today's webinar



Next session:

September 25, 2018

Incorporation of Accessibility into the IT Lifecycle:
Identifying the Needs Users with Disabilities, Best
Practices, and Agile Development

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