

CITY OF OAKLAND

CITY ADMINISTRATOR'S OFFICE

CITY of OAKLAND

Subject: **City Web Site Access Policy**
Effective Date: July 1, 2009
Supersedes: N/A
Responsible Departments: ADA Programs Division
Department of Information Technology

I. Policy

The City of Oakland shall ensure that it complies with all applicable provisions of the Americans with Disabilities Act of 1990 (ADA) protecting the civil rights of persons with disabilities, and that all of its programs, activities and services, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. It is the policy of the City of Oakland that all City web sites shall be designed to be substantially compliant with the ADA and that all people, regardless of their physical, sensory, or developmental abilities, shall have access to the City's web-based information and services.

II. Responsible Parties

The City ADA Coordinator in the City Administrator's Office / ADA Programs Division is responsible for developing and updating this policy, supporting Department of Information Technology (DIT) training efforts, and for reviewing grievances by the public about lack of access to the City's web sites.

The Public Information Officer in the City Administrator's Office is responsible for reviewing web site design, information architecture, and layout for its impact on the overall presentation to the public.

The Web Access Compliance Coordinator in the Department of Information Technology (DIT) is responsible for implementing the technical provisions of this policy and for providing ongoing training on the accessibility features of the content management system to content contributors. [Initial content management system training shall be coordinated through the City Administrator's Office.]

The Oakland Museum of California, City Attorney, City Auditor, and Oakland Animal Services independently manage their web site content. These departments and any other City agency or entity that chooses to independently manage their web content are responsible to ensure that they comply with all provisions of this policy.

III. Background

These procedures have been established to facilitate compliance with the U.S. Department of Justice's recommendation that governments develop an action plan to fix web content that is currently inaccessible, and that they ensure that all new and modified web content is accessible.¹ This recommendation arises from the ADA requirement that State and local governments provide individuals with disabilities equal access to their programs, services, or activities, (28 C.F.R. § 35.149, 28 C.F.R. § 35.150), and provide individuals with disabilities communication that is equally effective as the communication afforded to others (28 C.F.R. § 35.160).

Web sites that are poorly designed can create barriers for people with disabilities just as poorly designed buildings can prevent some people with disabilities from entering (U.S. DOJ, Accessibility of State and Local Government Websites to People with Disabilities, 2003).² Accessible web site design recognizes that not everyone sees and accesses a web page in the same way.

In February 2006, the National Federation of the Blind (NFB) filed suit against Target Corporation alleging that its web site was not accessible to people with visual disabilities and, therefore, violated the Americans with Disabilities Act, California Unruh Civil Rights Act, and the California Disabled Persons Act. The U.S. District Court rejected Target Corp.'s argument that only its physical store locations were covered by the civil rights laws, ruling instead that all services provided to the public, including those services provided via a web site, must be accessible to persons with disabilities. The court certified a class action against Target Corp. on behalf of blind Internet customers throughout the country. On August 27, 2008, the court ruled in favor of the NFB (*National Federation of the Blind v. Target Corp., No. C 06-1802 MHP*).

IV. Procedure

A. Technical requirements. Effective July 1, 2009, all new or modified City web site content, at a minimum, will conform to World Wide Web Consortium (W3C) / Web Accessibility Initiative (WAI) Web Content Accessibility Guidelines (WCAG) 2.0, Conformance Level A as released on December 11, 2008.³

B. Web Content Accessibility Guidelines (WCAG) implementation. The City's Department of Information Technology (DIT) is responsible for technical interpretation of WCAG 2.0. It is its responsibility to: (1) implement the technical provisions of WCAG 2.0 for all content managed through DIT; (2) test at least 10% of City web pages through the web filter Web Accessibility Inspector⁴ or another automated filter of equal quality at least once annually; and (3) control web site content through an automated fashion via the content management system by incorporating safeguards and error messages and/or manual review.

¹ U.S. DOJ, *The ADA Best Practices Tool Kit for State and Local Governments*, Chapter 5, "Website Accessibility Under Title II of the ADA," 2007.

² www.usdoj.gov/crt/ada/websites2.htm

³ www.w3.org/TR/2008/REC-WCAG20-20081211/

⁴ www.fujitsu.com/global/accessibility/assistance/wi/

It is the responsibility of DIT to establish a permanent Web Access Compliance Coordinator to ensure these technical guidelines will be followed.

It is the responsibility of City departments that independently manage web site content, those that use a content management system or other tool separate from that provided by DIT, to implement WCAG 2.0 requirements into the design and function of all web pages within their control.

Exceptions: 1. Accessibility features for the City website, oaklandnet.com, shall conform to this section except where the establishment of automated web access compliance would result in a loss of information provided to the public. 2. City departments that choose to independently manage web site content are not required to automate accessibility features within their content management system.

C. Notification. All City web pages shall include an access button directing users to accessibility information and notification. The international symbol for accessibility shall be used as the access button. The following must be provided to users who choose to view accessibility information and notification:

You must install Adobe Reader 9.1 (or higher) to view PDF files. For free download go to: <http://get.adobe.com/reader/>

Screen reader users and persons with low vision should also download the Adobe Reader update to use the "Read Out Loud" feature. Download the free update by visiting: www.adobe.com/support/downloads/detail.jsp?ftpID=4486

Persons experiencing screen reader incompatibility or who require an alternative document format as a disability-related accommodation with documents on the City web site should contact the City of Oakland Americans with Disabilities Act (ADA) Programs Division at 510-238-5219 (Voice) / 510-238-2007 (TTY) or email adaprograms@oaklandnet.com for assistance.

Where all forms are located, the following appropriate notification shall be displayed on the web page:

Persons who require additional assistance completing forms or who may have service-related questions should contact (Agency) at (phone number) or email (address) for support.

Use of this notification shall not waive the responsibility of DIT or other City departments to ensure that newly created or modified web content complies with WCAG 2.0, and shall only protect documentation that cannot be readily provided in a non-image format or user interface programs that may be incompatible with screen reading software.

D. Updates to WCAG. The City recognizes that the Web Content Accessibility Guidelines (WCAG) is a living document and subject to periodic modifications and updates. As modifications to WCAG or new recommendations from W3C WAI or the Department of

Justice become available to the public in regard to web site accessibility, the City ADA Coordinator and the Department of Information Technology Web Access Compliance Coordinator shall review this policy and determine appropriate changes.

E. Presentation of web site content to the public. The Public Information Officer in the City Administrator's Office shall review web site design, information architecture, and web layout to ensure that it is presented in a conventional format and meets aesthetic objectives. Content may be altered as deemed necessary and appropriate to provide for these objectives.

Exception: Alteration to content shall conform to this section except where establishment of specific presentation format or aesthetic values would result in non-compliance with WCAG 2.0 Conformance Level A guidelines.

F. Web access training. It is the responsibility of DIT to coordinate ongoing training efforts and is responsible to train only those users within its control. Web content contributors shall be provided with training in use of all accessibility components within the content management system. Training shall aim to provide the knowledge and tools to contributors to ensure maximum compliance with WCAG 2.0 guidelines.

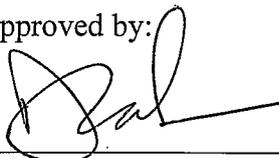
G. Periodic review. The disability community shall be invited to review portions of the City's web site to assess use by individuals with various types of disability. This may be accomplished through review by the Mayor's Commission on Persons with Disabilities, submission of comments by individuals from the general public, or through some other process as designated by the City ADA Coordinator. Review of the City web site or portions contained therein shall be performed after significant modifications or changes to the web site occur or at the discretion of the City ADA Coordinator.

Please direct all questions regarding this policy and its administration to:

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1 Frank H. Ogawa Plaza, 3rd Floor
Oakland, CA 94612
(510) 238-4754 (Voice)
(510) 238-2007 (TTY)

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