



STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

Administrative Office
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Director

JANE GRUNER
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Governor

MEETING NOTICE AND AGENDA

Name of Organization: Nevada Assistive Technology Council Subcommittee
on Statewide Website Accessibility Taskforce (SWAT)

Date and Time of Meeting: May 1, 2015
1:00 pm

This meeting will be teleconference only; you can join the meeting in person at the following location:

Aging and Disability Services Division
3416 Goni Rd. Suite D-132, Conference room I
Carson City, NV 89706

To join this meeting by phone, dial 1-888-251-2909 then enter Access Code 8985078 when prompted.

Meeting Materials Available at: <http://adsd.nv.gov/Boards/ATCouncil/Agendas/>

Minutes

Members present: Thomas Kearns, Scott Youngs, Frida Aizenman

Guests: Chun Chao (NFB), Jeanine Mooers (NFB), Mark Tadder (NFB), Erik Burggraaf (NFB), Janet Belcove-Shalin, Jack Mayes

Staff: Laura Valentine, Vicki Kemp, Julie Balderson, Desiree Bennett

- I. Welcome, Roll Call and Introductions
Thomas Kearns, Chairperson

Mr. Kearns welcomed everyone and continued to explain the purpose of the subcommittee creation and meeting.

- II. Public Comment (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

No comments were made.

III. Discussion and Approval of Purpose and Vision of the Committee (For Possible Action)

Thomas Kearns, Chairperson

Mr. Kearns stated that he wants to first discuss the purpose of the subcommittee and what are the possible steps to take in accomplishing the vision of the committee. The committee will also discuss the use of website accessibility check software and the involvement of members of the Nevada Federation of the Blind (NFB). The ultimate goal is to create a report on the findings.

IV. Discussion of Possible Steps to Accomplish Purpose and Vision of the Committee (For Possible Action)

Thomas Kearns, Chairperson

Mr. Youngs stated that the topic of statewide website accessibility has been on the AT Council agenda for a long time. There have been presentations from NDALC (Nevada Disability Advocacy and Law Center) at previous meetings on the issues of accessibility in the state. There has not yet been a systematic plan made to address the problems. He stated that the responsibility of this Subcommittee is to present and discuss accessibility issues with the full AT Council and provide suggestions on how to move forward.

Mr. Tadder commented that he agrees that there are website accessibility issues in the state and has suggestions on which websites to investigate.

Mr. Youngs stated that he thinks it is important to focus more on how to try and resolve the accessibility issues and how to go about changing and developing new state policy. It is very important that persons and citizens of Nevada with disabilities have equal access to state websites and services. Mr. Kearns asked if Mr. Youngs is interested in filing a complaint.

Mr. Youngs responded that yes, but a complaint is more powerful when it comes from the NFB and the AT Council combined. It is also important to include consumers with various disabilities.

Mr. Kearns stated that he believes the importance of having a validator and someone checking individual websites is being able to provide specific examples of accessibility issues in the complaint and report.

Ms. Valentine stated that the complexity within the state is that there is not one entity that is responsible for posting items on the websites. She agrees that it would be helpful to hear back from an advisory committee on how state agencies can make websites more accessible.

Mr. Youngs stated it is not his responsibility to tell agencies how to create accessibility. The only statement a consumer needs to say is that a website is not accessible, and the agency needs to take responsibility in making the appropriate changes.

Mr. Kearns commented that as the Assistive Technology Council, we are recommending agencies take a look at their websites. There is a simple tool that

takes a few minutes to create a list of errors on a website. Including that list with the testimony of a consumer will clearly identify the issues.

Ms. Mooers stated that using a validator will help to create a more thorough check on accessibility. It will also help in creating a systematic change.

Ms. Aizenman asked how these issues are dealt with at the federal level.

Mr. Youngs commented that during the reauthorization of the Rehabilitation Act, the section 508 amendment dealt with those issues. Section 508 applies to federal agencies. If a consumer with a disability is unable to access a public website, it is a violation of Title 2 of the ADA (Americans with Disabilities Act).

Mr. Kearns added that 508 states that anyone who is accepting federal money is considered under those accessibility regulations.

Mr. Mayes stated that in 2013 Governor Sandoval issued an Executive Order as a way to try and increase employment of people with disabilities within state government. One of the directives he gave was the Division of Enterprise Information Technology Services of the Department of Administration in conjunction with the sister agencies' Information Technology unit to serve an all-state sponsored websites. Web and intranet based applications and all similar electronic systems and services available to the public and to employees ensure they are fully compliant with Section 508 of the Rehabilitation Act of 1973 as amended. As a part of the Executive Order, all Departments must report back to the Governor by the end of December 2013 about what they are going to do about website accessibility. The response from Jeff Muhlenkamp, who is the Director of Nevada Department of Administration at the time, was given responsibility of this project and evaluating the response. Mr. Muhlenkamp stated that there was a high level review conducted of EITS managed web based programs and applications against the guidelines contained in 508 of the Rehabilitation Act. Many of the provisions ensure access to people with vision impairments. Whenever possible EITS uses the most current technology available for web based programs which incorporate IT best practices and federal requirements. However they cannot ensure compliance with provisions for all physical impairments at this time. Mr. Mayes stated that this is an issue that the Governor wants looked at. The Subcommittee may want to ask Mr. Muhlenkamp to share more information about his evaluation.

Ms. Valentine stated that Mr. Muhlenkamp has left state services, but she will find out who has replaced him. She stated that there are different levels of understanding of 508 compliances throughout different state employees who are responsible in posting information on the websites.

Mr. Mayes commented that there is difficulty getting any changes made to state websites. Employees should be trained properly on what to put on the websites. He stated that anyone interested in filing a DOJ (Department of Justice) complaint, contact NDALC.

Mr. Youngs is unsure of how to move forward because he has already made complaints that did not go anywhere. He is interested in viewing the research that was done on the Governor's Executive Order. Each individual person with a disability has a right to file their own complaint.

Mr. Kearns made a motion that the Subcommittee on Website Accessibility Taskforce create a report on the inaccessibility of websites that specific members of the NFB will look at, it will also include a third party software to validate the problems found. Ms. Aizenman seconded the motion. There was no further discussion and motion passed.

- V. Use of Website Accessibility Checking software
Thomas Kearns, Chairperson

Agenda item was included in the motion approved under item IV.

- VI. Use and Involvement of NFB Members to Check Accessibility of State Websites
Thomas Kearns, Chairperson

Agenda item was included in the motion approved under item IV

- VII. Creation of a Report on Each Website Investigated (For Possible Action)
Thomas Kearns, Chairperson

It was determined that the participating NFB members will investigate websites of concern and will be followed up by an accessibility checker.

- VIII. Determine Who to Report Committee Findings To (For Possible Action)
Thomas Kearns, Chairperson

Ms. Valentine will follow up with the Subcommittee on who has replaced Jeff Muhlenkamp at the Department of Administration and who will receive the report created by SWAT. The Committee would also like the report to go to the AT Council, ADSD and the Governor's office.

- IX. Other actions to accomplish S.W.A.T.'s Mission
Thomas Kearns, Chairperson

Mr. Youngs would like to include all the research already accomplished by NCED (Nevada Center for Excellence in Disabilities) in the Committee report. Ms. Aizenman would like to encourage members of the public or state agencies to attend meetings if they have any questions about these accessibility issues. Mr. Kearns asked for permission from the rest of the Committee to take the lead on organizing the process of working with members of the NFB on investigating accessibility of websites.
The committee approved.

- IX. Discuss and Confirm next meeting Date (For Possible Action)
Thomas Kearns, Chairperson

The Committee agreed to set the next meeting up for the end of May or beginning of June. ADSD staff will send out an agenda once the date is determined.

- X. **Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item)

Mr. Kearns thanked everyone for their input and comments.

Ms. Mooers stated she will take a look at the Secretary of State's Office website and asked Mr. Kearns to help clarify what she needs to be looking for on accessible websites.

Mr. Kearns asked her to use the website as a normal consumer and take note of what issues she may find.

Mr. Youngs stated he appreciates the help of the members on the NFB and other consumers on these issues.

- XI. **Adjournment (For Possible Action)**

Thomas Kearns, Chairperson

Meeting adjourned at 2:30 p.m.

NOTE: Items may be considered out of order. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint.

Current Assistive Technology Council Members

Scott Youngs , Frida Aizenman, Thomas Kearns

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Desiree Bennett at (775) 687-0586 as soon as possible and at least five days in advance of the meeting. If you wish, you may e-mail her at dabennett@adsd.nv.gov. Supporting materials for this meeting are available at: 3416 Goni Road, #D-132, Carson City, NV 89706 or by contacting Desiree Bennett at (775) 687-0586 or by email at dabennett@adsd.nv.gov.

Agenda Posted at the Following Locations:

1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
2. Aging and Disability Services Division, Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104
3. Aging and Disability Services Division, Reno Office, 445 Apple Street, Suite 104, Reno, NV 89502
4. Aging and Disability Services Division, Elko Office, 1010 Ruby Vista Drive, Suite 104 Elko, NV 89801
5. Southern Nevada Center for Independent Living, 2950 S. Rainbow Blvd., #220, N. Las Vegas Blvd., Las Vegas, NV 89146
6. Disability Resources, 50 E. Greg St Suite 102, Sparks, NV 89431
7. Nevada State Library and Archives, 100 N. Stewart Street, Carson City, NV 89701
8. Desert Regional Center, 1391 So. Jones Blvd., Las Vegas, NV 89146
9. Sierra Regional Center, 605 South 21st St., Reno, NV 89431
10. Nevada Disability Advocacy & Law Center, 1875 Plumas St., #1, Reno, NV 89509
11. Northern Nevada Center for Independent Living, 999 Pyramid Way, Sparks, NV 89431
12. Department of Health and Human Services, 4126 Technology Way, Carson City, NV 89706
13. Bureau of Vocational Rehab, 1325 Corporate Blvd., Reno, NV 89502
14. Rebuilding All Goals Efficiently, 2901 El Camino Ave., Suite 201, Las Vegas, NV 89102

Notice of this meeting was posted on the Internet: <http://www.adsd.nv.gov/> and <https://notice.nv.gov>