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## **Making Information Available to the Blind and Disabled of Florida: The Accessibility of [www.myflorida.com](http://www.myflorida.com) and other publicly funded electronic resources in the State of Florida**

### **PRESENT ISSUE**

Can you imagine in this day and age contracting with a private agency to build a state building and that private agency building it with stairs and no wheelchair access? Probably not. Yet, private agencies contracting with the state to produce websites and web applications are not considering Florida employees or citizens who have disabilities. In essence, they are ignoring existing laws and building structures with no way for people using, not wheelchairs, but equally important, tools to access technology.

The needs of the people with disabilities are an afterthought for these companies. Only after complaints does the need "shockingly" surface. Federal law has required ADA equal access for several years under Section 508. Yet these laws are ignored, when building software and internet access for the state of Florida.

For example, **PeopleFirst** is not accessible to anyone using keyboard commands. It is mouse dependent. People with disabilities using special technology rely on underlying code that depends on keyboard access. Supervisors who are blind cannot do their job without a sighted person because the PeopleFirst system was made mouse dependent. ADA opened the door to people with disabilities. But such laws are nothing if not enforced.

Please note that **PeopleFirst** is only an example. Other third party pages, such as **MyFloridaMarketPlace** and **ASPIRE**, are also not accessible. The priority for making these sites accessible has demonstrated that Florida's users with disabilities are considered second-class citizens.

## **BACKGROUND**

### **Online Barriers Faced By People with Disabilities**

Many people with disabilities use “assistive technology” to enable them to use computers and access the Internet or Web-based applications. Blind people who cannot see computer monitors may use screen readers — devices that speak the text that would normally appear on a monitor or screen magnification software. People who have difficulty using a computer mouse can use voice recognition software to control their computers with verbal commands. People with other types of disabilities may use still other kinds of assistive technology. New and innovative assistive technologies are introduced every day.

Poorly designed websites and applications can create unnecessary barriers for people with disabilities, just as poorly designed buildings prevent some from entering. Designers may not realize how simple features built into a web page will assist someone who, for instance, cannot see a computer monitor or use a mouse.

One example of a barrier would be the graphic of the PeopleFirst logo with no alt text identifying it. Because screen readers cannot interpret images unless there is text associated with it, a blind person would have no way of knowing whether the image is an unidentified photo or logo, artwork, a link to another page, or something else. Simply adding a line of simple hidden computer code to label the photograph “People First Logo” will allow the blind user to make sense of the image.

When accessible features are built into web pages, websites are available to everyone — including users with disabilities. Web designers can follow techniques developed by private and government organizations to make even complex web pages usable by everyone including people with disabilities. For most websites, implementing accessibility features is not difficult and will seldom change the layout or appearance of web pages. These techniques also make web pages usable both by people using older computers and by people using the latest technologies (such as personal digital assistants, handheld computers, or web-enabled cellular phones).

With the rapid changes in the Internet and in assistive technologies used by people with disabilities to access computers, private and government organizations have worked to establish guidelines for accessible web pages that permit innovation to continue.

## **EXISTING LAW**

The Americans with Disabilities Act (ADA) and, if the government entities receive Federal funding, the Rehabilitation Act of 1973, generally require that State and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden. One way to help meet these requirements is to ensure that government websites have accessible features for people with disabilities. An agency with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use the programs or services, such as a staffed telephone information line. These alternatives, however, are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available.

## **ACTION NEEDED**

Any contracting agency for the state must ensure full access to all users. The state contracting process must clearly indicate that the private agency must comply with the ADA, Section 508 of the Rehabilitation Act and the World Wide Consortium have established how ADA software and internet requirements can be met. The State Technology Office has web standards that establish how web sites can be accessible.

The legislature should create and fund a Florida AeIT Office within Department of Management Services to take all actions necessary to implement the intent of the AeIT law and assign the office oversight, monitoring and technical assistance responsibilities. In developing this office and implementing the AeIT law, the AeIT Office should ensure the maximum participation and input of stakeholders, citizens, and organizations representing persons with disabilities, such as the National Federation of the Blind of Florida. The AeIT Office's responsibilities should be delineated by administrative rule promulgated by the Department of Management Services.

Furthermore, adding a simple statement in contracts that private agencies contracting with the state will adhere to for example 508 standards (less stern than World Wide Consortium) would make it clear that Florida expects compliance with ADA with penalties for not meeting these requirements.

For more information about this issue, please contact:

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