

Know Your Rights

WEBSITE ACCESS

This fact sheet is designed to help people with disabilities understand their legal rights in obtaining access to websites. This fact sheet will cover:

- (1) Access to Federal Government Websites
- (2) Assistive Technology

YOU HAVE THE RIGHT TO ACCESSIBLE FEDERAL GOVERNMENT WEBSITES.

Section 508 of the Rehabilitation Act of 1973 requires “individuals with disabilities who are members of the public seeking information or services from a Federal department or agency to have access to and use of information and data that is comparable to the access to and use of the information and data by such members of the public who are not individuals with disabilities.”ⁱ If doing so would create an undue burden, the Federal department or agency must provide the information to individuals with disabilities by an alternative means of access.ⁱⁱ

Under Section 508, Federal websites must be accessible to individuals with disabilities and include features to help individuals with disabilities access their content, whether through the website itself or through an alternative means of access.

EXAMPLES: Functions on the website to increase font size or to provide audio of the text.

YOU HAVE THE RIGHT TO RECEIVE INFORMATION REGARDING ACCESS TO ASSISTIVE TECHNOLOGY.

The Assistive Technology Act (“ATA”) of 2004 provides federal support and financial assistance for State efforts to improve the provision of assistive technology to individuals with disabilities of all ages.ⁱⁱⁱ States are to create comprehensive programs designed to increase the availability of, funding for, and access to assistive technology devices.^{iv} As part of this effort, States should increase the capacity of public agencies and private entities to provide and pay for assistive technology devices.^v

An assistive technology device is defined as “any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.”^{vi}

EXAMPLES: Enlarged computer keyboards, talking ATMs, voice recognition software, etc...

This publication is a fact sheet for informational purposes only.
This publication is not intended to be legal advice or a substitute for professional services.

California Assistive Technology System (“CATS”) is a statewide project which promotes access to assistive technologies, related services, and information to enable people with disabilities to gain access to assistive technology.

EXAMPLE: Specifically, assistive technology devices that are designed to facilitate the use of computers and the Internet by individuals with disabilities are available.

YOU CAN OBTAIN ASSISTIVE TECHNOLOGY THAT SPECIFICALLY IMPROVES YOUR ACCESS TO WEBSITES BASED ON YOUR DISABILITY.

Blind or Visually-Impaired: The assistive technology device that will be most beneficial to website users with a vision impairment depends on whether they are blind or partially sighted. Website users who are blind may utilize a screen reader, which reads the contents of the webpage back to them. These devices typically sift through the HTML code and determine what needs to be read aloud and what should be ignored. Unfortunately, not all websites are designed to be accessible in this way. Partially sighted website users may utilize a program that magnifies text and screen images on web pages.

EXAMPLES: Magnification aids (including computer technology that provides magnification and screen-reading capabilities), or screen readers (such as JAWS Screen Reader) that use a voice synthesizer to read the contents of the computer screen aloud via the computer’s speakers.

Deaf or Hearing-Impaired: People who are deaf or hearing-impaired can typically access websites the same way as individuals who are not deaf unless, the websites contain audio content. Website users who are deaf or hearing-impaired may utilize programs that provide subtitles or a written transcript of website audio content. However, not all websites are designed to be accessible in this way.

EXAMPLE: Captioning—allows spoken words on the computer to be translated into typed words for viewing.

FILING A COMPLAINT

- Each Federal Department or Agency has its own complaint process.^{vii}
 - Complaints must be filed within 180 days of the date that individuals with disabilities are unable to access the electronic and information technology procured.

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