



DIGITAL CONTENT AND ACCESSIBILITY

po7540.02

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7540.02 - DIGITAL CONTENT AND ACCESSIBILITY

A. Creating Digital Content

The Board of Education authorizes staff members to create content for the District's website and District-approved/affiliated apps and services (see Bylaw 0100 - Definitions) ("digital content").

District-generated and school-related digital content must comply with State and Federal law (e.g., copyright laws, Children's Internet Protection Act ("CIPA"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), Americans with Disabilities Act ("ADA"), and Children's Online Privacy Protection Act ("COPPA")) and reflect the professional image/brand of the District, its employees, and students. District-generated digital content must be consistent with the Board's Mission Statement and is subject to prior review and approval of the Superintendent before being published on the District's website or District-approved/affiliated apps and services.

School-related student-created content for the Board's website or District-approved/affiliated apps and service are subject to Policy 5722 - School-Sponsored Publications and Productions.

Creation of school-related content by students for the Board's website or District-approved/affiliated apps and services must be done under the supervision of a District staff member.

B. Purpose of Digital Content

The purpose of digital content covered by this policy is to educate, inform, and communicate. The following criteria shall guide the development of District-generated digital content:

1. Educate

Digital content should be suitable for and usable by students and teachers to support the curriculum and the Board's Objectives as listed in the Board's Strategic Plan.

2. Inform

Digital content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

3. Communicate

Digital content may communicate information about the plans, policies, and operations of the District to members of the public and other persons who may be interested in and/or affected by District matters.

The information published on the Board's website and District-approved/affiliated apps/services should reflect and support the Board's Mission Statement, Educational Philosophy, and School Improvement Process.

When the digital content includes a photograph or personally identifiable information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

Under no circumstances is District-generated digital content to be used for commercial purposes, advertising, political lobbying, or to provide financial gains for any individual. Included in this prohibition is the fact no digital content published on the District's website may: (1) include statements or other items that support or oppose a candidate for public office; the investigation, prosecution, or recall of a public official; or passage of a tax levy or bond issue; (2) link to a website of another organization if the other website includes such a message; or (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

Under no circumstances shall a staff member post on their personal web pages/websites or private digital accounts (i.e., non-District-approved/affiliated apps/services) student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board's website or District-approved/affiliated apps/services (e.g., Progressbook/PowerSchool/Infinite Campus) for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal web pages/websites and/or private digital accounts (i.e., non-District-approved/affiliated apps/services) (including, but not limited to, the staff member's personal accounts on Facebook, Instagram, Pinterest, YouTube Channel(s), or TikTok site(s)) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

If a staff member creates digital content related to the staff member's class, it must be hosted on the Board's website or a District-approved/affiliated app/service.

The Board's website, including school-specific websites, shall be generally open/available to the public unless specific digital content is unique to a specific child and/or includes student personally identifiable information, in which case the information must be password-protected or access to it must be otherwise restricted. When digital content involving students' personally identifiable information or information concerning coursework, particular to a specific student's classes/assignments, is password-protected/access is otherwise restricted, the student's parent(s)/guardian(s) will continue to have access to that digital content.

Digital content published on the Board's website should reflect an understanding that both internal and external audiences will be viewing the information.

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to staff who publish digital content on the Board's website and District-approved/affiliated apps/services.

The Board retains all proprietary rights related to the design of and content for its website(s) and any apps/services it operates and/or is affiliated with, absent a written agreement to the contrary.

In order for a student's school work (i.e., work that is created in or for a class or as part of a school-sponsored extracurricular activity) to be displayed on the Board's website, the student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) must provide written permission and expressly license its display without cost to the Board.

Likewise, prior written permission from a student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) is necessary for a student to be identified by name on the Board's website.

C. Accessibility of Web Content and Mobile Apps

The District is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The District is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online through the web or a mobile app, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the District's programs, services, and activities delivered in person or online.

This policy reflects the Board's commitment and intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, 34 C.F.R. Part 104, Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131, and 28 C.F.R. Part 35 in all respects. For purposes of this policy, "web content" means "information and sensory experience to be communicated to the user by means of a user agent, including code or markup that defines the content's structure, presentation, and interactions." Examples of web content include text, images, sounds, videos, controls, animations, and conventional electronic documents (e.g., content in the following electronic file formats: portable document formats ("PDF"), word processor file formats, presentation file formats, and spreadsheet file formats). Additionally, "mobile applications" ("mobile apps") means "software applications that are downloaded and designed to run on mobile devices, such as smartphones and tablets."

1. Technical Standards

Web content and mobile apps that the District provides and/or makes available, directly or through contractual, licensing or other arrangements, shall comply with the World Wide Web Consortium's

Web Content Accessibility Guidelines (WCAG) 2.1, Level AA standards, unless the Board can demonstrate that such compliance would result in a fundamental alteration in the nature of its programs, services, or activities, or an undue financial and administrative burden.

Notwithstanding the preceding, Federal regulations provide for the following content types to have limited exemption from the WCAG 2.1, Level AA requirements:

- a. Archived web content (provided all four (4) Federal criteria are met).
- b. Preexisting conventional electronic documents (with specific restrictions).
- c. Third-party content that is not created pursuant to a contract between the Board and a third party.
- d. Password-protected documents pertaining to a specific student or account.
- e. Preexisting social media posts.

Even when the preceding exceptions apply, the District, however, will still provide effective communication and reasonable modifications in accordance with the ADA.

In addition, documents currently used for accessing District programs, services, programs, and/or activities do not qualify for the above exceptions, regardless of creation date.

When a person with a disability cannot access District-generated or affiliated web content or mobile apps that meet WCAG 2.1, Level AA standards, the District will: (1) provide alternate means of access to the same information and functionality; (2) make reasonable modifications to policies, practices, or procedures; (3) ensure effective communication through appropriate auxiliary aids and services; and (4) respond to accommodation requests within three (3) business days. Such accommodations may include: (a) alternative document formats (large print, Braille, audio); (b) telephone or in-person assistance for online services; or (c) email or mail delivery of information typically accessed online.

2. Digital Accessibility Coordinator

The Board designates its Section 504/ADA Compliance Coordinator(s) and the Technology Director as the District's Web Accessibility Coordinator(s). Those individuals are responsible for coordinating and implementing this policy.

The Board commits to providing the Web Accessibility Coordinator with sufficient resources and authority to coordinate and implement this policy and any corresponding guideline(s), subject to oversight by the Superintendent and the Board.

The District's Web Accessibility Coordinator(s) can be reached at:

Superintendent

Will Snyder

wsnyder@western-reserve.org

(419) 660-8508 Ext 1001

3. Third Party Content

Links included on the Board's website and District-approved/affiliated mobile apps that pertain to its programs, activities, and/or services must also meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). The District's Digital Accessibility Coordinator(s) or designee(s) will vet online content available on the Board's website and through District-approved/affiliated mobile apps that are related to the District's programs, activities, and/or services for compliance with this criteria for all new content published on the District's website and mobile apps after adoption of this policy.

Content posted by third parties (e.g., members of the public) on District platforms is exempt from the WCAG 2.1, Level AA requirements. Those platforms, however, along with content posted by the District staff or contractors, must be fully compliant.

Additionally, nothing herein shall prevent the District from including links on its website(s) and apps/services to:

- a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or
- b. websites, services, and/or apps that are developed and hosted by outside vendors or organizations that are not part of the District's program, benefits, or services.

The Board recognizes that such third-party websites may contain advertisements that are not age-appropriate or consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

4. Regular Audits

The District will, under the direction of the Digital Accessibility Coordinator(s) or designee(s), at regular intervals, audit the District's digital content to ensure it meets the required technical standards.

This audit will occur at least annually.

If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period.

5. Reporting Concerns or Possible Violations

If a person accessing the District's web content and/or District-approved/affiliated mobile apps (e.g., a student, prospective student, employee, guest, or visitor) ("user") believes that specific web content and/or a mobile app has violated the WCAG 2.1, Level AA standards, the user may contact the Digital Accessibility Coordinator with any accessibility concerns. The user may also file a formal complaint utilizing the procedures set out in Board Policy 2260.01 relating to Section 504 and Title II.

D. Instructional Use of Apps/Services

The Board authorizes the use of apps and services to supplement and enhance learning opportunities for students, either in the classroom or for extended learning outside the classroom.

A teacher who elects to supplement and enhance student learning through the use of apps/services is responsible for verifying/certifying to the Superintendent that the app/service has a FERPA-compliant privacy policy and it complies with all requirements of the COPPA, CIPA, and Section 54/ADA, including the WCAG 2.1, Level AA accessibility standards.

The Board further requires the use of a Board-issued e-mail address in the login process for District-approved/affiliated apps/services.

E. Training

The District will provide training for its employees who:

1. create web content, documents, or multimedia materials;
2. manage the Board's website and digital services;
3. select and contract with technology vendors; and
4. work on online communications. The training should cover:
 - a. WCAG 2.1, Level AA guidelines and success criteria;
 - b. accessible document creation (PDFs, Word, PowerPoint);
 - c. alternative text requirements for images and media;
 - d. video captioning and audio description requirements;
 - e. accessible form and navigation design;
 - f. color contrast and visual design standards;
 - g. vendor accessibility evaluation criteria; and
 - h. the District's responsibilities under Title II of the ADA, including its grievance procedures.

Such training shall be facilitated by qualified individuals with demonstrated knowledge, skill, and experience concerning the accessibility standards and ADA compliance.

F. One-Way Communication Using the District Website and/or District-Approved/Affiliated Apps/Services

The Board approves the use of its website and District-approved/affiliated apps/services to promote school activities and inform stakeholders and the general public about District news and operations.

Such communications constitute public records that will be archived.

When the Board or Superintendent designates communications distributed via the District's website and/or District-approved/affiliated apps/services to be one-way communication, public comments are not solicited or desired, and the website or app/service is to be considered a nonpublic forum.

If the District uses an app/service that does not allow the District to block or deactivate public comments, the District's use of that app/service is subject to Policy 7544 - Use of Social Media, unless the District is able to automatically withhold all public comments.

If unsolicited public comments can be automatically withheld, the District will retain the comments in accordance with its adopted record retention schedule (see AG 8310A – Public Records and AG 8310E - Record Retention and Disposal), but it will not review or consider those comments.

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28 C.F.R. Part 35, Subpart H (Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities - Effective 6/24/2024)