

LEARNING DISABILITIES ASSOCIATION OF ONTARIO

Response to Draft Information & Communication Standard February 2009

1. Effectiveness

Will the SDC's Proposed Standard help to achieve purpose and intent of the AODA by improving accessibility for people with disabilities?

Yes

Please explain why or why not

The LDAO Adult Advocacy (consumer) Committee supports the draft standard as a positive, forward thinking effort. Their comments include:

- Standardization, especially file format standardization, will be very helpful for persons with disabilities
- The standards will help to reinforce to the public that all materials (e.g. books, brochures, websites) should be accessible, and will promote development of accessibility tools to make information and communication accessible
- The standard should be very helpful in the education and training sector

2. Support

A. Are there any sections in the Proposed Standard that you particularly support and why?

Section 6 - Requirements for Educational Organizations and Regulatory Bodies

- Section 6.1 under Requirements for Educational Organizations and Regulatory Bodies will have the most positive impact on individuals with learning disabilities (LDs). Many students with LDs need to have access to print materials in alternative formats and the provisions of Section 6.1 will go a long way toward ensuring timely access. Students with LDs make up the majority of students with print disabilities in postsecondary settings.

The May 2005 final report Access to Academic Materials for Post-Secondary Students with Print Disabilities (www.neads.ca/en/about/projects/atam/) by the National Educational Association of Disabled Students (NEADS) found that only 19% of students had all their required reading available in alternate format and only 39% received their alternate format materials in a timely manner. The NEADS report also stated that "there was a widely expressed need for an orchestrated and efficient system to allow access to publisher's files".

B. Are there any sections in the Proposed Standard that you particularly have concerns with and why. Please provide suggestions for improvement.

Section 5 - Accessible formats and methods

The submission of the AODA Alliance states on page 10 that the standard “should allow an organization to deliver the end result that the ICAS demands for persons with disabilities, either using those (the prescribed) technical means or their functional equivalent.” The idea of functional equivalents to achieve the end result should be readdressed.

C. Are there any missing elements that should be added to improve the Proposed Standard?

- Somewhere in the standard it needs to state that prepared communication which has significant impact to an individual needs to be in plain language and/or have supports for comprehension.
- Our Adult Advocacy Committee pointed out that the standard does not speak to the responsibilities of the individual with a disability to ‘ask for’ the assistance they need.

3. Clarity

Is the SDC's Proposed Standard clear and understandable including intent, meaning of the clauses, requirements and proposed definitions? No

If not, what specific suggestions would you make to improve clarity, support understanding and avoid uncertainty?

- There is a lot of confusion about the provisions of the standard. There is also criticism that the standard is too long and the language level too high.
- The intent of the standard would be easier to follow if Sections 5.3 to 5.7 were moved to become Schedule 1, with Schedule 1 becoming Schedule 2. There is too much detail in these sections of 5, and it disrupts the flow of the standard.
- The intent of Section 5 is widely misunderstood to mean that all the formats listed must be available, not just the format requested. It is also not clear to many readers that this section is ‘upon request’. 5.1 and 5.2 need to make the intent absolutely clear.
- The section on plain language (2.2.2) needs to be clarified. Some readers are misinterpreting it to mean that an organization’s policy must require all documents to be in plain language.
- Providing examples throughout the document would help with understanding; e.g., giving examples of User Interfaces for IT, and the various types of E-text might clear up some misunderstandings.
- There needs to be more clarity on making legacy documents available in alternate formats – How far back to convert documents, and what about those that were not produced in electronic formats?
- The scope needs to be clearer in terms of the sectors where the standard does not have jurisdiction.

4. Scope & Application

Section 1 of the SDC's Proposed Standard sets out the broad scope and application of the SDC's Proposed Standard.

Is the grouping of organizations into small, medium, and large appropriate? Please explain why or why not, and include any suggestions for improvement.

- The way of grouping organizations has been receiving a lot of criticism. There is concern that Class 2 is too large a range, and suggestions that there should be another mid-sized grouping of nonprofits and businesses. Public Sector organizations could also be divided into small and large organizations since there is a difference in their readiness for compliance.

Are the timelines for implementation achievable? Please explain why or why not and include any suggestions to phase in requirements in order to achieve the vision of accessibility by 2025.

- Feedback from many sources indicated that the timelines are unrealistic, especially for small businesses, and most nonprofits.
- There were a number of recommendations for flexibility in implementation and opportunities for a phase-in plan, i.e. organizations could make goals and demonstrate progress toward those goals.

5. Benefits/Costs

Please describe some of the potential positive effects of the SDC's Proposed Standard on you or your organization.

- The standard will make it easier for individuals with learning disabilities to achieve their potential in education and employment.
- Asking for accommodations should be an easier process when organizations have put some forethought and preparation into being able to provide accessible formats.

Please describe some of the potential negative effects of the SDC's Proposed Standard on you or your organization.

- While there is willingness for the standard to be implemented, the reality of bringing LDAO and especially its small chapters up to standard would mean a huge cost factor. Like many other charities, LDAO and especially its small local groups are struggling to stay afloat financially.

6. Feasibility

Are the requirements of the SDC's Proposed Standard appropriate in terms of the feasibility of implementation? No

What suggestions, if any, do you have to make the requirements more practical for you or your organization?

- Organizations will require a lot of guidance and support in order to implement the standard.
- There should be an emphasis on support rather than just enforcement.
- There will be a technology learning curve for many organizations

Charities like LDAO will need a longer phase-in period and funding support for technology upgrades.

7. Additional Comments

- The Accessibility Directorate could partner with disability organizations to help create awareness of the new standard and to provide training and support to all sectors for implementation of the standard.