

1. Commitment to get done. It needs to get done.

Payan and Mason vs LACCD – Benign neglect, thoughtless indifference. Disparate impact. Well, we didn't know. Timeliness of service after request. <https://dredf.org/2021/12/16/payan-v-laccd-explainer/>

Three Elements of Disability Discrimination

- Intentional discrimination
 - Hostile environment
 - Biased grading
 - Denial of admissions
- Denial or failure to implement a reasonable accommodation
 - Most common form of claim
 - Best for individual problems
 - College or teacher says its not “reasonable,” a “fundamental alteration” or an “undue burden,” litigation, through a denial of accommodation claim, may be the only effective response
- Disparate Impact
 - Tool for address institutional problems whether intentional or not
 - Examples:
 - Website not accessible to students who are blind
 - Academic software like MyMathLab purchased without any consideration of whether it is accessible to blind students or whether there is even a work around
 - A new student union built without any ramps, elevators, or accessible restrooms
 - Note that intent is not an essential element
 - This is to address ignorance, “thoughtless indifference” and “benign neglect”

WCAG <https://www.w3.org/WAI/WCAG21/Understanding/>

Accessible vs Accommodation

Accessibility is the baseline of equal service, and accommodation is the second step to take when accessibility alone isn't enough.

Accessibility is a **proactive** solution to providing equal access for all.

Accommodations are **reactive** solutions to address special cases.

Student does not have to participate in DRC or identify

2. DE Role in accessibility, if not DE where?

DE role – advise and support.

District support

Professional development

Cannot be DRC – funding is student based

3. Commitment that the ally score is not used punitively.

Percentage is arbitrary.

It is bouy in the ocean to identify potential of drowning.

Ally is an imperfect tool.

Good faith effort to make it accessible.

Recommendations:

Allow accessibility training under equity flex.

District provided training and funding

Compensation for training

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