



Disability Services Program Faculty Handbook

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Disability Services Program (DSP)

- Introduction to DSP
- How to Refer a Student to DSP

Working with Students with Disabilities

- Teaching Students With Disabilities

Accommodations and Services

- Alternate Media
- Alternate Testing
- Sign Language Interpreting
- Recommended Syllabi Statements
- Accessible Web Pages

Rights, Responsibilities, and more...

- Faculty Responsibilities
- FAQ's for Faculty
- Confidentiality

References

Resources

Acknowledgements

We would like to give thanks to our DSP Counselors, Instructors, and staff, who gave of their time and expertise to review and edit several drafts before the final version. Many, many thanks to students in the Disability Services Program (DSP) who permitted us to take their pictures and tell their stories. It takes a lot of courage to self-disclose one's disabilities in such a public manner. However, the impact our program has is dependent upon these students and others just like them who spread the word that it is possible to succeed in college by taking advantage of all the resources available on each community college campus.

Thank you,

Disability Services Program



Merritt College DSP adheres to the Americans with Disabilities Act of 1990, Section 504 and 508 of the Rehabilitation Act of 1973, the California Education Code, and Title 5 of the California Code of Regulations. Title 5 regulations provide guidance to the colleges in their legal and fiscal responsibilities to DSP and to students with disabilities.

The DSP assists the college in complying with Section 504 of the Rehabilitation Act of 1973, which states that "no qualified individual with disabilities shall, on the basis of their disability, be excluded from the participation in, be denied the benefits of or be subject to discrimination under any post-secondary program or activity receiving federal financial assistance".

The Americans with Disabilities Act of 1990 extends federal civil rights protection. It prohibits excluding people from jobs, services, activities or benefits based on disability.

Free to contact DSP if you have additional questions or concerns. DSP is located in the Student Services Building, R-109; the telephone number is (510) 436-2519.

Introduction to DSP

Disability Services Program Faculty and Staff

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Types of Disabilities:

Merritt College Disability Definitions

Title 5 of the California Code of Regulations defines the following disabilities for California Community Colleges. Below is a listing of disabilities and hyperlinks (to be added to web format) to information on teaching students with these disabilities.

Acquired Brain Impairment: A verified deficit in brain functioning which results in a total or partial loss of cognitive, communicative, motor, psychosocial, and/or sensory perceptual abilities.

Communication Disability: impairment in the processes of speech, language, or hearing.

Developmentally Delayed Learner: The developmentally delayed learner exhibits below average intellectual functioning and has potential: for measurable achievement in instructional and employment settings.

Learning Disability: A persistent condition of presumed neurological dysfunction which may exist with other disabling conditions and continues despite instruction in standard classroom situations. To be categorized as learning disabled, a student must exhibit:

- average to above average intellectual ability;
- severe processing deficit(s); and,
- severe aptitude achievement discrepancy(cies)

Mobility Disability: A visual impairment, mobility or orthopedic impairment, or other health impairment.

Psychological Disability: A persistent, psychological or psychiatric disorder, or emotional or mental illness. The following are not included: sexual behavior disorders, compulsive behaviors, and psychoactive substance abuse.

Visual Disability: A visual impairment.

Other Disabilities: This category includes all students with disabilities who are not appropriate for any of the above categories and have a major life impairment and are in need of instruction and/or support, as verified by a Merritt College DSP Counselor.

How to Refer a Student to DSP

If you suspect a student has a disability ask to speak to them in private such as after class or during office hours. Tell the student what you observe and ask if they are

receiving special services from Merritt. If the student states they aren't then suggest they may want to explore services from the DSP office. You can either walk them to the DSP office or call to set up an appointment for the student. It's recommended you walk them over so you can introduce the student to the staff.

Identifying the Student with a Disability

Determining that a student has a disability may not always be a simple process. *Visible disabilities* are noticeable through casual observation an immediately recognizable physical impairment, for example, or the use of a cane, a wheelchair or crutches.

Other students may have *hidden disabilities*, such as hearing deficiencies, legal blindness, cardiac conditions, learning disabilities, cancer, diabetes, kidney disease and psychiatric or seizure disorders, all of which are usually not apparent.

Finally, there are students with *multiple disabilities*, which are caused by such primary conditions as muscular dystrophy, cerebral palsy or multiple sclerosis. Depending on the nature and progression of the illness or injury, it may be accompanied by a secondary impairment in mobility, vision, speech, or coordination which may, in fact, pose greater difficulties.

Some students with disabilities will identify themselves as such by contacting the Disability Services Program office and their instructors before or early in the semester. Others, especially those with "hidden" disabilities, may not because of shame, their distaste for pity, or their fear of disbelief either about the legitimacy of their problem or the need for accommodation. Such students, in the absence of instructional adjustment, may run into trouble in their college work. In a panic they may self-identify just before an examination and expect instant attention to their needs.

It is recommended that faculty make an announcement at the beginning of the term inviting students with disabilities to schedule appointments and include a statement about students receiving services and accommodations through DSP in their syllabi.

Working with Students with Disabilities

Teaching Students with Disabilities

Students bring a unique set of strengths and experiences to college, and students with disabilities are no exception. While many learn in different ways, their differences do not imply inferior capacities. There is no need to dilute curriculum or to reduce course requirements for a student with disabilities. However, special accommodations may be needed, as well as modifications in the way information is presented and in methods of testing and evaluation. Faculty will be assisted in these efforts by drawing

upon the student's own prior learning experiences, using available college and department resources, and collaborating with the campus Disability Services Program (DSP).

Accommodations and Services

Alternate Media

DSP provides alternate media for class handouts, quizzes, tests, textbooks, and videotapes for students with verified disabilities including vision impairments, dyslexia, deafness, and some other disabilities. The Alternate Media Specialist works with faculty members to make sure students with disabilities receive their course materials in alternate media at the same time their classmates receive traditional print handouts.

Students with a print disability--a visual limitation or reading difficulty that limits access to traditional print materials--may request printed materials in alternate media. Examples of alternate media formats include electronic format (e.g., PDF or Word file), braille, tactile graphics, audio format, and large print. Students can make alternate media requests through DSP.

Alternative Testing

DSP provides alternative testing for students with verified disabilities. The student obtains an Alternative Testing Form from the DSP office, fills it out, asks the instructor to sign it, and returns the form 1 week before a test or 2 weeks before a final. Alternative testing may be used to allow the student extra time, to provide a quieter environment, to allow a blind student to use a computer or a reader/scribe, or for other appropriate accommodations.

Sign Language Interpreting

A sign-language interpreter will accompany the student to class. Below are some guidelines for working with deaf or hard-of-hearing students.

Communication

When talking with the student, look directly at him or her, and speak as you would to a hearing person. Remember that while the interpreter's hands are moving, your message is still in transit.

If you need to communicate directly with the interpreter, he or she will interpret your conversation into sign language for the student.

Positioning/Lighting

The interpreter will make sure the positioning of the student is relative to you and to any videotape, film, or overhead projection you are showing. Please try to avoid having windows or any other strong light source directly behind you.

Clear line of sight and sufficient light for the student and interpreter to see one another is essential at all times.

Note-taker

Because the student will need to watch the interpreter when you or anyone else is speaking, it will be necessary to select a note-taker. Your help in doing this will be very much appreciated.

Useful Links

- Sign Language Interpreting Homepage
- Teaching Students with communication disabilities
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Syllabi Statements

Academic Accommodations and Alternate Media Syllabi Statements

The Disability Services Program recommends that instructors include the following two statements on their syllabi.

- Students with disabilities are encouraged to meet with me in private to discuss their services and accommodations. Please bring your “Services and Accommodations” form from the Disability Services Program to our meeting. This information will be kept confidential and will not affect your grade. Also, students who think they could use support from the Disability Services Program for temporary or permanent conditions, or if you suspect you might have a learning disability, please contact their office: (510) 436-2429 or visit R-109 to make an appointment.

(Please give this a separate heading and do not place under “miscellaneous.”)

- Students have the right to request reasonable modifications to college requirements, services, facilities or programs if their documented disability imposes an educational limitation or impedes access to such requirements, services, facilities or programs. A student with a disability who requests a modification, accommodation, or adjustment is responsible for identifying himself/herself to the instructor and, if desired, to the DSP office. Students who consult or request assistance from DSP regarding specific modifications,

accommodations, adjustments or use of auxiliary aids will be required to meet timelines and procedural requirements established by the DSP office.

Accessible Web Pages

Why create accessible web pages?

- Because it's the right thing to do.
- Because it's the law, Section 508, Section 504, ADA, ...
- So all our students, parents, prospective students, faculty, staff, and administration can access all of our web pages.

Web Colors

Use care to make sure there is good contrast between backgrounds and text. For example, tan text on a light brown or orange background is hard to read because of a lack of contrast. Light text against a dark background has good contrast, but it is sometimes necessary to increase the font size to make the text easy to read. The dark background can bleed onto the letters, making them difficult to read. Consider using CSS for assigning font sizes, this way it is possible to make changes to all the print in your web site by modifying just one file!

Consider having a background color, such as a light eggshell or very light gray tone, or a background image, such as the one shown on this web page. Many people find it easier to read web pages when the background isn't quite such a bright white.

A RGB Hex Triplet Color Chart is useful for determining the numbers for various colors.

Avoid using the <blink> tag, or any other feature which causes the screen to flash between 2 and 55 times per second. Avoid the use of scrolling text, or marquees, since this may be difficult for many people to read. Use caution with animated gif files as they may cause the screen to flicker, and they can also distract people. If you use animated gifs, consider limiting the number of times the animation takes place.

Get the Merritt College "Look"

If you choose to use JavaScript on your web pages, it is necessary to add the noscript tag. This tag should include the information, or links, which were provided by the JavaScript. Please contact the Alternate Media Facilitator for assistance with noscript tags, (805) 546-3100 x2825.

Evaluation and Repair Tools

- A-Prompt. This shareware program can be used to analyze and repair your web pages. Always make a backup copy of your web page before running this tool, since it sometimes makes undesirable changes.
- Bobby. There are both online and freeware versions of the Bobby accessibility tester. The freeware program can be used to analyze a web page on your local computer before it is posted to the internet. The reports can be a little difficult to understand.
- InFocus. This is a very good commercial accessibility testing and repair tool, but Merritt College has not purchased any licenses.

Rights, Responsibilities and more...

Faculty Responsibilities

1. Sharing the Responsibilities

To the extent manageable, students with disabilities bear the primary responsibility for identifying their disabilities and making necessary adjustments to the learning environment. However, for testing arrangements and the use of department resources, the cooperation of faculty is vital.

2. Faculty-Student Relationships

Dialogue between the student and instructor is essential early in the term, and follow-up meetings are recommended. Faculty should not feel apprehensive about discussing the student's disabling condition as it relates to the course. There is no reason to avoid using terms that refer to the disability, such as "blind," and "see," or "walk." However, care should be taken to avoid generalizing a particular limitation to other aspects of a student's functioning. The student with disabilities will probably have had some experience with the kind of initial uneasiness instructors may bring to the relationship. The student's own suggestions, based on experience with the disability and with, school work, are invaluable in accommodating disabilities in college.

3. Attendance and Promptness

The student using a wheelchair or other assistive devices may encounter obstacles or barriers in getting to class on time. Others may have periodic or irregular curtailments of functioning, either from their disability or from medication. Flexibility in applying attendance and promptness rules to such students would be helpful.

4. Classroom Adjustments

A wide range of students with disabilities may be served in the classroom by making book lists available prior to the beginning of the term; by thoughtful seating arrangements, by speaking directly toward the class, and by writing key lecture points and assignments on the chalkboard.

5. Functional Problems

In addition to the adjustments for each category of disability, some understanding is required in coping with more subtle and sometimes unexpected manifestations of disability. Chronic weakness and fatigue characterize some disabilities and medical conditions. Drowsiness, fatigue or impairments of memory or speed may result from prescribed medications. Such curtailments of functioning and interference with the student's ability to perform should be distinguished from the apathetic behavior it may resemble.

6. Note-Taking

Students who cannot take notes nor have difficulty taking notes adequately would be helped by allowing them to tape-record lectures, by assisting them in borrowing classmates' notes, or by making an outline of lecture materials available to them.

7. Testing and Evaluation

Depending on the disability, the student may require the administration of examinations orally, the use of readers and/or scribes, extension of time for exams, a modification of the test formats or, in some cases, make-up or take-home exams. For out-of-class assignments, the extension of deadlines may be justified. The objective of such special considerations should always be to accommodate the student's learning differences, not to compromise scholastic requirements. The same standards should be applied to students with disabilities as to all other students in evaluation and assigning grades.

Faculty--FAQs

What is the function of the Disability Services Program (DSP)?

The Disability Services Program assists the college in complying with Section 504 of the Rehabilitation Act of 1973, which states that "no qualified individual with disabilities shall, on the basis of their disability, be excluded from the participation in, be denied the benefits of or be subject to discrimination under any post-secondary program or activity receiving federal financial assistance".

What are the obligations of students with disabilities?

In order to enjoy the protections of Section 504 and the ADA, the student has an obligation to self-identify that he or she has a disability and needs accommodation. The institution may require that the student provide appropriate documentation at student expense in order to establish the disability and the need for accommodation. [See Rights and Responsibilities]

How does DSP know if a student has a disability?

According to Section 504 of the Rehabilitation Act of 1973, “A person with a disability includes any person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities; has a record of such an impairment; or is regarded as having such an impairment”. The law recognizes education as being a major life activity.

Verification of a disability must be on file in order for DSP to provide services. Verification may be in letter format, on a form provided to the verifying professional, or made by qualified personnel in the DSP office.

Who qualifies for DSP services?

A student with a disability is a person enrolled at a community college who has a verified impairment which limits one or more major life activities and which imposes an educational limitation.

What is an educational limitation?

An educational limitation means disability related functional limitation in the educational setting. This occurs when the limitation prevents the student from fully benefiting from classes, activities, or services offered by the college to non-disabled students, without specific additional support services or instruction as defined in Section 56005.

What are support services?

Support services are those specialized services available to students with disabilities, which are in addition to the regular services provided to all students. Such services enable students to participate in regular activities, programs and classes offered by the college. (e.g., note takers, readers for the blind, alternative testing).

How is one determined eligible for DSP?

In order to be eligible for support services as authorized by Title 5 and Section 504, a student with a disability must have an impairment, which is verified by one of the following means:

- Observation by DSP professional staff with review by the DSP Coordinator; or
- Assessment by appropriate DSP professional staff; or
- Certified or licensed professionals outside of DSP qualified to make a valid assessment.

How do students know what services they need?

After the student's educational limitations have been identified by appropriate DSP professional staff or other qualified professional, the DSP Counselor will meet with the student to complete a Student Educational Contract (SEC), which not only lists the educational goals of the students, but identifies the appropriate services to accommodate the educational limitations.

Is a student's disability information kept confidential?

All information is strictly confidential, and no written information is released without a student signing an informed consent. Accommodations are determined in consultation with the student and the DSP staff and must be appropriate to the student's disability.

An instructor asks, when I have a student with a disability in my class, may I contact DSP for more information about the student's disability?

No, the student's disability is confidential. However, the DSP Counselor or Learning Disabilities Specialist (for students with learning disabilities) can provide information about the student's educational needs in class.

Will the requested accommodations compromise the standards, goals, and objectives of my class?

Accommodations are an opportunity for the student to be evaluated on the student's knowledge and performance in the class and not on the effects of the student's disability. According to guidelines from the Department of Education, institutions of higher education must modify academic requirements that are discriminatory. Modification may include extending time for completing degree requirements, allowing course substitutions, and adapting the manner in which particular courses are conducted. Institutions are not required to compromise on requirements that are essential to the program or course of instruction, or that are directly related to licensing requirements (Section 104.44a).

Why do some students get more time on assignments and tests than others?

The request for additional time for the student to work on an assignment or test varies from student to student depending on the severity of the student's disability. [See Alternate Testing]

If the student is already doing well in the class, why is it necessary to provide any accommodations?

Title 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 establish that students with disabilities must have equal opportunity. A student's good performance in class, including finishing exams on time, does not support the argument that the student is being provided equal opportunity. The student may still require accommodations in order to have equal opportunity in the classroom.

What if I have questions about the request for accommodations, or I disagree with it?

The instructor should contact the DSP Counselor who works with the student or the DSP Coordinator.

What if I start the exam with the student in the class and then move the student to another location when the class ends?

Students with disabilities (as most other students) do not perform optimally when interrupted while taking a test. Moving the student is not generally desirable and is discouraged and can be a violation of their right to accommodations and equal opportunity.

Should I accommodate a student without a request of accommodation from DSP?

Students often discuss their accommodation needs directly with the instructor; however, if you want a valid verification of disability provided by DSP, the student must be registered with the DSP office and have the necessary documentation of disability on file before a Services and Accommodation Form is issued. Student registration with DSP assures the instructor that student has a verified disability on file.

Are all students with disabilities registered with DSP?

No. Some students may not be registered with DSP (registration is voluntary); however, in order for DSP to serve the student with a verified disability, registration with DSP is necessary.

What should I do if a student presents a request for accommodation only a few hours before an examination?

A good-faith effort should be made to provide reasonable accommodations whenever they are requested. You may contact the DSP Department to confirm that the student has a verified disability.

Are general education and/or major requirements ever waived or altered for students with disabilities?

Under the provisions of Title 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, institutions of higher learning must not exclude a qualified student with a disability from any course of study, and must not establish rules and policies that may adversely affect students with disabilities.

On a case-by-case basis, community colleges may find it necessary to modify requirements in order to accommodate the student's disability. Modifications might include substitutions or waivers of courses or degree requirements.

NOTE: The student's DSP Counselor can be contacted for a consultation for additional information. Also, the Internet can be a good resource--please visit our web page on teaching students with disabilities.

Confidentiality

All information about a student's disability is considered to be confidential. It is shared only when there is compelling reason to do so. Records and information are protected by:

- The Family Educational Rights And Privacy Act, 1974
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1990

Your consent for release of information is not required as long as the disclosure is to other school officials (including instructors) within the college whom Solano College has determined to have legitimate educational interests..

What are the rules regarding confidentiality?

Disability related information should be treated as medical information and handled under the same strict rules of confidentiality, as is other medical information. This

includes the comprehensive documentation from an appropriate source that persons with disabilities must provide to establish the existence of their disability and their need for accommodation or consideration.

Disability related information should be collected and maintained on separate college forms and kept in secure files with limited access.

Disability related information should be shared only on a limited basis within the institutional community. It may be shared only when there is a compelling reason for the individual from the institution seeking information regarding some specific aspect of this confidential information.

Why do we need these rules?

Some disability related information is clearly medical in nature, and as such, must remain confidential as noted. Other disability related information might trigger negative connotations about the person with the disability. People whose disability is a result of HIV, seizure disorder or psychiatric illness, for example, deserve and expect to have their privacy protected by having this information handled in a highly confidential manner. The government statutes regarding persons with disabilities hold the promise that they will provide the same level of protection for any one individual, or class of individuals, with a disability than they do for another. Therefore, since some disability related information must be guarded closely, keeping all such information equally protected is a conservative, safe and legally acceptable practice.

What does this mean for Merritt College?

The Disability Services Program is assigned the responsibility for collecting and holding disability related documentation for students with disabilities.

The information regarding a student's disability should be shared by those who hold the documentation on a limited basis, and then only when there is compelling reason for such disclosure. This may mean sharing with faculty only the information that a student has a documented disability and need for accommodations. In the U.S., the Department of Justice has indicated that a faculty member generally does not have a need to know what the disability is, only that it has been appropriately verified by the office assigned this responsibility on behalf of the institution. Thus, faculty would have no legal right to demand access to the actual documentation, including testing scores, dates or names of professionals providing such documentation.

Administrators may have a need to collect data such as how many students are being served, the nature of their disabilities and recommended accommodations. Under typical circumstances, however, they do not have a need for personally identifiable

information about whom those students are for purposes of statistical or survey reporting. One way to protect the confidentiality of students with disabilities is by being careful to see that their names do not appear on general listings that may be circulated throughout the institutional community in other contexts.

Information regarding someone's disability or their status as a person with a disability is sensitive and should be managed carefully. Interoffice correspondence regarding the needs of a student with a disability should not be placed in shared files without password protection. The same memo sent to a number of students with disabilities by computer with a multiple address listing, may lead to a violation of confidentiality by revealing the names of those students to each other.

But doesn't FERPA give faculty the right to more information?

In the U.S., the Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment, provides faculty with access to educational information in institutional files regarding students with whom they are working. Disability related records provided by a physician, psychiatrist, psychologist, or other recognized professional are not subject to free access under FERPA. The Act exempts such disability related records that are used for support of the student and are available only to service providers and other professionals chosen by the student.

References

Warning! "The following links will take you to sites outside the Merritt College web server. Merritt College has no control over the content or availability of these sites."

AHEAD

<http://www.ahead.org/>

California Association for Postsecondary Education and Disability

<http://www.caped.net/>

DSP&P Q & A, Chancellor's Office, May 1993.

<http://www.cccco.edu/>

<http://www.cccco.edu/ChancellorsOffice/Divisions/StudentServices/DSPS/tabid/616/Default.aspx>

Cuesta College DSP&S Faculty Handbook (web, 2011)

<http://academic.cuesta.edu/acasupp/DSPS>

San Joaquin Delta College (web, 2011)

<http://www.deltacollege.edu/dept/dsps>

Red River College

<http://www.rrc.mb.ca>

Solano College

<http://www.solano.edu/counseling/dsp/>

Resources

www.w3c.org

Web Accessibility Initiative (WAI) Guidelines.

Section 508 Standards

Information about the Section 508 law, which covers accessibility of electronic information.

Usability.gov

A good resource for designing usable, useful, and accessible web sites. Includes several links to accessibility guidelines.

Section 508 vs. WCAG Priority 1 Guidelines

A side-by-side comparison of the Section 508 Web Standards and the Web Content Accessibility Guidelines (WCAG) Priority 1 Checkpoints

ADA Related Links

Warning! "The following links will take you to sites outside the Merritt College web server. Merritt College has no control over the content or availability of these sites."

Americans with Disabilities act of 1990

<http://www.usdoj.gov/crt/ada/pubs/ada.txt>

Merritt College Discrimination Information

<http://Peralta.edu>

Board Policy on Unlawful Discrimination & Sexual Harassment

<http://web.peralta.edu/hr/files/2010/09/Complaint-and-Investigation-Procedures-for-Employees-and-Students-Unlawful-Discrimination-and-Sexual-Harassment2.pdf>

Section 508

<http://www.access-board.gov/sec508/guide/1194.22.htm>

<http://www.usdoj.gov/crt/508/508law.html>

Section 504

<http://ericec.org/sect504.html>

Your Rights Under 504

<http://www.hhs.gov/ocr/504.html>

Implementing Guidelines for Title 5 Regulations

<http://www.htctu.fhda.edu/cccdocs/GUIDE1.html>

Web Accessibility Support and Training

Contact the Alternate Media Specialist (510) 434-3910.

Online Training

- "Web Accessibility for Section 508" This website has excellent training on web site accessibility.

Training Manuals:

Warning! "The following links will take you to sites outside the Merritt College web server. Merritt College has no control over the content or availability of these sites."

- The "Dive into Accessibility Book" does a great job describing 5 people with different disabilities, and how to make web pages accessible for each of them.
- EASI, or Equal Access to Software and Information, provides information on how to create accessible web pages.
- The High Tech Center Training Unit (HTCTU) publishes documents on web site accessibility.
- There is a FrontPage 2002 Tutorial available on the Microsoft Web site.
- If you include PDF files on your web pages, you should create accessible PDF files by following the directions on Adobe's web site.
- If you use PowerPoint presentations, there is an [accessibility plug-in](#) to make them accessible. The tool creates accessible HTML code for you, and prompts you for alt tags and other accessibility information.
- Web Design Group produced several web pages on cascading style sheets and how to include them in your web pages, see
- The "Simplified Web Accessibility Guide" is a PDF document with great, easy to read, information on web accessibility.
- The Webaim tutorial covers how to make accessible web content using FrontPage 2000.

More Useful Links

[Usability.gov](#)

An extensive listing of web accessibility resources.

[W3Schools](#)

Inside W3Schools you will find a large number of free Web building tutorials, from basic HTML and XHTML tutorials, to advanced XML, XSL and WAP tutorials. W3Schools has thousands of cut-and-paste examples. With the on-line HTML editor you can edit

the examples and experiment with the code on-line, and then cut the code and paste it into your own web pages.

JimThatcher.com

Discusses Section 508, includes a free web accessibility course, and provides a tutorial for creating accessible web pages.

Webaim

A useful website with many web related topics, including one that demonstrates how inaccessible web-based forms can be and the different workarounds that can be incorporated into the HTML coding. The site also contains an example of how a screen-reader will render an on-line form audibly. Includes a tutorial on how to make accessible web content using FrontPage 2000.

