



## **Resolution 2017-01 Regarding TASC Accessibility**

WHEREAS, the Test Assessing Secondary Completion (TASC) is an assessment used to grant high school graduation equivalency to students in New York; and

WHEREAS, the New York State Education Department has in 2017 awarded Data Recognition Corporation a new multi-year contract under which Data Recognition Corporation will continue to administer the TASC throughout the state; and

WHEREAS, state-wide use of this test over the course of the previous contract has surfaced a panoply of barriers to equitable access to blind customers, including missing or inadequate tactile representations, description of graphics, missing or inadequate accessibility features in the computer-based version of the test, and missing descriptions of graphical content in the audio version of the test, so that test takers must intermingle use of the audio TASC with use of a human reader; and

WHEREAS, TASC candidates can assess their readiness for the test, and their strengths and weaknesses in relation to its content using a readiness assessment that can be purchased by the organizations where they are studying; and

WHEREAS, Data Recognition Corporation does not provide this readiness assessment in an accessible format; and

WHEREAS, the New York State Commission for the Blind has been engaging with New York State Education Department leadership about these issues, and a way forward toward remediating them; and

WHEREAS, the state rehabilitation council for the New York State Commission for the Blind has also been engaging New York State Education Department officials; and

WHEREAS, that engagement has included a written request by the state rehabilitation council for a clarification letter from the New York State Education Department, to bidders about accessibility standards in relation to existing state and federal law, pursuant to the New York State Education Department's requested proposal, upon which Data Recognition Corporation's contract award is based; and

WHEREAS, a clarification letter was not issued, and accessibility standards are not being met in the new contract: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind, in convention assembled on this nineteenth day of November, 2017, in the city of Albany, New York, that this organization commend the New York State Commission for the Blind for its willingness to advocate to the New York State Education Department on this issue, and to help bring involved parties into dialogue; but

BE IT FURTHER RESOLVED that this organization demands that the New York state Education Department take full responsibility for managing its contract with Data Recognition Corporation in such a way that administration of the task comes into compliance with existing state and federal laws regarding accessibility standards; and

BE IT FURTHER RESOLVED that this organization reminds Data Recognition Corporation that the absence of specific language, or the presence of vague language on accessibility standards in any contract, is no defense against practices and processes which violate state and federal law; and

BE IT FURTHER RESOLVED that this organization, in recognition of the great degree to which the TASC stands between blind people and the careers and higher education to which they aspire, and the added difficulty that TASC takers face as learners outside both the k-12 and higher education systems, affirms our commitment to blind TASC candidates to secure their equity of access to the test itself, and to readiness assessments and other preparatory materials.

## **Resolution 2017-02**

### **Regarding the Provision of Accessible Documents by the New York State Commission for the Blind**

WHEREAS, the New York State Commission for the Blind publishes a vocational rehabilitation services manual as a resource to consumers, Commission staff and other interested parties; and

WHEREAS, this document specifies that a VR handbook and other intake materials as well as subsequent correspondence will be provided to consumers in their preferred accessible formats; and

WHEREAS, common formats that a person might prefer could include Braille, print, audio, and electronic access; and

WHEREAS, intake materials and subsequent correspondence are pivotal tools that consumers can use to understand their rights and responsibilities in relation to vocational rehabilitation; and

WHEREAS, reports around the state indicate that the provision of intake information and subsequent correspondence in consumers' preferred formats may not be uniformly proactive and consistent: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind, in convention assembled on this nineteenth day of November, 2017, in the city of Albany, New York, that this organization offers its collective expertise in the provision of documents in accessible and usable formats, and that this organization urges the Commission to commit in a public, material and timely way, to ensure consistency in the provision of intake information and subsequent correspondence to consumers in the accessible usable format that each consumer prefers; and

BE IT FURTHER RESOLVED that this organization urges the Commission to incorporate into its intake process a meaningful discussion that helps each consumer identify usable accessible formats from which to choose.