Is Your District Meeting ADA Requirements?

New telephone technologies make relay, TTYs less effective, lead to non-compliance

Most school personnel and administrators involved with special education are well aware of the general requirements of the Americans with Disabilities Act. However, many do not realize the specific level of compliance that is required, especially with regard to telecommunications. In addition, the incredible advances in technology that have been made in the past several years have inadvertently made access to services more difficult for the deaf and hard of hearing. Both TTY and relay are less effective than they were a few years ago, largely due to the increased usage of automated systems and digital phone systems. This paper will outline the requirements of the ADA that pertain to telecommunications, explain the problems that have developed as a result of new technology, and introduce a TTY alternative that solves these problems and once again allows fully equal access to telecommunications and compliance with the ADA.

Title II of the ADA is the section that pertains specifically to government services. This includes all public school systems. In brief, it specifies that any citizen is entitled to equal access to government (school) services, regardless of disability. While the Individuals with Disabilities Education Act addresses students in the classroom, there are additional requirements imposed by the ADA, which affect not only students, but parents, guardians, or others with disabilities who may interact with the school. For example, a graduation ceremony or school performance would need to be accessible not only to a student participating, but also to any member of the public who chooses to attend. The same requirement applies to telecommunications: phone systems must provide equal access to school services. This requirement has been interpreted in past legal decisions to mean that any direct access number being published to the general public must be accessible to callers using a TTY, either indirectly (through relay) or directly (with a TTY at the number being called).

Automated attendant systems and digital phone lines have actually served to limit access to services for deaf and hard of hearing callers.

Relay Services

Many school districts are using the Wisconsin Telecommunications Relay System as a method of ensuring equal access. Relay serves as a bridge between TTY calls and voice calls: a TTY user dials the Wisconsin Relay 800 number, which is answered by a Communications Assistant (CA), also using a TTY. The CA then places a voice call to the school and talks to the person who answers, typing their replies back to the TTY user. The CA is not a participant in the conversation, simply a method for the TTY user to contact an organization that does not have a TTY. This system, however, suffers from several flaws, which means that it is not always an acceptable method of ensuring equal access to services.

First, the relay system is slow. As you can see from the above description, there is a time lag in each exchange as the information is typed from the TTY, then read and voiced by the CA; then the CA has to type the response into the TTY and await a response from the TTY user. This system, which is funded by Wisconsin state taxes, operates three to five times more slowly than a voice call, and costs over a dollar per minute it is in use.

More importantly, the relay system simply fails in several situations. Because of the requirement to type everything that is said, any automated answering system offering multiple menu options will cause relay to fail. It is simply not possible to for the CA to type fast enough to convey all the information on a menu system in time to respond to the prompts, and TTYs are also limited in the speed at which they can receive text. Therefore, relay users encountering an automated system are often required to call back multiple times simply to get the information provided by the menu system in order to make a choice. This ties up phone lines, costs substantial time and money, and is clearly not equal access. The problem is compounded by a voice mail system or answering machine. By the time the outgoing message is received by the TTY user, their window of opportunity for leaving a message has shut, and they have been disconnected, requiring yet another call using relay to leave a message. Each time a relay user is required to call multiple times to accomplish a goal that would be possible for a voice caller to finish in one call, the requirement of equal access is violated. With the recent increase in automated attendant system usage in schools, this is a significant issue.

Relay is not considered "equal access" by Title II of the Americans with Disabilities Act.

TTY Access

The alternative to relay is equipping schools with TTYs (teletypewriters, also known as telecommunication devices for the deaf, or TDDs). These allow schools to make and receive calls without using the relay, which increases efficiency. The biggest drawback to this approach is cost. An individual TTY costs from $300 up to $1000, depending on the specific model and features included. This makes putting TTY answering stations in a large number of locations prohibitively expensive. However, a single TTY in a school system is not going to bring a school into compliance with Title II's requirements.

There are additional problems with TTYs. The underlying technology used in the devices has not changed in approximately 15 years. They are essentially unsophisticated text modems. Therefore, the digital phone systems and voice over IP systems that have been increasingly popular in the past few years are not directly compatible with TTYs. One cannot plug a TTY in wherever it may be needed without first considering whether an analog phone line is available. Also, the ability for a TTY to take messages, record conversations, or transfer calls to another location is extremely limited. This means that even with a large number of TTYs in a school system, the access to information will be limited by the inflexibility of the device itself. TTYs are certainly better than relay because of the direct connection to the caller and lack of middleman, but they have significant drawbacks.

TTYs are expensive, outdated technology which lack the flexibility to adapt to future compliance needs.

New Alternative for Access Now Available

The advances in technology mentioned above have limited the effectiveness of both relay and traditional TTYs in providing equal access. However, there is now an alternative method of access available that makes compliance much easier. This TEXTNET system uses a standard PC to answer TTY calls routed through the Internet, thus giving you the option of having the equivalent of a TTY at every computer. A caller using a TTY dials a standard toll-free number and is connected to the school. A central receptionist using TEXTNET can take all incoming TTY calls and transfer them to the appropriate person, or each individual teacher or administrator can have a direct access number published. An interactive text menu system can be set up, providing your TTY callers with the same information you publish on your automated system for voice callers. After hours, you can set up call routing so that a message can be left in the mailbox of any user on the system, and when that user logs on in the morning, a message "light" will illuminate to show them that they have received a text message. From there, a call can be returned quickly and easily through the system, or a message can be passed along to another user so that they can respond directly. If an emergency situation arises, such as a snowstorm, reprogramming the system to provide that information is as simple as typing an email.

> **A computer-based TTY system gives you more flexibility at less cost and can ensure compliance with the ADA.**

Because of these features, it is substantially easier to provide equal access using a PC-based TEXTNET system than it is with a traditional TTY or relay service. No phone lines or hardware devices are required, since the program runs directly through the Internet. You can add users quickly and easily as needs change, so responding to any accessibility complaints is a nearly immediate process. Also, the services you are able to provide to your callers are vastly superior to relay or traditional TTYs, meaning your deaf and hard of hearing constituents will be receiving better customer service and feeling more involved with the district. There are also features built into the TEXTNET software which improve internal communications options, including the ability to conference call, page users at any location, and send pop-up messages instantly.

Summary

Given the advances in telecommunications technology over the past decade, it is surprising that there have been no corresponding advances in TTY systems until now. The TEXTNET computer-based TTY system has been designed to replace traditional TTYs with a flexible, cost-effective solution that has the ability to adjust to future needs and provide a substantially higher level of service to your deaf and hard of hearing callers, thereby making sure your school district is compliant with the telecommunications requirements of the ADA. While it is especially useful in those cases where automated systems or digital phone services have inadvertently lessened accessibility for the deaf and hard of hearing, it could prove valuable to any district concerned about their current level of compliance.

For more information about the TEXTNET system, please contact Mark Mullinix at the Center for the Deaf and Hard of Hearing. He can be reached at 262-790-7164 or mmullinix@cdhh.org.