Key People Cafe - Technology Accessibility
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Overview

▪ Background (Federal and State Accessibility Standards)
▪ What do the bills apply to?
▪ What standards do districts need to meet? (WCAG and the WWWC)
▪ What are the Details of WCAG 2.1?
▪ Proposed OIT Rules
▪ Common Problems and Solutions in Website Accessibility
▪ Next Steps
Under Colorado Anti-Discrimination Act, it is unlawful to discriminate against an individual with a disability.

Title II of the Americans with Disabilities Act (federal law) also has required website accessibility for some time.

- The ADA requires government websites to have accessible features for people with disabilities
- A government entity with an inaccessible website may also meet legal obligations by providing an alternative accessible way for citizens to use services
Background

- HB21-1110 makes it a state civil rights violation for a government entity to exclude people with disabilities from receiving services due to a lack of accessibility.
- All state agencies and local governments must be compliant with state standards (created by OIT) by July 1, 2024.
The Office of Information Technology (OIT) is tasked with creating the standards, “using the most recent web accessibility guidelines ... published by the World Wide Web Consortium.”

OIT is required to provide resources. Links to resources will be provided at the end of the presentation.
Background

- Consequences of not complying:
  - Individual with disability can bring a civil suit.
  - Remedies: potentially a court order requiring compliance, recovery of damages, or a “fine of $3,500, payable to each plaintiff for each violation.”
SB23-244 helps to clear up any ambiguity within HB21-1110 by:

- Requiring OIT to adopt rules regarding accessibility standards for IT systems.
- Ensuring there is accessibility for all types of disabilities by allowing reasonable accommodations.
- Clarifying that a claim brought for a violation of accessibility standards constitutes a single claim for each digital product.
What do the bills apply to?

- It relates to all technology, software and hardware, that is both public-facing and internal-facing. That is any technology provided by or procured by a government entity that is used by the public or used by a government entity employee.
- This technology includes but is not limited to websites, applications, kiosks, digital signage, documents, video, audio and third-party tools.
- Find more info on OIT’s Accessibility Operations Memorandum (Google Doc)
What standards do districts need to meet? WCAG & WCCC

- World Wide Web Consortium is the main international standards organization for the internet.
- They publish the Web Content Accessibility Guidelines (WCAG): web accessibility guidelines that strive to promote accessibility - both for people with disabilities and people using all kinds of devices.
- Colorado’s standards will be aligned with WCAG.
What is WCAG and World Wide Web Consortium?

- WCAG includes four principles: perceivable, operable, understandable, and robust
- Includes Success criteria:
  - A (lowest)
  - AA (medium)
  - AAA (highest)
- Updates of WCAG are intermittently published by the WWWC.
What are the Standards? (WCAG 2.1)

- According to current proposed rules, Districts will be required to meet **WCAG 2.1 level AA** by July 1, 2024.
- WCAG 2.1 has a list of criteria and descriptions of what the webpages must provide.
  - According to current proposed rules, by October 5, 2025, districts must meet **WCAG 2.2 levels A and AA**.
- For now, focus on WCAG 2.1.
How to Meet WCAG? (Quick Reference)

Guideline 1.1 – Text Alternatives
Provide text alternatives for any non-text content so that it can be changed into other forms people need, such as large print, braille, speech, symbols or simpler language.

1.1.1 Non-text Content — Level A
All non-text content that is presented to the user has a text alternative that serves the equivalent purpose, except for the situations listed below. Show full description

Guideline 1.2 – Time-based Media
Provide alternatives for time-based media.

1.2.1 Audio-only and Video-only (Prerecorded) — Level A
For prerecorded audio-only and prerecorded video-only media, the following are true, except when the audio or video is a media alternative for text and is clearly labeled as such: Show full description

Show techniques and failures for 1.1.1
Show techniques and failures for 1.2.1
OIT Proposed Rules

- OIT is working on rules that are binding on government entities.
- **OIT Proposed Rules discussed in this presentation are tentative and subject to change.**
- Rules are meant to define undue financial and administrative burden means and define a fundamental alteration in the nature of the programs, services or activities being offered.
- Rules can articulate what and how public- and internal-facing websites, applications and document remediation should be prioritized.
OIT Proposed Rules

- **Proposed Rules: 8 CCR 1501-11.**
- Important aspects of proposed rules to keep in mind:
  - For future updates to WCAG guidelines, districts must meet new guidelines within 2 years of date of release
  - Districts must develop a technology accessibility transition plan, which includes prioritizing of updates, timelines, policies for testing, and a reporting process. Example.
OIT Proposed Rules

- Proposed Rules allow public entities to still be in compliance, even if not technically in compliance, if individuals with disabilities can still access the same programs or reasonable accommodations are provided.

- Proposed Rules provide that if there isn’t compliant technology available, public entity must use technology that best meets the standards and document the non-availability of compliant technology.

- Proposed Rules provide that public entity may not need to comply with certain items if conforming would result in “undue financial, technical, or administrative burden.”
  - Potential examples: Third-party content, pre-existing internal or external electronic documents, archived documents
  - Details of this process are more complicated will be subject to change in the rules.
Problem: Image without text equivalents

- Screen readers and refreshable braille displays only read text
- Solution: Each image needs a text equivalent
Problem: Documents are not posted in an accessible format
  ▫ PDFS are often posted, but these are not accessible to blind people or visually impaired people
  ▫ Solution: Post documents in a text-based format (in addition, or instead of, PDF)
- Problem: Specifying Colors and Font Sizes
  - Webpages often have a variety of color. However, people with low vision often use specific color and font settings that are not typical.
    - Ex: high contrast settings
  - Solution: Websites should be designed so they can be viewed using colors/font sizes user wants.
Problem: Videos and Other Multimedia Lack Accessible Features

- Deaf/Hard of Hearing people can’t hear the audio of the videos; and people with vision problems can’t see the videos.
- Solution: Audio descriptions of images (including changes in setting, gestures, etc.) for blind people; and text captions for deaf or hard of hearing people.
Next Steps: major challenges in complying

- **Procuring Appropriate Technology:**
  - Google is not compliant with WCAG
  - Outlook and Microsoft are compliant

- **Finances**
  - Takes money and workforce resources to convert and make revisions

- **Training**
  - Training communications team and schools, re: what needs to be done to make sure pdfs and powerpoints meet requirements

- **What challenges do you expect in your district?**
Next Steps: What should districts be doing?

- **First Priority: develop an Accessibility Plan using OIT’s accessibility standards (template)**
  - Designate employees to work in accessibility roles
  - Work toward compliance of WCAG 2.1 AA Guidelines in any online content and materials
- Read and review OIT’s rules
  - Consider signing up for public comment
Next Steps: Resources

- CDE Accessibility Training powerpoint
- Accessibility planning template
- State of Colorado Accessibility Guides
- Accessibility Law for Colorado State and Local Government
- OIT Accessibility Operations Memorandum
- HB21-1110 FAQ
- SB23-244 (info on rulemaking)
  - Rulemaking page
- Colorado Accessibility Newsletter Sign-Up
Next Steps: Resources

- Accessibility Fundamentals Overview (WWW)
- WCAG 2.1
  - How to Meet WCAG 2.1
  - Understanding WCAG 2.1
  - Techniques for WCAG 2.1
  - The WCAG Documents
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