

# WEB ACCESSIBILITY OF INFORMATION AND SERVICES



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- **Purpose:** To provide an overview of accessibility requirements for state and local government web content and services.
- **Key Topics:**
  - Background
  - WCAG 2.1 Guidelines
  - Implementation Timelines and Exceptions
  - ADA Reminders for Public Entities

# Legal Framework

- **Title II of the ADA:** Applies to all public entities, including state and local governments.
- **28 CFR Part 35:** Regulations under Title II, addressing accessibility of state and local government websites and services.
- **Contracted Entities:** Must comply if providing public services on behalf of a public entity.

# Timeline for Compliance

- **For organizations with fewer than 50,000 visitors:**  
Deadline: April 26, 2027
- **For organizations with 50,000 or more visitors:**  
Deadline: April 24, 2026

## Web Content Accessibility Guidelines (WCAG) 2.1, Level AA

- **W3C (World Wide Web Consortium):** Develops international standards for web accessibility.
- **WCAG 2.1 Level AA:** Sets the standard for accessible websites and mobile apps.
- **Goal:** Ensure that web content is accessible to individuals with disabilities.

# WCAG 2.1 Guideline Categories

## •Perceivable:

- Text alternatives for non-text content
- Captions for live audio and audio descriptions for video
- Text resizable and good contrast for readability

## •Operable:

- Three Flash Rule
- Ability to turn off animations

## •Understandable:

- Use of plain language
- Consistent navigation and error suggestions

## •Robust:

- Accessible across various platforms and devices
- Status messages communicated to users

# Conformance and Levels of Compliance

- **Level A:** Basic requirements must be met.
- **Level AA:** All Level A and AA requirements must be satisfied or an alternate version must be offered.
- **Exceptions to Compliance:** Certain types of content may be exempt.

# Exceptions

- Archived Web Content
- Preexisting Electronic Documents
- Third-party Content
- Password-protected Individualized Documents
- Preexisting Social Media Posts

# ADA Compliance and Modifications

- **Reasonable Modifications:** Public entities must provide reasonable modifications unless it alters the nature of the program.
- **Undue Burden Exception:** Public entities can claim undue burden based on specific criteria.
  - Factors include financial resources, number of employees, size of the entity, and type of operations.
- **Burden of Proof:** Rest with the public entity to demonstrate undue burden.

# Undue Burden Considerations

- Nature and cost of accommodation
- Overall financial resources of the entity
- Effect on facility expenses or resources
- Size, structure, and operation of the covered entity
- Geographic and administrative factors

# Steps to Ensure Web Accessibility

- Conduct Accessibility Audits
- Implement WCAG 2.1 Guidelines across platforms
- Provide accessible alternatives for third-party content
- Prioritize critical content for compliance based on timelines
- Document exceptions and burden-related decisions

## •**Key Takeaways:**

- Title II of the ADA applies to state and local governments, including contracted services.
- WCAG 2.1 provides clear guidelines for web accessibility.
- Important deadlines are fast approaching for large organizations.
- Exceptions are limited but need to be carefully documented.
- Reasonable modifications and undue burden provisions must be understood and applied.

## •**Next Steps:**

- Review and update web content for compliance.
- Implement necessary modifications for accessibility.
- Monitor and track changes to regulations for continued compliance.

# Questions