Access Granted: How Local Governments Can Plan to Meet Digital Accessibility Mandates

By Kathy Wolf and Steve Goll

Roughly **1 in 4 adults** in the U.S. live with a form of challenge with mobility, cognition, independent living, hearing, vision, or self-care. In a major step toward inclusivity, the U.S. Department of Justice recently published a rule on web and mobile accessibility that impacts local governments. This rule aims to ensure digital public services, programs, and activities are accessible to everyone, especially individuals with disabilities.

Understanding the Accessibility Rule

The Justice Department's rule was published April 24, 2024, and updates regulations for Title II of the Americans with Disabilities Act (ADA), specifically for web and mobile application accessibility. Let's break down our understanding of what this means for local governments and how you can meet the requirements.

The rule's effective dates vary by government entity size. Smaller governments — those with populations under 50,000 — have until April 26, 2027, to meet the requirements. Larger entities have until April 24, 2026. This flexibility acknowledges the different resources available to different entities based on their size.

The rule is comprehensive and sets specific standards. For instance, government websites and mobile apps need to be compatible with screen readers, to be operable by keyboard, and to include features like captions for media content. The Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard for these requirements.

The rule also includes limited exceptions for content that is not frequently used or is particularly hard to address right away. In such cases, it's essential to provide an alternative means of access to the information.

So, what does it mean to be web and mobile accessible? In the context of the rule, accessibility refers to the inclusive practice of removing challenges that can prevent interaction with or access to websites, digital tools, and technologies by people with disabilities.

For local governments, these accessibility concerns mean taking a close look at how your current digital infrastructure serves the public. Especially if you have technology systems that are not moving toward conformance with the requirements, you will likely need to update websites, mobile applications, and online services to meet the digital accessibility standards. The ADA's Small Entity Compliance Guide could be particularly useful for small county governments, offering specific guidance on meeting these requirements.

Why Accessibility Matters

Making public services web and mobile accessible is not just about ticking off legal checkboxes; it's about enhancing the public experience for all residents.

Ensuring accessibility helps to remove challenges and provides equal opportunities for all residents to participate in community events, whether attending town meetings or programs at their child's school. It allows everyone to participate in fully connected communities.

Planning for Digital Government Accessibility

Ensuring compliance with the federal accessibility rules is chiefly your responsibility as a local government. You can take a proactive and strategic approach — even if another entity provides services for your government. Here are some key steps to consider with your teams to ensure success in meeting accessibility requirements:

1 Conduct an Accessibility Readiness Self-Assessment

You can begin now by conducting a thorough self-assessment like the one featured here of your current web and mobile accessibility readiness. Utilize accessibility tools, such as Google Lighthouse and the ARC Toolkit for webpage scanning, and Voiceover, NVDA, and TalkBack for screen reader testing, to identify areas needing improvement. Many tools are no-cost and readily available to teams conducting testing. This initial step provides a clear understanding of where your accessibility efforts stand and what needs to be addressed. Ongoing regular audits can help identify issues before they become significant barriers for users.

2 Develop an Action Plan

Based on the self-assessment results, you can develop a comprehensive action plan. This plan should outline specific steps to achieve compliance, including timelines, responsibilities, and resources needed. An action plan serves as a roadmap, guiding efforts and ensuring all aspects of accessibility are covered. Setting clear milestones and deliverables helps track progress and maintain focus.

3 Partner With Trusted Technology Providers

Partnering with external technology providers is crucial. Engage with those who know the needs of government and are committed to accessibility and continuous innovation. Providers of up-to-date software can offer expertise and support along your accessibility journey.

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Accessibility Readiness Self-Assessment for Local Governments

How familiar are we with designing, developing, and maintaining accessibility?

Understand your team's expertise in accessibility so that you can identify training needs and areas for improvement.

What steps have we taken to ensure our current systems conform to accessibility requirements?

Evaluate past and ongoing efforts to be sure your digital assets meet accessibility standards.

What tools and processes do we have to chart progress on our accessibility journey?

Having the right tools and processes to align with compliance specifications, such as the WCAG, helps track progress and allows for continuous improvement.

What resources or support can we seek to help us on the road to continuous accessibility conformance?

Consider both internal resources and external support from design, development, and testing standpoints to aid in achieving and maintaining digital accessibility.

How will we integrate ongoing accessibility checks into our existing maintenance routines?

Regular checks help ensure that all updates and new offerings remain accessible.

What are the key milestones and deliverables in our project timeline to meet the accessibility compliance deadline?

Setting clear milestones around resource allocation, testing cycles, and remediation timeframes helps in tracking progress and maintaining focus on achieving your compliance goals.

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