



Web and Mobile Accessibility Laws Are Changing

What to Expect and How to Prepare

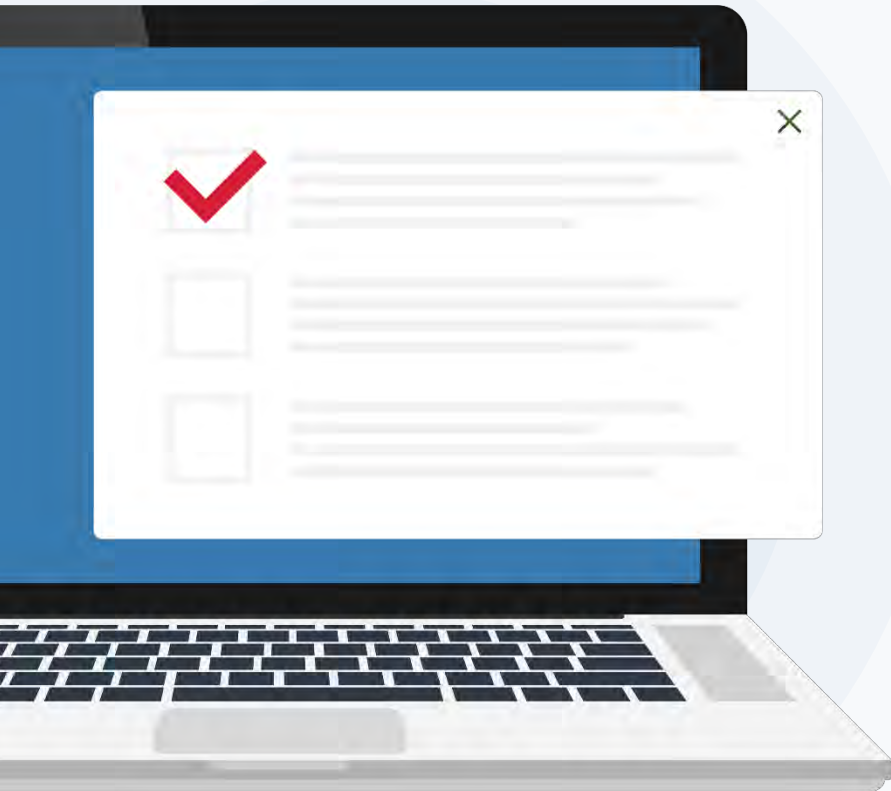
February 12, 2025



Today's Webinar

Web & Mobile Accessibility Laws Are Changing

- DOJ's new accessibility rule and its requirements for making web and mobile content accessible to people with disabilities.
- State-specific laws and what they mean for compliance (California, Colorado, and beyond).
- A practical glossary of terms to make accessibility easier to navigate.
- Steps to identify your requirements, needs, and compliance roadmap.



Poll: Do you feel like you're prepared for the new accessibility changes?

1. Yes

2. No

3. Not yet, but we want to be

Today's Speakers

Meet our government experience experts



Katy Jones

Manager of Quality
Engineering, Granicus



Dan Firrincili

Sr. Product Marketing
Manager,
Granicus

Connecting & Interacting Today



Q&A

Questions

Submit your questions using the Q&A function on your console. We will ensure a representative gets in touch.



Chat

Chat

Use the Chat to say hello to your peers or interact with today's panelist!



Technical Issues

Try refreshing your browser or clearing cache to fix technical difficulties. For larger issues, reach out to us in the chat or at marketingevents@granicus.com



On-Demand

We will email you the link to watch the recording within 48 hours.

What We Hear From Customers Like You



**Digital Services
Managers**

“We need to manage digital services across multiple channels.”



**Executive
Leadership**

“I want to remove citizen frustration and support overwhelmed staff.”



**Communications
Managers**

“I want to transparently communicate with the public to increase trust.”



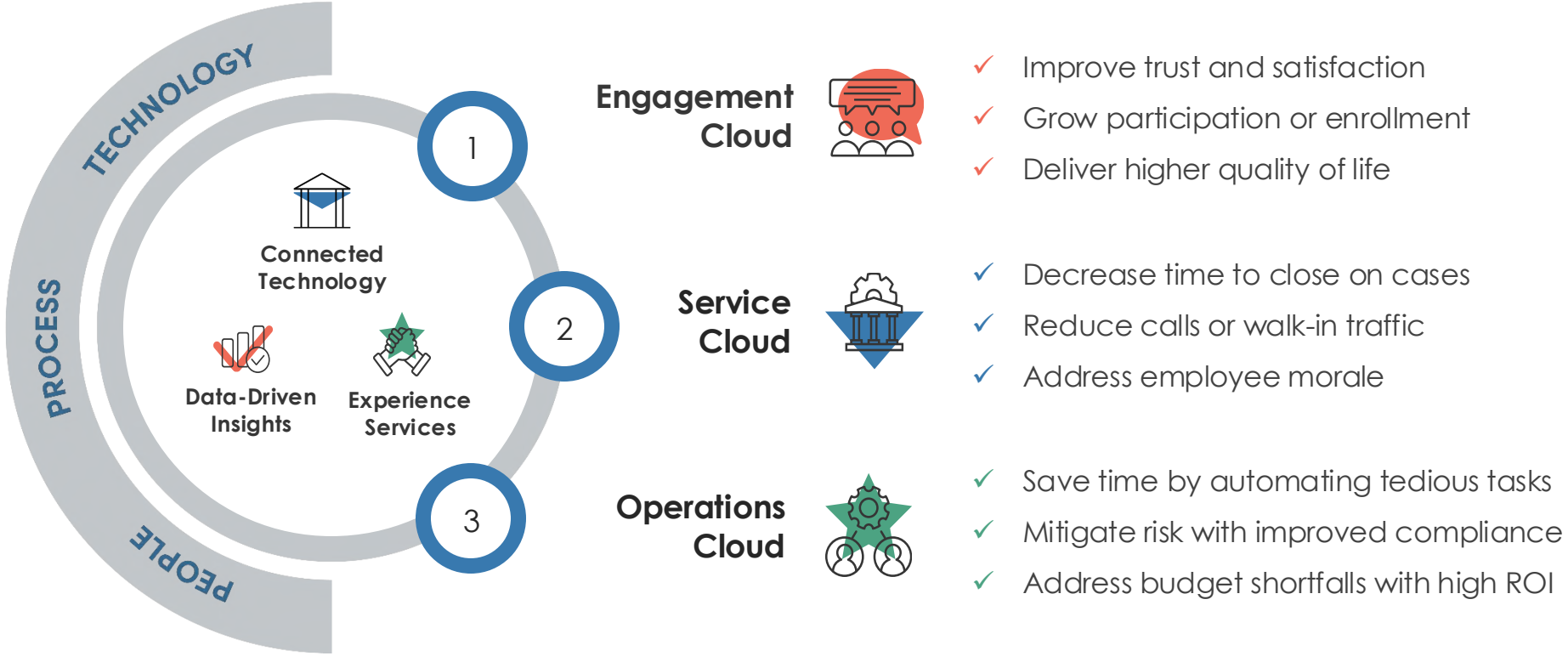
IT Managers

“I need to unlock IT data silos and create a secure source of insights.”

Together, you wish you could:

- ✓ Increase community trust in government
- ✓ Improve resident satisfaction with online self-service options
- ✓ Save residents and staff time by going paperless
- ✓ Better understand the needs of your residents
- ✓ Eliminate risk and tech debt by consolidating solutions

Granicus Is Transforming How Government and People Connect Digitally



6,000

Public sector customers
across the globe

22B

Government messages
sent annually

300M

People in the Granicus
subscriber network

6.4B

Government webpages
viewed annually

200,000

hours of Government
meetings streamed
annually

Better Digital Experiences Deliver Tangible Outcomes



Increase Trust

Satisfied customers are

9x

more likely to trust the organization providing the service



Meet Budgetary Goals

Dissatisfied customers are

2x

more likely to reach out for help 3+ times, which consumes staff time and increases costs



Modernize Systems

Of the government workers surveyed,

36%

find government processes and interactions intuitive



Boost Employee Morale

Long-term organizational success is

50%

driven by organizational health and is mutually reinforced by customer experience

Source: Global results from Canada, France, Germany, Mexico, United Kingdom, and United States, McKinsey Public Sector Journey Benchmark Survey - <https://www.mckinsey.com/industries/public-sector/our-insights/the-global-case-for-customer-experience-in-government>



Upcoming Deadlines

What to Expect



Federal vs. State

A Requirements Comparison

State Requirements

- WCAG 2.1 AA Standards
- Enforceable by local law
- Fines vary per state, usually \$3000-\$6000 per violation



Federal Requirements

- WCAG 2.1 AA Standards
- Enforceable by the DOJ
- \$55,000-\$110,000 per violation



ADA – United States Federal Requirements

Deadlines

State and Local Government Size	Compliance Date
0 to 49,999 persons	April 26th, 2027
Special district governments	April 26th, 2027
50,000 or more persons	April 24th, 2026

Colorado

Deadlines

- Colorado's HB21-1110 originally required all state and local government agency websites to comply with WCAG 2.1 AA by July 2024.
- In May 2024, the state approved HB24-1454 which extended the deadline to July 2025.
- After that date, if the government entity is found liable, then the court can order them to fix the accessibility issues and pay a fine of either \$3,500 per violation or actual monetary damages.



California

Current Laws

- California has had strict digital accessibility laws for years.
- California plaintiffs have filed more digital accessibility lawsuits in the past few years than any other state – the next being New York.
- This is largely due to its strict Unruh Act, which protects its citizens from discrimination by imposing a \$4000 penalty per occurrence on defendants, regardless of the state in which the defendant company is located.



In Canada & UK

Public Sector Bodies (Websites and Mobile Applications) – 2018

In the UK, public sector bodies are required to meet accessibility standards like those of WCAG 2.1 AA on their websites and/or mobile apps. It also mandates that they publish an accessibility statement on their websites and/or mobile apps and review and update the statement regularly.

Accessible Canada Act – 2019

To comply with the Act, in addition to WCAG conformance, organizations covered by the Act must:

- Consult people with disabilities
- Publish accessibility plans about how they are finding, removing, and preventing barriers
- Set up ways to receive and respond to feedback about accessibility
- Publish progress reports about how they are following their accessibility plans



Potential Laws

Americans with Disabilities Act

- The ADA doesn't explicitly mention digital spaces; however, courts have increasingly interpreted the law to require digital accessibility.
- In 2022, the Department of Justice issued guidance affirming that ADA compliance extends to public-facing websites and apps.
- In 2025, the DOJ is expected to finalize regulations clarifying web accessibility standards under the ADA, **likely aligning with WCAG 2.1 AA guidelines.**



<https://www.ada.gov/resources/2024-03-08-web-rule/>

Proposed State and Country Laws

California's AB 1757 will have national implications when it passes. While this proposed bill has been stalled, it could potentially pass at any time and offers organizations no grace period.

- Any organization whose website targets California customers would need to comply with WCAG 2.1 level AA or face potential fines of \$4,000 per violation.

Australia's Disability Discrimination Act (DDA) prohibits discrimination based on disability, including in the digital realm.

- In 2025, the Australian government is expected to update its Digital Service Standard, aligning it with WCAG 2.1 AA to strengthen enforcement of accessibility requirements.



The Requirements

Glossary

WCAG

(wuh-KAG)

The Web Content Accessibility guidelines. A global standard for digital accessibility.

Its most recent iteration is 2.2.

Level AA

A, AA, AAA are levels of WCAG standards.

Requirement #1 of 3

The Web Content Accessibility Guidelines (WCAG) Version 2.1, **Level AA is the technical standard for state and local governments' web content and mobile apps.**



This rule sets a specific technical standard that state and local governments must follow to meet their existing obligations under Title II of the ADA for web and mobile app accessibility.



WCAG is developed by the World Wide Web Consortium and includes requirements such as captions for videos, ensuring color contrast, and screen reader capability.

Requirement #2 of 3

State and local governments' web content usually **needs to meet WCAG 2.1, Level AA.**

The rule applies to web content that a state or local government provides or makes available. This includes when a state or local government has an arrangement with someone else who provides or makes available web content for them.





Requirement #3 of 3

State and local governments' mobile apps usually **need to meet WCAG 2.1, Level AA.**

The rule applies to mobile apps that a state or local government provides or makes available. This includes when a state or local government has an arrangement with someone else who provides or makes available a mobile app for them.



Exceptions



Accessibility Prioritization

In limited situations, some kinds of web content and content in mobile apps do not have to meet WCAG 2.1, Level AA.

- State and local governments need to be able to prioritize so they can make the most important content (current or commonly used information) accessible to people with disabilities quickly.
- Because of that, there are some limited exceptions for content that is used less frequently or, due to legal or technical limitations, may be particularly hard for state and local governments to address right away.
- If an exception applies to certain content, it means that content would not have to meet WCAG 2.1, Level AA.

Exception: Archived web content

State and local governments' websites often include a lot of content that is not currently used. This information may be outdated, not needed, or repeated somewhere else. Sometimes, this information is archived on the website.

Web content that meets **all four** of the following points would not need to meet WCAG 2.1, Level AA:

- The content was created before the date the state or local government must comply with this rule, or reproduces paper documents or the contents of other physical media (audiotapes, film negatives, and CD-ROMs for example) that were created before the government must comply with this rule, **AND**
- The content is kept only for reference, research, or recordkeeping, **AND**
- The content is kept in a special area for archived content, **AND**
- The content has not been changed since it was archived.

Exception: Preexisting conventional electronic docs

Some state and local governments have a lot of old documents, like PDFs, on their website. It can sometimes be hard to make these documents meet WCAG 2.1, Level AA.

Documents that meet **both** of the following points usually do not need to meet WCAG 2.1, Level AA, except in some situations:

- The documents are word processing, presentation, PDF, or spreadsheet files; **AND**
- They were available on the state or local government's website or mobile app **before** the date the state or local government must comply with this rule.

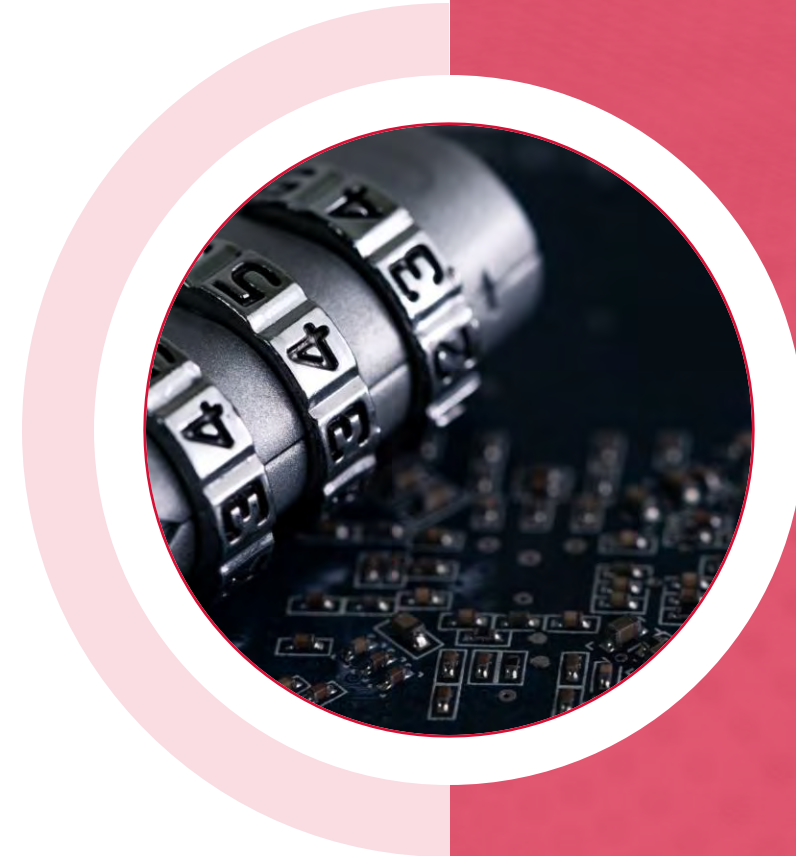


Exception: Individualized documents that are password-protected

State and local governments sometimes use password-protected websites to share documents that are for specific individuals, like a water or tax bill. It might be hard to make all of these documents accessible right away for everyone, and there might not be a person with a disability who needs access to these documents.

Documents that meet **all three** of the following points do not need to meet WCAG 2.1, Level AA:

- The documents are word processing, presentation, PDF, or spreadsheet files, **AND**
- The documents are about a specific person, property, or account, **AND**
- The documents are password-protected or otherwise secured.



Exception: Preexisting social media posts

- For many state and local governments, making all of their past social media posts accessible may be impossible. There also may be very little use to making these old posts accessible because they were usually intended to provide updates about things happening at the time they were posted in the past.
- Social media posts made by a state or local government before the date the state or local government must comply with this rule do not need to meet WCAG 2.1, Level AA.



Exception: Content posted by a third party

- Third parties sometimes post content on state and local governments' websites or mobile apps.
- Third parties are members of the public or others who are not controlled by or acting for state or local governments.
- The state or local government may not be able to change the content third parties' post.

No Exception: Third Party Content

Third-party content posted by the state or local government must be accessible.

Example: Many state or local governments post content on their websites that is developed by an outside technology company, like calendars, scheduling tools, maps, reservations systems, and payment systems. This content would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA, because it is posted by the state or local government.

Content posted by a state or local government's contractor or vendor must be accessible.

Example: If a state or local government uses a company to design, manage, or update its website, the content the company posts for the government would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA.

Tools and platforms that allow third parties to post content must be accessible.

Example: If the state or local government has a message board platform on its website, that platform would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA, because the message board was added to the website by the state or local government. However, the exception would probably apply to posts by third parties on that platform.

Penalties

ADA Violation Fines

A first violation for ADA non-compliance can carry a maximum civil penalty of \$75,000, and subsequent violations can result in a maximum civil penalty of \$150,000. This is enforced by the Department of Justice under Title III of the ADA.

These are maximum penalties and may vary depending on severity of issue or response.



Who can file a lawsuit?

The plaintiff must meet one of the following descriptions:

- The person has a mental or physical impairment that substantially limits one or more major life activities.
- The person has a history or record of such an impairment.
- The person is perceived by others as having such an impairment.

If the lawsuit is successful, **the plaintiff could recover legal expenses or obtain federal court orders to stop ADA violations.** Plaintiffs generally cannot personally profit from an ADA lawsuit.



Minor Violations

- In some limited situations, state and local governments may be able to show that their web content or mobile apps do not meet the requirements in a way that is minor enough that it would not prevent a person with disabilities from accessing the content. If the state or local government can demonstrate that, then they are not violating the rule.
- State and local governments cannot use this part of the rule to avoid trying to meet WCAG 2.1, Level AA. Proving an element is as an exception can be a lengthy process.

Minor Violation Example

Example that Violates the Rule

A state's online renewal form fails to meet the requirements, resulting in a person with a manual dexterity disability spending more time to renew their professional license online than someone without a disability. This person might also need to get help from someone who does not have a disability, give personal information to someone else, or go through more frustrating process than someone without a disability. Even if this person with a disability could ultimately renew their license online, the state would violate the rule.

Example that Meets the Rule

A city's web page with information about a park has text with a color contrast ratio that is 4.45:1. The rule requires a color contrast ratio of 4.5:1 for this text for people with colorblindness, but that difference in color contrast ratio probably would not change whether *most* people with vision disabilities could read the text on the website. If the state can prove the difference in color contrast is so small that it would not make it harder for people with disabilities to access the information about the park, the state would not violate the rule.

The Granicus Approach

Preparing for deadlines

Internal Deadline

The Granicus Roadmap

Granicus intends to identify and rectify accessibility violations in our products under **WCAG 2.2 AA by July 1st, 2025.**

As accessibility is ever-changing, our **products are continuously checked every six months** using the most relevant assistive technology with the most recent standards.

WCAG items are prioritized during planning sessions to reduce client risk and enhance inclusivity.



Documentation



We are currently in the process of creating and updating Voluntary Product Accessibility Templates for each product.



A VPAT demonstrates which accessibility issues we are aware of and their severity level. These are updated biannually to reflect the progress of the product.

In Your Hands

Become robust

Identify accessibility coordinators

Accessibility is a shared responsibility, but identifying a person or team to navigate your accessibility needs is crucial.

Brush up on the requirements and laws

Understanding WCAG and your local laws will give you context and peace of mind while addressing accessibility concerns.

Clearly define roles

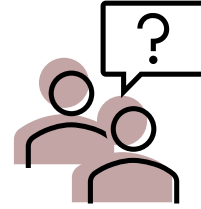
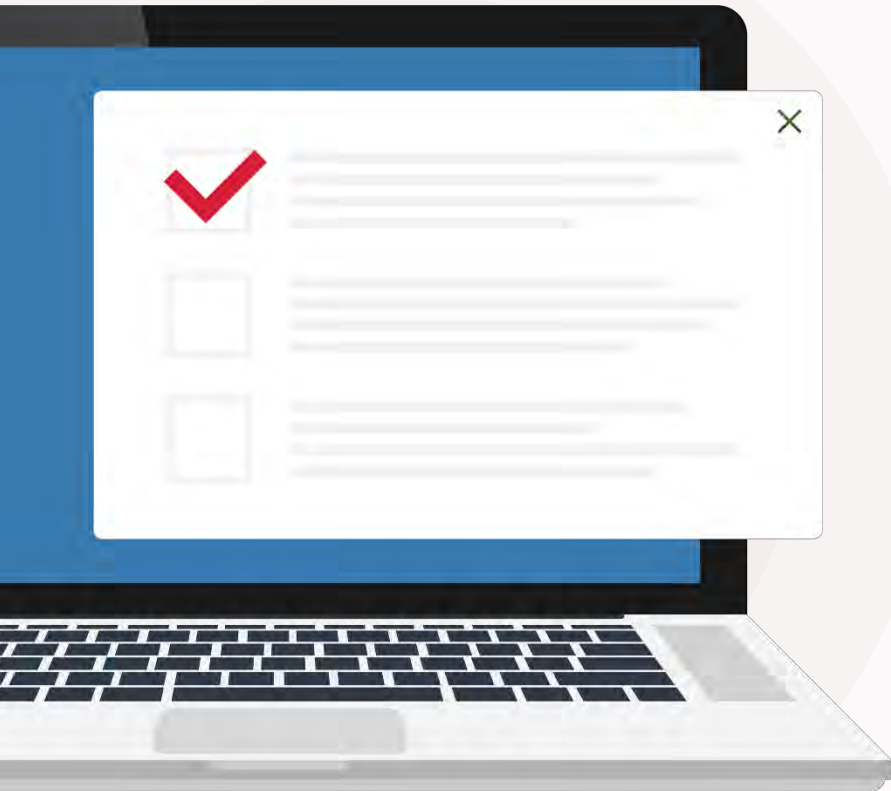
Ensure accessibility responsibilities are clearly defined to avoid any confusion on approach. Knowledge of the guidelines, state laws, testing processes, license procurement, and constituent contact should be delegated where necessary.

Create policies

Having internal policies around your accessibility approach will ensure consistency and clarity across your organization.

There is no 100%.

- Remember that accessibility compliance is more like **conformance** to the Web Content Accessibility Guidelines.
- After a product has been evaluated, a new issue may appear due to outside circumstances: a browser update, changes to the operating system, updates to the rules themselves, changes to assistive technology, etc. Accessibility must be consistently evaluated to ensure a product is free from violations.
- Because of this, scrutinize any service offering "certificates" or a percent calculation (e.g., "This site is 100% Accessible").



Poll: Would you like more information on accessibility for governments?

1. Yes
2. No



Questions?

Thank You

Questions? Contact info@granicus.com