



Accessibility Law & Planning for Local Governments

Resources & tools for complying with HB21-1110

Introductions & Agenda

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Agenda:

- HB21-1110 impact & summary
- Accessibility planning template
- Resources
- Q & A



HB21-1110 Colorado Laws For Persons With Disabilities

- [HB21-1110](#) makes it a state civil rights violation for a government agency to exclude people with disabilities from receiving services or benefits because of lack of accessibility.
- Any Colorado government entity that doesn't meet OIT's web accessibility standards could be subject to injunctive relief, meaning a court order to fix the problem; actual monetary damages; or a fine of \$3,500 payable to the plaintiff, who must be someone from the disability community.



HB21-1110 Summary

- Legislation places responsibility for compliance on both platform providers and content owners.
- OIT has statutory authority establish statewide accessibility standards.
- **All state agencies and local governments must be compliant with state standards by July 1, 2024.**



Important Terms

- **“Local government”** means the government of any county, city and county, home rule or statutory city, town, special district, or school district. § 24-37.5-102 (2.5)
- **Platform Provider:** Governor's Office of Information Technology (OIT), SIPA (Colorado.gov websites), or vendors that are contracted to provide a platform
 - A website platform is what the site is built on. For example, Colorado.gov is built on the Drupal platform, which is supported by NIC/SIPA.
- **Content Owners:** State agencies and county governments
 - Content owners are individuals and teams that create, publish and maintain online content like text, AV, images, forms, PDFs, documents and embedded third-party applications.
- **Web Content Accessibility Guidelines (WCAG)**: International Web standards, current version 2.1, level AA criteria.



Everyone should have access to state government services,
employment, and the democratic process.

Colorado is committed to making that a reality. The time is now.

Accessibility Planning Template

- The planning template is not intended to be a one-size-fits-all solution—it's up to you to customize it to meet your planning and documentation needs.
- It's designed to be a single source of truth and a documentation hub for verifying that you are earnestly working toward fixing current issues and operationalizing accessibility in order to provide accessible services.
- The planning template will help you achieve two outcomes:
 - Immediately address existing accessibility compliance issues by taking inventory of all technology touchpoints, assessing them for accessibility compliance then remediating the problems. If the agency is not able to remediate by the deadline, then a plan for accommodation needs to be put in place by the agency.
 - Build accessibility into roles and processes in order to operationalize accessibility and avoid costly accessibility debt in the future.



Six Core Criteria for Adopting Accessibility

- Governance, Roles & Responsibilities
- Evaluation & Remediation
- Skills
- Communication & Support
- Procurement & Vendor Management
- Software Development Lifecycle



Governance, Roles & Responsibilities

The Governance criteria of the plan ensure that IT accessibility is positioned appropriately within your agency and that accessibility-related roles and responsibilities across the organization are defined, including the designation of an executive sponsor or accountable party.

- Referring to the other five core criteria within the plan, include a point person in column D who will be responsible for maintaining accessibility compliance of the technology that is within their domain.
- Identify an accountable party that the accessibility point people will report to and can communicate with about progress, opportunities, and resource requirements.



Governance, Roles & Responsibilities

Use [OIT's accessibility guide](#) to communicate the responsibilities of the accountable parties.

Common accountable parties:

- Communications teams: Websites, newsletters, branded templates, social media, etc.
- Finance: procurement, contracting, & vendor management
- HR: hiring, and professional development
- Product owners, and applications teams
- Executive leadership: Culture (e.g. shared beliefs and values established by leaders that ultimately shape employee perceptions, behaviors, and understanding.)
- Most people: Documents (including PDFs), presentations, and meetings, etc.



Evaluation & Remediation

The Evaluation and Remediation criteria of the plan ensure that your organization conducts testing and validation of technical standards conformance claims and that plans are developed to address accessibility issues once identified.

- Use the "Websites" and "Applications" tabs to identify and prioritize websites and applications. Create new tabs as needed inventory other digital touchpoints like PDFs and kiosks
- When identifying "Applications" on the applications tab, list only applications that your organization manages.
- Estimated testing hours are based on estimated application size
 - Small - 20 hours
 - Medium - 40 hours
 - Large - 80 hours
- Calculate the subtotal based on hours x \$159.19 (estimated vendor hourly rate) then add total cost after all applications have been accounted for.



Evaluation & Remediation cont.

- What does, "...applications that your agency manages" mean?
 - According to Colorado accessibility law, the government entity is accountable for the accessibility of the application platform and the application content that it manages.
 - The entity is responsible for holding the developer/vendor/third party accountable for the accessibility of that platform that the entity manages.
 - The entity is responsible for holding the content creators within the agency accountable for the content added to the platform that the agency manages.
- About colorado.gov accountability and responsibility
 - Government entities are accountable for the accessibility of each website they manage, including colorado.gov websites.
 - Remediation of accessibility issues found on the platform is the responsibility of NIC (fka CI). OIT will work in partnership with NIC to hold them accountable for providing an accessible colorado.gov platform.
 - Remediation of all inaccessible content on the entity's websites is the responsibility of the entity.



Skills

The Skills criteria of the plan ensure your organization hires people with accessibility skills and trains current employees on skills related to accessibility standards compliance.

- Refer to the [Accessibility Skills Hiring Toolkit](#) (provided by Teach Access) for a role-based list of skills, screening and interview questions.
- OIT's Technical Accessibility Office will provide training resources as they are made available and will share them with CML and CCI as well as through [OIT's State of Colorado Accessibility Newsletter](#).



Communication & Support Process

The Communications and Support Process criteria ensure that your organization tracks and resolves incoming accessibility complaints and that there are clear and well-tended channels for receiving feedback on IT accessibility issues. These criteria include internal communications regarding accessibility process improvement, resources and training as well as public statements of compliance.

- State websites need to include the state's accessibility statement and contact at a minimum.
- Entities may implement their own accessibility services in addition to the statement.
 - [Larimer County](#)
 - [CDOT](#)
 - [CPW](#)



Procurement & Vendor Management

The procurement criteria ensure that your organization reviews and validates that contract language in procurement documents addresses accessibility standards compliance.

[Use OIT's vendor accessibility guidelines and checklist](#) and [RFP Accessibility Questions](#)

- Buy accessible products, whether for internal or public use
- When writing an RFP or RFI, clearly state your accessibility requirements up-front, so potential vendors and contractors can propose the best solution for your needs
- Verify the product's accessibility from the vendor, including asking for and reviewing their VPAT
- Include accessible outcomes in the contract
- Verify vendor's accessibility expertise, and require a contact who can address questions about accessibility
- Partner with an accessibility SME to evaluate the potential product for accessibility compliance.



Software Development Lifecycle

The Software Development Lifecycle (SDLC) criteria ensure that IT accessibility requirements are incorporated into activities such as enterprise architecture, design, development, testing, deployment, and ongoing maintenance in a consistent, repeatable fashion, and not dependent on a specific individual(s) who “carries the torch” for any specific event or project where IT accessibility is required.

- Teams that integrate software development processes and roles will benefit from these criteria.
- Refer to [Accessibility Roles and Responsibilities Mapping](#) (W3C) and [Role-Based Decision Tree](#) (W3C) when planning to integrate accessibility into the SDLC.



Resources

- [Accessibility planning template](#)
- [State of Colorado Accessibility Guides](#)
 - [Accessibility Law for Colorado State and Local Government](#)
 - [FAQ: HB21-1110 Colorado Laws For Persons With Disabilities](#)
- [Colorado Accessibility Newsletter Sign-Up](#)
- [WCAG 2.1, AA Quick Reference Guide](#)

