




*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~~ April 26, 2028

- **For organizations with 50,000 or more visitors:**

Deadline: ~~April 24, 2026~~ April 26, 2027

## ***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



# ***A DA 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:**

- Rests 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*

***Thank you***

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