

NACo Tech Brief:

ACCESSIBILITY (ADA) AND TECHNOLOGY GUIDE

Executive Summary

On April 24, 2024, the Federal Register published the Department of Justice's (DOJ) final rule updating its regulations for Title II of the **Americans with Disabilities Act (ADA)**. Counties are required to comply with web accessibility technical standards within two to three years, but no later than 2027. The goal is to ensure that online government services and resources including text, video, audio, website layout and design, future social media posts and documents hosted on a county's website comply with ADA. The rule allows for limited exceptions that address third party content, archived documents and existing social media. This is a significant undertaking for counties that includes assessment and remediation which will require financial resources and staff training.

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Background

The Americans with Disabilities Act (ADA) was enacted in 1990 to protect people with disabilities from discrimination regardless of age. ADA helps people navigate online by ensuring websites are accessible to individuals with disabilities, including features like adjustable text size, high contrast color schemes, keyboard navigation, screen reader compatibility, alt text for images, video captions and clear heading structures, allowing users to navigate and access information regardless of their visual or motor abilities. ADA has continued to be responsive through amendments and legal interpretations, reinforcing the principles of equal opportunities for all individuals with disabilities, including the elderly who can develop disabilities with walking, seeing or hearing.

There is a plethora of valuable resources available that explain further how to meet ADA standards. These include [ADA.gov](https://www.ada.gov/) and the Web Accessibility Initiative ([W3C](https://www.w3.org/)), which will be explained in more detail throughout this brief.

Considerations

Counties are required to ensure all of their websites and mobile apps are ADA compliant by the following dates:

State and local government size	Compliance date
0 to 49,999 persons	April 26, 2027
Special district governments	April 26, 2027
50,000 or more persons	April 24, 2026

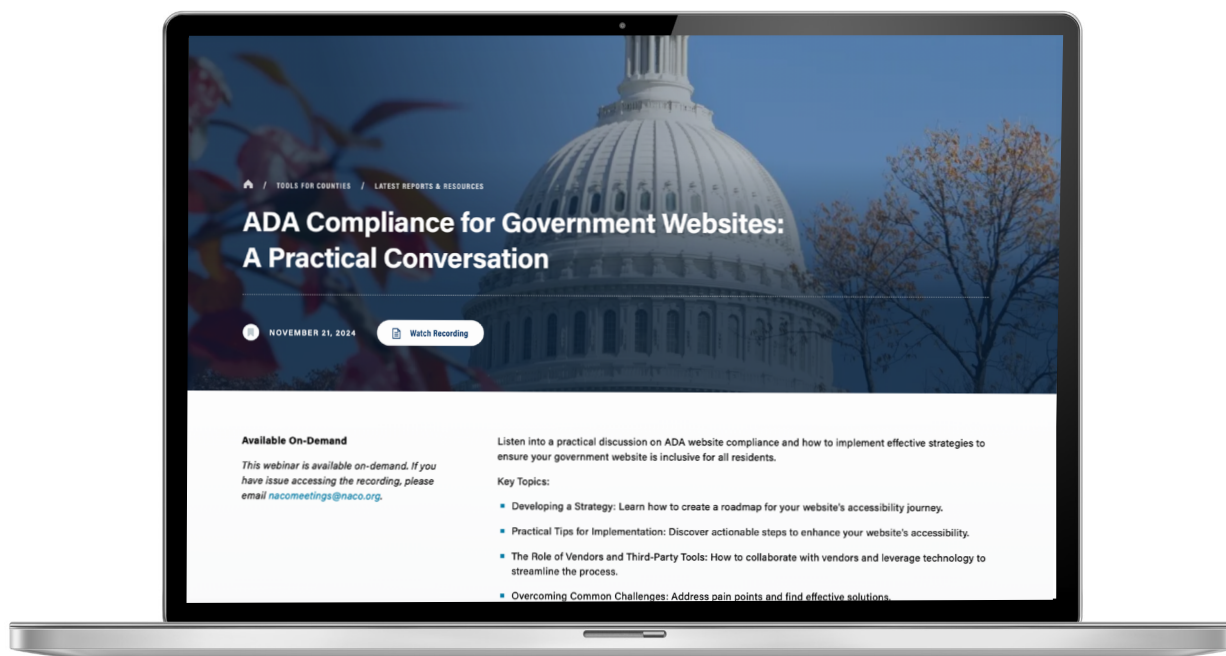
The above includes the primary county website, as well any other department websites that fall under the overall responsibility of the county, which may include elections, courts and human services. The requirements do extend beyond websites, to include related pdf documents, mobile apps as well as social media posts created after the compliance date. And while DOJ may file lawsuits in Federal court to enforce the ADA, it just makes good business sense for counties to comply.

We acknowledge that counties across the country are at different stages in their journey toward compliance. Regardless, the message is that this requirement cannot be ignored. Counties are ultimately responsible for ADA compliance whether the website is home grown, uses outsourced development or uses a third-party provider. An important item to remember is that while the initial efforts may be time specific, counties need to consider this an ongoing journey where they will always be working toward maintaining compliance.

County ADA Roadmap

How do you begin this journey? Here is a suggested roadmap.

1. Familiarize yourself with the regulation
 - A NACo summary is located here: [**NACo Analysis: U.S. Department of Justice Final Rule on Web Accessibility for State and Local Governments**](#)
2. Watch the NACo Webinar on ADA – [**ADA Compliance for Government Websites: A Practical Conversation | National Association of Counties**](#)
3. Form a county team to develop a strategy that includes assessment of the current state, steps to bring the current websites and mobile apps into accessibility compliance and on-going training for those who maintain the websites and mobile apps.
4. Develop a reasonable timeline to meet the initial deadlines. Remember the saying, “You can’t complete everything in 15 minutes, but you can start anything in 15 minutes.” Determine actionable steps to enhance your website’s accessibility.
5. Implement county best practices using the list on the following pages.
6. Analyze the role of vendors and third-party tools to determine how to collaborate with vendors and leverage technology to streamline the process.
7. Overcome common challenges: Address pain points and find effective solutions.



County Best Practices

To assist counties in developing the best strategy to work towards compliance, below and on the following pages are county-recommended best practices to consider as well as a list of validated free and paid resources to implement accessibility.

Website Review

For a truly ADA compliant accessible digital experience, it is essential to build accessibility into the website's design and development process, rather than only relying on tools that may provide an inconsistent experience.

Step 1: Run a scan to determine which documents and apps are on your site.

Step 2: Run the stats on how frequently the website's content has been accessed. It's amazing how much material is on a site that is never or rarely ever accessed. Asking questions like those below will help you determine if the document should remain on the site.

- Is the content relevant to the county's mission and services?
- Is the content accurate and up-to date?
- Does the content meet the needs of residents?
- Is the content accessible to all users?

If the answer is no, consider removing that content. If yes but not currently compliant, make the content compliant. Since departments own their content, they should be the ones to make the determination, not the IT department.

Step 3: For the pages and documents that the county would like to keep, prioritize conversion into accessible formats for the documents and resources that are most frequently visited or recently accessed.

Step 4: Perform a compliance baseline. Using tools such as those listed on pages 10-11 can assist in determining your baseline of pages and documents to bring into compliance. Once that is complete and the compliance work is started, track the documents and pages made compliant (include the date, issues found and responsible individual). Then run compliance tests at set intervals. This demonstrates how the county has made efforts to be compliant.

Step 5: Hold regular trainings (at least twice a year, but preferably quarterly) for staff responsible for posting content

to the web. Remember, while the county IT department may be responsible for compliance testing prior to any material being posted, your IT department is not responsible for creating the content. If the content fails an accessibility test, then the content should be returned to the department for updates.

Step 6: Add an accessibility statement to your website describing your county's philosophy on improvement and the intent to assist website visitors who use your web content. It should include links to a location for individuals to find information on ADA grievance practices. [Here is one example from Sonoma County California](#)

Vendor Provided PDFs

- For pdfs developed by vendors, make it a practice to include contract language that the vendor delivers the material (usually a PDF) in an ADA compliant format. If the document is challenged, it is the vendors responsibility to make it compliant at no cost to the County. There is also the possibility that AI can be used to automate this discovery/verification.
- Additionally, it is much easier to make a non-compliant PDF compliant when the original document is available. So, locating the source document is useful.



Content Development

Below are general recommendations that all staff providing content to the website should be aware of and trained on, keeping in mind that a regular review process by either IT or an ADA expert should occur as well. This may be a good opportunity to use an AI automated review tool.

Appearance

Plain Language: Use clear and concise language that is simple and easy to read and understand. Avoid the use of jargon, complex words or acronyms. If acronyms are necessary, ensure the full acronym is spelled out alongside the acronym when first used in the content.

Captions, Transcripts and Audio

Descriptions: Provide captions and audio transcripts for videos and audio files. Automated captions are a great start but not always accurate, so it is recommended to review and edit for accuracy.

Use of Color and Contrast: Ensure there is sufficient color contrast between text and background. When checked in a contrast ratio tool, colors adhere to a 4.5:1 ratio. (Some exceptions to this ratio exist for different content types such as larger text which is a 3:1 ratio.)

Don't use Color Alone to Convey

Meaning: Do not use color alone to convey meaning. Always provide an alternative to the color to convey meaning.

Use of Tables: Ensure that tables on the website are properly marked up so that they can be navigated using a screen reader. Do not use tables for layout. Tables should only be used for tabular data.

Use of Headings: Headings must be used to organize content and provide a clear structure to the page. Do not use headings solely for formatting to make text bigger and bolder. Headings should be used in a logical order (H1, H2, H3, etc.), and should accurately reflect the contents they are preceding. Do not skip heading levels e.g., going from H2 to H4 with no H3 in between. There should only ever be one H1 per page and that should be the main page title. The remaining page headings should be H2 and lower.

Form Field Labels: All form fields must include form field labels.

Iframe Titles: All framed content, content embedded within a website, must include a descriptive title.

Content

Content Grouping: Group relevant content into sections (commonly referred to as chunking) and label each section with an appropriate heading.

ALT Text: Create text alternatives for non-text content such as images and graphics. This text is read by screen readers so ensure that it is descriptive.

Readable Content: Ensure that the text on digital content is easily readable with a sufficient font size.

Navigation

Keyboard Navigation: Ensure that the website can be navigated using only a keyboard and that all functionalities can be accessed through a keyboard.

Intuitive and Predictable Navigation: Make sure the website is easy to navigate and is easy for users to find what they are looking for. Ensure consistent navigation throughout in a predictable location each time.

Skip Navigation: Provide skip navigation options to create a method for bypassing main navigation menus and go directly to the main content of the page.

Link Text: Do not use "Click Here" for link text. Use descriptive text that tells the users what they should expect to see after they click the link. (I.E. to register)

Opening Links in a New Window: Open links in a new window in the following two cases: When the user is filling out a form, and opening a link in the same window would cause them to lose their work. When the user is clearly warned a link will open a new window either via text or via an icon with alt text telling them the link will open in a new window.

Compatible with Assistive

Technologies: Ensure that the digital service can be used with a range of assistive technologies, such as screen readers, magnifiers and speech recognition software. This can be verified by manual testing. For more specific guidance, visit

- [Accessibility video training through Microsoft](#)
- [Accessibility Insights for Windows](#)

PDF Content: Use the testing tools within Adobe Acrobat, to test PDFs for accessibility before posting.

Microsoft Office Documents: Use the testing tools within Microsoft Office to test for accessibility before sharing or posting.

Video Navigation: Provide a way for users to navigate to different sections of the video, such as chapters or bookmarks.

Video Player Controls: Provide a way for users to pause, stop, or adjust the volume of the video. Do not autoplay videos or audio when a website loads.



Additional Resources

NACo Resources:

On the Tech Xchange, the question of “what tools is your county using to assist in identifying and helping with meeting accessibility, members mentioned Siteimprove, Monsidio, Audio eye, Frase Chatbot, and the widely county-used Civic Plus platform.

ADA Tools:

When I asked my generative tool of choice, the following ten ADA tools were suggested:

[WAVE](#) (Web Accessibility Evaluation Tool) is a free online tool to analyze web pages for accessibility issues. It provides detailed error reports and recommendations.

[axe](#) Accessibility Checker is a browser extension for Chrome and Firefox to test accessibility during development. The tool identifies WCAG violations and offers remediation advice.

[Google Lighthouse](#) is built into Chrome DevTool and provides accessibility scores and suggestions. It also evaluates web pages against accessibility best practices.

[Siteimprove](#) (popular with many counties) – an online quality assurance and web accessibility software, that aids in the identification of accessibility and quality assurance on your website. The tool also offers remediation insights and training resources.

[Accessible Color Palette Generator](#), which checks color contrast ratios for compliance with WCAG standards. This tool ensures text and background combinations meet ADA guidelines.

[UserWay](#), which offers an accessibility widget for websites to improve compliance. It allows users to adjust font sizes, colors, and more.

[Tenon.io](#) is an API-based testing tool for developers to integrate accessibility checks into workflows. It provides actionable insights for coding improvements.

[NVDA](#) (NonVisual Desktop Access) – another popular tool that is a free screen reader for Windows to test how accessible your website is for visually impaired users. It helps simulate real-world user experiences.

[Web Accessibility Checker](#) by CKEditor detects and corrects accessibility errors in content directly within text editors. It is useful for content creators managing blogs or CMS platforms.

[AudioEye](#) is an end-to-end accessibility solution with automated scanning and manual auditing. This tool offers an AI-powered overlay to improve user experiences.

National Resources

There are multiple means by which a county can improve its web-based accessibility for the government services, resources and communications that they provide digitally. These include:

[The National Association of Government Web Professionals](#) ([NAGW](#)) is committed to accessibility and providing valuable resources to help everyone achieve their accessibility goals. NAGW has developed a categorized list of free tools located on their website.



Scan to learn more
about the NACo
Tech Xchange

The DOJ manages **ADA.Gov**, a one-stop-shop for fact sheets, resources, tips, guidance, and compliance materials related to the Americans with Disabilities Act (ADA), including Title II of the legislation, which deals principally with ADA requirements imposed upon state and local governments.

The [W3C - Web Accessibility Initiative](#) is the organization which continuously develops the Web Content Accessibility Guidelines (WCAG), which serve as the underpinning for the DOJ's Title II requirements for web-based accessibility. The final rule calls for the compliance standard to be pinned to the WCAG 2.1 Level AA standard.

Regardless of the tools that you or your team implement, it is important that you move forward on this journey. This will involve an assessment of your current county websites, a strategy to work towards compliance, staff training and engagement of outside resources. It should also include a regular review to ensure that the county is making progress to improve accessibility. Remember, crawl, walk, run! It will take time. The important point is that your county begins or continues the work and that you will always be **“working towards compliance”**.



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