



# Accessibility to Digital Content: A Guide for US Public Sector Organizations

## WHITE PAPER

Accessibility has been on the agenda for a long time. As digital transformation is accelerating the pace of change within public sector organizations to move toward digitized services, the need to provide accessibility to digital content is a growing pressure. But the answer to meeting this mandate is not always clear-cut.

This paper shares best practices for public sector organizations to enable digital inclusion, meet accessibility compliance, and lead the way for openness and transparency throughout the meeting lifecycle.

## Accessibility in the Public Sector

We live in a digital world and we expect access to information from anywhere, on any device, 24/7. Widespread content barriers still exist for those with disabilities, and legislation has been created to break down these barriers.

However, what constitutes accessible content is not totally answered with legislation. As local governments, school boards and other public sector entities create more and more content, a lack of a comprehensive framework or standard will make it harder to comply with legal requirements and provide equal access to information for all external stakeholders, as well as internal personnel.

## Why Achieving Accessibility is Not a Quick Fix

### A Lesson Learned for One Public Sector Organization

A local government recently had to terminate their contract with their chosen e-government solution provider because the system did not fully comply with their particular jurisdiction's accessibility legislation. The local government required a system that could make web pages and online government documents accessible for those with disabilities, including the ability to re-size text, audio description for pre-recorded video content, and captioning for live video. According to the spokesperson for the municipality:

*“What they thought accessible meant and what accessible meant to us were two very different things.”*

What can other public sector entities learn from this story? It's true – accessibility can mean different things to different organizations and solution providers, especially with varying regional or national legal requirements. Accessibility is often misunderstood. This makes accessibility a daunting mandate to undertake, and far from a technology quick-fix.

## The Need for a Comprehensive, Consistent Framework

Many local governments, boards and councils do not have a comprehensive framework or standard for the creation, management and accessibility of content. They may utilize 'point solutions' that enable accessibility for specific types of information – for example, their general website pages or meeting agendas – but that do not encompass other critical content such as



meeting minutes and webcasts. Yet, these organizations have an obligation to both external stakeholders and internal staff to make all of their digital information accessible.

Content is often created by many different people. In our experience, organizations such as large local governments can have over 700 report writers. Yet, writers will often not use templates or follow procedures during the creation process. As a result, there is very poor control over content.

While an organization's public-facing website might be a hub for publishing content, the lack of a sufficiently complete framework to standardize content accessibility (from creation to publication) is setting them up for on-going accessibility issues and potential legal challenges.

## **Evolving, Multi-Layered Legislation**

Depending on a U.S. public sector organization's specific nature (e.g. whether it is a government or educational entity, and whether it is at the federal, state or local level), its accessibility requirements may be defined by a combination of multiple legislations. These may include the Americans with Disabilities Act of 1990 (ADA), sections 504 and 508 of the Rehabilitation Act of 1973 (subsequently revised), and state-specific laws.

Although it applies specifically to Federal agencies, Section 508 of the Rehabilitation Act is the most specific and up-to-date accessibility-related legislation with regards to digital content. While other regulations such as ADA broadly prohibit discrimination against individuals on the basis of their disabilities, Section 508 provides detailed accessibility standards for Information and Communication Technology (ICT) including websites and electronic documents.<sup>1</sup>

Updates to Section 508 were issued in January 2017 to reflect market trends and advances in technology, and require websites, word processing documents, PDF documents and more to conform with key sections of the Web Content Accessibility Guidelines (WCAG) 2.0 standards. While enforcement of the updates started in January 2018, many organizations are still updating their digital documents and systems to get into compliance.

## **Not Federal? You're not in the clear.**

Although other legislations are not yet as specific as Section 508 in defining particular technical standards for accessibility, non-Federal public sector organizations are not off the hook. Section 504 prohibits disability-based exclusion or discrimination by any program or activity receiving Federal financial assistance including (but not limited to) State or local governments; colleges and universities; and local school systems<sup>2</sup>. ADA Title II applies to the activities of State and local governments regardless of whether they receive Federal assistance<sup>3</sup>, while other facets of ADA

apply even to private-sector organizations.

Even if you are in compliance with all national regulations, organizations may also be subject to regional accessibility requirements. Some states have taken a leadership position on accessibility and its enforcement, creating state-level legislation that imposes more specific functional standards than outlined in Section 504 or the ADA<sup>4</sup>. The Illinois Information Technology Accessibility Act (IITAA), for example, was updated in July 2017 to harmonize Illinois' requirements with the revised Section 508 standards and WCAG 2.0<sup>5</sup>.

## **Don't Forget the Real Reasons**

Even if you are already using a meeting management or document publishing solution to help with the accessibility of your digital content, you should periodically re-evaluate it to ensure it meets the latest requirements for your jurisdiction. The accessibility landscape continues to evolve, and there's no guarantee that your vendor has kept pace.

Accessibility complaints and legal action against public sector entities are escalating, but of course, your motivations for making your content accessible should not be driven solely by legislation. Public sector organizations have a duty to ensure discrimination is not happening against any segment of their stakeholders. By being proactive about accessibility, organizations can be more open, transparent and inclusive.

## WCAG 2.0

Web Content Accessibility Guidelines (WCAG) 2.0 is an internationally-accepted standard for web accessibility. Developed by the World Wide Web Consortium (W3C), the guidelines are designed to make it easier for all audiences to access a website and its content while providing a clearly-defined framework for content creators to achieve such accessibility. WCAG 2.0 is being rapidly adopted as the foundation of recent and proposed accessibility legislation in the U.S. and other countries.

WCAG 2.0 includes dozens of testable Success Criteria for objectively determining whether or not content satisfies a particular requirement, and defines three levels of accessibility conformance – A, AA and AAA. Achieving a particular level of WCAG 2.0 conformance means that all corresponding Success Criteria for that level have been met.

Level A provides a basic level of accessibility, including criteria such as text alternatives for non-text content (e.g. HTML ALT tags for images); captioning for the audio component of pre-recorded video content; avoiding reliance only on color to visually distinguish or convey information; straightforward navigability and more. Each subsequent conformance designation builds on the previous level with additional criteria to remove further barriers for those with disabilities. Level AA, for example, adds captioning requirements for live broadcasts or streams; specifies a minimum contrast ratio between foreground and background colors to assist readability; requires text to be easily resizable; and much more. You can learn more about WCAG 2.0 and the various compliance levels on the W3C website.

For public sector organizations, complying with WCAG 2.0 Level A is not enough, as many people with disabilities would still be unable to fully access their content. For example, those with hearing impairments would not be able to properly understand a live stream of a council meeting; while those with vision impairments may not be able to read portions of text-based information.

For these reasons, most accessibility legislations incorporating WCAG 2.0 require compliance with Level AA. The 2017 updates to Section 508 of the Rehabilitation Act, for example, specify that content – including web pages, word processing documents, PDF files and more – must “conform to WCAG 2.0’s Level A and Level AA Success Criteria and Conformance Requirements.”<sup>1</sup>

The deadline for compliance with the revised Section 508 in the U.S. was January 2018. Websites created or refreshed after January 1, 2014 were required to meet Level A, while all public websites and web content posted after 2012 must (with some exceptions) conform with Level AA by 2021.

## BEYOND AGENDAS

When many public sector organizations start evaluating the accessibility of their meeting-related materials, they think first of their agendas. Such documents tend to be front-of-mind because of the sheer volume of information that goes into them: often hundreds of pages. But to meet the needs of stakeholders with disabilities and comply with accessibility regulations, it's not sufficient for just your agendas to be compliant; all of your other public-facing documents must be accessible too, including supporting reports and meeting minutes. A comprehensive meeting management system will help you ensure accessibility across all documents throughout the meeting lifecycle.

Organizations taking advantage of video streaming to enhance their public transparency also need to consider the accessibility of both their live webcasts and recordings. While standards such as WCAG 2.0 Level A require captioning or alternative media for certain types of content, Level AA compliance requires captioning for all content including live streams and broadcasts.

Live video captioning processes that rely on manual transcription can be cost-prohibitive for many public sector organizations, but advances in technology now enable automated, real-time closed captioning with exceptional accuracy. A meeting management system that tightly integrates streaming capabilities and automated captioning will help you cost-effectively meet accessibility legislation while improving the online experience for the public you serve.

## Accessibility Starts With Aligning People, Processes, & Technology

### Best Practices for Digital Content Accessibility Throughout the Meeting Lifecycle

From agendas and minutes to reports and supporting materials, content that is created and managed throughout board, council or committee meetings is never-ending. Becoming an open and accessible organization requires a plan that aligns people, processes and technology in order to provide universal access to content, regardless of disability.

What's the major barrier to moving in this direction? Change management.

### *1. People*

Training and awareness for staff are vital to success. It's important to understand what parts of their job will ultimately impact the process. People include internal staff, external parties and suppliers.

Different parties will play various roles throughout the meeting lifecycle. Setting expectations and reinforcing good habits will help enforce change.

### *2. Process*

The best time to address accessibility issues is at the content creation phase. Using proper templates, managing them, and making sure they are structured in ways to create accessible content – whether it is made into PDFs, attached to a meeting, published to an agenda, or published on the web – is essential.

The process must also address how to control external documents from outside vendors which are not compatible with the template. Major issues with accessibility start to arise when trying to mix together different documents with different structures into one.

Take for example creating a master PDF of a meeting agenda that mixes inaccessible external content with internal content: the document can't be properly consumed.

Beyond the content creation phase, public sector organizations must ensure their subsequent processes do not break accessibility (such as printing and re-scanning documents, which can cause accessibility issues), as well as managing where content needs to end up, whether it is on the web, internal use or in archives.

### *3. Technology*

When selecting systems, boards and councils need to turn to a solution provider who understands their specific legal requirements and the complexity of accessibility. A system might not necessarily be the right solution for a particular organization, even if its listed features and benefits suggest that it meets accessibility compliance.

Accessibility is a people, process and technology solution. You need to combine all three pieces to make it work.

## How To Get Started

While accessibility can be an intimidating mandate to undertake, we've created a simple approach to help you put a plan in place and get started:

1. *Take an inventory of your organization's documents:*
  - a. File formats
  - b. Versions
  - c. Templates
  - d. Owner(s)
  - e. Purpose
  - f. Audience
  
2. *Evaluate the compatibility of your existing documents and website using available online checkers. There are many to choose from; some examples are listed below:*
  - a. Websites: WCAG 2.0 - A Checker
  - b. PDF Documents: PDF/UA Checker
  
3. *Where possible, standardize your format and enforce the use of templates. It's a lot easier to create accessible content from the beginning than to make content accessible after the fact.*
  
4. *Educate internal staff, external partners and suppliers. Identify and train accessibility experts by department, run information sessions for staff, and create 'cheat sheets' and how-to guides.*
  
5. *Reinforce good behaviour. It's a journey, not a destination. It takes time to change habits and behaviours that have been years in the making.*

# Is Your Organization Open and Accessible?

## SELF-ASSESSMENT

How accessible is your organization's digital content today? These five self-assessment questions will help you evaluate your current status and how far you need to go to become truly accessible:

### 1. Knowledge

Do I and my organization have a good understanding of the accessibility requirements for our particular jurisdiction?

### 2. Status

If 0 is "nothing has been done" and 10 is "fully compliant", where does my organization currently stand?

### 3. Volume

Going forward, how many types of documents are going to be addressed by this exercise?

### 4. Timeline

Is there a set deadline for my organization, either self-imposed or regulatory? Are there key milestones? When is the expected start-date to implement?

### 5. Accountability

Who will be involved in verifying a solution vendor's ability to meet our needs and comply with the accessibility requirements (i.e. the champion to see the project through)?

## Key Considerations in Choosing a Solution

Now that you have a high-level understanding of what your organization needs to do to comply with accessibility legislation and provide a pleasing engagement experience to your stakeholders with disabilities, how do you pick the right meeting management solution to efficiently meet these requirements?

Whether you're choosing a new solution or re-evaluating whether an existing one still meets your needs, here are some key things you should look for:

	YES	NO
1. Does it support the entire meeting lifecycle – from agendas and reports to minutes and webcasting – or just an incomplete subset of meeting-related artefacts?		
2. Are its accessibility capabilities compliant with the specific regulations of your particular jurisdiction, and are they up to date with all revisions to the legislation?		
3. Does it provide compliance with WCAG 2.0 Level A and Level AA? Even if the accessibility legislation applicable to your organization doesn't yet specifically require conforming to WCAG 2.0, there's a very good chance that future regulations will mandate it – and it's a best practice anyways.		
4. Does it provide a standardized framework and tailorable templates to work within, and enable you to enforce their use?		
5. Does it allow you to publish content in HTML5 format for maximum compatibility with screen readers, or only as PDFs?		
6. Does it support all of the file formats that you need to encompass (e.g. word processing documents, PDFs, HTML web pages, etc.)?		
7. Does it include closed captioning functionality for accessibility of both live and pre-recorded video content?		
8. Is its closed captioning functionality automated, to minimize the effort and cost of manual transcription?		

## Next Steps

Ready to take your organization to the next level of accessibility compliance, and want to learn more? Get in touch with us at [info@escribemeetings.com](mailto:info@escribemeetings.com) to set up a time for a free discovery call with one of our business consultants where they will take a deeper dive with you into where you are at today and what your requirements are.

## About eSCRIBE

eSCRIBE is a leading provider of cloud-based meeting management solutions, popular with public sector boards, committees and councils. More than just creating automated agendas or acting as a record management system, eSCRIBE enhances each step of the meeting lifecycle.

Compliant with accessibility requirements including WCAG 2.0, eSCRIBE aims to improve organizational efficiency, transparency and citizen engagement so users can focus on other higher-value tasks and projects to better serve their stakeholders.

### References

1. <https://www.access-board.gov/attachments/article/1877/ict-rule.pdf>
2. <https://www.dol.gov/oasam/regs/statutes/sec504.htm>
3. [https://www.ada.gov/ada\\_title\\_II.htm](https://www.ada.gov/ada_title_II.htm)
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