

USER-01

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Replaces:
Policy 188
March 10, 2010



Washington Technology Solutions

DIGITAL ACCESSIBILITY POLICY

See Also:

RCW [43.105.054](#) WaTech Governance

RCW [43.105.052](#) Powers and duties of agency—Application to higher education, legislature, and judiciary.

RCW [43.105.020](#) (22) "State agency"

1. All covered technology must be accessible to and usable by individuals with disabilities, either directly or by supporting the use of assistive technology. The [USER-01-01-S Digital Accessibility Standard](#) outlines the minimum levels for compliance.

a. This includes all technology whether:

- i. Acquired.
- ii. Procured.
- iii. Developed.
- iv. Substantially modified.
- v. Substantially enhanced.
- vi. Technology available at no cost.

2. Regardless of exceptions provided in this policy, agencies must provide individuals with disabilities with [effective communication](#), [reasonable modifications](#), and an equal opportunity to participate in or benefit from their services, programs, and activities.

3. The following exceptions apply to public facing content:

a. Web content that meets all four of the following points:

- i. 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
- ii. The content is kept only for reference, research, or recordkeeping; and

- iii. The content is kept in a special area for archived content, and
 - iv. The content has not been changed since it was archived.
 - b. Preexisting conventional electronic documents that meet all of the following points:
 - i. The documents are word processing, presentation, PDF, or spreadsheet files; and
 - ii. They were available on the stated or local government's website or mobile app before the date the state or local government must comply with this rule; and
 - iii. Documents that are not currently being used to apply for, access, or participate in a state or local government's services, programs, or activities.
 - c. Content posted by a third party when outside of contractual, licensing, or other arrangements with a public entity. Tools and platforms that allow third parties to post content are not part of this exception.
 - d. Individualized documents meet all three of the following conditions:
 - i. The documents are word processing, presentation, PDF, or spreadsheet files; and
 - ii. The documents are about a specific person, property, or account; and
 - iii. The documents are password-protected or otherwise individually secured.
 - e. Preexisting social media posts.
 - f. Where strict adherence would result in a fundamental alteration in the nature of a service, program, or activity of the public entity or in undue financial and administrative burdens.
- 4. Where a covered technology is not able to be brought into compliance, the system or content owner is responsible for providing individuals with disabilities equivalent access.**
- 5. Effective July 1, 2029, in addition to the requirements set forth in this policy for covered technology, all content and tools that employees or users need to perform essential job duties, access information, or participate in programs must**

be accessible or content owner is responsible for providing individuals with disabilities equivalent access.

6. Technology that agencies use at an enterprise level must be held responsible at the service owner level.
7. This policy does not release agencies of their responsibility to provide language access, physical access to buildings, accessible communications to their staff and the public with limited or no internet access, where digital communications may not meet the needs. Agencies must also follow the relevant state policies for language access and disability access.
8. WaTech will sponsor annual digital accessibility awareness training for state agency consumption. WaTech will update this training to keep up with changes in the industry as needed.
9. Agencies must develop an agency policy to support and ensure compliance with this policy and [USER-01-01-S Digital Accessibility Standard](#).
 - a. Agencies must have a digital accessibility policy that describes how the agency will execute the state policy and defines accessibility roles and responsibilities within the agency to support this, including the accessibility coordinator.
 - b. Agencies will require and document annual digital accessibility awareness training for all employees.
 - c. Agencies will require and document additional training for roles with a larger impact on IT accessibility, such as software development. Agencies will determine and document the frequency of the training.
10. Agencies must evaluate current technology accessibility to develop and implement an IT Accessibility Plan and update it at least annually.
 - a. The agency's IT Accessibility Plan identifies how the agency will ensure new covered technologies are accessible and the plan for making existing covered technologies accessible. See [Guidance on Applying WCAG 2 to Non-Web Information and Communications Technologies \(WCAG2ICT\) \(w3.org\)](#)
 - b. Agency plans must minimally contain:
 - i. A list of prioritized non-accessible covered technology recommended alternative access methods, and actions to correct the issue.

1. Agencies must consider impact to users and frequency of use when prioritizing corrective action, especially for users with disabilities and/or users of assistive technology.
 2. Agencies must consult community members with related lived experience in building IT Accessibility Plan priorities.
- ii. Agencies must identify what agency functions are needed by state staff and members of the public and evaluate non-accessible content impacts to those functions.
- c. Agencies must post a public version of their IT Accessibility Plan including recommended alternative access methods. This may be incorporated into the Americans with Disabilities Act transition plan. See [ADA Update: A Primer for State and Local Governments, Planning for Success](#)

11. Agencies must identify an information technology accessibility coordinator to be the key contact regarding the agency's information technology accessibility plan and to support complaint resolution.

- a. Agencies must have contact information for the agency accessibility coordinator for any individuals who may encounter access issues or need to request alternate formats.
- b. Agencies may need to meet additional requirements for federal or other partners.

12. Agencies must develop processes and procedures to ensure new covered technology is accessible according to the [USER-01-01-S Accessibility Standard](#).

REFERENCES

1. [Definition of Terms Used in WaTech Policies and Reports](#).
2. [Guidance on Applying WCAG 2 to Non-Web Information and Communications Technologies \(WCAG2ICT\)](#).
3. [USER-01-01-S Digital Accessibility Standard](#).
4. [Executive Order 24-05 Improving Employment Outcomes for People with Disabilities](#).

CONTACT INFORMATION

For questions about this policy, please email the [WaTech Policy Mailbox](#).
For technical assistance, please request support at support@watech.wa.gov.

DEFINITIONS

Covered Technology:

All public-facing digital content and tools, including:

- Websites,
- applications,
- documents and media,
- blog posts, and
- social media content.

Certain non-public-facing content that must also comply including:

- All electronic content used for official business to communicate,
- emergency notifications,
- internal data collection structures,
- initial or final decisions adjudicating administrative claims or proceedings,
- internal or external program or policy announcements,
- notices of benefits, program eligibility, employment opportunities, or
- personnel actions, formal acknowledgements or receipts.

Disability

An actual, perceived, or non-apparent physical, sensory, mental, or cognitive condition that has an adverse effect on a person's ability to carry out day-to-day life functions. Environmental barriers may hinder persons with disabilities from fully and effectively participating on an equitable basis (Diversity, Equity, Inclusion ([DEI Glossary | SPSCC](#)))

Equivalent Access

Equivalent access has such a minimal impact on access that it would not affect the ability of individuals with disabilities to use the agency's web content or mobile app to do any of the following in a manner that provides *substantially equivalent timeliness, privacy, independence, and ease of use*:

- a. Access the same information as individuals without disabilities.
- b. Engage in the same interactions as individuals without disabilities.
- c. Conduct the same transactions as individuals without disabilities; and
- d. Otherwise participate in or benefit from the same services, programs, and activities as individuals without disabilities.

Information Technology Accessibility/Digital Accessibility

Information technology accessibility or digital accessibility means all people can perceive, understand, navigate, and interact with electronic information and be active in the digital world. Accessibility supports social inclusion.