Guide to Website Accessibility

This guide provides basic references and pointers around what is expected for libraries to comply with the new law (HB 21-1110), which was passed in June 2021 and takes effect July 1, 2024. A one-year grace period extends the compliance deadline to July 1, 2025 so long as public entities demonstrate a good faith effort toward compliance. This should not be considered official legal guidance; libraries are advised to seek their own counsel.

CLiC's position, activities and support of libraries is based on a) practical information openly available from various state agencies, and b) opinion provided by CLiC's legal counsel. As of spring 2024 there are still many unanswered questions about how the law would be applied in various situations.

WHY THIS LEGISLATION IS A GOOD THING

What a wonderful opportunity for libraries to expand access to content they produce, curate or license! It's a good thing when governmental institutions, libraries, school districts and other taxpayer-funded public-service organizations provide even better service to underserved populations across Colorado.

At its heart, the new law is designed to improve accessibility to digital content for individuals with disabilities. When framed with this intention, libraries are perfectly positioned to deliver improved services.

SOME STARTING POINTS AND REFERENCES

When you've finished reading this guide you likely will have lots of technical "how-to" questions, specific concerns or confusion—welcome to the party.

Much of the action around defining terms, and the rulemaking associated with the new law, is being led by the state's Office of Information Technology (OIT). Here's your best original-source reference. Dive in, then fly over to the OIT's Guide to Accessible Services.

The State Library has published on its Colorado Virtual Library a very useful article—this is highly-recommended reading.

OUR LIBRARY OFFERS SO MUCH CONTENT, WHERE DO I START?

Ah, the old "forest for the trees" challenge – which can feel overwhelming. Take a breath. Simplify. First, focus on the library's website. There's plenty to do here, and it's the main entry point for your library users.

Now and moving forward, when creating and publishing content, are you confident that it's accessible? If you don't know or don't think so, take practical steps to a) assess your website's current accessibility, and b) figure out how, technically, to deliver on the promise of improved and usable content.

Executing these two practical steps depends on what software is used by your library. Maybe it's WordPress or Drupal or some other platform? And that likely requires talking with IT or whomever supports your website. Remember, it's a team effort…

FOCUS ON...

- The library's website, and how it creates and publishes content

- Your content and its importance to the community, regardless of content age

- What your library has direct control over

IN OTHER WORDS, THE IMPORTANT STUFF.

Meanwhile, look into how your library creates and publishes content. Improving accessibility might entail a staff member taking a few more steps each time new content is published.

Your takeaway and priority: focus on present and future. The library's community will be well-served by enhancing the website's underlying technology, and with staff being mindful of how new content is published.

OK, WE'VE MADE SOME WEBSITE IMPROVEMENTS, AND NEW CONTENT IS ACCESSIBLE. NOW WHAT?

There is a rumor that a library or governmental organization doesn't need to improve accessibility of content it created and published in the PAST. CLiC has not been able to verify its accuracy, and advises libraries to rethink their approach. Focusing on the content and its importance to the community, rather than its publication date/age, should be the priority.

Practical example: a set of documents, the library's operating policies, even if they're unchanged from a decade ago. These may still be relevant and important to the operation of the library today. Then do it -- improve their accessibility. Period. And move on.

Practical example: a piece of video from an event, produced seven years ago and published on the library's website, which according to site statistics is rarely viewed. Make a decision to either a) weed the content, or b) add it to a list of desired future pieces to make more accessible, when feasible. And move on.

YOUR TAKEAWAY:
Content is king. Allow that to drive your work.

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TO THE HEART OF THE MATTER – TWO KEY POINTS

1 Libraries are advised to establish a clear and concise accessibility statement and publish it on their website. A useful statement outlines the organization's commitment to ensuring equal access and usability of website content, including for individuals with disabilities. A statement should represent the organization's authentic desire to serve all people. Check out a plain-vanilla example in the sidebar.

2 Libraries are advised to develop practical strategies for creating and publishing content on their websites so that all users, including individuals with disabilities, can access and consume that content.

It's no more complicated than this: elevate your organization's awareness that content should be created for ALL people, not just some people. Here are three practical examples:

- Images should have descriptions;
- Printed text should be readable, or can be listened to and/or narrated;
- Videos with audio, and/or audio files themselves, should include transcriptions or closed captioning.

BUT WAIT, CAN'T I JUST LICENSE SOME SOFTWARE?

Well, sure, that can be part of your library's strategy to improve access. There are some wonderful and useful pieces of software, extensions and plugins that help add accessibility and improve the functionality of your website, and even translate text into multiple languages on the fly!

But no software does it all, nor does software address the underlying need: a mindful and practical commitment to increase accessibility, and the adoption of day-to-day activities that deliver on the commitment to usability.

OK, OK. CONTENT IS KEY. BUT MY SITE DOES MORE. WHAT'S NEXT?

True, and that's another great aspect of your library's services. CLiC recommends you focus on what your library has direct control over. Website content first, then move to functional areas embedded within your website. Here are two tangible examples:

- An embedded calendar on your website with functionality that allows users to sign up for programs. End to end, does this calendar/registration system allow individuals with disabilities access to all calendar content and register?
- A web form providing the ability for users to register for a library card or e-card. Does the form function for individuals with disabilities, or does it present a barrier to service?

YOUR TAKEAWAY:
Focus on the important stuff. Sometimes you'll find it's a muddy intersection of the website's content AND its functionality. Ask: does this part of our website hold current and future value? If the answer is yes, then it definitely needs to be made accessible.

I'VE HEARD THAT ALL OF MY LIBRARY'S ELECTRONIC RESOURCES AND SYSTEMS NEED TO BE MADE ACCESSIBLE?! DATABASES, E-RESOURCES, THE ILS…

Guidance from OIT and CLiC's legal counsel suggests that the law:

- is strongly focused on the "platform"—the website technology or application on which the website is built—and (this is key) whether it is directly MANAGED and controlled by the library (content owner). The website must be compatible with software and peripheral devices that provide accessibility to an individual with a disability.
- holds accountable owners (like libraries) that create, publish and maintain online content like text, links, images, forms, PDFs, documents and embedded third-party applications.

So, imagine you create PDFs, and these are stored in a third-party system outside the library's website like Dropbox. It's reasonable to expect that the library is creating accessible PDFs.

And here is The GRAY Area, for which there is little advice or case-study guidance for libraries:

A library's ILS (integrated library system) is developed, owned or even hosted through a vendor. To what extent does the library have direct control over the underlying platform—the operating system, applications and various pieces of code? It's situational, but in many cases, the library can't directly make changes or implement improvements.

Libraries license e-resources, databases, external products and all manner of digital systems. To what extent do libraries have access to the underlying platforms on which these products are built? It's situational, and the library often doesn't control the underlying platform. CLiC's legal counsel suggests that the law and OIT's guidance are unclear about whether the library is liable for "third-party" digital systems' usability and lack of accessible functionality.

However, one tangible recommendation has been passed on to CLiC. Whenever a user clicks on a link to third-party content, use a popup message or page that explicitly states that the user is departing from your website, and that the library bears no responsibility for the accessibility compliance nor usability of the third party's content.

I'VE HEARD CLiC WILL CERTIFY VENDORS' COMPLIANCE WITH THE LAW.

Wow. That would be great. Let's start that vendor list: ILS systems, electronic databases, e-content platforms, e-book systems, kiosk systems, device checkout systems, PC reservation software, HR and timeclock software, enterprise-wide systems/software...

But no, as a tiny nonprofit organization with only 12 staff members, CLiC lacks the human resources and infrastructure to serve as a statewide compliance monitoring, technology assessment and certifying organization for the diverse landscape of digital products and e-resources used by hundreds of libraries, schools and academic institutions across Colorado. Not to mention that CLiC lacks the regulatory powers to bolster that certification activity.

BUT MY LIBRARY IS AN UPSTANDING, LAW-ABIDING, RULE-FOLLOWING ORGANIZATION.

Absolutely true. But perfection also isn't achievable. So let's step back and remember: The goal isn't to simply check some legal boxes and say, "Well, we've done what's required..."

The goal isn't to cancel contracts with vendors who provide libraries with valuable digital products and technology-backed services only because they aren't 100% certified accessible.

The goal isn't to restrict or shut down entire collections of e-content from our communities if every document, article, image, piece of media or other content isn't 100% accessible.

Colorado's new law is an OPPORTUNITY to enhance access for individuals with disabilities. The law is designed to strengthen protections against discrimination on the basis of disability. Our shared goal (libraries, CLiC, vendors) is to be mindful when we're creating, publishing, sharing and delivering content or services through digital systems – and to set a higher standard for service now and into the future.

Here's what CLiC has done and will continue to do:

- Inform vendors, with whom CLiC holds contracts, about the existence of the law.
- Ask those same vendors what accessibility looks like for their products, and what steps they're taking to make those e-resources, those product interfaces and that digital content more accessible to individuals with disabilities – including new products.
- Inform libraries when CLiC identifies problematic situations involving e-resources that libraries license through CLiC.