City Manager's Report

Digital Accessibility

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Department of Justice Ruling [1]

New ADA Accessibility Requirements

- In April, 2024, the Department of Justice (“DOJ”) issued a final rule regarding the application of Title II of the Americans with Disabilities Act (“ADA”). This new rule requires all state and local governments to make their websites and mobile applications accessible to people with disabilities.
- The deadline for compliance is April 24, 2026

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Department of Justice Ruling 2

New ADA Accessibility Requirements

- The new rules affect all City websites, social media pages, mobile apps, as well as the material posted or linked on those sites.
- There are only a few limited exceptions to the rule, most notably for “Archived” materials.
- Consequences of non-compliance include lawsuits filed by private individuals as well as the DOJ, with available remedies such as injunctions, monetary damages and attorney fees.

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The People Factor

16% of the global population (1 in 6 people) experience a significant disability.

Source: 2025 World Health Organization Report on Health Equity

Differently Abled Categories:

- Physical
- Sensory
- Cognitive
- Emotional
- Developmental

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Project Components

- Accessible Webpages
- Public Input Platform
- Software applications and websites
- YouTube videos
- Social Media
- Documents
- Archived Material
- Slides & Presentations
- Forms
- Specifications

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Challenges

- Conflicting Federal Requirements
  - E.g., CDBG-DR requires posting of reports HUD generates. Those reports are not accessible.

- Meeting Community Expectations for Transparancy and Accessibility

- Cost and Time Required to Remediate

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What will look different 1

City Websites, Public Input Platform

- Less content (equals less risk)
- Archived sections of content and/or removal
- Project Pages for active projects only unless requested
- Consistent forms
- Fewer links to outside webpages

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What will look different 2

City Websites, Public Input Platform continued

- **Master plans** will be named and available but links removed until they can be remediated.
- **Accessibility statements** will be made throughout the sites articulating our commitment to meeting the requirements.
- **Technical documents** will include descriptive statements and pathways to receive support if needed.

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What will look different 3

YouTube

- All videos must have improved Closed Captioning and Audio Descriptions added

- Meetings will continue to be streamed, but there will be a lag before they are posted to allow for remediation.
  - Council meetings, Council committee meetings, Recovery Boards and Planning Boards will be prioritized.

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What will look different 4

YouTube

- Past videos on YouTube will be taken down *and*
- Videos will be listed on the website and available for remediation upon request.
- Action minutes will be available, and posting of video transcripts is being explored.
- Video links can be emailed to City Council.

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What will look different 5

Slide Decks and Presentations

- Less content on slides
- Limited colors and font sizes
- Fewer complex images
- Presenters will receive training to provide clear descriptions of images such as charts, diagrams and site plans

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What will look different 6

Software applications and partner websites

- Asheville App will be replaced
  - RFP for a new product closed on today.

- Probable pause on the Water Smart customer usage data dashboard
  - Work continues with the vendor for meeting the requirements.

- Links to Non-City Boards will be removed

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Ongoing Project

- Regular compliance scans of City websites
- Remediate documents based on requests and budget
- Initial document scans by CAPE and trained accessibility partners in other departments

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Key Takeaways

- The ruling has widespread impacts on the City's digital communications.
- Every effort is being taken to minimize litigation risks while maintaining transparency and access to information.
- These are initial adjustments that will likely evolve as more interpretations of the ruling become available.

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