



<p>State of New Jersey IT Circular</p> <p>Title: Web Accessibility Policy</p>	NO: 07-12-NJOIT	SUPERCEDES: n/a
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ATTN: Directors of Administration and Agency IT Managers

I. PURPOSE

The purpose of this publication is to establish and communicate the State of New Jersey's position regarding Web accessibility requirements for executive branch Web sites and online services. The objective of this policy is to improve the ease with which all citizens, including those with disabilities, can access and benefit from Web based government services and information.

II. AUTHORITY

This policy is established under the authority of State of New Jersey P.L.2007.c.56.

III. SCOPE

This policy applies to all Web sites and Web services provided by New Jersey state agencies in the executive branch of government that operate Web sites as a public service, other than independent state entities. Independent state entities are strongly encouraged to adopt this policy or a similar policy.

IV. DEFINITIONS

A. Access Board

Is an independent federal entity, established by Section 502 of the Rehabilitation Act (29 U.S.C. 792), whose primary mission is to promote accessibility for individuals with disabilities.

B. Content Provider

Is a generic term that refers to an individual who contributes to the creation or maintenance of a Web page. Content providers include but are not limited to Web designers/developers/programmers, Webmasters, graphic and multimedia designers, and Web publishers.

C. Independent State Entities

Are authorities, boards, commissions, and other agencies of the state of New Jersey, which are not subject to the policies, supervision, and control of the governor. An example of an independent state agency is the NJ Transit Authority.

D. Reasonable Steps

Are steps that do not impose undue financial or administrative hardship on an agency.

E. Senior Management

Refers to the chief executive, chief information officer, and chief technology officer, chief financial officer and any other official reporting directly to the chief executive of a principal department or agency, including NJOIT.

F. W3C (the World Wide Web Consortium)

Refers to the independent, computer industry group that develops interoperable technology, specifications, guidelines, software, and tools designed to enable the Web to its full potential as a forum for information, commerce, communication, and collective understanding.

G. Universal Web Accessibility

Refers to the condition of a Web site designed to meet the needs of the widest range of people's abilities.

V. INTRODUCTION

A. The Internet and the World Wide Web have become a tremendous source for government information and are becoming a preferred channel for government service delivery. However, if Web sites are not designed and developed for accessibility, then certain segments of the population, particularly the physically disabled, will not be able to reap the benefits that the Internet brings to society. In New Jersey there are approximately 1 million people over 5 years of age with a long term disability, according to the Census 2000 Supplementary Survey Profile for New Jersey,

published by the United State Census Bureau. It is imperative that New Jersey state government Web sites do not create obstacles for citizens with disabilities in their pursuit of information. Compliance with these guidelines will help to ensure that New Jersey Web sites serve the largest possible audience.

- B.** In 1998, Congress amended the Rehabilitation Act of 1973 to reflect the newly emerging focus on technology. The amended act added provisions requiring federal agencies' electronic and information technology be accessible to persons with disabilities, including employees and members of the public. The law applies to all federal agencies as they develop, procure, maintain, and/or use electronic and information technology. In addition, Section 508 of the act also assures that people with disabilities in the general public have equal access to federal government information. While state governments are not directly subject to Section 508, Section 504 of the Act prohibits discrimination against persons with disabilities in any federally funded programs or activities. It requires that programs receiving federal funds must be accessible to individuals with disabilities. And while Section 504 does not specifically address electronic and information technology accessibility issues, it may be inferred that federally funded state programs have some responsibility to meet the requirements of Section 508.
- C.** The U.S. Department of Justice issued an opinion in September 1996 stating that the American with Disabilities Act (ADA) Titles II and III require state and local governments and the business sector to provide effective communication whenever they communicate through the Internet. This effective communication rule applies to covered entities using the Internet for communications regarding their programs, goods, or services, since they must be prepared to offer those communications via an accessible medium.
- D.** Usability of information technology is a serious issue for New Jersey citizens with disabilities. Web pages that are not designed to be accessible bar individuals with disabilities from participating in and reaping the benefits of e-government and e-commerce.
- E.** Accessible Web design provides benefits beyond the community of disabled persons. The most significant benefit is that accessible Web design enables users of simple technology to access information requiring more sophisticated technology. Thus, people with slow modems and low bandwidth can access the electronic content of an accessible Web site even if they do not have state-of-the-art computer equipment. Additionally, people with personal digital assistants and cell phones can access the content of Web sites incorporating accessible Web design features.

VI. POLICY

- A.** New Jersey state agencies subject to this policy shall take reasonable steps to design and develop Web sites and Web services so that they are accessible to people with disabilities as well as those without disabilities.
- B.** Agency Web page developers, designers, programmers, and content providers shall become familiar with the guidelines for achieving universal Web accessibility and shall apply these principles in designing and creating any official state of New Jersey Web sites.
- C.** Agencies shall take reasonable steps to meet the Web accessibility standards issued by the Access Board, Part 1194 to Chapter XI of Title 36 of the Code of Federal Regulations, Subpart B Section 22, under Section 508 of the Rehabilitation Act. Many items in the Section 508 standards are similar to the Priority 1 level checkpoints of the Web Content Accessibility Guidelines 1.0 (WCAG) developed by the World Wide Web Consortium (W3C), but there are some variances.
- D.** Any revisions to the Section 508 Web access standards shall be incorporated as a requirement of this policy unless agencies are otherwise notified.
- E.** Agencies are strongly encouraged to go beyond the Section 508 accessibility standards and incorporate the additional Web design techniques contained in the W3C's Web Content Accessibility Guidelines.
- F.** All state agencies subject to the policy shall take reasonable steps to incorporate Web accessible design techniques when developing new Web pages, sites, and services. As existing Web pages, sites, and services are revised and updated, agencies shall take reasonable steps to ensure the accessibility of those pages, sites, and services.

VII. ROLES AND RESPONSIBILITIES

- A.** Agency Management
 - 1.** Senior management is responsible to ensure that Web sites and services under its control are designed and developed to reasonably accommodate persons with disabilities.
 - 2.** Senior management shall develop and implement a plan for meeting the objectives of this policy.
 - 3.** Senior management is responsible for distributing this policy to appropriate agency personnel. Appropriate personnel include individuals involved with the design, development, creation, and maintenance of Web sites and Web services, including business

unit managers with approval authority over business unit Web pages.

4. Senior management shall provide Web accessibility training opportunities, as necessary, to agency IT staff, agency Webmasters, Web designers, developers, programmers, and other Web content providers.
5. Senior management is responsible for and shall build Web accessibility awareness among business unit managers with approval authority over business unit Web pages.
6. Senior management shall establish procedures to ensure that requests for external Web development and/or procurement of Web services contain design requirements for accessibility.
7. Senior management shall provide funding to a reasonable extent for the necessary tools and technologies to meet the objectives of this policy.
8. Senior management is responsible for monitoring its agency's compliance with this policy.

B. New Jersey Office of Information Technology (NJOIT)

1. As part of NJOIT's portfolio of services, NJOIT shall provide Web accessibility consultation, testing, and remediation services to client agencies. However, principal agencies and departments may choose to use other external providers.
2. NJOIT, as the lead IT organization in State government, shall develop and maintain an Intranet site for achieving Web accessibility as a resource for employees who design, develop, program, and provide content for state Web pages.
3. NJOIT shall promote Web accessibility and a structured approach to Web design.
4. NJOIT shall provide opportunities for accessibility training to NJOIT employees, as necessary. NJOIT shall extend internal training opportunities to the principal departments and agencies when feasible.

C. Agency Web Designers, Developers, Programmers, and Other Content Providers

1. Web designers, developers, programmers, and other content providers shall acquire an understanding of the Section 508 requirements of the Rehabilitation Act and incorporate these requirements into their work products.

2. Web designers, developers, programmers, and other content providers shall incorporate the Web accessibility design techniques recommended by the W3C and the State of New Jersey Web Site Standards and Guidelines developed by NJOIT into their work products unless a particular technique(s) would cause undue burden to the principal department or agency.
3. Web designers, developers, programmers, and other content providers have a duty to remain informed regarding new Web accessibility techniques and shall incorporate new techniques as appropriate.

VIII. COMPLIANCE

To achieve the objectives of this policy, a State department or agency must be able to demonstrate that it has incorporated all WCAG Priority 1 checkpoints and paragraphs 1194.22 (l), (m), (n), (o), and (p) of Section 508 for new or revised Web documents.

References and Resources

Section 508 standards -- § 1194.22 Web-based Intranet and Internet information and applications

Web Content Accessibility Guidelines 1.0(WCAG)

W3C Web Access Initiative

The Federal IT Accessibility Initiative Training (free online training)

Thatcher, J. W. (2001). "Section 508 Web Standards and WCAG Priority 1 checkpoints: A side-by-side comparison." Retrieved December 19, 2001, from <http://www.jimthatcher.com/sidebyside.htm>