

# Federal Rule: Accessibility of Web Information and Services

## *Frequently Asked Questions*

February 24, 2025

This FAQ addresses questions to DAS from State staff about a new federal rule adopted under the Americans with Disabilities Act (ADA). The federal rule provides more clarity about standards for access by people with disabilities to government services, programs and activities that are available on websites and mobile applications.

While the new rule applies to all state and local government in Oregon, these FAQ address questions from Oregon state government Executive Branch boards, commissions and agencies. It does not address questions from other branches of Oregon government, contractors, local governments or special districts. This FAQ does not address questions from the general public.

For ease of reading, any reference to “agency” or “agencies” in this FAQ refers to all Oregon Executive Branch boards, commissions and agencies.

### 1. What is the new federal ADA rule?

The federal Department of Justice published its final rule updating regulations for Title II of the Americans with Disabilities Act (ADA) in April 2024. Title II of the ADA applies to all state and local governments (including agencies of state governments), and contractors that provide public services for those governments. Title II requires state and local governments make sure their services, programs and activities are accessible to people with disabilities.

The new federal ADA rule sets standards for digital accessibility. The standards are to ensure that Oregon’s websites, mobile applications and content are usable for people with disabilities.

The federal rule adopts the internationally recognized accessibility standard for web access, the [Web Content Accessibility Guidelines](#) (WCAG) 2.1 Level AA (June 2018), as the standard for web content and mobile app accessibility under Title II of the ADA. The federal rule designates both a technical standard, which specifies what is required for something to be accessible, and a “conformance level,” which is the degree to which adherence to the technical standard must be met. The federal rule sets the technical standard as “WCAG 2.1,” and the conformance level as “Level AA.”

### 2. What is the deadline to comply with the new federal rule?

Oregon state government boards, commissions and agencies must comply with WCAG 2.1 Level AA success criteria and conformance requirements by April 24, 2026. Contractors that provide services subject to the rule must also meet the standards set in the rule by April 24, 2026.

As noted below, it is important for State agencies to each develop an approach to meet the rule’s deadline, and to update business processes and workflows to include compliance reviews for information and services made available to the public through the web.

### 3. Where can I find more information about the new federal rule?

- **Final Rule:** [Federal Register: Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities](#)
- **ADA.gov Fact Sheet:** [Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments | ADA.gov](#)

### 4. What is impacted by this rule?

**Digital information and spaces available to the public must be accessible.** Public websites, mobile applications and content must conform to WCAG 2.1 Level AA by April 24, 2026. This includes content, websites, and mobile applications provided directly by an agency or through contractors or other third parties.

“Websites” subject to the rule are the web-based access points for the public to agencies’ services, programs and activities. Keep in mind the rule applies to public websites. Websites includes web pages, files available through the web and digital services accessible through a web address, e.g., oregon.gov, online portals and general public information pages.

“Website content” that must meet the compliance standard includes “all aspects of the information and sensory experience to be communicated to a user through a user agent” (such as a web browser) as or through an agency’s public website. This includes code or markup that defines the content's structure, presentation and interactions. Examples of this type of web content include text, images, sounds, videos, controls, animations and conventional electronic documents.

“Mobile applications” are any currently in-use software applications intended for the public (such as clients). Mobile applications are downloaded by users, and are designed to run on mobile devices, such as smartphones and tablets.

“Content” includes text, images, sounds, videos, controls, animations and conventional electronic documents that are available on a website or through an application. This includes content posted on third party sites, like social media sites.

There are some exceptions identified in the rule, such as archived web content, pre-existing documents no longer in use and certain social media posts and third-party content. This is not a complete list of exceptions. The exceptions in the rule should be reviewed as part of each agency’s compliance review and response.

### 5. What should my agency, board or commission do to meet the accessibility standard?

Each agency, board and commission should review its public websites, mobile applications and content for compliance with WCAG 2.1 Level AA, and make any changes necessary to meet the compliance standard, by April 24, 2026.

The assessment and plan should be the best fit for your agency. So each agency should work with its technical, operational, program and administrative resources on its approach to inventory, audit and

prioritize digital content and spaces subject to the rule. This includes reviewing and updating terms and standards for impacted agency contracts.

Because the compliance standard is how digital accessibility for the public will be measured from April 24, 2026, each agency should also verify its business processes and workflows include compliance reviews for digital content and services that will be made available to the public on or after April 24, 2026.

## 6. What about my agency's website?

Many agency websites are supported by the State's E-Government program contractor, Tyler Oregon. Tyler Oregon is doing the following to meet the federal standard for the websites it supports:

- Creating compliant website templates and reviewing potential accessibility issues.
- Providing the enterprise Siteimprove tool, which allows the manual review of accessibility issues at the template level, and also allows agency users to review and more easily identify content accessibility issues on their websites.
- Providing training to agencies, conducted by Siteimprove, on use of the tool and general accessibility practices.

If you would like to engage Tyler Oregon for review of your website supported through EIS' EGOV Services, including use of Siteimprove, please submit a request at: [Submit a request – Tyler Oregon Service Desk](#)

For website services not supported by Tyler Oregon, your agency will need to engage with the contractor or service provider. Please coordinate with your contracts team on this matter. Your agency may also wish to consult its Oregon DOJ contact counsel for advice.

## 7. Does this rule apply to internal web content and applications?

The new rule addresses public access, under Title II of the ADA. It does not address employment-related obligations applicable to employee use of internal-only sites and applications. This is because the rule for standards for public access is separate from the obligations under Title I of the ADA. Title I requires employers to provide accommodations for their employees with disabilities to access resources necessary to perform their job functions.

For questions about accommodations for employees, please contact your human resources office.

## 8. Is the Governor going to require my agency comply with the federal rule?

The ADA requires that Oregon state government provide people with disabilities an equal opportunity to participate in our programs, services and activities. Not only is it federal law, but the principle of equal opportunity is a cornerstone of an engaged and inclusive society. All boards, commissions and agencies in the Executive Branch of Oregon state government are expected to meet the federal standard as part of our call to serve all Oregon communities. Accessibility benefits us all.

## 9. What if this costs my agency money?

The assessment referenced in Question #5 should measure what work, such as any development work or skills training, is needed to meet the compliance standard. If the need for additional resources or funding is identified, agency leadership should work with their policy advisor and the DAS Chief Financial Office.

## 10. What resources are available to help me get this done?

EIS' E-Government program has published "[Guidance on Accessibility](#)" for websites. As mentioned above, Siteimprove is available at no cost for agency websites managed by Tyler Oregon, and Tyler Oregon has agreed to provide assistance in using the tool as part of its services.

Coordinate with your contracting office on contractor communications, contract management and contract terms that may need to be included in your contracts. You may also contact your agency's Contract Counsel at the Oregon Department of Justice for legal advice.

## 11. What role does DAS play?

DAS will provide any updates on compliance deadlines, and information on resources to support compliance.