

The Compliance Countdown: Is Your Website Ready – MTA Q&A

Q: Does every PDF & Word document need a separate HTML page?

A: No. An HTML page is not required.

Q: Do I really need H1 headers at the beginning of the page?

A: No, a page doesn't necessarily NEED an H1. Generally, pages should use headings to denote the structure of content and pages usually have a main heading that describes the page topic. A main heading doesn't make sense for all pages but if there is a main heading that describes the topic of the page it MUST be an H1. More generally, if you have a text element that describes the topic of a section and is styled as a heading but it is not semantically a heading, that would be a violation.

(<https://www.w3.org/WAI/WCAG21/Techniques/failures/F2>) The same would go for the opposite, using a heading tag on an element that does not describe a section of content.

(<https://www.w3.org/WAI/WCAG21/Techniques/failures/F43>)

Q: Do I need to add subtitles to the videos I have linked on my site? Or can YouTube handle that?

A: WCAG 2.1 AA requires videos to have closed captioning. Whether or not YouTube's auto-generated captions are sufficient to meet this requirement has not been legally tested.

Q: If I have portions of the site that are not compliant, can I simply take it down?

A: Technically, yes, as long as the content is not legally required to be online you can just take it down. Obviously, this is a negative outcome for your residents and reduces transparency. Pages would still need to be tested as individual site components could be in violation. Removing individual page components may end up causing more problems and taking more time than fixing those components.

Q: We are concerned about meeting postings and announcements and not being able to use a scanned to PDF document. What would be the best method going forward?

A: Minutes can be typed up as normal. If you are using Word it has the built-in ability to convert .doc files to .pdf via Save As. Google Docs also allows exporting to .pdf, and there are many other methods. What is important is converting digitally in a manner that preserves the text information. Announcements can follow the same method or can be posted as actual web page content via your content management system or using HTML.

Q: Can some of the old scanned documents (minutes) be flagged as "archive" and still be able to be posted as a scanned document vs retyping?

A: The laws do allow for an "archive" section of the website where you are able to post old scanned documents. It is important to note only documents posted to the website PRIOR to the deadline are eligible to be moved to the archive section. All documents posted to the website after the deadline must be ADA compliant. See "Archived web content" section for more information: <https://www.ada.gov/resources/2024-03-08-web-rule/>

Q: How do I learn what content legally has to be posted?

A: Here is a helpful resource with information about the Open Meetings Act which includes "Requirement to Post Special or Rescheduled Meeting Notice to Website": <https://michigantownships.org/meetings-and-the-open-meetings-act-oma/>
Please consult an attorney for official legal advice.

A: The Township Focus article stated even small townships need to make sure their submissions to the county must be compliant. How can I assist the Treasurer in making sure her documents are compliant?

Q: The best way to ensure document compliance would be testing with a screen reader. Screen readers are built into most devices and there are also free screen reader programs available that are in wide use, a good one is NVDA: <https://www.nvaccess.org/download/>
There are also best practices for creating accessible PDFs that can be found online such as: <https://accessibility.huit.harvard.edu/pdf#review>

Q: Is the accessibility checker available in Adobe for PDF's?

A: Yes, Adobe Acrobat has its own accessibility checker tool called the "Prepare for accessibility" tool. <https://helpx.adobe.com/acrobat/using/create-verify-pdf-accessibility.html>

Q: Is the expectation around documents a "Go forward", or is the requirement to either remove or update archival records?

A: Documents that were posted before the compliance date and are kept only for reference and that have not changed since the compliance date can be kept in a clearly marked archive section and those documents do not need to meet the new requirements. The specific exceptions are listed in detail on the ada.gov page about the ruling: <https://www.ada.gov/resources/2024-03-08-web-rule/>. Note, Documents that are currently being used to apply for, access, or participate in a state or local government's services, programs, or activities do not fall under the exception even if the documents were posted before the date the government has to comply with the rule.

Q: I believe that I read that information or PDF's that are on the website prior to our "Must Be Compliant" date are "grandfathered in." Is this true? But any time a document is changed, then it would have to be compliant.

A: Yes, this is true but it does depend on the content. The specific exemptions are listed on the ada.gov page about the ruling: <https://www.ada.gov/resources/2024-03-08-web-rule/>

Q: Can you archive old documents on a section near the bottom of your page? Or does it have to go on a separate archive page?

A: The requirements only state that exempted archived content be "kept in a special area for archived content" and doesn't specify it needs to be a separate page. Presumably as long as it is clearly marked as a separate archived section there would be no issue with it being on the same page.

Q: Which of the three levels of WCAG 2.1 is mandated?

A: The DOJ has chosen WCAG 2.1 Level AA as the required compliance level.

<https://www.ada.gov/resources/2024-03-08-web-rule/>

Q: Our Supervisor stated that part of ADA was that we were required to live stream our meetings. Is that part of the ADA guidelines or is live stream optional?

A: These requirements do not compel you in any way to stream your meetings, only that live video content must have closed captioning.

Q: I work for a very small community 250 residents - our website is a work in progress. Is there a minimum set of requirements that is on the list that I need to meet in order to meet the deadline in April 2027?

A: The requirements would be the same for you as for any state or local government with population 50k or less, compliance with WCAG 2.1 Level AA by April 26th of 2027.

Q: Thoughts on accessibility checkers like this: <https://wave.webaim.org/aimscore> ?

A: These are definitely a helpful tool! They cannot be relied upon as the final word on compliance, it simply not possible to programmatically find every issue without manual review. However, they are great for getting a good idea of where you stand and can be helpful for catching less visible issues with website elements/code.

Q: What constitutes small and large municipalities? I missed that part. Thank you.

A: A population of less than 50,000 people is small in this case & has the later compliance date of April 26, 2027. 50,000 and more people constitutes a large municipality.

Q: for doing site checks do you like single tools or all in one tools to do the various checks, like alt text, contrast etc.

A: A combination of multiple tools and manual checking. Some tools are better for some things than others and many things can only be caught by manual testing.

Q: Do you need to note on your website that you are ADA Compliant? A contact if something not compliant is found?

A: It is not required to say that you are ADA compliant, however, it is highly recommended to have an accessibility statement on your website:
<https://www.w3.org/WAI/planning/statements/>

Q: If we post a video recording of a public presentation, and the person used PowerPoint, would we transcribe the text and image content of the slides into the closed captions, or is there another channel?

A: This is a question that requires a nuanced answer, w3.org (the creators of the WCAG) has a great article on this: <https://www.w3.org/WAI/media/av/av-content/#plan-description> Ideally, the speaker would cover the content of the slides adequately in their verbal presentation. Audio description would be the alternative where the main audio track is not sufficient.

Q: So, form builders on the website are better than a fillable PDF file?

A: Yes, web forms are generally more accessible than the same document as a PDF if the web form is set up following WCAG 2.1 AA guidelines for forms.

Q: For a PowerPoint presentation, does it need to have the "Speaker Notes" as to the slide content to be ADA compliant if posted on the website?

A: Speaker notes are a good way of providing accessible information, such as describing visual slide content. If information is provided in speaker notes then yes, the presentation would need to be distributed in a format that includes them.

Q: Do all emails sent from employees have to be ADA?

A: We would highly recommend following WCAG 2.1 guidelines in all web communication. The current version of the ada.gov article on the ruling does not make specific reference to email, however it seems likely distributing government information through email would fall under the same guidelines. We cannot give legal advice on this and we would recommend you consult your own counsel.

Q: If we're hosting federal or state forms to make finding them easier, are we accountable for the accessibility?

A: If you have downloaded the forms and are hosting them on your own site then yes, you would be responsible for ensuring their accessibility.

Q: We use WordPress for our website. Are there certain themes you would recommend for best compliance? Are there tools in WordPress that can help us become compliant?

A: This question is difficult to answer without more information on your specific website.

Some themes are definitely better than others when it comes to accessibility. However, just switching themes to one your website wasn't specifically designed for can also introduce accessibility issues.

Q: You mentioned emails and social media. Are there guidelines or helps especially for social media?

A: The same guidelines apply to social media, they must also meet WCAG 2.1 AA. Limitations of social media do affect how you comply, for instance, you cannot set alt text for your images in your Facebook posts so those images must be purely decorative.

Q: Do you have a recommendation for making forms accessible?

A: Web forms are a great option. For PDF forms, accessibility checker tools are helpful and screen reader testing is the best way to ensure compliance.

Q: What about zoning maps and election precinct maps?

A: It is currently unclear based on the ruling and guidelines whether there is a way to post maps that is considered compliant. Maps are visual information without a clear way to translate into written or spoken information. A list of street names, compass vectors, written dimensions, grid coordinates? None of these options are a viable alternative for a visual map. At this time we can only recommend discussing it internally and asking your legal counsel.

Q: When a document is created on Microsoft Word, does Microsoft automatically tag the document?

A: Not by default, there are some automatic tagging options out there but we cannot vouch for any of them.

Q: Do you suggest an alternative approach to managing links associated with meetings?

https://www.oscodatownshipmi.gov/government_departments/boards_and_commissions/township_board_of_trustees/agendas_and_minutes.php

A: Such a long list would be a little frustrating to navigate given the repeated links, I think breaking it up into sections by year would be a big improvement.