

An Access Ready Sample Policy State or Local Election Agencies

[AGENCY] is committed to the full and equal inclusion and participation of people with disabilities in its elections and its workforce. Because the infrastructure of the twenty-first century is information and communications technology (ICT), in order to meet our goal, our election technologies must be accessible. Just as physical structures, such as sidewalks, are required to be accessible to people with disabilities when they are designed, built or renovated, voter- and poll worker-facing ICT infrastructure must also be accessible to people with disabilities. [AGENCY] will play a leading role in providing its citizens with disabilities equal access to the election services that it provides.

It is the policy of [AGENCY] that its election-related communications, programs, services,

and activities offered through the Internet and ICT will be accessible to and usable by people with disabilities and that employees and poll workers with disabilities will be able to use all the web- and ICT-based tools available to employees and poll workers without disabilities. To accomplish this goal, [AGENCY] has adopted and will implement an Access Ready policy. It is the policy of [AGENCY] that access for people with disabilities is a first consideration at the beginning of all program and service development, that accessibility considerations will not be an afterthought, that [AGENCY] staff will make concerted efforts to investigate and be aware of accessibility features and capabilities of election ICT in order to include those features into the design of IT system requirements, and that these efforts will include the opinions of people with disabilities who are actual users of such features.

[AGENCY] also requires that staff who hire employees and poll workers will not consider

the accessibility costs related to accommodating a person's disability. Leaders developing programs and services will take careful consideration of potential opportunities for employees and poll workers with disabilities and will seek input from vocational rehabilitation experts in those considerations. The federal government requires that federal contractors meet a goal of 7% of their workforce at all levels being people with disabilities. [AGENCY] shall seek to meet the same requirement in its workforce and poll worker pool.

The purpose of this policy is to promote equal access to election-related communications, programs, services, activities, employment and volunteer opportunities offered through the Internet and ICT, for all members of the community and all [AGENCY] employees, including those with disabilities. The policy provides a uniform process by which [AGENCY] staff will create, implement, remediate and

maintain new and existing ICT and Internet content and tools to ensure that technology is accessible to individuals with disabilities.

[AGENCY] adopts WCAG 2.1 A and AA as its accessibility standard for the [AGENCY's] Websites, Mobile Apps, voting equipment, and other ICT and will achieve and maintain a fully and equally accessible Website, Mobile App, voting equipment and other ICT by taking the steps outlined below. [AGENCY] may not be in full compliance on Day 1, but this Policy outlines a good faith, aggressive approach to attaining WCAG 2.1 A and AA compliance as soon as practicable.

[AGENCY] will make this Policy public and inform the public of its progress in implementing this Policy.

TRAINING AND RESOURCES

By [DATE], [AGENCY] will appoint a high-level official with budget authority to oversee, manage, and coordinate [AGENCY's]

accessibility program and reporting to [AGENCY] leadership and the public.

By [DATE], [AGENCY] will appoint a qualified Coordinator with expertise in disability and accessibility, who will:

- * Provide training, advice, and assistance to staff and poll workers on disability and accessibility of ICT, including on creating accessible content, remediating accessibility barriers, and testing accessibility;
- * Ensure sufficient poll workers at each polling location for each election are proficient in activating accessibility features of election equipment and ICT, and assisting voters to use the accessibility features of election equipment and ICT;
- * Ensure accessibility features of election equipment and ICT are evaluated and are in good working order at each polling place on election day(s), and specifically ensure that

at least one accessible direct recording electronic (DRE) or ballot marking device (BMD) voting machine at each polling place is evaluated and is in good working order;

- * Arrange automated and user testing of ICT equipment, products, services, and content;
- * Assist staff to identify commercially available accessible election-related ICT;
- * Provide notice to the public and employees about [AGENCY's] Access Ready policy, how to report accessibility barriers, and how to request equally effective alternate access; and
- * Report to [AGENCY] leadership regularly, including after each election, regarding implementation of [AGENCY's] Access Ready policy, exceptions requested, approved, and denied and the bases therefor, accessibility of election equipment and ICT, accessibility problems encountered during the election, complaints received

regarding accessibility of election-related ICT, resolutions of such complaints, and other matters regarding the implementation of accessible election-related ICT.

By [DATE], the coordinator will develop a policy and procedure for employees and poll workers to promptly escalate election-related calls, emails and other communications from users with disabilities who encounter difficulties using the [AGENCY] Website, Mobile App, election equipment, or other ICT.

By [DATE], the coordinator will train a sufficient number of personnel who manage escalated calls timely to assist such callers with disabilities.

By [DATE], the coordinator will ensure all ICT developers (both staff and contractors) are trained on:

- * This Policy
- * How to achieve compliance with WCAG 2.1 Level A and AA;

- * [AGENCY's] process for testing and/or verifying that new content posted to [AGENCY's] Website, Mobile App, election equipment, and other ICT meets WCAG 2.1 A and AA; and
- * [AGENCY's] policy and process for procurement, development, and maintenance of accessible ICT.

ICT ACCESSIBILITY COMMITTEE

[AGENCY] will appoint a qualified ICT Accessibility Committee. The ICT Accessibility Committee will:

- * Serve as a resource for ICT purchases and other acquisitions for compliance with accessibility requirements;
- * Assess the commercial availability of accessible election-related equipment and ICT;
- * Evaluate any requests for exceptions, approve only exceptions that meet the commercial availability, fundamental

alteration or undue burden standards, and document the approval or denial of any exceptions and the basis therefor;

- * Inform [AGENCY] leadership and staff of any exceptions, along with a method for providing equally effective alternate access;
- * Include members of a recognized disability organization and/or a body of individuals with expertise in the fields of disability and accessibility appointed by [AGENCY] for practical usability testing; and
- * Report at least annually to [AGENCY] leadership about progress in implementing the [AGENCY] Access Ready policy.

PROCUREMENT

All election-related ICT software, hardware, services, or content purchased or adopted by [AGENCY] after [DATE] will comply with WCAG 2.1 Level A and AA and be usable by individuals with disabilities unless accessible technology is not commercially available, or accessibility

would cause a fundamental alteration or undue burden.

Policy

All [AGENCY] offices will:

- * Include the Access Ready Policy and accessibility and usability requirements in all Requests for Proposals for ICT election-related equipment, products, services, or content;
- * Purchase or acquire only accessible election-related ICT equipment, products, services, or content, in accordance with these procedures, after [DATE], unless such IT is subject to an approved exception;
- * Include accessibility requirements in all purchase orders, contracts, other arrangements, or renewals for purchase, acquisition, or use of election-related ICT after [DATE];
- * Secure Voluntary Product Accessibility Templates (VPATs), if available, or other

documentation from potential suppliers of ICT, and/or other data and test results regarding accessibility of any proposed ICT;

- * Provide all available information on the accessibility of proposed election-related ICT to the IT Accessibility Committee for assessment and verification;
- * Ensure all contracts or agreements for the acquisition or use of election-related ICT require the vendor to warrant that the technology or content meets [AGENCY's] accessibility requirements;
- * Develop and provide equally effective alternate access for any election-related ICT subject to an exception, to ensure, to the maximum extent possible, that individuals with disabilities receive the same benefits and services as their nondisabled peers;
and

- * Respond in a timely manner to requests for equally effective alternate access to election-related ICT subject to an exception.

Process

Purchase orders, contracts, other arrangements, or renewals for purchase, acquisition, or use of election-related ICT or digital content will require the supplier to:

- * Verify and warrant that its product, service, or content complies with WCAG 2.1 Level A and AA;
- * Provide the most recent accessibility testing procedure and results for its product, service, or content;
- * Permit [AGENCY] or its agent and its ICT Accessibility Committee to re-test the product's, service's, or content's accessibility and usability;
- * Resolve and remediate any complaint regarding accessibility of its product, service, or content in a timely manner and

provide an updated accessible version at no cost; and

- * Indemnify and hold harmless [AGENCY] from any claims arising out of the supplier's failure to comply with the requirements of WCAG 2.1 Level A and AA.

Exceptions

ICT products, services, or content purchased, acquired, or used from a third-party supplier may be granted an exception to accessibility requirements by the ICT Accessibility Committee if [AGENCY] can show that:

- * No equivalent accessible option is commercially available;
- * Purchasing, acquiring, or using an equivalent accessible option would cause a fundamental alteration of the [AGENCY] service, program, or activity; or
- * Purchasing, acquiring, or using an equivalent accessible option would cause

an undue burden in light of all [AGENCY's] available resources.

An exception must be sought in writing from the ICT Accessibility Committee. In granting such an exception, the ICT Accessibility Committee must document the basis and supporting information for the exception, and [AGENCY] must develop and provide equally effective alternate access to ensure, to the maximum extent possible, that people with disabilities receive the same benefits and services as their nondisabled peers. Any exception must be approved in writing by an [AGENCY] official with budgetary authority.

ICT DEVELOPMENT

All election-related ICT software, hardware, services, or content created or developed by [AGENCY] after [DATE] will comply with WCAG 2.1 Level A and AA and be usable by individuals with disabilities unless accessibility

would cause a fundamental alteration or undue burden.

Policy

All [AGENCY] offices will:

- * Ensure any election-related ICT product, service, and content developed by [AGENCY] is accessible and usable, in accordance with these procedures, after [DATE], unless such ICT is subject to an approved exception;
- * Document accessibility and usability of election-related ICT, and provide data and test results regarding accessibility of any proposed ICT;
- * Provide all available information on the accessibility of proposed ICT to the IT Accessibility Committee for assessment and verification;
- * Develop and provide equally effective alternate access for any election-related ICT subject to an exception, to ensure, to the

maximum extent possible, that individuals with disabilities receive the same benefits and services as their nondisabled peers;

- * Respond in a timely manner to requests for equally effective alternate access to ICT subject to an exception; and
- * Permit [AGENCY's] ICT Accessibility Committee to re-test the product's, service's, or content's accessibility and usability.

Exceptions

ICT products, services, or content created or developed by [AGENCY] may be granted an exception to accessibility requirements by the ICT Accessibility Committee if [AGENCY] can show that:

- * Developing, acquiring, or using an equivalent accessible option would cause a fundamental alteration of the [AGENCY] service, program, or activity; or

- * Developing, acquiring, or using an equivalent accessible option would cause an undue burden in light of all [AGENCY's] available resources.

An exception must be sought in writing from the ICT Accessibility Committee. In granting such an exception, the ICT Accessibility Committee must document the basis and supporting information for the exception, and [AGENCY] must develop and provide equally effective alternate access to ensure, to the maximum extent possible, that people with disabilities receive the same benefits and services as their nondisabled peers. Any exception must be approved in writing by an [AGENCY] official with budgetary authority.

EXISTING ICT AND CONTENT

By [DATE], [AGENCY] will conduct an audit of its Website, Mobile Apps, election-related equipment and other election-related ICT by a

qualified ICT accessibility expert. The audit will identify all existing accessibility barriers.

[AGENCY] will make changes, replace, or eliminate current election-related ICT products, services, and content as necessary to remediate accessibility and usability barriers for citizens and employees with disabilities.

Remediation will be prioritized based on factors including the severity of the barrier to access, the importance of the program, service, activity, or communication, and the ease of remediation.

[AGENCY] will monitor and report on the progress of remediation and evaluate the accessibility and usability of remediated ICT through both automated and user testing.

Remediation will be completed in five budget cycles or less from the date of this policy.

[AGENCY] will provide mechanisms for community members and employees to report accessibility barriers and will respond timely to such reports. [AGENCY] will develop and provide equally effective alternate access for

any inaccessible ICT, to ensure, to the maximum extent possible, that individuals with disabilities receive the same benefits and services as their nondisabled peers. Such alternate access will not be used as a reason for not requiring remediation of inaccessible election-related ICT.