



Town of Elizabeth

**Information and Communication Technology Accessibility Plan
and Statement of Undue Burden**

MISSION

To abide by the framework and accessibility rules set by House Bill 21-1110, Senate Bill 23-244, and House Bill 24-1454 by providing a technological accessibility plan and statement of undue financial and administrative burden.

BACKGROUND

In 2021, the Colorado General Assembly passed House Bill 21-1110 making it a civil rights violation for a government agency to exclude people with disabilities from receiving services or benefits because of a lack of accessibility. Any Colorado government entity that does not meet the Colorado Office of Information Technology accessibility standards could be subject to injunctive relief.

In the 2023 legislative session, Senate Bill 23-244 cleaned up and clarified some of the changes required by HB 1110. In 2024, House Bill 24-1454 provided a one-year extension for public agencies to comply with digital accessibility standards if the public agency demonstrates a good faith effort towards compliance.

Town of Elizabeth employees should be aware that HB 1110 applies to all digital content and every person who contributes content to a website or application; develops or manages IT products and services; and every government entity employee who creates and shares emails, documents or presentations is responsible for making it accessible to everyone. All technology, hardware, and software that is both public-facing and internal-facing; including any technology procured by a government entity that is used by the public or used by a government entity employee; and is not limited to websites, applications, kiosks, digital signage, documents, video, audio, and third-party tools are subject to the accessibility requirements set forth in HB 1110.

ACTION PLAN

Requirement – All technology must meet technical standards provided by: (1) [Web Content Accessibility Guidelines \(WCAG\) 2.1 level AA or higher](#), (2) the technical standards found in [Section 508 of the Rehabilitation Act of 1973 Chapters 3, 4, 6](#), and (3) following [C.R.S. 24-85-101 to 24-85-104, ARTICLE 85](#).

Due Date – July 1, 2025

Town Response:

- 1) CivicPlus hosted website was transitioned from Drupal 8 to Drupal 10 in May of 2024. The Drupal platform is supported by NIC/SIPA. After these website transitions, Staff will

be working with our website provider to make sure that the website structure meets all accessibility requirements.

- 2) Partnership with Allyant for a live user website audit. The Town will use the information provided to work with CivicPlus on making our website meet accessibility standards.
- 3) Information and quotes from PDF and document remediation software providers were gathered for comparison and future implementation. After receiving a grant from SIPA, CommonLook software was implemented to 5 town employees. Ongoing training and implementation will occur over the next year.
- 4) A webpage dedicated to information on how to request reasonable accommodations or modifications and/or report inaccessible ICT. This webpage will also include a copy of this ICT plan to be updated annually.
- 5) Further research is being conducted in the creation of web-based online forms and submissions. One of our third-party providers, Laserfiche, provides the Town the ability to create web-based forms and workflows. HTML web-based forms are the most accessible format for form submissions. However, Staff time and training will impede the implementation of these forms. This will be an ongoing process.
- 6) Third-party Digital Services Inventory to be completed by all departments. Once third-party providers are identified, we will be reaching out to them for copies of their accessibility plans and/or having them sign an agreement regarding accessibility.
- 7) Ongoing staff training regarding accessibility and WCAG web content guidelines.
- 8) Annual monitoring reviews to ensure continued compliance. The Town currently has a partnership with Allyant to help with these ongoing reviews. If the partnership with Allyant should end, the Town will update this plan with the new partnership information or outline adopted internal processes to ensure annual review compliance.

AREAS OF UNDUE BURDEN

The Town of Elizabeth is committed to providing accessible services to all individuals, including those with disabilities. However, there may be instances where full compliance with all accessibility standards might not be achievable due to:

- **Undue Burden:** Implementing certain accessibility measures may pose an unreasonable financial, technical, or administrative burden on our limited resources, potentially impacting our ability to deliver essential services effectively.
- **Fundamental Alteration:** Strict adherence to accessibility standards could fundamentally change the nature of some of our programs, services, or activities, rendering them unfeasible or ineffective.
- **Direct Threat:** In rare cases, full accessibility might pose a direct threat to the health or safety of individuals, requiring specific risk assessments and alternative solutions.

In such situations, the Town of Elizabeth will:

- **Demonstrate the burden or risk:** We will transparently explain the specific reasons why full compliance is not achievable in a particular instance.
- **Explore alternative solutions:** We will actively seek alternative solutions or reasonable accommodations that effectively address accessibility needs without causing undue burden, fundamental alteration, or direct threat. This may include providing different formats of information, alternative communication methods, or accessible technology needs.

The below items have been identified as potentially meeting undue burden. Some of these items can be partially addressed and the Town has listed the steps for addressing these issues below.

- 1) **Archived Web Content:** Archiving web pages and website content is currently handled by our website provider. Town Staff will reach out to our website provider to find out how unpublished and deleted web pages are stored and if the process meets accessibility requirements.
- 2) **Pre-existing conventional electronic documents:** All documents on our website before July 1, 2024, will be considered pre-existing electronic documents. Staff have recently acquired and implemented CommonLook software. Ongoing training and conversion will occur as Staff time allows. A shifting of some Staff duties and employee culture is expected as these tools are put into practice and guidelines are created for any electronic document created for public use.
- 3) **Content contributed by a third-party provider:** The Town currently uses several applications created and maintained by third-party providers. These third-party providers build their own content not governed by the Town and due to contract and financial constraints, we currently cannot switch service providers. Staff will make sure to clearly mark any such content, or any links provided to such content, as third-party generated. Staff will also be working with these providers to make sure they are moving towards accessibility compliance. As contracts and obligations end, the Town will assess if another provider can provide the same level of service while also meeting accessibility compliance.
- 4) **Complex images and diagrams, including blueprints, architectural drawings, site plans, maps, and handwritten documents:** These types of documents are inherently complex, and many were considered historical before accessibility laws were introduced. Such items will be appropriately labeled and “tagged” as such for use in accessibility readers and other software.
- 5) **Agendas and packets created prior to July 1, 2024:** As these items were created before the new accessibility laws were introduced, it would take too much time and effort to make them accessible. These items will be clearly labeled in the public portal repository as possibly not meeting accessibility requirements. Staff will remediate any documents on an “as needed” basis per an official request for such a format.

6) **Lack of staff trained in website creation, website management, or document**

remediation: The Town has partnered with Allyant and implemented their CommonLook tools to start remediation of documents in house. However, the Town utilizes third parties to handle our electronic and IT needs. The Town does not currently have a position exclusively dedicated to or specializing in content creation and IT technologies. Expense for additional positions or hiring an outside contractor to fill this need must be weighed against other high priorities in maintaining the expected and basic services provided by the Town. The Town currently does not have the budgetary requirements for implementing another Staff position for the sole purpose of website content and accessibility remediation. These items will be completed as time allows by Staff and their other duties.

Becoming compliant and providing web content accessible to all is important for the Town. Finding a PDF and Word remediation tool to be used by Staff, making sure that online content that may not meet accessibility requirements is clearly labeled, and a shifting of some Staff duties to help focus on accessible templates and potentially online forms move the Town in a positive direction in helping the Town of Elizabeth follow the law as required. A shift in employee culture and mindset when creating content for public consumption will be essential. Town Staff will be continuously evaluating our materials and content to make sure we are meeting the requirements to the best of our ability as training, time, and finances allow.

COMPLIANCE UPDATES

Item	Date of Completion
Website converted to Drupal 10 by CivicPlus	May 2024
CommonLook software purchased	May 2024
Website Audit completed by Allyant	July 1, 2024
Accessibility Statement Posted on website	June 2024
Third-Party Digital Services Audit Completed	August 12, 2024
Accessibility Plan Posted to Website	August 20, 2024