



REPORT

TO: Town Council
FROM: India Adams-Jacobs, MPA, ICMA-CM, Town Manager; Jeffrey Smith, Administrative Assistant/Deputy Clerk
DATE: April 2, 2026
RE: Upcoming Requirements for the Town of Bowling Green Imposed From ADA Title II Web and Mobile Application Accessibility Rule

Updated ADA Title II Regulation

The U.S. Department of Justice issued a final rule in April 2024 updating the ADA Title II regulation (28 CFR part 35) to add specific, enforceable requirements for accessibility of state and local governments' web content and mobile applications. For a public entity with a total population under 50,000, the compliance start date is **April 26, 2027**.

Starting April 26, 2027, Bowling Green must ensure covered web content and mobile apps comply with WCAG 2.1 Level A and Level AA success criteria and conformance requirements (often described as "WCAG 2.1 Level AA," but the regulatory text explicitly includes Level A and Level AA).

WCAG 2 is organized around four principles, Perceivable, Operable, Understandable, Robust, with testable success criteria at Levels A, AA, and AAA:

Perceivable <ul style="list-style-type: none">• Provide alternative text for images and non-text content• Include captions for video and alternatives for audio-only content• Ensure sufficient color contrast for readability• Do not rely on color alone to convey information	Operable <ul style="list-style-type: none">• Ensure full keyboard accessibility (no mouse required)• Provide clear and consistent navigation structure (headings, menus)• Avoid flashing or hazardous content• Allow users sufficient time to read and interact with content
Understandable	Robust

<ul style="list-style-type: none"> • Use clear, consistent layouts and navigation • Provide instructions and labels for forms and inputs • Clearly identify and explain input errors • Use descriptive link and heading text 	<ul style="list-style-type: none"> • Use properly structured, semantic HTML/code • Ensure compatibility with assistive technologies (e.g., screen readers) • Accurately label form fields and interactive elements
<p>Additional Level AA Requirements</p> <ul style="list-style-type: none"> • Meet stricter color contrast standards • Ensure content can be resized without loss of functionality • Avoid using text embedded in images • Provide captions for live multimedia where applicable 	

For Level AA conformance, WCAG’s conformance guidance provides that a page satisfies all Level A and Level AA success criteria, or a Level AA conforming alternate version is provided. (The DOJ rule further constrains when alternate versions can be used, described below.)

Section 35.201 lists five categories of content to which the WCAG conformance requirements in §35.200 do not apply:

- Archived web content (as defined in the regulation).
- Preexisting “conventional electronic documents” that were available before the Town’s compliance date, unless they are currently used to apply for, gain access to, or participate in the Town’s services, programs, or activities.
- Content posted by a third party, unless the third party is posting due to contractual/licensing/other arrangements with the public entity.
- Individualized, password-protected (or otherwise secured) conventional electronic documents about a specific person, property, or account.
- Preexisting social media posts made before the compliance date.

Although the regulation includes limited exceptions, these do not eliminate the Town’s broader obligation to provide equal access. Even where certain content is not required to meet formal technical standards, the Town must still ensure effective communication and provide accessible alternatives when necessary.

Priorities For Compliance

The Town's current digital services include several high-priority areas for compliance, particularly those that enable public interaction with government operations. These include online payment systems, agendas and minutes, public meeting materials, forms and permit applications, and commonly used PDF documents. Because these elements directly affect residents' ability to access services and participate in local government processes, they should be prioritized in accessibility efforts.

Achieving compliance will require both technical and operational adjustments, such as ensuring that forms are accessible and properly labeled, images include alternative text, videos are captioned, navigation is keyboard-accessible, and electronic documents are formatted for accessibility. These practices must be integrated into ongoing operations so that new content is accessible by default.

To meet these requirements, the Town staff will conduct a full inventory of digital assets, evaluate content through automated and manual testing, and prioritize remediation of materials related to public interaction with local government operations. Vendor relationships will also be reviewed to ensure that third-party platforms meet accessibility standards or are contractually required to do so.

General Web Content Areas Requiring Improvement:

- Live captioning for livestreamed content compliant with Level AA success criteria
- Provide greater level of detail for alternative text for images compliant with Level AA success criteria
- Forgo use of color alone to convey information
- Improve keyboard accessibility
- Provide instructions and labels for inputs
- Provide a mechanism that can clearly describe input errors made by users
- Avoid using text embedded in images
- Meet stricter color contrast standards
- Ensure compatibility with assistive technologies (e.g., screen readers)
- Ensure content can be resized without loss of functionality
- Further archive historic content in alignment with DOJ rule standards
- Provide OCR versions of all posted pdf content (minutes, general non-conventional Town documents) compliant with Level AA success criteria