

ADA Recommendation

Herein is a recommendation from the Communication and Engagement Committee of the City of Lathrup Village for a path toward achieving and sustaining compliance with the recent change to ADA Title II.

] Draft by Charles Hall, 03/12/2026

] Approval by consent of Committee, 04/14/2026

Summary

The City has 12 months to comply with an update to Federal Law. Given its resource constraints and volume of information that requires remediation, a comprehensive strategy is necessary and acting upon it is urgent. This recommendation addresses part of such a strategy.

Background

The Law

Under Title II of the Americans with Disabilities Act, State and local governments, all departments, agencies, special purpose districts, and other instrumentalities of State or local government (public entities) must not discriminate on the equal opportunity of or effective communication with people with disabilities – including in all information and communication technology.

|Resources

- [Americans with Disabilities Act Title II Regulations](#)
- [ADA Update: A Primer for State and Local Governments](#)
- [Accessibility of State and Local Government Websites to People with Disabilities](#)
- [Guidance on Web Accessibility and the ADA](#)

Updates to the Law

In July 2023, an NPRM (Notice of Public Rulemaking) was issued. On April 24, 2024, the Final Rule specified the standards for digital content for public entities. The technical standard for websites and native applications is now to conform to WCAG 2.1 AA. Additionally, a **deadline** has been set by the U.S. Department of Justice of **April 26, 2027** for State and Local Governments with populations below 50,000 (and April 26, 2026 for all others) to comply with the Final Rule.

|Resources

- [Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities – Final Rule](#)
- [Fact Sheet: Notice of Proposed Rulemaking on Accessibility of Web Information and Services of State and Local Government Entities](#)
- [Justice Department Advances Proposed Rule to Strengthen Web and Mobile App Access for People with Disabilities](#)
- [Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments](#)

Latest Updates from the DOJ

The deadline is currently unstable.

In September 2025, the DOJ (Department of Justice) hinted at an Interim rule to postpone the April Deadline. On February 13, 2026, OIRA (Office of Information and Regulatory Affairs), part of the OMB (Office of Management and Budget) announced “Pending EO 12866 Regulatory Review” (Executive Order). This notice announces that instead of issuing a new NPRM (Notice of Proposed Rulemaking), the DOJ sent a revised rule to OIRA as an IFR (Interim Final Rule) – a mechanism never used this way. This IFR has not been made public.

The Executive Order being leveraged here is from President Clinton in 1993 and asks for OIRA to review the impact of a regulation on the budget. In a widely-held opinion, this is irrelevant, since the Final Rule has already removed previous provisions for State and Local Governments to submit their own reporting, and for the DOJ to review those reports.

Importantly, the Final Rule is the rule and the current deadline stands until or unless this Interim Final Rule is approved.

|Resources

- [Pending EO 12866 Regulatory Review](#)
- [The Threat of an Interim Final Rule](#) — Lainey Feingold
- [Letter to the Office of Information and Regulatory Affairs Regarding a Proposed Interim Final Rule for the ADA Title II](#)

[Website Accessibility Rule](#) — National Federation for the Blind

Guidance on Compliance

The Goal

To comply with the law requires that the website and native applications conform to the technical standard, and that all other ICT (Information and Communication Technology) use a voluntary technical standard. To conform, a plethora of guidance is available from public and private sources as well as expertise residing within Lathrup Village and this Committee.

The City must be in compliance by the deadline.

However, the goal is not compliance – that is simply the benchmark. The goal is the promise of the ADA to provide effective communication in a manner that does not discriminate against the rights of people with disabilities. The City should want to provide information in equitable ways and continuously improve that through the participation of those most affected.

| Resources

- [ADA Standards for Accessible Design](#)
- [Web Content Accessibility Guidelines \(WCAG\) 2.1](#)

The Path

Borrowing analogies to the private sector, if the City was a business, its websites and native applications would be products. Those products have a lifecycle from ideation to design to development to delivery to the public, and then to maintenance. Once the product is in public (often called 'in production'), the cost associated with testing it for conformance (auditing), creating a comprehensive list of issues (reporting), and setting and executing a plan to fix those issues (remediation) is generally about 30 times the cost of having prevented or resolving those issues at the ideation and design stage of the product.

Auditing, reporting, and remediation are mandatory. But concurrently and more importantly, effort must be spent on prevention. Otherwise the cost of constantly fixing easily preventable issues is high and perpetual.

Committee Recommendation

Each of these product lifecycle steps requires a high degree of specialized knowledge. Our recommendation is to start here.

Remediation – Achieving Compliance

1. **Audit.** Contract with a vendor to conduct an audit of each product – the website and the native application.
 - a. From that audit, they must deliver the results as a comprehensive list of issues, where they occur, the severity, and any recommended remediation.

- b. And they should also deliver an ACR (Accessibility Conformance Report) based off of the VPAT (Voluntary Product Accessibility Template).
- 2. **Fix.** Leverage the contract with and claims made by Apptegy to remediate all issues found in each product that they are responsible for.
 - a. This would omit issues that are the responsibility of the City and its staff who author content on the Apptegy platform, such as designating text as a heading or providing alternative text for an image, or PDF documents created and uploaded.
 - b. Secure a timeline for remediation that is reasonable to the ADA Title II deadline.
- 3. **Fix.** For each issue on each platform that is not the responsibility of Apptegy, the City and its staff must remediate the issue.

Prevention – Sustaining Compliance

- 1. **Training.** All City elected officials, staff, and volunteers who play any role in producing any content for its website and applications must become proficient in ensuring that content is accessible.
 - a. Be very cautious of sources for such training, as there is a large volume of misinformation found in general search.
 - b. Trust the W3C as a source.
 - c. Trust this Committee in vetting other sources.

2. **Terms.** Create, verify, and enforce terms upon those that submit information as content for the website or native applications.
 - a. This includes other organizations for the city such as the DDA; local businesses, citizen and public volunteer contributors; and any party not elected or staff.
 - b. The terms should describe in detail the expectation of accessibility and any technical requirements such as providing alternative text for images.
3. **Audit.** Create a recurring schedule to audit the website and native applications.
 - a. Either with the same contracted vendor from the original audit, or continue to request proposals from trusted partners.
 - b. Ideally, this should occur at least every 6 months.

Growth – Scaling Compliance

Once the website, native applications, and PDF documents hosted therein have been remediated and sustained prevention is in place, it is critical to recognize this is merely a subset of ICT that has a specific technical standard. All other ICT must also be accessible per the ADA Title II. The only difference being that the method of compliance permits optional technical standards. Yet, it is still recommended that these make use of the same standard – WCAG.

1. **Audit.** Now, everything else must go through the cycle of audit, report, and remediate.
 - a. Email

- b. Social Media
 - c. Electronic Documents
 - d. Video Content
 - e. Telephone Relay Systems (TRS)
 - f. Etc.
2. **Invitation.** Invite and solicit public comment and participation to identify issues and barriers, and request features that would help them have an equitable experience.

| Resources / Potential Contract Partners

- [AccessAbility Officer](#)
- [AFixt](#)

Committee Commitment

As part of the charter and scope of the Communication and Engagement Committee, it plans to continue to provide accessibility considerations – beyond what is required by the ADA Title II – within any communication strategy and engagement effort, so that equity and inclusion support accessible outcomes.

The committee also includes the expertise in digital accessibility of Charles Hall (primary author) who is available for periodic review of the considerations and decisions of others for content in any communication channel.