

# STATE OF COLORADO

## Department of Military & Veterans Affairs

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<b>TITLE:</b>	Department of Military & Veterans Affairs Accessibility Policy
<b>EFFECTIVE DATE:</b>	March 01, 2024
<b>APPLICABILITY:</b>	Department of Military & Veterans Affairs
<b>PROPONENT:</b>	DMVA Accessibility Project Charter, DMVA Accessibility Project Plan, DMVA Accessibility Communications Plan
<b>REGULATION NUMBER:</b>	PM-24-025
<b>REFERENCE:</b>	HB21-1110
<b>SUPERCEDES:</b>	N/A

**PURPOSE.** This regulation delineates policies and procedures to ensure the Department of Military & Veterans Affairs compliance with HB21-1110.

**APPLICABILITY.** This regulation is applicable to all Colorado government entities and state employees under the Department of Military & Veterans Affairs.

HB21-1110 relates to all technology, hardware, and software, that is both public-facing and internal-facing. This includes any technology provided by or procured by a government entity that is used by the public or used by a government entity employee. This technology includes but is not limited to websites, applications, kiosks, digital

signage, documents, video, audio, and third-party tools.

**SUPPLEMENTATION.** Supplementation of this regulation is prohibited.

## **POLICY:**

### **1. GENERAL**

All Colorado government entities and state employees are required to comply with the Governor's Office of Information Technology's (OIT) accessibility standards related to HB 21-1110. 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, presentations, or other digital content is responsible for making it accessible to everyone. There are no exemptions.

### **2. HOUSE BILL 21-1110**

- a. Under the Colorado Anti-discrimination Act (CADA), it is unlawful for any person to discriminate against an individual with a disability. House Bill 21-1110 expands this prohibition by defining discrimination to include two standards:
  - 1) It is discrimination to exclude an individual with a disability from participation in or being denied the benefits of services, programs, or activities provided by any Colorado government entity because of lack of accessibility.
  - 2) HB21-1110 language specifically applies to accessibility of government information technology and expands the state's accessibility standards to include all individuals with disabilities, as defined by the ADA, instead of just people with vision problems.
- b. All in-use documents, or documents that might become in-use, must be accessible on and after July 1, 2024.
- c. There are no exceptions listed in HB21-1110; signed and past documents are not exempt.

### **3. IMPLICATIONS**

- a. HB21-1110 states that any state agency that is not in full compliance by July 1, 2024, is in violation of the state's laws concerning discrimination against individuals with a disability and is subject to the remedies set forth in statute.
- b. Any Colorado government entity that does not meet the Governor's Office of Information Technology's (OIT) web accessibility standards could be subject to injunctive relief, meaning a court order to fix the problem; actual monetary damages; or a fine of \$3,500 payable to the plaintiff, who must be someone from the disability community.

#### **4. ACCESSIBILITY**

- a. Accessibility is when a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. It is a commitment to providing independent, equitable and full access to our services.
- b. Accessibility is the responsibility of each state employee and not a single person, team, or agency. Designing, developing, and maintaining accessible documents, content and technology starts by understanding your role and responsibilities.
- c. What needs to be Accessible Under HB21-1110:
  - 1) Any content that you are creating for internal or external use needs to be accessible. This includes but is not limited to:
    - a. Emails
    - b. Spreadsheets (Excel or Google Docs)
    - c. Flyers
    - d. Policy Documents
    - e. Forms
    - f. Manuals
    - g. PowerPoint Presentations
    - h. PDFs
    - i. Word Documents
    - j. Dashboards

- k. Webpages
- l. Intranet Pages
- m. Software

## **5. EMPLOYEE RESPONSIBILITIES**

- a. When creating new documents, forms, presentations, or web content, ensure that accessibility is included in planning and prioritization.
  - 1) This applies to internal and external documents.
  - 2) Understand how to create accessible documents and presentations by:
    - a. Review training resources provided on DMVA SharePoint page.
    - b. Stay updated on accessibility best practices.
    - c. Correct accessibility issues immediately.
    - d. Attend Accessibility open office hours and meetings.
- b. DMVA employees are not required to revise documents, forms, or software owned by a third-party.
- c. Email a link of the form to the original owner's website as opposed to attaching the form.
- d. Notify customers when content is owned by a third-party and may not be accessible.
- e. When using inaccessible third-party owned content or software, if it does not present the Department with undue burden, offer to assist customers if requested and if the department is able.
- f. The law requires all digital content to be accessible, unless making it accessible would present undue burden on the department.

## **6. TRAINING**

- a. Focus on learning items relevant to your job. The [training resources listed on SharePoint](#) are options, but you are not limited to those trainings.
- b. Ensure that you apply what you learn as you are creating new content.

## **7. TRACKING**

- a. Log internal documents and status on the [internal document spreadsheet](#).
- b. Identify Subject Matter Experts and track on the [internal document spreadsheet](#).
- c. Employees must track completed training on the [Training Tracker spreadsheet](#).
- d. Supervisors must report their respective Project Plan to the DMVA Director of Strategic Planning and Organizational Development.

1) Project Plans should Include the following:

- a. Name of section and supervisors
- b. Action steps taking to ensure compliance by July 1, 2024.
  - i. SME's identified
  - ii. Training initiative for staff
  - iii. Reoccurring meetings
  - iv. Tracking processes
  - v. Documentation revision plan and timeline

**Questions:** Contact the DMVA Director of Strategic Planning and Organizational Development at [Deborah.salerno@dmva.state.co.us](mailto:Deborah.salerno@dmva.state.co.us) or 720-250-1526.

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