

# ACCESSIBILITY LAWS FOR STATE GOVERNMENTS



State governments must comply with **Section 504** and **Section 508 of the Rehabilitation Act** and with **Title II of the Americans with Disabilities Act**.

## Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act is a civil rights law that **prohibits discrimination** against individuals with disabilities **by**:



- Federal programs and activities
- Federal electronic and information technology
- Any program or activity receiving federal assistance

**“Program or activity”** is defined as a department, agency, special purpose district, or other instrumentality of a state or of a local government; or an entity of a state or local government that distributes assistance and the department or agency that receives the assistance.

**Financial assistance** includes both monetary and non-monetary funds from the government.

## Section 508 of the Rehabilitation Act

Section 508 states that **all information technology** must be accessible to people with disabilities including employees and the public.

Section 508 **applies** to:

- the Federal government
- State governments through “little 508s”
- State who receive federal funding through the Assistive Technology Act



Section 508 requires an alternative, accessible technology method be provided for disabled employees and members of the public.

In addition, all web content must meet **WCAG 2.0 Level A and Level AA** success criteria.

**Exemptions** apply to organizations where implementation of these requirements would cause an undue hardship. However, organizations are still required to provide an alternative method for communicating the information to individuals with disabilities.

## Americans with Disabilities Act: Title II

The Americans with Disabilities Act (ADA) was created to ensure equal opportunity for people with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation.

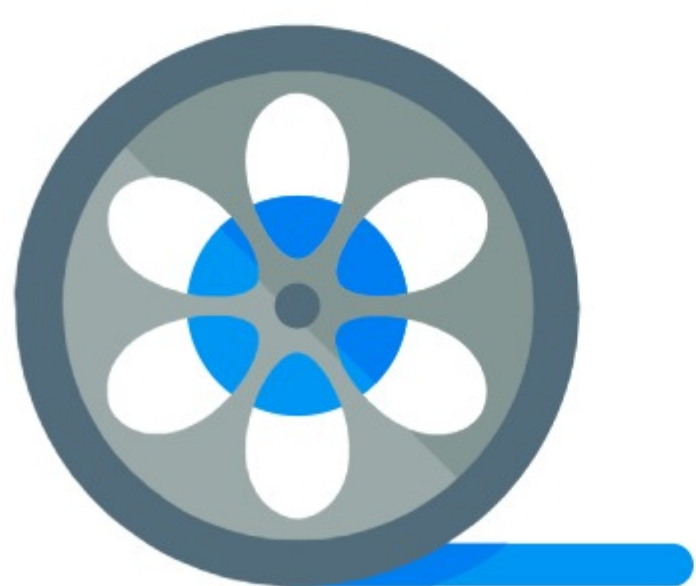
**Title II** of the ADA protects individuals from discrimination by public entities.

Public entities **include**:

- State and local governments including its departments, agencies, and other instrumentalities
- Activities, services and programs of public entities



Public entities **cannot refuse** to accommodate people with disabilities and **must provide** the necessary aids for such individuals to have equal access.



Under Title II, public entities must provide **“auxiliary aids”** for effective communications. **Public videos** must also be accessible for individuals with disabilities