



DEQ POLICY STATEMENT PS26-02

WEB CONTENT ACCESSIBILITY GUIDELINES CONFORMANCE POLICY

Purpose

The purpose of this policy is to describe how to make the Idaho Department of Environmental Quality (DEQ) web content accessible to people with disabilities as required by the Americans with Disabilities Act in conformance with the Web Content Accessibility Guidelines (WCAG) 2.1 AA requirements under Subpart H of 28 CFR Part 35. This policy outlines the steps staff must follow before publishing web content, revising the procurement process to require WCAG conformance, formalizing a complaint process for inaccessible documents, and identifying challenges to making DEQ-specific documentation compliant. DEQ is committed to ensuring equal access for people with disabilities.

Background

On April 24, 2024, the Federal Register published the Department of Justice's final rule updating its regulations for Title II of the Americans with Disabilities Act. The final rule has specific requirements, known as WCAG 2.1 AA, to ensure that web content and mobile applications (apps) are accessible to people with disabilities.

WCAG 2.1 AA sets technical standards that agencies and third-party vendors must follow for digital accessibility.

Definitions

Accessibility: The practice of designing digital content, products, and services so they can be used by people with a wide range of abilities and disabilities. Accessibility ensures equal access to information and functionality.

WCAG (Web Content Accessibility Guidelines): Internationally recognized standards published by the World Wide Web Consortium (W3C) that provide requirements for making web content more accessible to people with disabilities. This policy uses WCAG 2.1 Level AA as its compliance target.

Conformance: The degree to which a website or digital product meets WCAG requirements. Conformance levels include A, AA, and AAA—with Level AA as the standard adopted by this policy.

Web Content: Information and experiences available on the web, like text, images, sound, videos, and documents.

Electronic Documents: Web content or content that is in the following electronic file formats: portable document formats (PDFs), word processor file formats, presentation file formats, and spreadsheet file formats.

Statement of Policy

Conformance

DEQ aims to meet the WCAG 2.1 Level AA standards established by 28 CFR Part 35 to the greatest extent feasible. This policy does not stipulate any particular technology or design approach. The aim is to maximize access to and use of DEQ's website by people with disabilities.

Scope

DEQ will apply WCAG 2.1 AA standards to the following:

- Electronic documents that are currently being used to participate in, apply for, or gain access to an agency's programs or services made prior to April 24, 2026.
- All electronic documents that will be posted to the DEQ website after April 24, 2026.
- The DEQ public-facing website.
- DEQ social media posts after April 24, 2026.
- DEQ mobile applications.

Web content that has been archived is not subject to the standards referenced in this policy. Should there be a specific request for access to archived content by any individual with a disability, that content will be made available in a suitable format within ten (10) business days. Where it is not technically possible to make the content available, a suitable alternative should be agreed to with the individual. The division or program responsible for the creation of the content is responsible for making it accessible.

Process

For a fuller picture of how DEQ aims to conform to WCAG 2.1 AA see the DEQ WCAG 2.1 AA Compliance Roadmap available at [\(weblink\)](#). DEQ will require employees to clear as many errors as possible, in a good faith effort, in the final PDF version of any electronic document to be posted to the public website. Employees must correctly format documents in Word and then, as a PDF, tag documents properly, correct the reading order, and ensure all items from the DEQ Document Compliance Checklist are met.

Challenges

DEQ produces hundreds of complex documents per year often for limited audiences. Certain documents or elements within DEQ documentation may be difficult to be made fully compliant with WCAG 2.1 AA standards. Thus, the following considerations may apply:

- DEQ will consider alternatives to making permits created prior to April 24, 2026, compliant with WCAG 2.1 AA standards. To remain transparent with the public, they will remain on the website.
- DEQ will consider alternatives to making complex document tables compliant with WCAG 2.1 AA standards. DEQ produces large, complex tables to convey information (e.g., the integrated report, total maximum daily loads, air quality permits). These tables, sometimes over 100 pages, would require onerous labor to make fully compliant.

Complaint Process

As stated in the accessibility accommodation statement on electronic documents and in DEQ's equally effective alternate access plan (EEAAP), the Title VI Coordinator facilitates requests or complaints received. For documents to be remediated or corrected, the Title VI Coordinator will evaluate and oversee the timely response and redressing needed. For larger audits of DEQ compliance with WCAG 2.1 AA, the Title VI Coordinator must produce the up-to-date accessibility tracking log and collaborate with programs and the Deputy Attorney General's Office to respond.

Equally Effective Alternate Access Plan (EEAAP)

DEQ's EEAAP describes how information will be made available to individuals with disabilities until conformance with the WCAG 2.1 AA standards. For electronic documents and current website, DEQ's EEAAP is posted under the [accessibility web page](#). All websites or mobile apps created by or for DEQ after April 24, 2026, will require an EEAAP.

Third-Party Procurements

After April 24, 2026, all requests made to third-party vendors must require requested web content to conform to WCAG 2.1 AA standards and include a [voluntary product accessibility statement](#).

Responsibility

DEQ's Title VI Coordinator is responsible for maintaining this policy.

The Title VI Coordinator is also responsible for overseeing the implementation of WCAG 2.1 AA standards at DEQ, training (or finding training for) accessibility superusers, and conducting annual quality assurance audits on the agency. The Title VI Coordinator will field complaints and facilitate the remediation of requested documents as needed.

Implementation

This policy is effective immediately and will remain in effect for 5 years unless amended, replaced, or rescinded prior to expiration.

Dated this _____ day of _____, 2026

Jess Byrne
Director, Idaho Department of Environmental Quality