

EXECUTIVE WHITE PAPER

ENSURING ACCESSIBLE ONLINE ELECTION INFORMATION

What U.S. Election Officials need to know about the Department of Justice's Web Content Accessibility Guidelines 2.1 (WCAG 2.1).

PURPOSE

This white paper provides a concise, actionable overview of the Department of Justice's (DOJ) new digital accessibility requirements under Title II of the Americans with Disabilities Act (ADA), *why* they matter for election officials, and *what actions* election jurisdictions must take to ensure compliance by the upcoming deadlines, including **for online sample ballots and other elections information. Compliance is not optional.**

KEY TAKEAWAYS

- The **Department of Justice has finalized a rule** that requires state and local government websites and mobile apps to meet specific accessibility standards under Title II of the ADA. ([ADA.gov](https://www.ada.gov))
- The rule adopts Web Content Accessibility Guidelines (WCAG) 2.1 Level AA as the required standard. ([ADA.gov](https://www.ada.gov))
- Jurisdictions with populations $\geq 50,000$ must comply by April 24, 2026. Smaller jurisdictions must comply by April 26, 2027. ([Segal](#))
- All public-facing digital election content - **including online sample ballots and voter guides - must conform** to these standards.

BACKGROUND

Title II of the ADA has long required that “services, programs, and activities” of state and local governments be accessible to people with disabilities. As public services have shifted online, digital accessibility has become a civil rights priority. To clarify longstanding obligations, the DOJ issued a final rule in April 2024 specifying **technical accessibility requirements** for web and mobile content provided by public entities. ([Federal Register](#))

Previously, many jurisdictions used PDFs, scanned images, and non-structured web content for sample ballots and voter information. Under the new rule, these formats may not meet the required accessibility standards. ([ADA.gov](#))

WHAT THE RULE REQUIRES

Adopted Technical Standard – WCAG 2.1 Level AA

The DOJ rule designates WCAG 2.1 Level AA-developed by the World Wide Web Consortium (W3C)-as the official accessibility standard for digital content.

Sample ballots, voter guides, registration instructions, polling place directories, and similar content fall squarely within this scope.

Population-Based Deadlines:

Jurisdiction Size	Compliance Deadline
≥50,000 residents	April 24, 2026 (Segal)
<50,000 residents	April 26, 2027 (Segal)

Coverage and Exceptions

The rule applies to:

- Websites and web pages hosted by the jurisdiction.
- Digital documents and online forms, including sample ballots and other election information.
- Mobile apps provided by the jurisdiction.
- Third-party content *provided on behalf of* the jurisdiction.

Exceptions are narrow and limited to:

- Archived content
- Content not commonly used.
- Some third-party content (with conditions) ([ADA.gov](https://www.ada.gov))

However, sample ballots and current election materials typically have no exception and must be accessible.

WHY THIS MATTERS FOR ELECTION OFFICIALS

Access as Civil Rights

Accessible election information is not merely best practice—it is a **civil right** for individuals with disabilities. Inaccessible content effectively excludes voters from participating equally in democratic processes. The DOJ rule eliminates ambiguity by requiring specific technical standards for digital content. ([ADA.gov](https://www.ada.gov))

Legal and Practical Implications

Failure to comply risks:

- DOJ investigations and enforcement actions
- Lawsuits under the ADA
- Voter disenfranchisement complaints
- Reputational harm and loss of trust

Ensuring web and document accessibility is essential for lawful, equitable election administration.

IMMEDIATE ACTION STEPS FOR ELECTION JURISDICTIONS

1. Audit All Digital Election Content

- Identify all websites, sample ballots, PDFs, voter guides, and mobile apps published by the jurisdiction.

2. Assess Accessibility

- Use automated testing tools and manual testing (including assistive technologies such as screen readers) to evaluate compliance with WCAG 2.1 Level AA.

3. Remediate Inaccessible Content

- Convert PDFs to structured HTML or accessible PDF formats.
- Add alt text and ARIA landmarks.
- Fix color contrast, focus order, and form labels.

4. Review Third-Party Tools

- Ensure vendors provide accessible solutions or update contracts accordingly.

5. Implement Ongoing Accessibility Governance

- Establish content publishing policies and staff training.
- Enable an accessibility feedback mechanism for users.

Preparation now will reduce last-minute compliance pressure ahead of the 2026 deadline.

CONCLUSION

The Department of Justice's final web accessibility rule marks a major milestone in digital civil rights—for all government services and especially for election information such as sample ballots. Election jurisdictions must act deliberately and proactively to meet WCAG 2.1 Level AA standards by the upcoming compliance deadlines. Doing so upholds legal obligations while ensuring equal access to crucial election information for all voters.

Compliance is not optional—it is now the law. (DEPARTMENT OF JUSTICE 28 CFR Part 35 [CRT Docket No. 144; AG Order No. 5919-2024] RIN 1190-AA79 Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities)