

PLEASANTVIEW CHARTER SCHOOL

As required by law here is our ADA policy

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.
2. It is discrimination for any Colorado government entity to fail to develop an accessibility plan by July 1, 2022, and to fail to fully comply with accessibility standards developed by OIT by July 1, 2024.

The new 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.

What happens if a state or local government agency does not comply?

Any individual with a disability that is subject to discrimination may bring a civil action against the Colorado government entity. Any Colorado government entity that engages in such discrimination could be subject to the following penalties:

- A court order requiring compliance;
- Monetary damages;
- Attorney's fees; or
- A statutory fine of \$3,500 payable to each plaintiff for each violation, who must be someone from the disability community. For example, after the July 1, 2024, deadline, if an individual tries to use a website that is not accessible, the government entity may be subject to a \$3,500 statutory fine that is payable to the individual for each violation.

Liability for noncompliant content lies with the Colorado government entity that manages the content. Liability for noncompliance of the platform hosting the content lies with the Colorado government entity that manages the platform.

What technology does House Bill 21-1110 and OIT's accessibility standards apply to?

It 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.