

State of Minnesota Digital Accessibility Standard

From the Office of the Chief Information Officer, State of Minnesota

Version: 4.00

Effective Date: July 1, 2024

Standard Statement

This standard applies to information and communication technology (ICT). All State information systems, tools, and information content must comply with the following, in the form adopted as of the effective date, unless otherwise exempt or subject to an exception:

- [Section 508](#), as qualified:
 - E202.2 (legacy ICT) does not apply.
 - E205.3: Electronic Content, Agency Official Communication: end text at “business” and exclude the remainder of 205.3.
 - 412.7: append sentence: When Information and Communication Technology (ICT) is structured to provide focus only on the active speaker there shall be the ability to override automatic focus to ensure access to the desired speaker e.g., sign language interpreter.
 - Any conditions or definitions that are superseded by existing State law or policy, such as the definitions of “agency” and “undue burden.” (See Appendix.)
- [Web Content Accessibility Guidelines \(WCAG\) 2.1](#) levels A and AA. Level AAA compliance is encouraged.
 - Success Criterion 4.1.1 (Parsing) is exempt in anticipation of WCAG 2.2

See the related [Minnesota Guidelines to the Accessibility Standard](#) for specifics on how the state accessibility standard applies to relevant technologies and content.

Reason for the Standard

This Standard addresses the accessibility and usability of information technology products and services for all State of Minnesota government employees and end-users. This Standard directs technology accessibility standards for use by the State of Minnesota and is consistent with the [Minnesota Statute 16E.03, Subd. 9.](#)

Roles & Responsibilities

Agencies and their staff must apply the accessibility standard to their work including: creating, modifying, or procuring ICT for internal or external use. If an agency is unable to bring a State information system, tool, or information content into compliance, the system or content owner must file an exception and provide reasonable accommodation.

External websites provided under contract must comply to the Standard. This Standard does not apply to external web pages outside of the editorial control of the State of Minnesota.

Applicability

This Standard applies to executive branch state agencies.

Legislative, judicial, and other non-executive branch organizations are encouraged to follow this Standard.

The Standard applies to all information technology procured, developed, or substantially modified or substantially enhanced as of the effective date of this Standard, including software available without cost.

The Standard does not apply to any procurement or development process initiated before September 1, 2010. ICT, procured or developed after 2010, remain covered by previous versions of the standard, which incorporate Section 508 and WCAG 2.0.

Appendix A details the exemptions and exceptions to the Standard.

- Other state statutes and federal laws may apply. For more information, consult the related State of Minnesota [Accessibility Guidelines](#).

Related Information

- [Minnesota Guidelines to the Accessibility Standard](#)
- Exceptions and Exemptions (Appendix A)
- [State statute 16E.03, subds. 9 & 10](#)
- State statutory definition of accessibility: [16E.015](#)
- [Definition of ICT in Section 508, E103.4](#)
- Definition of Executive branch

History

Version	Description	Date
1.0	Original version	10/01/2010
1.5	Updated to include additional guidance	4/29/2011
2.0	Updated for new MN.IT formatting and to address disputed contents of 4/29/11 draft	10/03/2013
3.0	Updated to incorporate refreshed Section 508 rule and new title	06/14/2018
4.0	Updated to incorporate WCAG 2.1, plain language, and other details	7/1/2024

Contact

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Appendix A: Exceptions and Exemptions to Accessibility and Usability of Information Technology Standard

Definitions

- **Exception:** A reason to not apply the standard to a particular situation.
- **Exemption:** A general category where the standard does not apply.
- **Information and Communication Technology (ICT):** Information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples of ICT include (from [Section 508 E 103.4](#)):
 - electronic documents;
 - software;
 - web applications;
 - websites;
 - computers and peripheral equipment;
 - information kiosks and transaction machines;
 - telecommunications equipment;
 - customer premises equipment;
 - multifunction office machines;
 - videos; as well as other technologies not listed.

Exceptions

The following are exceptions that can be filed given the proper documentation.

Undue Burden

This exception type is defined by MN Statute ([16E.015, subd. 4](#)). Undue burden means significant difficulty or expense determined and documented by the funding agency, including but not limited to difficulty or expense associated with technical feasibility.

Best Meets

Defined in E202.7 in the list of Section 508 [general exceptions](#), the “Best Meets” exception applies when no product in a marketplace provides any clear support for the accessibility standard, and yet such a product is necessary for business reasons. While few, if any commercial products are fully accessible, this exception applies when every option presents evident barriers for users with disabilities.

Fundamental alteration

This is an exception defined in [Section 508](#).

- This Standard shall not be interpreted as requiring a fundamental alteration in a product or its components.

Single Source

A single source acquisition is a determination that after a search there is only one supplier available for the required product, services, or construction item ([16C.02, subd. 18](#)). Single source by itself is not grounds for an exception.

If a product provided by a single source vendor cannot be made accessible and if properly documented, then the undue burden exception applies.

Exemptions

The following are exempt from the Standard given the proper documentation.

Alternate Location

The agency must make technology as accessible as possible for work purposes. This does not obligate the agency to provide separate, physical access to the technology, such as assistive technology equipment or assistive technology for home use. Agency obligations to provide accommodations for employees are governed under separate rules, including the Americans with Disabilities Act.

Emergency Purchases

For the purpose of this subdivision, “emergency” means a threat to public health, welfare, or safety that threatens the functioning of government, the protection of property, or the health or safety of people. The solicitation process described in this chapter is not required in emergencies. In emergencies, the commissioner has the authority to make any purchases necessary for the repair, rehabilitation, and improvement of a state-owned structure or authorize an agency to do so. They also can purchase, or authorize an agency to purchase, goods, services, or utility services directly for immediate use.

This exemption is not permanent. Once the emergency period has ended, the product owner must make reasonable effort to ensure accessibility. To the extent possible, the owner should include accessibility in its criteria when making the purchase.

Incidental to a contract

Defined by MN Statute [16C.08, Subd. 1](#). The Standard applies to the products and services being procured by State agencies and not a contractor’s own internal workplace ICT. For example, if a State agency enters a contract to have a website developed, it must meet the applicable technical provisions of the state accessibility standard because the website is the deliverable that is being acquired by the agency (unless, of course, an exception applies). However, the contractor’s office system (“supplies or materials”) used to develop the website does not have to meet the technical provisions, since its incidental equipment to the contract.

If the deliverable requires State employees or citizens to use a particular application, website, or other tool, then that application/website/tool must be accessible.

Infrastructure Hardware

Defined by MN Statute ([16E.03, subd. 9](#)). This exemption does not include front-end software used to manage the infrastructure hardware, such software cannot claim this exemption.

- [16E.015, Subd. 3](#): “Infrastructure hardware” means servers, routers, switches, and non-end-user platform devices and their operating systems.

State and National Security

Defined by Section 508 for Federal systems and applicable to relevant state systems.

[Section 508 rule E202.3](#) exempts “ICT operated by agencies as part of a national security system, as defined by 40 U.S.C. 11103(a),” in which the term “national security system” means a telecommunications or information system operated by the Federal Government, the function, operation, or use of which:

- Involves intelligence activities;
- Involves cryptologic activities related to national security;
- Involves command and control of military forces;
- Involves equipment that is an integral part of a weapon or weapons system; or
- Systems critical to the direct fulfillment of military or intelligence missions, not including those to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

Service Personnel Space

Products located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment are not required to comply with the Standard. For hardware, two conditions must be met before an agency uses this exception when procuring a product.

- First, the agency must intend to locate the product in a physical space frequented only by service personnel.
- Second, the use of the product by the service personnel must be for maintenance, repair, or occasional monitoring.

If both conditions are met, the product does not have to meet the Standard. Hardware that might meet these dual conditions, include telephone equipment placed on racks in a closet or small room and network routers and storage devices or servers located in rooms or areas frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment. In addition, software that is installed or operated on a product that falls under this exception would be exempt from the Standard if the software application can only be operated from the physical place where the product is located. This might include specialized diagnostic

software. By contrast, if the software can be operated from a remote workstation, the software would be subject to the Standard, regardless of who is using it, since the product interface is not located in a physical space that meets the criteria for this exception.

Applicability

These terms apply to the Minnesota Accessibility Standard, which applies to all departments, agencies, offices, councils, boards, commissions and other entities in the executive branch of Minnesota State Government.

Appendix History

Version	Description	Date
1.0	Initial release as appendix	06/14/2018
2.0	Update for 2024 version	7/1/2024