

Legislation



COLORADO LEAGUE *of*
CHARTER SCHOOLS

HB21-1110:

House Bill 21-1110 Colorado Laws For Persons With Disabilities

Technology Accessibility for Persons with Disabilities

Overview:

The Act strengthens protections against disability-based discrimination to ensure that persons with disabilities have equitable access to government services, programs, and activities. It requires the State Office of Information Technology (OIT) to establish accessibility guidelines and each state and local government agency (including charter schools) to ensure that their information technology systems fully comply with those guidelines by July 1, 2024. The Act makes failure to comply by that date a violation of state laws concerning discrimination against individuals with a disability. An individual discriminated against in such a manner may bring a civil suit against the agency seeking a \$3,500 fine as well as attorney fees and costs.

Background

Title II of the Americans with Disabilities Act (ADA), which became law in 1990, prohibits discrimination against individuals with disabilities by state and local governments, including all public schools. Section 504 of the Rehabilitation Act of 1973 also prohibits discrimination against individuals with disabilities by entities that receive federal funding from the U.S. Department of Education. In part, these laws require that individuals with disabilities receive equal access to educational resources provided online or in other digital formats. The Department's Office of Civil Rights enforces these laws, and individuals can also bring a lawsuit for noncompliance in federal court.

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COLORADO LEAGUE *of* CHARTER SCHOOLS
104 N. BROADWAY, SUITE 400, DENVER, CO 80203
www.coloradoleague.org | (303) 989 5356 | charter411@coloradoleague.org



Colorado law prohibiting discrimination against individuals with disabilities borrows much of its language from the ADA. Importantly, however, this Act requires the state OIT to adopt a specific standard for digital accessibility and requires state and local government agencies (including charter schools) to bring their information technology systems into compliance with that standard by July 1, 2024. After that date, individuals with disabilities will also be able to bring a lawsuit for noncompliance in state court. If successful, plaintiffs in such cases can receive attorney fees and a \$3,500 fine paid by the government agency.

School Impact

After July 1, 2024, schools that fail to make their information technology systems accessible to individuals with disabilities could face state lawsuits resulting in monetary penalties. For more on the accessibility guidelines that OIT has established, see [Technical Standard: Technology Accessibility for Persons with Disabilities](#).