

Technical Panel  
of the  
Nebraska Information Technology Commission

Technical Standards and Guidelines

**Proposal 39**

**30-Day Comment Period**

Notes:

1. The following proposal is under review by the Technical Panel of the Nebraska Information Technology Commission. The proposal modifies the technical standards and guidelines posted at: <https://nitc.nebraska.gov/standards/index.html>.
2. The panel is seeking comments on this proposal from any interested person or entity.
3. Comments should be sent to: [ocio.nitc@nebraska.gov](mailto:ocio.nitc@nebraska.gov).
4. The comment period for this proposal ends on March 17, 2025.
5. Contact information: [ocio.nitc@nebraska.gov](mailto:ocio.nitc@nebraska.gov) or 402-471-7984.

**State of Nebraska**  
**Nebraska Information Technology Commission**  
**Technical Standards and Guidelines**

**Proposal 39**

A PROPOSAL relating to the accessibility policy; to amend section 2-101; and to repeal the original section.

1           **Section 1.** Section 2-101 is amended to read:

2           **2-101. Accessibility policy.**

3           (1) Purpose. This policy contains scoping and technical requirements for information and  
4 communication technology (“ICT”) to ensure accessibility and usability by individuals with  
5 disabilities.

6           (2) Definitions. For the purpose of this section, terms defined in referenced documents and  
7 not defined in section 1-101 will have the meaning as defined in the referenced documents.

8           (3) Standards. (a) Revised 508 Standards. ICT that is procured, developed, maintained, or  
9 used by state agencies shall conform to the following standards: Revised 508 Standards, 36  
10 C.F.R. §-1194 (2018) [[https://www.govinfo.gov/content/pkg/CFR-2018-title36-vol3/xml/CFR-](https://www.govinfo.gov/content/pkg/CFR-2018-title36-vol3/xml/CFR-2018-title36-vol3-part1194.xml)  
11 [2018-title36-vol3-part1194.xml](https://www.govinfo.gov/content/pkg/CFR-2018-title36-vol3/xml/CFR-2018-title36-vol3-part1194.xml)].

12           For the State of Nebraska, the Revised 508 Standards referenced in this subsection are  
13 revised as follows:

14           ~~(a)~~(i)\_\_\_\_\_ In E103.4, replace the definition of “Existing ICT” with the following: “*Existing ICT.*  
15 *ICT that has been procured, maintained or used on or before November 14, 2020.*”;

16           ~~(b)~~(ii)\_\_\_\_\_ In E202.2, replace the existing language with the following: “*Legacy ICT.* Any  
17 component or portion of existing ICT that complies with an earlier standard adopted by the

1 commission, and that has not been altered on or after November 14, 2020, shall not be required  
2 to be modified to conform to the Revised 508 Standards.”;

3 ~~(e)(iii)~~ In E202.3, replace the existing language with the following: “*Public Safety*  
4 *Systems*. The Revised 508 Standards do not apply to any ICT operated by state agencies as  
5 part of a public safety system.”;

6 ~~(d)(iv)~~ In E202.4, replace the existing language with the following: “*State Contracts*. ICT  
7 acquired by a contractor incidental to a contract shall not be required to conform to the Revised  
8 508 Standards.”; and

9 ~~(e)(v)~~ In E203.1, replace the existing language with the following: “*General*. Agencies  
10 shall ensure that all functionality of ICT is accessible to and usable by individuals with  
11 disabilities, either directly or by supporting the use of assistive technology, and shall comply with  
12 E203. In providing access to all functionality of ICT, agencies shall ensure the following: A. That  
13 state employees with disabilities have access to and use of information and data that is  
14 comparable to the access and use by state employees who are not individuals with disabilities;  
15 and B. That members of the public with disabilities who are seeking information or data from a  
16 state agency have access to and use of information and data that is comparable to that  
17 provided to members of the public who are not individuals with disabilities.”.

18 ~~(2)(b)~~ Guidelines Web and Mobile Accessibility. In addition to the web content  
19 requirements contained in the referenced standards in subsection (3), the commission  
20 recommends compliance with the following guidelines: Web Content Accessibility Guidelines  
21 2.1, W3C World Wide Web Consortium Recommendation 05 June 2018  
22 [<https://www.w3.org/TR/2018/REC-WCAG21-20180605/>] State agencies shall conform with the  
23 requirements contained in the following: 28 CFR Part 35 Subpart H—Web and Mobile  
24 Accessibility [<https://www.ecfr.gov/current/title-28/chapter-I/part-35/subpart-H>].

25 **Sec. 2.** Original section 2-101 is repealed.

26 **Sec. 3.** This proposal takes effect when approved by the commission.