

# Mandates, Standards, & Accessible Language

A11y CoP

April 30, 2024

# Cause for Celebration!

- DOJ Mandates Accessibility on State, Local Gov Websites!
- State of NC Digital Accessibility and Usability Standards Adopted!



# DOJ Mandate 5 Exceptions

1. Archived web content.
2. Preexisting electronic documents **unless** currently in use to apply for, gain access to, or to use govt. programs and services.
3. Content posted by a 3rd party, **unless** the 3rd party is posting on behalf of the public entity due to contractual, licensing, or other arrangements.
4. E-docs about a specific individual, property, or account **and** are password-protected
5. Preexisting social media posts

# What is archived content?

- Must meet **all 4**:
  - Created before mandate
  - Retained exclusively for reference, research, or recordkeeping
  - Kept inside dedicated area(s) clearly identified as archived
  - Unchanged since archived

# Resources

- DOJ Mandate on Accessible State, Local Gov Websites
  - Fact Sheet  
<https://www.ada.gov/notices/2024/03/08/web-rule/>
  - Rule  
<https://www.ada.gov/assets/pdfs/web-rule.pdf>
- State of NC Digital Accessibility and Usability Standards  
<https://it.nc.gov/documents/digital-accessibility-usability-standard/open>

# Accessible Language

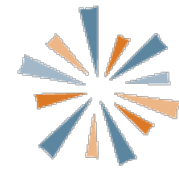
Jim Webb, UX Designer, Neiman Collaborative  
DHHS

# Case Studies in Accessible Writing





# Jim Webb



neimand collaborative

UX Designer/Developer

Working with NCDHHS since 2021

Through Neimand Collaborative (NCDHHS agency of record)



# Today: Three approaches to accessible writing

**Ranging from “low effort” to “high effort”**



**Low effort**

**High effort**

# Included with each case study:

- 1. Tools**
- 2. Process**
- 3. Outcome**

# Accessible writing

Writing in an accessible way means:

- Clear, direct, no-nonsense prose
- Simple sentences and less jargon

It's also called **plain language** or **user-centered language**.

And in this presentation, it's called **good writing**. 😊

# Good writing is an accessibility issue.

Clear, simple writing supports people with:

- Cognitive issues
- Screen readers
- Learning disabilities
- English as a second language (including Deaf)



# Good writing is an equity issue.

- 54% of North Carolinians read at 8<sup>th</sup> grade or lower
- 20% read at 6<sup>th</sup> grade or lower
- 5% report they don't speak English well
- Poverty reduces a person's cognitive capacity more than going a full night without sleep

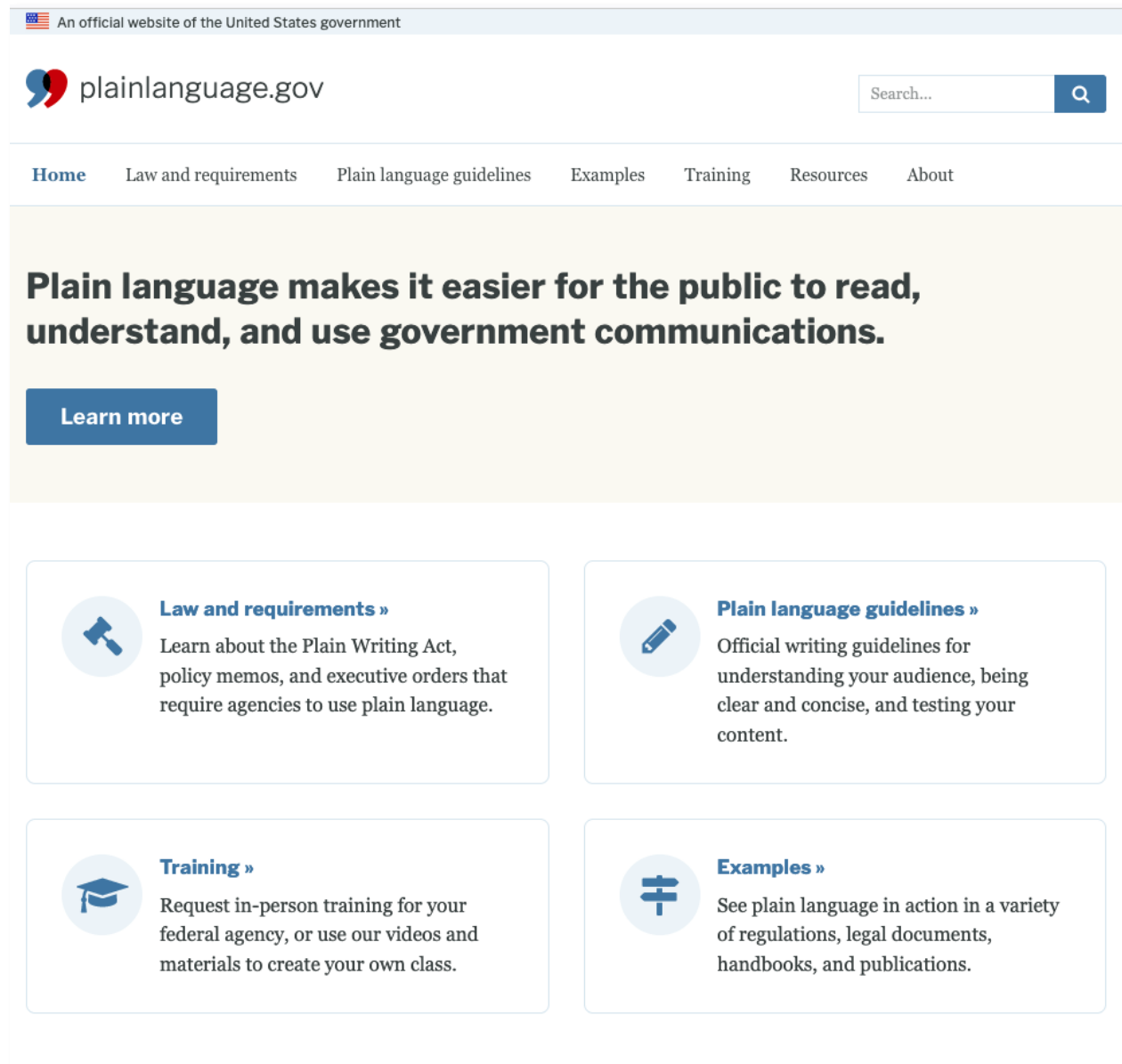
**Good writing is crucial to  
making our work accessible.  
Without it, not much else matters.**



**But: accessible writing  
isn't mandatory  
(...yet)**

# Plain Writing Act of 2010

- Requires Federal agencies to write in “plain language”
- Offers guidelines, but no specific measures



The screenshot shows the homepage of plainlanguage.gov. At the top, it identifies itself as an official website of the United States government. The main navigation menu includes links for Home, Law and requirements, Plain language guidelines, Examples, Training, Resources, and About. A search bar is located in the top right corner. The main content area features a prominent headline: "Plain language makes it easier for the public to read, understand, and use government communications." Below this headline is a blue "Learn more" button. The page is organized into four content blocks, each with an icon and a title:

- Law and requirements »**: Learn about the Plain Writing Act, policy memos, and executive orders that require agencies to use plain language. (Icon: gavel)
- Plain language guidelines »**: Official writing guidelines for understanding your audience, being clear and concise, and testing your content. (Icon: pencil)
- Training »**: Request in-person training for your federal agency, or use our videos and materials to create your own class. (Icon: graduation cap)
- Examples »**: See plain language in action in a variety of regulations, legal documents, handbooks, and publications. (Icon: document with checkmark)

# WCAG 2.1 Level AAA

- 9<sup>th</sup> grade reading level or lower
- But: the Americans with Disabilities Act requires level AA (less strict), not AAA

WCAG 2.1 Understanding Docs | Informative explanations, not required to meet WCAG | [About WCAG Understanding Docs](#) | W3C® Web Accessibility Initiative WAI

All Understanding Docs → Guideline: Readable ← Previous SC: Abbreviations Next SC: Pronunciation →

## Understanding SC 3.1.5: Reading Level (Level AAA)

**Success Criterion (SC)**

When text requires reading ability more advanced than the [lower secondary education level](#) after removal of proper names and titles, [supplemental content](#), or a version that does not require reading ability more advanced than the lower secondary education level, is available.

**Page Contents**

- [Intent](#)
- [Benefits](#)
- [Examples](#)
- [Related Resources](#)
- [Techniques](#)
- [Key Terms](#)

### Intent

Content should be written as clearly and simply as possible. The intent of this Success Criterion is:

- to ensure that additional content is available to aid the understanding of difficult or complex text;
- to establish a testable measure indicating when such additional content is required.

This Success Criterion helps people with reading disabilities while also allowing authors to publish difficult or complex Web content. Text difficulty is described in terms of the level of education required to read the text. Education levels are defined according to the International Standard Classification of Education [[UNESCO]], which was created to allow international comparison among systems of education.

Difficult or complex text may be appropriate for most members of the intended audience (that is, most of the people for whom the content has been created). But there

# NCDIT standard (Newly published!)

- Plain language
- 8<sup>th</sup> grade reading level
- Avoid jargon
- Get user feedback

## State of North Carolina Digital Accessibility and Usability Standard

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N.C. Department of Information Technology

Version 1.6

Mar. 7, 2024



**In practice,  
accessible writing is hard.**

# Challenges

1. It's not legally required.
2. It's hard to measure.
3. Materials are often written by policy experts.  
Their job is to be precise, not to be simple.
4. The user is far away. We don't usually talk to them.

# Today:

## Three approaches to accessible writing



**Ranging from “low effort” to “high effort”**



**Low effort**

**High effort**

# The approaches

- 1. Reduce the grade level**
- 2. Show it to someone**
- 3. Test, prototype, measure**

**Today's mantra:**  
**Do what you can.**  
**If it's a little bit, do a little bit.**

# Approach #1

# Reduce the grade level

# This approach: low effort



# Grade level measures are amazing

1. They're easy to measure
2. They're easy to advocate for
3. Free tools make them easier to work with
4. But: they're not perfect

# Example: Policy-style language

*People needing unemployment benefits must file a biweekly claim certification demonstrating that they are able and available for work, actively seeking work, and have not refused suitable work during the period for which benefits are claimed.*

This is a fictional example.

Grade level:

Postgraduate



# Rewritten to a 6<sup>th</sup> grade level

*To get unemployment benefits, you must fill out a form every two weeks. You need to show that you are ready to work, you're looking for a job, and you haven't said no to any good job offers. This is needed to make sure you can get benefits.*

# Steps in the process

1. Measure the reading grade level.
2. Revise the text.

# Tools

Microsoft Word can show grade level, but Hemingwayapp.com (*pictured, right*) is faster. And, it highlights parts that are harder to read.

People needing unemployment benefits must file a biweekly claim certification demonstrating that they are able and available for work, actively seeking work, and have not refused suitable work during the period for which benefits are claimed.

Write Edit

**Readability**



Post-graduate

Poor. Aim for 9.

Words: 36

Show more stats ▾

**2** adverbs. Aim for 0 or fewer.

**1** use of passive voice. Cut to 0 or fewer.

**0** phrases have simpler alternatives.

**0** of 1 sentences are hard to read

**Reading grade levels  
are imperfect**

# Problems with grade level measures

1. They're based on syllables and sentence length. But fragments of sentences are common on the web: navigation, headers, forms, and lists. These trick the tools into lowering the grade level.
2. Grade level is only a proxy for good writing.

# Grade level can be tricked

This page (*pictured, right*) is measured at a first grade reading level!

The measurement is wrong because...

FEBRUARY 7, 2018

## **IncobotulinumtoxinA (Xeomin) HCPCS code J0588 incobotulinumtoxinA, 1 unit: Billing Guidelines**

Effective with the date of service of April 31, 2018, the North Carolina Medicaid and N.C. Health Choice programs will be terminating Clinical Policy 1B-1, Botulinum Toxin Treatment, within the Physician Drug Program.

**Author:** CSRA

Effective with the date of service of April 31, 2018, the North Carolina Medicaid and N.C. Health Choice (NCHC) programs will be terminating Clinical Policy 1B-1, Botulinum Toxin Treatment, within the Physician Drug Program (PDP).

Requirements, indications, and all other information of the policy are indicated below. From the perspective of the providers, all things associated with the process of submitting claims regarding the Botulinum agents will remain

... the bottom of the page is filled with diagnosis codes *(pictured, right)*.

The tools see them as one-word sentences, lowering the grade level.

Website navigation, headers, and forms do the same thing.



### For Medicaid and NCHC Billing

- The ICD-10-CM diagnosis code required for billing are:

G04.1	G11.4	G24.01	G24.02	G24.09	G24.1
G24.2	G24.3	G24.4	G24.5	G24.8	G24.9
G35	G36.0	G36.1	G36.8	G36.9	G37.0
G37.1	G37.2	G37.3	G37.4	G37.5	G37.8
G37.9	G51.2	G51.3	G51.4	G51.8	G51.9
G80.0	G80.1	G80.2	G80.3	G80.4	G80.8
G80.9	G81.10	G81.11	G81.12	G81.13	G81.14
G82.20	G82.21	G82.22	G82.50	G82.51	G82.52
G82.53	G82.54	G83.0	G83.10	G83.11	G83.12



**Reading grade level  
is only a proxy**

# Our example, at a 6<sup>th</sup> grade level

*To get unemployment benefits, you must fill out a form every two weeks. You need to show that you are ready to work, you're looking for a job, and you haven't said no to any good job offers. This is needed to make sure you can get benefits.*

# Still 6<sup>th</sup> grade, but easier to read

*To get unemployment benefits, you must:*

- ***File a claim every two weeks:*** Log in and choose “File Claim”.
- ***Show that you’re looking for work:*** Each time you file, you must share details of your job search.
- ***Accept suitable work:*** If you refuse a job offer that matches your skills and pays fairly, you might lose your benefits.

**Still:**

**Do what you can.**

**If it's a little bit, do a little bit.**

# Bonus! You could also try these:

1. Read the page headings out loud to yourself.  
Do they make sense?
2. If someone read only the headings, would they learn what they needed to know?
3. Repeat, but with just the hyperlinks.  
Do they make sense on their own?

# Approach #2

# Get user feedback

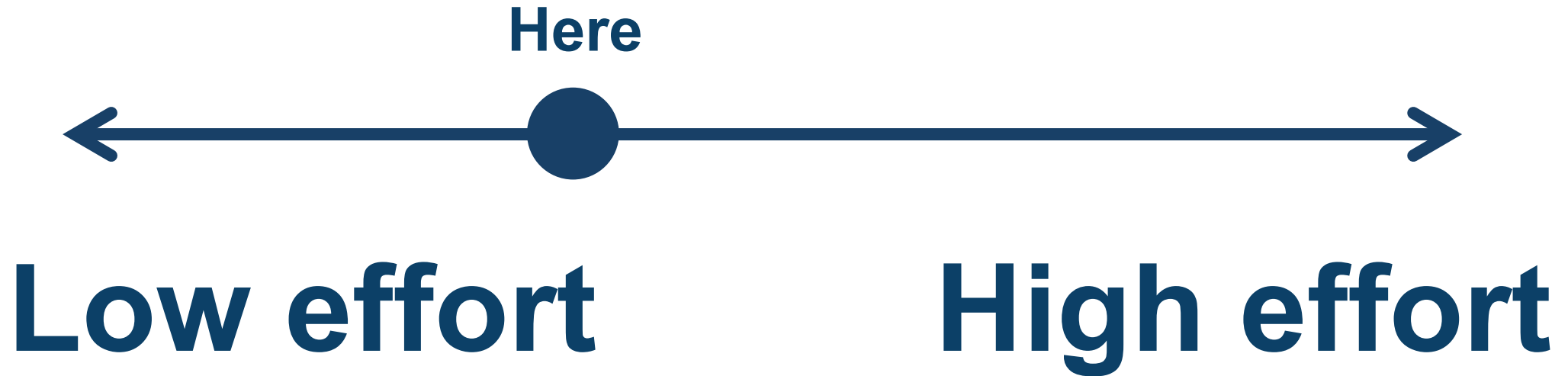
Or, “show it to someone!”

Approach #2

~~Get user feedback~~

Show it to someone!

# This approach: medium effort





# How to DIY user feedback

1. Show it to anyone who's not an expert.
2. If you can, find a non-native speaker, someone who's not tech literate, etc. — but don't let that stop you.
3. Ask them to explain it to you.
4. Fix the things they get wrong — but only change text.

# Case study

We designed a new format to show Medicaid eligibility *(pictured, right)*.

We thought: so clean! So easy to read!

## ▼ Family size of 1

Person Needing Coverage	Household Income (Before Taxes)
Pregnant person*	\$3,221/month or less
Child ages 0-18	\$2,564/month or less
Adult ages 19-64	\$1,676/month or less
Adult ages 65+	\$1,215/month or less (asset restrictions apply [link to page])
Someone who is blind or has a disability	Automatically eligible if receiving SSI, State/County Special Assistance, or with a <a href="#">disability determination</a> .

# The feedback

*What does this mean?*

## ▼ Family size of 1

Person Needing Coverage	Household Income (Before Taxes)
Pregnant person*	\$3,221/month or less
Child ages 0-18	\$2,564/month or less
Adult ages 19-64	\$1,676/month or less
Adult ages 65+	\$1,215/month or less (asset restrictions apply [link to page])
Someone who is blind or has a disability	Automatically eligible if receiving SSI, State/County Special Assistance, or

*Why are the numbers different for each?*

*I think I know the answer but I'm not sure.*

# What we learned

1. The table format we designed was visually clean, but it required readers to “connect the dots.”
2. Especially for our team member’s neighbor, who is a non-native speaker.
3. Being a little more verbose made it easier to understand.

# Listen to confusion, not suggestions

Listen to these...

*I don't get this at all.*

*How does this work?*

*(confused silence)*

Mostly ignore these...

*Could this text be red?*

*This needs pictures!*

*Add a chatbot!*

# What we changed

## Family size of 1 (single person)

*Explain*



*Explain*

You are a family of one (1) if you live alone or if you do not claim anyone as a dependent on your tax returns.

*Repeat context*

## Who may be eligible for NC Medicaid - Family size of 1

**A pregnant person** may be eligible if the family income is \$3,221/month or less.\*

*Use sentences instead of a grid*

**A child ages 0-18** may be eligible if the family income is \$2,564/month or less.

**An adult ages 19-64** may be eligible if the family income is \$1,676/month or less.

# Prototype vs. final Prototype

## Family size of 1

Person Needing Coverage	Household Income (Before Taxes)
Pregnant person*	\$3,221/month or less
Child ages 0-18	\$2,564/month or less
Adult ages 19-64	\$1,676/month or less
Adult ages 65+	\$1,215/month or less (asset restrictions apply [link to page])
Someone who is blind or has a disability	Automatically eligible if receiving SSI, State/County Special Assistance, or with a <a href="#">disability determination</a> .

# Final

## Family size of 1 (single person)

You are a family of one (1) if you live alone or if you do not claim anyone as a dependent on your tax returns.

### Who may be eligible for NC Medicaid - Family size of 1

**A pregnant person** may be eligible if the family income is \$3,221/month or less.\*

**A child ages 0-18** may be eligible if the family income is \$2,564/month or less.

**An adult ages 19-64** may be eligible if the family income is \$1,676/month or less.

**An adult ages 65+** may be eligible if the family income is \$1,215/month or less, and for other Medicaid programs if the family income is \$1,641/month or less. [Additional requirements apply.](#)

**Anyone** may be eligible for [family planning services](#), including screening and treatment of some sexually transmitted infections, if the family income is \$3,205/month or less.

# Takeaways

1. This was not a formal usability or accessibility test. We didn't recruit of a target audience.
2. That didn't matter. We got useful feedback fast, and the writing got better.
3. Doing *some* testing was so much better than none.



**Do what you can.  
If it's a little bit, do a little bit.**

# Bonus! If you don't have time:

1. If you can't find someone in real life, show it to someone in your mind.

## **Approach #3**

**Conduct user testing,  
build a prototype,  
test the results**

# This approach: high effort



# Case study: Food & Nutrition Services

An official website of NC   Select Language

 **NCDHHS**  

Home > Divisions > Child and Family Well-Being  
> Food and Nutrition Services (Food Stamps)

## Food and Nutrition Services (Food Stamps)

**February 2023 Will Be Final Month for FNS Emergency Allotments.**

Emergency Allotments (also known as Maximum Allotments), the extra monthly benefits FNS participants have received throughout the pandemic, will be in effect for January and February 2023. February 2023 will be the final month of Emergency Allotments. [Read more.](#)

**Starting on December 23, 2022, the EBT Call Center hours**

An official website of NC   Select Language

 **NCDHHS**  

Home > Divisions > Child and Family Well-Being  
> Food and Nutrition Services (Food Stamps)  
> Apply for Food and Nutrition Services (Food Stamps) in NC

## Apply for Food and Nutrition Services (Food Stamps) in NC

### Electronic Benefit Transfer cards (EBT cards)

North Carolina Food and Nutrition Services (formerly Food Stamps) are available for all households with limited income and resources. A household may be one person living alone, a family, or several unrelated individuals

# Process (six weeks)



**1. Analyze  
Website  
Data**



**2. Observe  
Users**



**3. Build a  
Prototype**



**4. Test the  
Results**

# Step 1: Analyze website data

1. These pages are the most popular on ncdhhs.gov.
2. 85% of visitors are interested in applying or have a problem they need to solve.
3. 15% want something else (notices, press releases).
4. Most are using their phones.

# Mismatch

85% of visitors are interested in applying or solving problems, but most of the page is devoted to notices and press releases.

## Food and Nutrition Services (Food Stamps)

### **February 2023 Will Be Final Month for FNS Emergency Allotments.**

Emergency Allotments (also known as Maximum Allotments), the extra monthly benefits FNS participants have received throughout the pandemic, will be in effect for January and February 2023. February 2023 will be the final month of Emergency Allotments. [Read more.](#)

**Starting on December 23, 2022, the EBT Call Center hours of operation are changing to 7:30 am to 5:30 pm Monday through Friday. The EBT Call Center will not be open on weekends or holidays. You can activate your card, select a PIN, check your card balance, view your transaction**



# Step 2: Observe Users

- Five sessions with lower income North Carolinians
- Conducted over Zoom (with screen sharing)
- \$75 gift card
- Goal: Watch how each participant uses the pages, and have them explain how the program works.

# Participants had a hard time understanding the information on the landing page.

*“Seems a little overwhelming... a lot to figure out.”*

*“It all kind of looks the same.”*

*“These big blocks... are harder to understand.”*

The screenshot shows the NCDHHS website. At the top, there is an orange warning banner with a triangle icon containing an exclamation mark. The text reads: "Warning. Increase in EBT Card Skimmers Resulting in Stolen FNS Benefits. [Read More](#)". Below the banner is a dark blue navigation bar with the text "An official website of the State of North Carolina [How you know](#)" and a "Select Language" button. The main content area has the NCDHHS logo and name on the left, and a search icon and menu icon on the right. Below the logo is a breadcrumb trail: "Home > Divisions > Child and Family Well-Being > Food and Nutrition Services (Food Stamps)". The main heading is "Food and Nutrition Services (Food Stamps)". At the bottom, there is a dark blue section with the text: "February 2023 Will Be Final Month for FNS Emergency Allotments." followed by a paragraph: "Emergency Allotments (also known as Maximum Allotments), the extra monthly benefits FNS participants have received throughout the pandemic, will be in effect for January and February 2023. February 2023 will be the final month of Emergency Allotments. [Read more.](#)"

# FNS eligibility charts are hard to understand.

*“I’m not sure what the columns mean. How do you know which number you should be looking at?”*

*“I don’t understand this... I’m not sure what this means.”*

*“I guess I would just try to apply to see what happens.”*

HOUSEHOLD SIZE	130% MAXIMUM GROSS INCOME LIMIT
1	\$1,473
2	\$1,984
3	\$2,495
4	\$3,007
5	\$3,518

# Step 3: Build a prototype

- Our team rewrote the two most popular pages
- We dedicated most of the effort towards the 85% (applying and solving problems)
- Staged it in Drupal without pushing it live, so we could test screenshots of the prototype

# Prototype landing page

## What can we help you do today?

Find Out if I'm Eligible



Apply for Benefits



Check Your Balance



Get Help with Your Benefits



Find Additional Information & Resources



## Apply for Benef

Applying for FNS b  
can feel overwhelm  
checklist to help y

[Find Out How to Apply](#)

If you're ready to apply or are checking on the status of your application, [visit the ePASS website.](#)

## Latest Updates

- Extra benefits given during the COVID-19 pandemic ended February 2023. [More Info](#)
- P-EBT benefits will continue for some students in summer 2023. [More Info](#)
- Increasing reports of "card skimming" and stolen benefits. [Protect yourself](#)
- These headlines are one line each, and no more than 6-8 at a time.

# Prototype “How to Apply” page

## Here’s How to Apply for FNS Benefits

### 1 Start To Gather Your Documents

Gather as many of these documents as you can easily get, but **don't let that stop you from submitting your application**. You can always go back and add information after the application has been submitted.

Benefits start from the day you submit the application, even if it's incomplete.

### 2 Submit the Application

There are three ways to apply.

1. **Apply online with [ePASS](#)**. You may need to create an account first.

- Want to learn more about the ePASS application process?  
[Watch this helpful video for a step-by-step overview.](#)

2. **Apply in person at your [Department of Social Services \(DSS\)](#) office.**

- Fill out as much of the [paper application](#) as possible ahead of time and take your

### 3 Speak with a Case Worker

The final step of the application process is an interview with a case worker. During this interview, they will talk with you about your eligibility, how much in benefits you can expect to get, and next steps.

**If you apply online**, a caseworker will **contact you within a few days** to conduct the interview. This interview can take place in-person, by telephone, or through a video conference. They can interview you or someone you

# Step 4: Test the results

- Online surveys with 160 participants
- Showing “before” and “after” pages (random order)
- Asked questions about comprehension, ease of use, and confidence
- Intended to show if the improvements were real and not just our opinion

# The revised text:

- Made it easier to find information about food stamps (**72% increase**)
- Reduced confusion about the benefit amount (**64% improvement**)
- Drove visitors to the “How to Apply” page (**323% increase**)
- Conveyed the application timeline and urgency (**71% improvement**)
- Increased confidence and a sense of preparedness (**26% increase**)



# Process



**1. Analyze  
Website  
Data**



**2. Observe  
Users**



**3. Build a  
Prototype**



**4. Test the  
Results**

# Takeaways

- A research- and data-driven approach made it much easier for everyone to be on board
- This approach was fast and very thorough, but required dedicated resources

# Recap: the approaches

- 1. Reduce the grade level**
- 2. Show it to someone**
- 3. Test, prototype, measure**

**Do what you can.  
If it's a little bit, do a little bit.**



**Thank You**