

Officials say content may be removed from government websites to satisfy federal accessibility rule

By Ceilidh Kern, North Dakota Monitor

Deadlines are nearing for North Dakota government agencies to bring their websites and mobile apps into compliance with new federal accessibility standards. But some officials say content may need to be removed rather than updated.

In April 2024, the U.S. Department of Justice announced a new rule requiring state and local governments' websites and apps to comply with accessibility standards under the Americans with Disabilities Act.

Updates could include making content compatible with a screen reader for people with a visual impairment or adding subtitles to videos for people who are hard of hearing.

Governments with a population over 50,000 face an April 24 deadline while smaller governments have until April 2027 to finish necessary updates. If governments don't meet these deadlines, they could be taken to court.

That could reduce transparency, according to Matt Gardner, the executive director of the North Dakota League of Cities.

"To comply with a federal law, the best way to do it is probably to delete portions of your website and remove documents," Gardner said during a Jan. 21 legislative hearing.

"At a time when we want to be more transparent, I could see political subdivisions across the state being less transparent," he added.

The discussion came during a three-day special legislative session. Although the session focused on federal rural health dollars, one bill included a request for \$1.5 million from North Dakota Information Technology to help state agencies update their websites and apps.

The request included money for an "industry standard" tool for scanning websites for accessibility issues, according to Corey Mock, NDIT's chief information officer.

During his testimony, Gardner asked lawmakers for \$500,000 for a cost-sharing program to help smaller governments buy into the state's contract for the tool.

Lawmakers approved the state agency's funding request and the League of Cities' request to allow local governments to buy into the contract, but the bill didn't include money to help cities and counties cover the cost. Gardner said in an interview after the special session that cities may have to look for free resources to comply with the federal requirement.

"When you think of a very small community, I mean, their entire property tax collection may be \$14,000. They have very limited resources to buy into a state contract," Gardner told the Monitor.

That could impact government transparency, particularly for complex, externally produced content, such as financial audit reports or engineering firms' project designs, which officials could opt to remove rather than update, Gardner said.

At the hearing, Sen. Brad Bekkedahl, a Republican from Williston and the chairman of the Joint Appropriations Committee, told Gardner that if cities are concerned about liability, he would encourage them to pull down content.

"If it's that big of a liability issue, that's what I'd recommend my city to do," said Bekkedahl, who is also a Williston city commissioner. "Is it detrimental to citizens? Absolutely. But this is a federal mandate. We didn't bring this on ourselves."

Mock told the committee that for state agencies, online content is being triaged, with the most critical content — such as applications or information about services — being updated first. As the deadline approaches, less critical information could be temporarily removed and republished later.

According to the DOJ website, older content that was posted to a government's website or app before the compliance deadline is most likely exempt if it's in a "word processing, presentation, PDF or spreadsheet file" format.

Additionally, content stored in an explicitly labeled "archive" section of a website will be considered exempt if it was created before the compliance deadline and is kept only for reference or recordkeeping.

Asked whether content had been removed permanently from agencies' sites because it would have taken too many resources or too much time to update, Mock replied, "Not that anyone on our team is aware of."

Older content, meanwhile, will be archived on state agencies' websites, where it will still be accessible to the public.

In Fargo, nothing has been removed from the city's website because of accessibility compliance efforts, according to Ron Gronneberg, the city's chief information officer.

"There was a clause in (the rule) that grandfathered-in stuff, so I don't anticipate us removing anything that's old," he said. "I think we're in compliance with the old stuff."

But in Bismarck, the city's efforts to update its website have involved taking down outdated content, according to Kalen Ost, a communication strategist who has been involved with the city's digital accessibility efforts. He



Government agencies have upcoming deadlines to bring websites and mobile apps into compliance with new federal accessibility standards. (Photo by Michael Achterling/North Dakota Monitor)

said it's also part of the city's normal site management.

If information on a page is outdated or conflicts with newer content, it may be deleted or combined with other pages, he said.

But the city retains files such as PDFs and Word documents offline, where they can be accessed through a records request, and meeting minutes and agendas are in another module and don't "ever really get messed with," he said.

While small towns don't have to worry about updating some of their older content, they may be hesitant to upload things to their websites in the future, according to Gardner.

"Websites will keep their base: hours of operation, 'here is where you can pay your water bill,' and some of those basics," he told the Monitor. "(That's) maybe what these websites turn into."

Media attorney Jack McDonald said

the situation demonstrates the downside of governments pushing to publish public notices on their websites instead of in newspapers.

"The answer is always, 'Well, we can put it on our website. That's a lot cheaper and easier.' And the answer (to that) is, 'Yeah, but how long is that going to be on the website?'" McDonald said.

The website NDPublicNotices.com, run by the North Dakota Newspaper Association, provides a backstop thanks to its "huge repository" of public notices and meeting minutes from the past 15 years, said Executive Director Cecile Wehrman.

"Those minutes will not disappear from the public record," she said.

Ceilidh Kern is a freelance journalist based in Fargo-Moorhead. Before moving to the Red River Valley, Ceilidh covered state government, environment and other beats for outlets across Missouri.

Forage Matters: Bull management from the sale to the pasture

By James Rogers, Forage crops production specialist



low percentage of forage to maximize growth rate. At the end of this feeding period, some bulls may be "overconditioned," which can affect their fertility and ability to settle cows.

Bulls that are overconditioned will have a body condition score (BCS) of seven or higher on a scale of 1-9. Young bulls should be at a body condition score of 6-6.5 at the start of the breeding season to compensate for weight loss during the breeding season. Bulls that are actively breeding can lose up to 200 pounds during the breeding period. Bulls at a BCS of seven or higher can have fat deposits in the scrotum that interfere with temperature regulation, which can affect semen quality.

Evaluation of overconditioned bulls at the University of Georgia found that only 41% passed a breeding soundness examination compared to an 81% passage rate of bulls in adequate condition. Bulls that are overconditioned may also lack the stamina required to work through an entire breeding season.

There are several management strategies that can ease the transition of bulls from being overconditioned to breeding-season condition. When new bulls are brought into your operation, consider biosecurity. Ideally, bulls should be quarantined for 30 days or at least two weeks before being introduced to other animals. This reduces the risks of introducing disease into your herd.

Provide an area where bulls can exercise, with fresh water available.

Give bulls time. A 90-day transition period is the best. This gives the bull time to adjust to different feeds, surroundings and routines. Another benefit of a 90-day transition period is that it fits the spermatogenesis cycle, which lasts approximately 60 days. If there are any problems with the bull's semen quality, 90 days is enough time for a new cycle to complete and resolve any problems.

Know what the feed ration was that the bull was developed on prior to purchase. Initially, after purchase, if he can continue to be fed a similar ration

to what he has been used to, this will reduce stress and help to keep him healthy.

Avoid rapid and dramatic changes in diet. If bulls have been developed on high-concentrate diets, the change to a forage-based diet should be gradual. Replace concentrate with forage at a rate of 10% a week over several weeks. While we don't want young bulls to put on excessive condition, we still want them to grow.

A daily weight gain of 1.5-2.0 pounds per day should be the target. To do this, bulls will need access to a good supply of quality forage. Forage quality should be 10% crude protein and 60%-70% total digestible nutrients (TDN). Good grass hay or a grass legume blend will work well to stimulate rumen microbial development. Avoid feeding pure alfalfa hay that might cause bloat or other digestive issues. Aim to have the bull transitioned to a forage-based diet 2-3 weeks before the start of the breeding season. The goal is for him to be ready to consume and digest pasture and range forages. Once bulls are out on pasture, they should be monitored for excessive weight loss or physical problems that can prevent them from breeding. If possible, provide bulls with supplementation to keep them growing and in good breeding condition.



There are several management strategies that can ease the transition of bulls from being overconditioned to breeding-season condition. (Alabama Cooperative Extension System photo)

If you buy bulls that are overconditioned and turn them straight out into pasture for breeding, you may not recognize them at the end of the breeding season. Time spent getting bulls into breeding-season shape is time well spent, just like an athlete training for a sporting event.

James Rogers is a North Dakota State University Extension forage crops production specialist at the North Central Research Extension Center near Minot, North Dakota.





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