To: The World Wide Web Consortium

Re: WCAG

Drawing on my long experience in the accessibility field I'd like to offer a critique of WCAG, and recommend an alternative strategy. To be blunt: WCAG is as effective now as it's ever going to be – further versions will only yield diminishing returns. WCAG 3 is a valiant attempt to reboot the franchise and make needed adjustments, but it wont foster needed improvements in accessibility.

The WCAG brand has gone as far as it can go and should be sunsetted over the next four or five years. In its place, the W3C should launch a new initiative that will graft accessibility to the DNA of the web. This initiative would establish 'web building codes' (WBC), analogous to physical building codes. Reimagining 'accessibility guidelines' as 'building codes' is the only way to reposition accessibility in the web ecosystem from an ancillary role to a foundational principle. The WBC would subsume and supplant WCAG, energizing accessibility advocates and opening creative opportunities for progress.

One reason the web is such a dynamic environment is because it encompasses interactions that go far beyond 'browsing'. The website of a bank can contain all of the static information available at a physical branch, plus multimedia assets such as videos, plus it can enable many of the same customer transactions – the web is a complete environment. The bank uses 'authoring tools' to create a website, devising content, encoded with 'markup language' and 'style sheets', that people interact with through the 'user agent' of their choice, while interfacing with additional assistive technologies (recapping information the WAI published years ago). To be honest, the most fruitful areas to improve accessibility right now are authoring tools and user agents by incorporating more artificial intelligence. Every website falls somewhere on the broad spectrum of accessibility and usability. There's no such thing as universal accessibility, nor is that a realistic goal, given the diversity of the human experience.

The real problem statement for accessibility the W3C needs to address goes something like this:

What standard can the W3C establish that will encourage the development of authoring tools that facilitate and prioritize fully accessible content AND encourage the development of user agents inclusive of the full spectrum of human abilities AND provide a robust regulatory framework for web content that can be adopted and enforced by a wide variety of legislative entities AND be forward looking so that advances in technology don't exclude individuals based on disability?

The WCAG has done a good job with aspects of these goals, but it has reached the limits of its effectiveness. Ironically, associating *accessibility* with *disability* is part of the problem. Using 'accessibility' in this context puts people with disabilities outside the mainstream. No matter how well-researched and elegantly worded the guidelines are, they position accessibility as a niche concern. To move accessibility forward, we need to infuse it in to the foundation of web technology.

Having said that, there's a real danger that replacing the word 'accessibility' will lead people to believe that the needs of people with disabilities are going to be deemphasized. There are two preemptive ways to address this concern. The first approach is education. The W3C has voluminous resources and good bench-strength here, plus there is a robust market for books and courses addressing accessibility.

The second approach will be controversial, but it's the one that has the power to shift the accessibility paradigm from reactive to proactive. In conjunction with the new set of 'web building codes' should be a public registry for 'web operating permits'. These permits would be similar in some ways to a VPAT. A website owner will complete the permit process to affirm their site conforms to the web building code (which includes, among other things, the current WCAG criteria), and make other assurances related to features of the site (ecommerce, multimedia, databases, etc). There would also be a section for 'variances' – known issues, workarounds, etc. All of this information would be made public.

Governments could align their non-discrimination regulations with the building code/permit system in different ways, depending on their needs. They could make procurement conditional on a company posting a permit and conforming to code. The effect of the permitting system would be to improve the transparency of websites as to their accessibility. If a government wanted to legislate a formal inspection/approval process for websites, that would obviously be facilitated by in this model.

To recap:

- The W3C should rebrand WCAG 3 as Web Building Code (final name TBD).

- The building codes will incorporate the accessibility research and principles of WCAG.

- WBC conformance criteria should focus on the 'hard stops' – critical factors that make the site difficult or impossible to use by people with disabilities.

- The W3C should develop a 'web operating permit' (name TBD), similar to the VPAT, and establish a public permit registry, probably hosted by a partner organization.

- The permit will specify what web building code was used in the construction of the site, variances users may encounter, and other pertinent information.

This initiative will shift the paradigm of people with disabilities being outside looking in, to accessibility being on the inside, at the heart of web development in the future. This is not a trivial change, and there are bound to be challenges making it work. There is also the potential for resistance from established accessibility experts, who may be used to being the big fish in the relatively small accessibility pond.

The harsh truth is, the modern web suffers from systemic ableism – call it techno-ableism. The web may not yet live up to all of the Utopian ideals ascribed to it in its early days, but the W3C can plant a flag that says the web is for everyone and everyone is welcome. The lay public will find the concept of building codes and permits familiar, and will appreciate they are for everyone's safety and accessibility. They recognize the basic fairness of requiring buildings to be constructed so they can be accessed by people using wheelchairs.

When a retailer, bank, or pizza chain locks out members of the public based on their identity,, that is rightly seen and condemned as outright discrimination. We don't accept discrimination by race or gender, and we should no longer accept it based on differing abilities.

Conclusion

I realize the 'building code/operating permit' model doesn't fit neatly within W3C's organizational structure, but that doesn't mean it isn't the right path to follow. One of the WCAG 3 documents approvingly mentions keeping the 'WCAG' because the acronym is familiar, yet introducing a new rating system (bronze/silver/gold) is also justified. The more I hear about WCAG 3, the more clear it becomes that it is going to muddy the accessibility water and dilute the effectiveness of WCAG.

The changes I'm suggesting may seem radical, but they're only logical. I don't know who is driving the bus at the W3C, but I know for certain **WCAG is heading in the wrong direction**. I'd be happy to join a discussion in hopes of gaining consensus towards changing direction before it's too late.

Sincerely,

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