



LIBRARY OF VIRGINIA

Dennis T. Clark
Librarian of Virginia

September 29, 2026

Dear Members of the General Assembly:

Pursuant to Va. Code § 2.2-3504, I am pleased to submit the enclosed report on the Library of Virginia's Information and Communications Technology (ICT) Nonconformance Report, which includes methodology, current status, and information on resource/fiscal impact of remediating nonconformance.

If you have any questions or require additional information regarding this report, please feel free to contact Jessica Beavers, Information Security, Compliance and Risk Management manager at 804-692-3752, or jessica.beavers@lva.virginia.gov.

Sincerely,

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Information and Communications Technology Nonconformance Report

Library of Virginia

Background

The Library of Virginia (LVA) submits this report pursuant to Va. Code § 2.2-3504, which requires each state agency to report on any information and communications technology (ICT) that does not conform with accessibility requirements and is not included in the applicable exceptions identified in 28 C.F.R. § 35.201 or 36 C.F.R. Part 1194, Appendix A, § E202. Executive branch agencies must report annually to the General Assembly on such ICT and provide an estimate of the fiscal impact involved in bringing the technology into compliance with applicable federal and state accessibility laws and regulations.

LVA serves as the Commonwealth's official state library and archives, supporting a broad range of public, governmental, archival, records-management, research, and internal business functions. Its ICT environment includes public websites and digital collections, specialized archival and records systems, internally managed applications and infrastructure, vendor-hosted software and services, and legacy technologies that were developed or acquired under earlier technical and accessibility requirements.

LVA is actively working to improve accessibility across this technology portfolio. The agency's current effort is designed to establish a reliable inventory of ICT, identify ownership and usage, assess accessibility conformance, document any applicable exceptions, identify nonconforming ICT subject to reporting, and develop remediation priorities and fiscal impact estimates. This work also supports the longer-term integration of accessibility into technology governance, procurement, maintenance, modernization, and system lifecycle decisions.

LVA's accessibility resources and capabilities

LVA currently addresses digital accessibility through a distributed model involving Information Technology, web and digital services, program and content owners, procurement, cybersecurity/risk/compliance functions, and technology vendors. Accessibility responsibilities are incorporated into broader operational roles rather than assigned to a dedicated accessibility testing or remediation team.

LVA does not currently have sufficient dedicated accessibility staffing to continuously monitor evolving accessibility requirements, perform comprehensive manual and assistive-technology

testing across the full ICT portfolio, independently validate vendor accessibility representations, and accelerate remediation across multiple systems at the same time. LVA staff currently supporting and assessing accessibility also handle several other technology, security, compliance, web, records, and program responsibilities, leaving limited staff time and capacity to conduct accessibility work at the depth, frequency, and scale necessary to address the new requirements and the true needs of the agency's full ICT environment.

To strengthen this capability, LVA is formalizing a repeatable accessibility governance and assessment process. Planned and ongoing activities include centralized ICT inventory management; automated accessibility testing where technically appropriate; manual validation for issues that cannot be reliably evaluated through automation; collection and review of vendor Accessibility Conformance Reports (ACRs), including Voluntary Product Accessibility Templates (VPAT) documentation where available; documented exception determinations; risk-based remediation tracking; and use of available Commonwealth accessibility resources, training, tools, and subject-matter expertise.

LVA's legacy and specialized systems present additional challenges. Some technologies support unique archival, preservation, records, or public-service functions and may have limited modernization options, vendor dependencies, or significant technical constraints. LVA is evaluating these systems individually rather than treating legacy status as an accessibility exception. Where nonconformance is identified, the agency will document the applicable remediation, modernization, replacement, alternative-access, or exception determination.

Assessment methodology and results

For purposes of this report, LVA is assessing ICT owned, operated, managed, or procured for LVA functions. The assessment is intended to distinguish the agency's complete ICT inventory from the narrower population of ICT that is both nonconforming and not subject to an applicable exception.

LVA's assessment process begins with the identification of ICT from available agency records and operational sources. Sources may include system and application inventories, web and digital-service inventories, procurement and contract records, security and risk-management records, infrastructure documentation, vendor records, and information supplied by business and technical owners. The agency then validates ownership, purpose, delivery model, user population, and other information necessary to support accessibility review.

Accessibility evidence may include automated website or application testing, manual review, vendor ACR/VPAT documentation, vendor attestations or remediation information, known accessibility findings, reported barriers, and other available technical documentation. Automated testing is used as an indicator and monitoring mechanism where appropriate; it is not treated as a substitute for all manual accessibility evaluation.

Each ICT item is assigned or will be assigned a conformance status. LVA is separately documenting whether an applicable exception exists and whether the ICT is reportable under COV § 2.2-3504. This separation is intended to preserve a clear audit trail between the technical assessment, exception determination, and final reporting decision.

Assessment Measure	LVA Status / Result
Total ICT identified	TBD – Complete ICT inventory in progress. Target date completion of Q3 2027
ICT reviewed for accessibility	55
ICT determined conforming	2
ICT determined nonconforming	[TBD]
3rd party ICT with ACR/VPAT documentation	53
Nonconforming ICT subject to an applicable exception	[TBD]
Nonconforming ICT not subject to an applicable exception	[TBD - reportable population]
ICT with remediation or modernization activity underway	[TBD]

To date, LVA has focused on the development of 2 conforming public-facing websites, the aggregation of appropriate ACR/VPAT documentation, and documentation and training for staff in the creation of accessible electronic documents and communications. Conformance for LVA’s website is relative and a moving target with each new addition to the site. LVA’s Web Strategy and Governance Framework and the use of SiteImprove ensure continuing analysis and remediation of any accessibility issues.

The initial inventory and assessment remain ongoing. Systems will continue to be evaluated as information is validated, as accessibility evidence becomes available, as systems change, and as vendor-procured technologies are renewed or replaced. For identified nonconforming ICT, LVA intends to record available target dates, remediation status, interim or alternative-access measures, and dependencies affecting resolution. At this time, LVA does not have an estimate of how much of its total ICT environment is compliant vs. non-compliant.

Fiscal impacts

COV § 2.2-3504 requires an estimate of the fiscal impact involved in bringing nonconforming ICT that is not subject to an applicable exception into compliance with federal and state accessibility requirements. LVA's fiscal impact assessment is being developed in parallel with the inventory and conformance review because reliable cost estimates depend on identifying the reportable ICT population and understanding the technical remediation required for each item. Since the inventory and conformance review has not yet been completed, it is currently impossible to provide a viable financial estimate of what it would take to ensure all ICT are in compliance with the new standards.

Potential fiscal impacts may include vendor remediation and development costs; modernization or replacement of legacy systems; remediation of web, application, document, or digital content; specialized manual and assistive-technology testing; contractor or consulting support; accessibility monitoring or testing tools; and internal labor necessary to coordinate, validate, document, and sustain remediation.

LVA's experience to date also indicates a continuing resource-capacity issue. The agency does not currently maintain dedicated full-time accessibility staff and our current staffing levels are insufficient to perform comprehensive accessibility oversight across the full ICT portfolio. Additional capacity will be necessary to support ongoing ITAA implementation, including assessment, manual testing, vendor review, remediation coordination, training, monitoring, and recurring reporting. Potential options may include additional staff, contractor support, expanded use of Commonwealth-provided resources, specialized software tools, or a combination of these approaches.

LVA will distinguish, where practicable, between direct one-time costs associated with bringing specific reportable ICT into conformance and recurring program costs associated with maintaining an effective accessibility capability. Final estimates will be refined as system-level assessments and remediation analyses are completed.

Conclusion

LVA is committed to meeting the accessibility requirements established under the Virginia Information Technology Access Act and to improving equitable access to the Commonwealth's digital information, services, and collections. Evaluation of the agency's systems and applications is ongoing because of the breadth and diversity of LVA's technology environment, the presence of legacy and specialized systems, vendor dependencies, and limited dedicated accessibility resources.

LVA is using the current assessment to establish a sustainable accessibility program rather than treating the reporting requirement as a one-time exercise. The agency will continue to identify and

validate ICT, assess conformance, document applicable exceptions, prioritize remediation, incorporate accessibility into procurement and technology lifecycle decisions, and improve monitoring and barrier-response processes.

As the inventory and assessment mature, LVA expects future reporting to provide increasingly complete information on the conformance status of its ICT, the population of nonconforming ICT not subject to an applicable exception, remediation progress and target dates, and the estimated fiscal impact associated with achieving and sustaining accessibility conformance.