

Updates to Texas Administrative Code 1TAC 206

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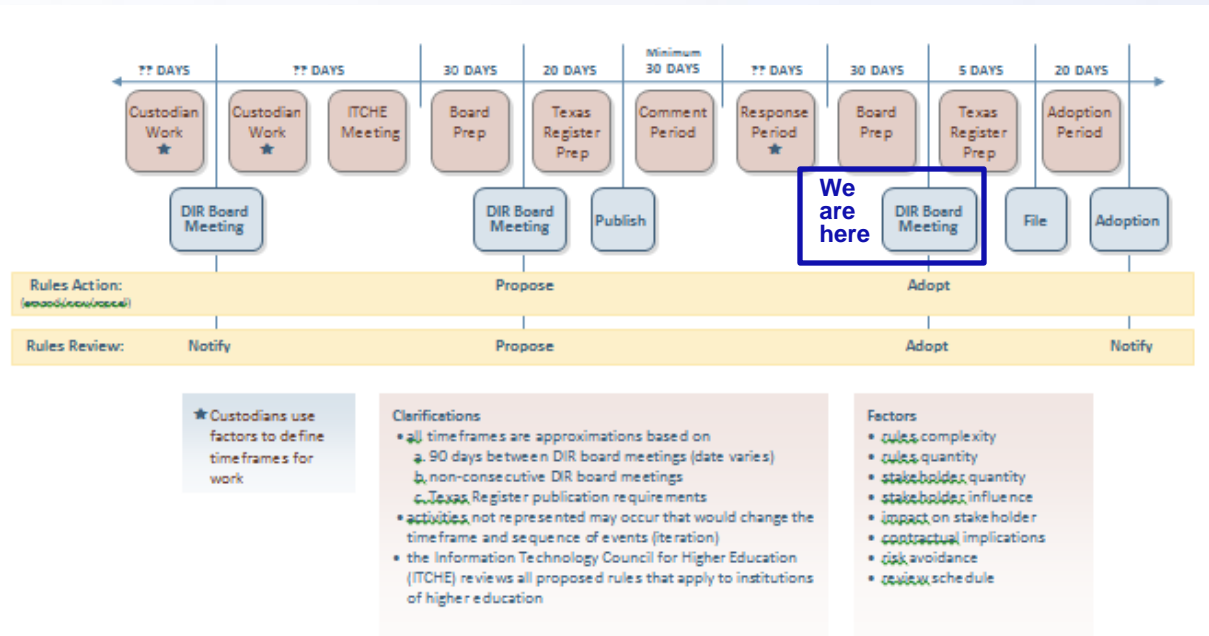
What is 1TAC 206 Anyway?

- A set of rules for the accessibility of EIR for Texas state agency and institution of higher education websites
- Created and adopted by DIR as empowered through statutory authority
 - Texas Government Code (TGC) 2054 Subchapter C. General Powers and Duties of the Department (*DIR*)
 - ▶ Sec. 2054.052. GENERAL POWERS OF DEPARTMENT. (a) The department may adopt rules as necessary to implement its responsibility under this chapter
 - Addresses requirements in TGC 2054 Subchapter M
- Main Sections of 1TAC206
 - Definitions
 - Accessibility
 - Translation
 - Privacy
 - Linking
 - Indexing



Rulemaking Process / Timeline

| | |
|---|---|
| 1 | Review of rules required every 4 years (can be earlier based on significant technology changes or other impacts) |
| 2 | Change drafts are developed by DIR based on <ul style="list-style-type: none"> • DIR technical staff analysis • New or changed statutes enacted since prior review • Field input • New or emerging technologies consideration |
| 3 | Stakeholder review held with representation by agencies <ul style="list-style-type: none"> • Input incorporated |
| 4 | Review of impact analysis by Texas Information Technology Council for Higher Education(ITCHE) <ul style="list-style-type: none"> • Input incorporated |
| 5 | Preamble created and submission for approval to post in Texas Register by DIR Board of Directors |
| 6 | Proposed rule changes and preamble posted in the Texas Register for 30 day public comment period |
| 7 | Comments addressed |
| 8 | Submission to DIR Board of Directors for adoption |
| 9 | Finished rule published by the by Texas Secretary of State's office |



1TAC 206 Rule Review

Objectives

- Consolidate and streamline rules as appropriate
- Eliminate redundancy within 1 TAC 206 and with overlap of other administrative rules
- Remove sections based on outdated technology assumptions
- Reference source information when possible

Organization

- Chapter A – Definitions
- Chapter B – Rules for State Agencies
- Chapter C – Rules for Institutions of Higher Education
 - Mostly the same as Chapter B with differences in a few provisions



Highlights of changes

Subchapter A: Definitions

- Remove unnecessary definitions that are no longer referenced in the revised rule
- Define new terms that are consistent with new 1 TAC 206 language
- Provide greater clarity and specificity to current definitions



Highlights of changes (cont.)

Subchapters B and C

• §§206.50 and 206.70 - Accessibility

- **Direct reference to US Section 508 1194.22**
 - Removed existing language that duplicates provisions of Section 508.
 - Any provisions unique to §206.50 (different than Section 508) remain.
- **Removal of “Usability” in rule title and provisions**
 - No requirement or reference in TGC Chapter 2054 regarding usability
 - No criteria as to how usability should be implemented
 - Would create significant financial burden for compliance
- **Removal of provision (c) based on outdated technology assumptions**
 - Example: “...avoid vendor specific "non-standard" extensions... “
 - Restricted development of modern, robust websites

• §206.51 Accessibility Policy and Coordinator

- **Eliminated §206.51 Accessibility Policy and Coordinator**
 - A duplicate of §213.21 and §213.41 Accessibility Policy and Coordinator which addresses accessibility at the “EIR” level (including websites)



Highlights of changes (cont.)

Subchapters B and C (cont'd)

- **§206.52 Translation of Web Site Content Translation (Now §206.51 Translation)**

- Renumbered, reordered, and revised to reflect provisions of TGC §2054.116
- Improved readability and clarified the language



- **§206.53 Privacy and Security of State Web Sites (Now §206.52 Privacy)**

- **Simplified and clarified the provision intent**
 - Revised language requiring state agencies to publish a privacy notice that describes practices for
 - protecting personally identifiable information
 - conforms to requirements of Public Information Law and State Government Privacy Policies Law
- **Removed detailed requirements and appended material to a new State Website Linking and Privacy Policy to comply with TGC §2054.126 (Posting of Information on the Internet)**
- **Retained requirements that can be universally applied**
 - applicability of federal and state law, transaction risk assessment, requirement for link to privacy policy on all pages that collect personal identifying information



Highlights of changes(cont.)

Subchapters B and C (cont'd)

- **§§206.54 and 206.74 Linking and Privacy Policy (now §§ 206.53 and 206.73 Linking)**
 - **Eliminated redundancy by appending all policy requirements of TGC 2054.126 to the new State Website Link and Privacy Policy**
 - prescribes terms of using, copying information from, or linking to Internet sites maintained by or for a state agency
 - protects personal information of members of the public who provide / receive information from or through a state website
 - **Clarified applicability and revised requirement from publishing a policy to publishing a notice**
 - describes the applicable provisions of the agency's linking policy on its website
 - **Removed language from TGC Chapter 559 State Government Privacy Policies and appended applicable material to State Website Linking and Privacy Policy.**
 - **Included new provision based on new statutory requirement enacted by the 82nd Texas Legislature**
 - requires state agencies and IHE's to post high-value data sets created / maintained by the agency
 - specifies the link be present on the home or site policies page



Highlights of changes (cont.)

Subchapters B and C (cont'd)

- **§206.55 Linking and Indexing State Web Sites (Now §206.54 Indexing)**
 - Reordered to improve readability
 - Simplified and clarified provision language

```
<!DOCTYPE html PUBLIC "-//W3C//DTD XHTML 1.0  
Transitional//EN" "http://www.w3.org/TR/xhtml1/DTD/xhtml1-tran  
<html xmlns="http://www.w3.org/1999/xhtml" lang="pt-br" xml:lan  
<head>  
<meta http-equiv="Content-Type" content="text/html; charset=iso  
<title>Terra - Notícias, vídeos, esportes, economia, diversão, :  
chat</title>  
<meta name="description" content="Conheça o NOVO Portal do Terr  
Brasil e do Mundo com fotos e vídeos. Notícias, Esportes, Dive  
TV, Sonora" xml:lang="pt-BR" lang="pt-BR" />  
<meta name="keywords" content="noticia, esportes, diversao, es  
BR" lang="pt-BR" />  
<meta name="expires" content="never" />  
<meta content="IE=7" http-equiv="X-UA-Compatible" />  
<meta http-equiv="refresh" content="1" />
```