

# Title II ADA Updates: An Overview for Chief Technology Officers

In April 2024, the Department of Justice (DOJ) issued [a final rule under Title II](#) of the Americans with Disabilities Act (ADA) to ensure the accessibility of web content and mobile applications for people with disabilities. This ruling mandates that state and local governments make their digital services accessible, providing clear standards to prevent barriers that could exclude individuals with disabilities from accessing essential public services.

## Top 5 Things to Know About Title II ADA Updates

### 1. Who do these updates apply to?

The updates apply to state, local, and district government entities, including K12 and higher education institutions.

### 2. What specifically is required?

The updates mandate that web content and mobile applications must comply with the [Web Content Accessibility Guidelines \(WCAG\) 2.1, Level AA](#). Check out the 12 new requirements as part of WCAG 2.1 Level AA below.

### 3. When are the compliance deadlines?

The final rule was published on April 24, 2024, and state and local governments are given a timeline to comply with the new requirements based on their agency size.

- Populations 50,000 or more: Deadline is April 24, 2026.
- Populations fewer than 50,000: Deadline is April 24, 2027.

### 4. Which platforms does this apply to?

The rule applies to all digital platforms, including web content and mobile applications, provided or made available by state and local governments, including those managed by third parties. For K12 school districts, this includes websites, learning management systems, instructional applications, software, teacher-created materials, social media posts, and information available on mobile apps.

## 5. Why does this matter?

The update helps to ensure that digital content is accessible to people with disabilities, thereby eliminating barriers to accessing government services and participating in civic activities.

### How Chief Technology Officers Can Support Title II ADA Compliance

**Ensure Accessible Procurement:** Oversee the procurement of materials and technologies to ensure they meet Title II ADA requirements. This includes evaluating and selecting vendors and products that comply with accessibility standards and integrating accessibility criteria into procurement policies and procedures. CTOs are encouraged to utilize the [UDL Product Certification](#) to identify and select products that align with the Universal Design for Learning (UDL) framework, ensuring they provide multiple ways for users to engage, access materials, and express their knowledge.

**Implement Accessibility Standards:** Lead the technical implementation of accessibility standards across all digital platforms. This involves ensuring that websites and mobile apps comply with WCAG 2.1 AA standards, including features like alternative text for images and screen reader compatibility. Work closely with development teams to integrate these standards into the design and development process.

**Conduct Accessibility Audits:** Regularly schedule and perform thorough technical audits of all digital content and platforms. Utilize specialized tools and assistive technologies, such as a color contrast analyzer, WAVE, and the accessibility checker, to identify and resolve accessibility issues, ensuring continuous compliance and enhancing the user experience for individuals with disabilities.

**Provide Training:** Organize and deliver training sessions specifically for IT staff on accessibility best practices and the importance of digital inclusion. This training should cover technical aspects of accessibility, such as coding standards and the use of assistive technologies, to ensure that IT staff are well-equipped to create and maintain accessible digital content. Additionally, collaborate with leadership and curriculum developers to ensure that teacher-created content is accessible. This includes providing guidance and resources to educators on how to create accessible materials and integrating accessibility into the curriculum development process.

**Develop and Maintain Accessibility Statements:** Create and regularly update detailed accessibility statements for all digital platforms. These statements should be easily

accessible on all platforms and should outline the technical steps taken to ensure digital accessibility and provide a clear process for users to report any accessibility issues they encounter.

## Further Reading and Helpful Resources

- [What's New in WCAG 2.1](#) (includes Understanding documents that explain the success criteria in detail and provide examples)
- [Learning on the Go: ADA Title II Updates and Requirements](#)
- [New DOJ Rule on ADA Title II and Its Impact on EdTech Companies](#)
- ["The Accessible Learning Experience" Podcast, Season 3, Episode 11: ADA Title II Updates and Requirements](#)

If your team needs additional support related to this ruling including professional learning for your staff on accessibility requirements, best practices or training on how to create accessible materials please reach out to [accessibility@cast.org](mailto:accessibility@cast.org).

## What is WCAG 2.1 AA?

WCAG 2.1 AA is an internationally recognized standard for web accessibility. It outlines technical requirements for creating accessible online and mobile experiences. It has a total of 50 Success Criteria 38 carried over from WCAG 2.0 and 12 new criteria in 2.1.

## What are the 12 New Accessibility Criteria in WCAG 2.1 AA?

- 1. Orientation (1.3.4):** You should be able to use a website or app whether you hold your device sideways or upright.
- 2. Identify Input Purpose (1.3.5):** Websites should know what kind of information you're typing in, like your name or email, to help fill it in automatically.
- 3. Reflow (1.4.10):** You should be able to read and use a website without having to scroll left and right, even on a small screen.
- 4. Non-Text Contrast (1.4.11):** Buttons and pictures on a website should stand out clearly from the background.
- 5. Text Spacing (1.4.12):** Text on a website should be easy to read, with enough space between lines, words, and letters.

- 6. Content on Hover or Focus (1.4.13):** Extra information that pops up when you hover over or focus on something should be easy to close or keep open.
- 7. Character Key Shortcuts (2.1.4):** If a website uses single keys for shortcuts, you should be able to turn them off or change them.
- 8. Pointer Gestures (2.5.1):** You should be able to use a website with simple taps or clicks, not just complex gestures.
- 9. Pointer Cancellation (2.5.2):** If you accidentally tap or click something, you should be able to undo it easily.
- 10. Label in Name (2.5.3):** The name of a button or link should match what you see on the screen.
- 11. Motion Actuation (2.5.4):** If a website uses motion to do something, you should also be able to do it with a button or other control.
- 12. Status Messages (4.1.3):** Important messages on a website should be easy to notice, even if you're using a screen reader.

### Learn More:

[The Center for Inclusive Technology and Education Systems at CAST](#) provides a framework including action steps for inclusive technology practices and supported the development of this resource. CoSN is a CITES sustainability partner. Learn more:

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