

# **Learning about Revised Final Rule Title II Accessibility Standards**

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Mary Rice, PhD

[maryrice@unm.edu](mailto:maryrice@unm.edu)

Associate Professor of Literacy

University of New Mexico



# **What is the premise of U.S. federal accessibility guidance?**

Qualified persons should not be denied the benefits of services programs, or activities from public entities or be subjected to discrimination due to disability.

- Americans with Disabilities Act, 42 U.S.C. 12101 et seq. (1990).
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. “Code of Federal Regulations, Title 28, (2002): 516-544.

# What are the key changes in the ADA Title II revisions?

1. All web materials and **mobile apps** available through public entities—including public educational institutions—must meet the technical standard (**WCAG 2.1 AA**).
2. This requirement cannot be waived merely for the fact of being purchased or provided by a third party.
3. A ‘program or activity’ includes educational institutions, such as a college, university, or postsecondary institution, and LEA or vocational school, partnership, or private organization. (ADA, 1991, Civil Rights Restoration Act, 1987)

# Why should UNM FacSen care about the Title II Final Rule?

- **New avenue for legal remedy** when students fail courses, must re-take courses, or fail to finish degrees.
- Historically, students had to move through ARC to show documentation and receive accommodations, but **now accessible digital materials are an entitled for all** (of course, there are still some services not related to accessible web and program applications that will require ARC).
- **Faculty are also entitled to accessible digital materials** to participate in services and programs from UNM such as rank and tenure advancement (e.g., rpt upload, employment portals)

# How soon do these changes go into effect?

## **Title II ADA**

- 0-49,999\* persons April 26, 2027
- Special district governments April 26, 2027
- 50,000 or more persons\* **April 26, 2026**

## **Section 504 HHS**

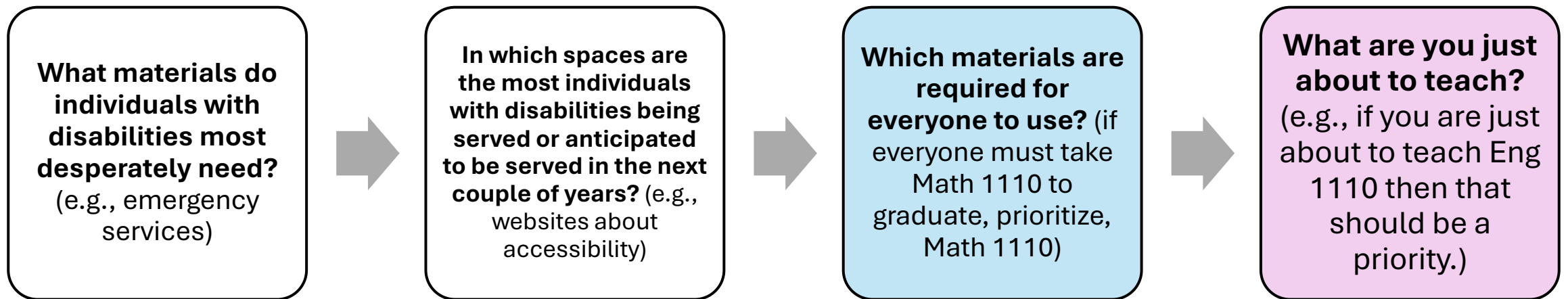
- 15 or fewer employees May 10, 2027
- 15 or more employees May 10, 2026

\*These are census numbers and not enrollment figures

# What are some important features for students and instructors to know?

- **Group One (Descriptions for Comprehension)**
  - **Captions for videos:** Kaltura will do this; YouTube will do this
  - **Descriptions (audio, links for videos):** information about the video
  - **ALT Text:** embedded file that describes an image
- **Group Two (Organization for Navigation)**
  - **Tables:** does it need to be a table? Set up the headings.
  - **Headings:** documents need headings
  - **Course Organization:** minimally by course dates/topics
- **PDFs:** Does it need to be a PDF? If so, it should be as accessible as possible.
- **Accessibility Checkers:** Canvas, Microsoft, Google, etc. have checkers

# How Should We Prioritize Remediation?



# What is forthcoming from UNM?

- **Policy** adopting Title II standards with a commitment to digital accessibility
- **Five things to Know** about Digital Accessibility Video available through Center for Teaching and Learning
- **Specific professional learning course** for instructors, staff, and students about making web applications and mobile applications for instructional purposes first, and eventually other purposes accessible
- **Changes to foundational and golden paw reviews** to account for digital accessibility
- **Digital accessibility specialist** search is underway



# Will all this go away in the current national political administration?

- [Enforcement might look different.](#) OCR might do monitoring for specific complaints. The DoJ has signaled for “private enforcement.”
- Reporting and testing might look different.
- Funding flow seems like it will look different.
- Schools need to decide how to ensure that all students have access to digital instructional content.
- Universities need internal processes, policies, and procedures where people resolve problems — grievance processes, coordinators, and committees.

# Resource: Exact Language of the Revision

*“Web content and mobile apps that the public entity provide or makes available directly or through contractual licensing, or other arrangements, comply with Level A and Level AA success criteria and conformance requirements specified in WCAG 2.1 unless the public entity can demonstrate that compliance with this section would result in a fundamental alternation in the nature of the service, program, or activity, or in undue financial or administrative burdens.”*

- HHS Section 504 (45 CFR 84.84)

- ADA Title II Regulations (28 CFR 35.200)

# Other Resources

- **How-to Videos from the Office of Civil Rights**
  - [adata.org/ocr-videos](https://adata.org/ocr-videos)
- **UNM CTL Website**
  - <https://ctl.unm.edu/accessibility/index.html>
- Rose, R. & Rice, M. (2025, July 30). *Don't panic. Engage! Meeting New Title II requirements for accessibility of digital instructional materials*. United States Digital Learning Association blog.  
<https://usdla.org/blog/accessibility-requirements/>