

# OFFICE OF PROFESSIONAL LEARNING



## — September 2025 Education Bulletin —

Welcome to the September 2025 edition of the **Luzerne Intermediate Unit (LIU) Office of Professional Learning's (OPL)** monthly education bulletin. This special edition of the OPL Education Bulletin will focus on the Americans with Disabilities Act (ADA) Title II mandates regarding the obligations of Intermediate Units (IUs) and Schools to provide digital content that is accessible to people with disabilities. Please know that this publication is meant to serve as a brief guide for Local Education Agencies (LEAs) and is not meant to serve as legal advice. For specific legal questions and counseling, please utilize your local solicitor.

### OVERVIEW OF THE REGS.

#### *WHAT TO EXPECT...*

On April 10th, 2024, the US Department of Justice finalized new regulations under the Americans with Disabilities Act (ADA) concerning website and mobile app accessibility for state and local governments. Under the new rule, school districts and Intermediate Units will have to comply with the internationally recognized accessibility standards for web access, the Web Content Accessibility Guidelines (WCAG) version 2.1.AA. The new regulations apply to websites and password-protected digital content. The effective dates for compliance are based on the entities serviced populations recorded in the most recent census data. For populations in excess of 50,000, the implementation period begins April 24, 2026. For populations less than 50,000, the implementation period begins April 24, 2027. This implementation period requires governmental agencies, like public schools, to comply with the Web Content Accessibility Guidelines (WCAG) G 2.1 Level AA success criteria and conformance requirements for website and mobile application content.

#### *WHAT ARE THE WCAG 2.1 LEVEL AA GUIDELINES?*

The [Web Content Accessibility Guidelines \(WCAG\) G 2.1 Level AA](#) are a set of internationally recognized standards developed by the World Wide Web Consortium (W3C) to ensure that digital content is accessible to all users, including those with disabilities. These guidelines provide a comprehensive framework for making web content more accessible and user-friendly. The ADA Title II regulatory rule, published to the Federal Register in April 2024, establishes WCAG 2.1 Level AA as the technical standard for accessibility compliance. These guidelines cover a wide range of recommendations for making web content more accessible to a wider range of people with disabilities, including accommodations for blindness and low vision, deafness and hearing loss, limited movement, speech disabilities, photosensitivity, and some accommodation for learning disabilities and cognitive limitations.

# WCAG 2.1 AA

## WHAT DIGITAL CONTENT IS AFFECTED?

The ADA provides guidance for State and Local Government agencies with their [First Steps Toward Complying with the Americans with Disabilities Act Title II Web and Mobile Application Accessibility Rule](#). In action step number seven, this guide provides descriptive rationale why specific digital content must meet WCAG guidelines.

Additionally, [Accessibility.Works](#), web development professionals that specialize in digital accessibility consulting, provides a more concise list of school website and digital content artifacts. This includes, but is not limited to:

- School websites and public-facing content including use on mobile devices,
- Content in online learning platforms (LMS) including digital textbooks, educational apps, video content, and online assignments and assessment.
- Digital documents (PDFs, Word files, etc.) like online forms for student registration, applications, requests
- Mobile apps and online forms including staff, student, and family portals
- Social media posts published after the compliance date

The Accessibility.Works page also provides information regarding the management of the accessibility requirements of third-party vendors that provide web and/or digital content. It is advisable to revisit these contracts to ensure their compliance to the ADA Title II requirements.



## WHAT DIGITAL CONTENT IS EXEMPT?

There are five specific exceptions to the ADA Title II requirements that do not need to comply with the technical standards as defined by the WCAG 2.1 AA Guidelines:



- (1) archived web content;
- (2) preexisting conventional electronic documents, unless such documents are currently used to apply for, gain access to, or participate in the public entity's services, programs, or activities;
- (3) content posted by a third party, unless the third party is posting due to contractual, licensing, or other arrangements with the public entity;
- (4) conventional electronic documents that are about a specific individual, their property, or their account and that are password-protected or otherwise secured; and
- (5) preexisting social media posts.

There is one caveat to these exemptions. Should an individual with a disability request archived content, a public entity is obligated to provide the requested digital content in an accessible format.

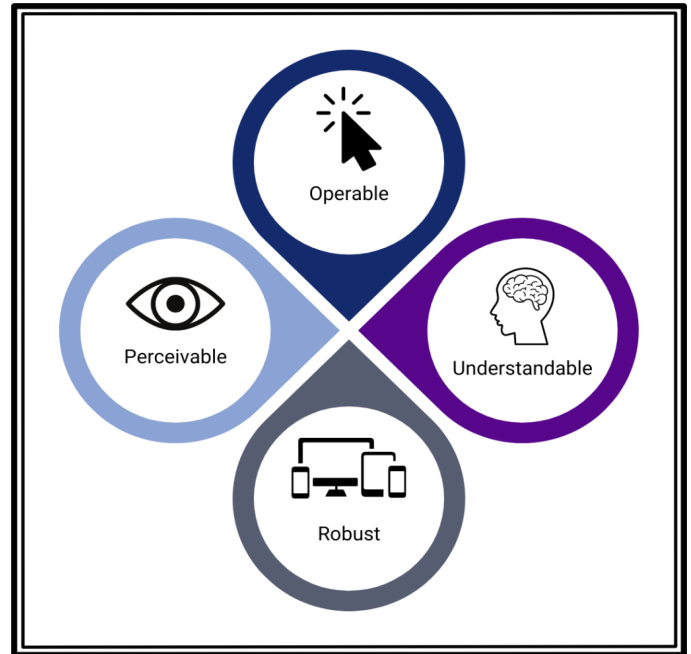
# MEETING THE REGULATIONS

## How Do We Get Started?

The ADA provides clear action steps that are applicable to any agency influenced by accessibility regulations. These are listed in their online resource entitled, [First Steps Toward Complying with the Americans with Disability Act Title II Web and Mobile Application Accessibility Rule](#):

- Step 1:** Learn about the rule's requirements
- Step 2:** Figure out when you need to fully comply with the rule
- Step 3:** Figure out who within your state or local government will have a role in complying with the rule
- Step 4:** Train your staff
- Step 5:** Identify what web content and mobile apps your public entity has
- Step 6:** Refresh your understanding of the rule's exceptions
- Step 7:** Determine which of your web content and mobile apps need to comply with WCAG 2.1 under the rule
- Step 8:** Determine what accessibility fixes are needed
- Step 9:** Prioritize which content to fix first
- Step 10:** Identify any relevant contracts with vendors and figure out if they can produce accessible content for you, or if you need to make any changes
- Step 11:** Create policies

If you have made it this far in this issue of the OPL bulletin, you have already begun to check off some of the actionable items listed above. Please know that the LIU has three members of their team that are well versed in the application of the WCAG 2.1 AA guidelines to digital content. We have already begun training our staff and can certainly be available for any training or consultation you and your staff may need. In the meantime, the [World Wide Web Consortium](#) has developed design and development tutorials that includes tips for writing, designing,



Web Content Accessibility Content Guidelines are based on four guiding principles. That digital content be Operable, Understandable, Robust, and Perceivable.



Dr. Rich Mackrell  
[rmackrell@liu18.org](mailto:rmackrell@liu18.org)  
(570)991-1121

Dr. Jessica Jacobs  
[jjacobs@liu18.org](mailto:jjacobs@liu18.org)  
(570)718-4631

**Main Office** 368 Tioga Ave, Kingston, PA 18704

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