

Overview

- Regulation issued by the Civil Rights Division of the Department of Justice, effective June 24, 2024, that revises Title II of the Americans with Disabilities Act (ADA).
- Applies to state/local government entities, including public universities and colleges, that offer services, programs, and activities via web/mobile apps.
- Must comply with [Web Content Accessibility Guidelines \(WCAG\) 2.1, Level AA](#).
- Entities, including private institutions, still have their existing obligations under Title III.

Compliance Deadlines

- Entities with populations $\geq 50,000$: **April 24, 2026**.
- Entities with populations $< 50,000$ or special district governments: **April 26, 2027**.

"Population" refers to residents served, not institutional enrollment. For example, a community college would count the number of people in the district that supports the institution, a university, the number of residents in the state. Only colleges that serve a small county or service district, or are special district governments, will qualify for the later date (Depending on your state, a community college may or may not be considered a special district government).

Impact & Enforcement

- Nearly all digital material hosted by a public university or college must be compliant, including most content that is password protected.
- [Five narrow exceptions exist, likely requiring significant effort to implement](#).
- Institutions must ensure that all contractual, licensed, and third-party services meet accessibility standards.
- Enforcement will occur primarily through lawsuits alleging non-compliance, not DOJ actions.

Private Institutions

Although this rule applies only to public institutions, a parallel rule from the Department of Education covering private colleges could be released this year. Additionally, private colleges receiving funding from the Department of Health and Human Services are subject to separate regulatory changes that recently imposed the same standards under a similar deadline.

Concluding Thoughts

In the spring of 2024, the Department of Justice issued new Title II regulations related to accessibility. Even though there is an administrative change, we anticipate that these regulations will remain in effect since it would take either legislative action, new rulemaking, or judicial action for the new administration to make any changes to these regulations.

For More Information

- Full regulation: [Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities](#)
- [ADA Fact Sheet](#) WCET/SAN Member Resource: [Access For All: New Accessibility Rules for Public Entities](#)

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