

the Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA. The technical standard for compliance Schools will need to ensure that websites, mobile apps, and digital textbooks, for example, contain accessible text, images, videos for people with disabilities. The rule explains that conformance to WCAG 2.1 Level AA is not required to the extent that such conformance would result in a fundamental alteration in the nature of a service, program, or activity of the public entity or in undue financial and administrative burdens. This language reflects the language in the statute.

The Department lists limited exceptions from compliance with the technical standard for some kinds of content that are not as frequently used or that may be particularly hard to address right away.

- I. Archived web content. This exception is intended to capture outdated or superfluous content that need not be made accessible. Archived web content is defined as web content that (1) created or reproduces paper documents created before the date the public entity is required to comply with the rule; (2) is retained exclusively for reference, research, or recordkeeping; and (3) is not altered or updated after the date of archiving; and (4) is organized and stored in a dedicated area clearly identified as being archived.
- II. Preexisting conventional electronic documents. Documents, such as existing PDFs that were provided or made available before



- III. Content posted by a third party where the third party is not posting due to contractual, licensing, or arrangements with a public. Third parties are members of the public not controlled by or acting for state or local governments. The school may not be able to change the content third parties post. For example, a message that a member of the public posts on a social media message board would probably fall under the exception.