



26 July 2025

Russell T. Vought, Director
Office of Management and Budget (OMB)
Eisenhower Executive Office Building
17th Street and Pennsylvania Avenue, NW
Washington, DC 20504

Dear Director Vought:

On behalf of the Association on Higher Education And Disability (AHEAD) and the undersigned accessibility organizations, we write regarding the Department of Justice regulation under Title II of the Americans with Disabilities Act (ADA) covering the accessibility of state and local government websites and mobile applications (the "website rule") and in response to the letter you received from the American Council on Education (ACE) dated May 12, 2025 on that subject.

As a coalition of professionals and advocates dedicated to accessibility, we reject ACE's call for modifications to the website rule. We do not believe any such delay, rescission, or alteration to the website rule is necessary or appropriate and is, in fact, counterproductive. Greater accessibility to education not only improves educational outcomes for those with disabilities but all students. A comprehensive approach to that accessibility is long overdue, and the US Department of Justice Title II Rule brings us a big step in the right direction.

Our members are firsthand witnesses to the profound harm that inaccessible technology has on students with disabilities. When blind students are unable to register for classes, deaf students cannot access video lectures, students with learning disabilities struggle to navigate instructional materials, and when those with manual disabilities are unable to use essential collaboration tools, the issue extends far beyond mere inconvenience. These students become excluded from full participation in their education. To these students, inaccessibility denies opportunities and violates their civil rights.

Excluding students with disabilities from participating in education has measurable consequences. Barriers to accessing educational content and digital platforms play a major role in this inequity, especially in an era when nearly every aspect of campus life takes place online. Such a barrier will impact the ability of students to graduate, be successfully employed, and achieve the salary that goes with such. As it stands, graduation rates among college students with disabilities lag significantly behind their nondisabled peers, as do employment rates and income levels, and the reduction in use of government assistance that goes along with that.

The website rule directly addresses a need that educational institutions have expressed for over a decade: the establishment of clear and consistent standards to ensure that all students, including those with disabilities, can fully participate in public higher education. It codifies long-standing legal obligations

under the ADA and Section 504 of the Rehabilitation Act, which have always required equally effective communication, including online forms of communication.

Since 1996, the Department of Justice has made clear that the “equally effective communication” obligation includes websites and mobile applications. Courts and other federal agencies have confirmed this, and institutions have had ample opportunity to engage with the Department through guidance and the rulemaking process. This final rule reflects 14 years of public input, analysis, and compromise.

While ensuring accessibility, the website rule provides institutions with clarity, flexibility, and fairness for implementation. It allows for equivalent facilitation, provides exemptions for certain content, and includes generous implementation timelines—up to three years—depending on institutional size. It imposes no new obligations but rather brings transparency and predictability to what has long been required.

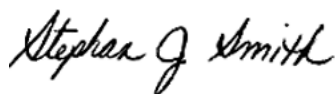
Many colleges and universities have already taken meaningful steps toward compliance, recognizing that digital accessibility is not merely a legal obligation but a cornerstone of their educational mission. Our experience demonstrates that learning technologies—including the most complex and innovative—can be designed and implemented accessibly. Proactively addressing accessibility from the outset not only upholds students’ rights but also conserves time, resources, and institutional capacity, allowing us to remain focused on delivering high-quality education. Reversing this rule would undermine that progress, penalizing institutions that have acted in good faith while rewarding those that have disregarded long-standing federal requirements.

Delaying or rescinding the website rule would not eliminate the need for digital accessibility – it would simply deny thousands of students with disabilities the ability to fully and equally participate in public higher education and ensure barriers that violate their civil rights remain. Rather than alleviating burdens, such a step would perpetuate inequity and create confusion for institutions striving to comply with the law. Upholding and implementing the website rule is essential to advancing equal opportunity, protecting civil rights, and granting opportunity through higher education.

For these reasons, we respectfully request that you keep in place the current US Department of Justice Title II Rule website rule for the benefit of all students, particularly those with disabilities, to improve college graduation rates, employment rates, and income levels.

Thank you for your consideration of this matter. If you would like additional information or discuss this matter, we can be reached at policy@ahead.org.

Sincerely,



Chief Executive Officer
AHEAD



Cc: Harmeet Dhillon
US Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Signees:

Access Ready, Inc.
ACPA – College Student Educators International
American Association of People with Disabilities (AAPD)
American Council Of The Blind
American Foundation for the Blind (AFB)
Assistive Technology Industry Association (ATIA)
Association of Assistive Technology Act Programs
CAST
Children and Adults with ADHD (CHADD)
CommunicationFIRST
Complete College America
Council For Exceptional Children
Council of Parent Attorney and Advocates, Inc. (COPAA)
Deaf Equality
Disability Rights Education & Defense Fund (DREDF)
Empower Ability Consulting (EAC)
Higher Education Consortium for Special Education (HECSE)
Learning Disabilities Association of America
National Association for College Admission Counseling (NACAC)
National Association of the Deaf
National Center for Learning Disabilities (NCLD)
National Disability Rights Network (NDRN)
National Down Syndrome Congress (NDSC)
National Organization on Disability (NOD)
National PLACE
Partners for Youth with Disabilities (PYD)
PAVE
Perkins School for the Blind
TASH
TDIforAccess (TDI)
The Advocacy Institute
The Arc of the United States



The Parents' Place of Maryland
United Spinal Association