



Accessibility of Digital Tools

Information Technology Branch – Accessibility Section
December 2025

MARYLAND STATE DEPARTMENT OF EDUCATION

Carey M. Wright, Ed.D.

State Superintendent of Schools

Krishnanda Tallur

Deputy State Superintendent
Office of Finance and Operations

Wes Moore

Governor

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Samir Paul, Esq.

December 31, 2025

The Honorable Wes Moore
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Bill Ferguson
Senate of Maryland
H-107., State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Joseline Peña-Melnyk
Maryland House of Delegates
H-101., State House
100 State Circle
Annapolis, MD 21401

RE: Report required by Annotated Code: ED §7-910(j) (MSAR #14212)

Dear Governor Moore, President Ferguson and Speaker Peña-Melnyk,

Section §7-910 (j) of Education Article, Annotated Code of Maryland, requires the Maryland State Department of Education to monitor compliance with the requirements for accessibility of digital tools under COMAR 13A.06.05; and to report its findings in accordance with §2-1257 of the State Government Article, to the General Assembly each year.

The attached report outlines activities conducted to meet the requirements described above. If you have any questions or need additional information, please contact Laurel Cratsley, Education Policy Program Analyst, Office of Government Affairs by email at laurel.cratsley@maryland.gov or by telephone at 410-767-0906.

Sincerely,



Carey M. Wright, Ed.D.
State Superintendent of Schools

c: Sarah Albert, Mandated Reports Specialist, Department of Legislative Services (5 copies)

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Introduction

The Equivalent Access for Students with Disabilities annual report is submitted to the General Assembly under §2-1257 of the State Government Article. Prepared by the Maryland State Department of Education (MSDE) following collaboration between several MSDE divisions and local education agencies (LEAs), this report provides information on Education Article §7-910: Equivalent Access for Students with Disabilities.

MD. CODE ANN., EDUC §7-910: Equivalent Access for Students with Disabilities

Md. Code Ann., Educ. §7-910 (a)(1) indicates the words “digital tool”, “equivalent access”, and “nonvisual access” to have the following meanings:

Md. Code Ann., Educ. §7-910 (a)(2) - “Digital tool” means (i) An online platform; (ii) An online course; (iii) Information and communication technology services, including software and operating systems, that are directly connected to student instruction; (iv) Digital content; or (v) Other digital technologies not requiring sight in an equally effective and integrated manner.

Md. Code Ann., Educ. §7-910 (a)(3) – (i) “Equivalent access” means the ability to receive, use, and manipulate information and operate controls necessary to access and use information technology, including by nonvisual means, so that a student with disabilities can access the same services as a student without disabilities with substantially equivalent ease of use. (ii) “Equivalent access” includes (1.) Keyboard controls used for input and synthesized speech; (2.) Braille; and (3.) Other audible or tactile means used for output.

Md. Code Ann., Educ. §7-910 (a)(4) - “Nonvisual access” means the ability to receive, use, and manipulate information and operate controls necessary to access information and communications technology through keyboard controls, synthesized speech, braille, or other methods not requiring sight.

Md. Code Ann., Educ. §7-910 mandates that all LEAs including MSDE, must ensure and provide equivalent access to digital tools for students with disabilities, including nonvisual access, with the following requirements:

MSDE and LEAs shall ensure that invitations for bids, Requests for Proposals (RFPs), procurement contracts, grants, or modifications to contracts or grants include equivalent access specifications.

LEAs shall establish a process to evaluate digital tools being considered for development or purchase to ensure alignment with equivalent access standards.

A procurement contract for a digital tool shall require a vendor to indemnify MSDE and LEAs for liability and costs arising from the failure of the digital tool to meet the required specifications.

LEAs shall report to MSDE on or before October 1 each year regarding the accessibility of digital tools purchased and/or developed during the preceding fiscal year.

MSDE shall compile the information received from each LEA, making the information available on the MSDE website, including the accessibility status of any digital tools used by each LEA.

MSDE and LEAs shall prioritize digital tools that offer pedagogical value that best meet the specifications and have the greatest functionality for equivalent access for students with disabilities, including blindness.

MSDE shall annually update the requirements for the accessibility of digital tools under the Code of Maryland Regulations (COMAR) 13A.06.05 Purchase and Use of Accessible Teaching and Learning Materials.

In 2019, MSDE repealed and replaced COMAR 13A.06.05 with a new regulation to address a transformation in teaching and learning, including a shift towards digital textbooks, resources, and equipment. This aligns COMAR 13A.06.05 with the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA, published in 2018. The regulation requires LEAs to develop policies and procedures for purchasing and acquiring accessible digital tools while providing annual training to purchase specialists.

This report summarizes the outcome of monitoring the compliance of LEAs with the requirements for the accessibility of digital tools under the new regulation, COMAR 13A.06.05.

MSDE Efforts

In Compliance with Md. Code Ann., Educ. §7-910 sections, MSDE collaborated with the LEAs to implement the statute. The following sections provide further details on the effort.

REPORT REVISIONS

The Maryland State Department of Education (MSDE) collaborated with Local Education Agencies (LEAs) to revise the data collection tool for the Fiscal Year 2025 (FY25) Equivalent Access Report, with the goal of streamlining the reporting process.

As part of the revisions, MSDE removed seven questions from the data collection tool—six of which requested basic information, and one which required the upload of the LEA's standard procurement template. Additionally, one question was modified to ensure alignment with Md. Code Ann., Educ. § 7-910(c)(3), which mandates that LEAs verify the evaluation of digital tools for accessibility compliance was conducted by an individual who either:

- Specializes in accessibility and the Web Content Accessibility Guidelines (WCAG), or
- Is a blindness specialist with expertise in accessibility.

One new question was added to align with Md. Code Ann., Educ. § 7-910(e)(2)(i), which requires LEAs to notify MSDE if they determined that:

- The LEA determined that a product that meets the equivalent access standards was not available, or obtaining an available product would fundamentally alter the nature of the instructional activity or would result in an undue burden

In response to LEA requests, MSDE released the Digital Tool Accessibility Report Template in June to support LEAs in completing the required documentation. Concerns were raised regarding the October 1 submission deadline, particularly as some staff responsible for report completion are 10-month employees and the deadline coincides with other LEA priorities.

MSDE did not host information sessions regarding the FY25 report changes, as the modifications were not considered substantive.

NOTIFICATION OF INTENT TO PROCURE AN INACCESSIBLE DIGITAL TOOL

MSDE collaborated with the Maryland Department of Disabilities (MDOD) and the Department of Information Technology (DoIT) to refine and enhance the data collection process from LEAs, as required under Md. Code Ann., Educ. § 7-910(e)(2)(ii). These revisions were developed to ensure that all participating agencies can provide meaningful consultation regarding the evaluation and selection of digital tools.

As part of the revisions, a single broad question was divided into four targeted questions to facilitate the collection of more detailed and actionable information related to each LEA's request. The revised questions include:

- Describe the purpose of the digital tool.
- What alternative digital tools were considered to meet this need?
- Describe the accessibility evaluation process, including findings from the Accessibility Conformance Report (ACR), and explain why the LEA considers this tool the best option.
- Which users are impacted by any accessibility deficiencies, and how does the LEA plan to address these issues?

These changes went into effect July 30, 2025. MSDE did not host information sessions regarding the Notification process changes, as the modifications were not considered substantive.

DIGITAL TOOL THAT UTILIZES ARTIFICIAL INTELLIGENCE

In August 2025, the Maryland State Department of Education (MSDE) issued guidance to LEAs following statutory changes enacted through the Excellence in Maryland Public Schools Act (HB504, pp. 88–89). As a result, Md. Code Ann., Educ. § 7-910 was amended to include the following provision:

- (A–1) Beginning with the 2025–2026 school year through the 2027–2028 school year, this section does not apply to the procurement and use of a digital tool that utilizes artificial intelligence (AI), as defined in § 3.5–801 of the State Finance and Procurement Article, to support student learning.

LEAs were advised that MSDE will continue to collect data as required by statute. For the Fiscal Year 2026 report, due in October 2026, MSDE will include a new reporting requirement to capture information regarding the procurement of AI-based digital tools. Specifically, LEAs will be asked to respond to the following:

- Pursuant to § 7-910(A–1) of the Education Article, identify any digital tools procured by the LEA that utilize artificial intelligence, as defined in § 3.5–801 of the State Finance and Procurement Article, to support student learning.

Data Collection

All 24 LEAs participated in reporting the accessibility of digital tools developed and/or purchased during fiscal year 2025 in compliance with Md. Code. Ann., Educ §7-910. MSDE collected and categorized the data under Md. Code. Ann., Educ §7-910(j)(1), to monitor compliance with the requirements for the accessibility of digital tools under COMAR 13A.06.05.

As part of the data collection process, MSDE verified the previously identified point of contact, to ensure each LEA continues to receive critical updates.

DIGITAL TOOL ACCESSIBILITY REPORT

The 2025 Annual Report expands on the data captured during the 2024 report of digital tools. As the LEAs continue to implement WCAG 2.1 procurement language, refine the developed process to evaluate digital tools, build/expand/ refine their accessibility review teams and begin to notify MSDE of the intent to procure inaccessible digital tools, MSDE expects to see improved results in the future.

- For the year 2025, LEAs reported a total of 2,201 non-unique digital tools developed and/or procured. The report reflects the findings of the respective LEA, which may vary based on the individual process developed by each LEA to evaluate a digital tool being considered for development or purchase, in alignment with MD. Code Ann., Educ §7-910 (c)(3)(i).
- All 24 LEA submissions were consolidated and calculated to determine the following percentage of LEAs that meet the qualifying criteria for digital tools with equivalent access for students with disabilities.

Qualifying Criteria for Digital Tools for Equivalent Access for Students with Disabilities	Compliance Percentage of Tools Reported
The Digital Tool was approved by MSDE for pedagogical value.	27%
The LEA certifies that pursuant to § 7-910(c)(1) all invitations for bids, requests for proposals, procurement contracts, grants, or modifications to contracts or grants include notice of the equivalent access requirement when funds awarded are used to develop or obtain digital tools..	76%
The LEA certifies that for digital tools developed or procured during fiscal year 2024, specifically beginning on September 1, 2023, it has required the vendor to submit an accessibility conformance report using a Voluntary Product Accessibility Template (VPAT) that complies with § 7-910(c)(2)(ii) and that VPAT is on file with the LEA	88%
The LEA certifies that its procurement contracts for digital tools, consistent with § 7-910(c)(4), require the vendor to indemnify the local school system for liability and costs arising from the failure of the digital tool to meet the requirements of § 7-910.	64%
The LEA certifies that this digital tool, purchased or developed during the fiscal year 2024, has an accessibility evaluation on file that complies with § 7-910(c)(3).	85%

Qualifying Criteria for Digital Tools for Equivalent Access for Students with Disabilities	Compliance Percentage of Tools Reported
The LEA certifies that pursuant to § 7-910(d) equivalent access standards are included in design specifications and evaluation guidelines for the selection of digital tools.	93%
Pursuant to § 7-910 (e)(2)(i) the LEA determined that a product that meets the equivalent access standards was not available, or obtaining an available product would fundamentally alter the nature of the instructional activity or would result in an undue burden, the LEA notified MSDE.	34%
The LEA certifies that this digital tool, developed or purchased during fiscal year 2024 conforms to equivalent access, including nonvisual access, technical standards and information technology, as referenced in § 7-910(f).	69%

Pursuant to § 7-910 (c)(3) The LEA established process to evaluate a digital tool for conformity with the accessibility requirements was conducted by an employee or a contractor who:	Percentage Reported
Specializes in accessibility and Web Content Accessibility Guidelines	79%
Is a blindness specialist who is knowledgeable in accessibility.	21%

COMAR COMPLIANCE REPORT

For the year 2025, LEAs submitted responses regarding their compliance with the accessibility of the digital tools defined by MSDE under COMAR 13A.06.05:

The following table depicts the LEAs' responses regarding the accessibility of digital tools.

Topic	Question	Proportion of LEAs responding "Yes"
Selection Acquisition and Distribution	The LEA certifies that the local board has policies and procedures for the selection, acquisition, equitable distribution and sustainability of digital textbooks pursuant to COMAR 13A.06.05.04A(1).	96%
	The LEA certifies that it has policies and procedures for the selection and availability of equitable Accessible Educational Materials to meet the needs of all students pursuant to COMAR 13A.06.05.04A(2).	96%
Privacy and Acceptable Use	The LEA certifies that the local board has policies and procedures for privacy and acceptable use of digital devices and resources pursuant to COMAR 13A.06.05.04A(3)	100%
Parental and Guardian Notification	The LEA certifies that the local board has notified all students' parents/guardians of the policies and procedures required pursuant to COMAR 13A.06.05.04A(1) through (3).	100%
Purchasing	The LEA certifies that the local board has complied with Web Content Accessibility Guidelines (WCAG) 2.1 Level AA when purchasing or selecting digital learning resources pursuant to COMAR 13A.06.05.06.	96%
Annual Training	The LEA certifies that the local board has conducted and/or coordinated annual training for special education directors, principals, and other purchase specialists on the policies and procedures for purchasing and using accessible teaching and learning materials to ensure the enforcement of the policies and procedures, as required by COMAR 13A.06.05.04C.	96%

24-25 DATA ANALYSIS

MSDE conducted a comparative analysis of the 2025 submission from LEAs against the 2024 submission. This analysis revealed an increase in compliance with Md. Code Ann., Educ §7-910 across all 24 LEAs from Year 1 to Year 2.

The analysis revealed overall increases in all areas, however deficiencies still exist within digital tools selection and COMAR compliance. Targeted technical assistance will be developed to continue to

support the LEAs in the implementation and compliance with Md. Code Ann., Educ §7-910. In subsequent years MSDE will continue to conduct comparative analysis based on the revisions to the reporting process to identify areas for improvement and additional technical assistance.

DIGITAL TOOL ACCESSIBILITY REPORT

Topic	FY 24	FY 25	% Change
Its procurement contracts for digital tools, consistent with § 7-910(c)(4), require the vendor to indemnify the local school system for liability and costs arising from the failure of the digital tool to meet the requirements of § 7-910.	29%	64%	35%
This digital tool, purchased or developed during the fiscal year 2025, has an accessibility evaluation on file that complies with § 7-910(c)(3).	72%	87%	15%
This digital tool, developed or purchased during fiscal year 2025 conforms to equivalent access, including nonvisual access, technical standards and information technology, as referenced in § 7-910(f).	49%	69%	20%

COMAR COMPLIANCE REPORT

Topic	FY 24	FY 25	% Change
Annual Training	92%	96%	4%
Purchasing	88%	96%	8%
Parental and Guardian Notification	92%	100%	8%
Privacy and Acceptable Use	100%	100%	-
Selection Acquisition and Distribution	96%	96%	-

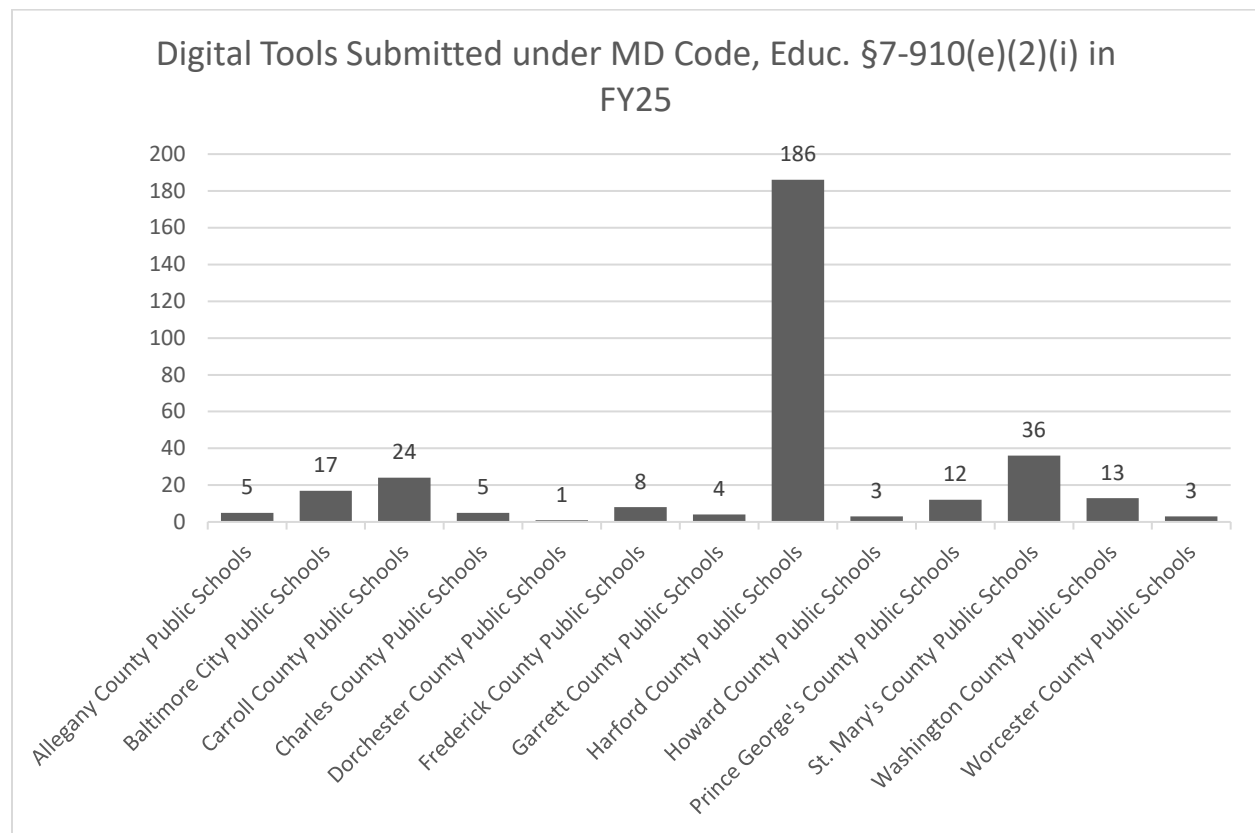
NOTIFICATION PROCESS

Beginning October 1, 2024, Md. Code. Ann., Educ §7-910(e)(1)(i) required LEAs to select digital tools that best meet equivalent access standards and had the greatest functionality for equivalent access for students with disabilities. Md. Code. Ann., Educ §7-910(e)(2)(i) required the LEA to Notify MSDE if the LEA determined that a digital tool that meets the equivalent access standards is not available, or if obtaining an available product would fundamentally alter the nature of the instructional activity or would result in an undue burden.

- For the year 2025, LEAs notified MSDE of intent to procure a total of 317 non-unique digital tools.

Reason for Notification	FY 25
A digital tool that meets the equivalent access standards is not available	30
Obtaining an available product would fundamentally alter the nature of the instructional activity	13
Obtaining an available product would result in an undue burden	224
More than one reason identified	50

Digital Tools Submitted under Notification by LEA



Accomplishments for Fiscal Year 2025

- MSDE collaborated with the MDOD and DoIT to revise and enhance the data collection process from LEAs, as required under Md. Code Ann., Educ. § 7-910(e)(2)(ii). These revisions were developed to ensure that all participating agencies can provide meaningful consultation regarding the evaluation and selection of digital tools.
- As a result of the revised data collection process for Md. Code Ann., Educ. § 7-910(e)(2)(ii). MSDE revised the template and information provided to the LEAs to ensure they are receiving the consultation provided by MDOD and DoIT.
- MSDE Accessibility Branch provided technical assistance to multiple LEAs on Md. Code Ann., Educ. §7-910. These technical assistance opportunities supported LEAs in multiple topics including how to evaluate digital tools, development of a process to evaluate digital tools, how to interpret accessibility conformance reports (ACRs) using Voluntary Product Accessibility Templates (VPATs), how to work with vendors, etc.
- MSDE continues to maintain a webpage that publishes the accessibility status of the digital tools developed and/or purchased by each LEA in compliance with the requirements of Md. Code Ann., Educ. §7-910 (i)(2) and technical assistance documents.
- MSDE revised the annual report based on the LEA feedback gathered after the submission of the October 2024 report and will continue to collaborate with LEAs to gather feedback on the October 2025 report in compliance with Md. Code Ann., Educ. §7-910.
- MSDE's Procurement and Contract Management Branch in collaboration with the Information Technology Branch continues to ensure that all MSDE procurements for digital tools contain the contractual language to ensure alignment with the state accessibility standards and the requirements of Md. Code Ann., Educ. §7-910.
- MSDE has maintained a 7-910. Equivalent Access Administrator to support in the administration of § 7-910. Equivalent access. This role facilitates collecting, compiling, analyzing and making available the annual reports submitted by the Local Education Agencies (LEAs), ensuring that all Notifications and Requests to Obtain a Digital Tool submitted by the LEAs are addressed and responded to in a reasonable timeframe, and coordinate the consultation between LEAs, MSDE and other agencies as required by the law.
- MSDE continues to work with a third-party vendor to begin to evaluate critical systems (digital tools) for accessibility. This vendor is responsible for evaluating systems for their current level of accessibility, creating an accessibility conformance report using the VPAT. This documentation is then used by the system vendors to develop an accessibility roadmap to allow targeted accessibility remediation of the systems.

Next Steps

- MSDE will continue to monitor the adoption of WCAG 2.2, published October 5, 2023, to determine if updates are needed to COMAR 13A.06.05 under Md. Code Ann., Educ. §7-910 (j)(2). At this time no action is expected as the Department of Justice's final rule updating the regulations for Title II of the Americans with Disabilities Act (ADA) adopted WCAG 2.1.
- MSDE will continue to collaborate with LEAs to revise the digital tool report, ensuring that it meets the requirements of Md. Code Ann., Educ. §7-910 (i)(1), and adequately captures the LEA efforts around accessibility.
 - One potential revision is to collect data on whether the individual completing the accessibility evaluation pursuant to § 7-910 (c)(3) is an LEA employee or contractor.
- MSDE will continue to collaborate with LEAs, DoIT and MDOD to revise as necessary the notification process under section Md. Code Ann., Educ. §7-910 (e)(2)(i) as appropriate ensuring that the process is as efficient and effective as possible.
- MSDE will continue to collaborate with MDOD and DoIT to revise the consultation process under section Md. Code Ann., Educ. §7-910 (e)(2)(ii), to ensure MDOD and DoIT can provide substantive consultation.
- MSDE will continue to work with LEAs to develop a Frequently Asked Question document to support the changes to the statute as a result of the Excellence in Maryland Public Schools Act (HB504).
- MSDE will continue to look for partnerships to support the LEAs with the implementation of the statute.