

Software and Hardware Accessibility Requirements Purchasing Procedure

Office: Information Technology

Procedure Contact: Chief Information Officer

Related Policy or Policies: [US Department of Justice and US Department of Education Frequently Asked Questions Regarding Effective Communication for Students with Hearing, Vision, or Speech Disabilities](#), [The Importance of Procurement in Accessibility Policy](#), [National Center on Disability and Access to Education](#),

Revision History

Revision Number:	Change:	Date:
1.0	Initial Version	5/25/2016

A. Purpose

To document accessibility requirements for contracts and requests for purchases (RFP) during procurement of software and hardware.

B. Definitions

Accessibility - Ensuring that the design of products, devices, services, or environments provide equal or equivalent use to persons with disabilities.

C. Procedures

The section below must be added to relevant contracts during initial purchase or renewal:

Product Accessibility

Southern Oregon University is committed to purchasing or recommending electronic and information technology (EIT) that provides the same programs, benefits and services to individuals with disabilities that they do to individuals without disabilities except when it is technically unfeasible to do so. EIT is information technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, or duplication of data or information. EIT includes, but is not limited to, the following:

- Telecommunications products
- Information kiosks
- Automated teller machines
- Internet and intranet websites
- Electronic books and electronic book reading systems
- Search engines and databases
- Course management systems
- Classroom technology and multimedia
- Personal response systems (“clickers”)
- Office equipment

For web-based technology, Vendor must ensure that products provided under this Agreement conform to the W3C Web Content Accessibility Guidelines, version 2.0 (WCAG 2.0) at conformance levels A and AA. For additional information on WCAG 2.0, please refer to www.w3.org/TR/WCAG/. In the event products provided under this Agreement do not fully conform to WCAG 2.0 A and AA, Vendor must advise University in writing of the

nonconformance and should provide detailed information regarding the plans to achieve conformance, including but not limited to an intended timeline.

For non-web based EITs, Vendor warrants that the products or services to be provided under this contract comply with the accessibility requirements of section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. Vendor agrees to promptly respond to and resolve any complaint regarding accessibility of its products or services. Vendor further agrees to indemnify and hold harmless University from any claims arising out of its failure to comply with the aforesaid requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of the Contract.

The section below must be added to relevant requests for purchase (RFP) or requests for quotes (RFQ):

Accessibility Compliance:

Provide Documentation that describes the level of compliance with Section 508 Standards

See: www.section508.gov

1. Complete Voluntary Product Accessibility Template (VPAT) submitted for each unique product/service offered (i.e. applications running on multiple platforms). VPATs submitted should meet the following criteria:
 - a. Include all applicable sections of the Section 508 standards for technical conformance (1194.21 through 1194.26 based on product type), functional conformance (1194.31), and documentation (1194.41).
 - b. Correspond to the current version of the IT product/service being offered.
 - c. Address all user interfaces (e.g. user-facing, administrative, and reporting). Where appropriate furnish separate VPATs for each interface.
 - d. Document in the Section 1194.xx Tables exactly how your product did or did not meet the applicable standard.
 - o If your product supports the standard, provide detailed examples of what accessibility features exist and how they are used to support the standard.
 - o If your product does not support the standard, remember that Section 508 allows for products to meet the Access Board Standards in innovative, non-traditional ways. Your product can meet the standard by providing an innovative solution, as long as the feature performs in the same manner as it does for any other user.
 - o If your product does not possess an innovative, non-traditional way of access to the standard, provide detailed examples of exactly how the product did not meet the standard.
2. Testing
 - a. Product testing documentation which validates all of the accessibility information contained in the product VPAT.
3. Accessibility Roadmap
 - a. A description of the specific steps and timelines by which known accessibility gaps will be remediated.
 - b. A list of any workarounds for product accessibility gaps including:
 - i. Use of alternative business processes (e.g. offering phone support until your web-based support tools are accessible)
 - ii. Use of a third-party product to replace or supplement functionality in your product (e.g. providing a programming interface which allows other applications to interact with content in your product)

For web-based technology, provide documentation that describes the level of conformance to W3C Web Content Accessibility Guidelines, version 2.0 (WCAG 2.0) at www.w3.org/TR/WCAG/. If your product does not fully conform to WCAG 2.0 A and AA, Vendor must document the nonconformance and should provide detailed information regarding the plans to achieve conformance, including but not limited to an intended timeline.

Will the supplier indemnify Southern Oregon University against legal claims of non-conformance with WCAG 2.0? (yes/no)

Firm must respond to the above section in order to be considered further in the evaluation process.

This procedure may be revised at any time without notice. All revisions supersede prior procedures and are effective immediately upon approval.