CSUSB Accessible Procurement of Information and Communication Technologies (ICT)

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Background

The California State University's commitment to meeting the requirements of Sections 504 and 508 of the Federal Rehabilitation Act of 1973 and California Education Code 11135 are outlined in Executive Order 1111 -- The California State University Board of Trustees Policy on Disability Support and Accommodations.

These regulations mandate that, as a public institution, California State University, San Bernardino must provide an equal academic and professional experience regardless of disability. To this end, CSUSB is charged with eliminating usability barriers related to Information and Communication Technology (ICT). Thus, all ICT acquired by the University shall be reviewed for accessibility using federally-determined accessibility standards.

NOTE: The mandate to review all ICT purchases for accessibility applies to all university groups, including auxiliaries, who frequently purchase ICT independently of central purchasing using non-state funds.

Implementing Change: Consider Accessibility First

Moving from a reactive stance on accessibility to a proactive stance requires that certain processes change. Accessibility is now integrated into the CSUSB procurement business process, ensuring that we meet the CSU accessibility requirements.

At a departmental level you should consider accessibility before you purchase a product:

- Who will use the product and why?
- Is there a product among the market competitors that is more accessible than the others?
  - Is the vendor aware of accessibility requirements?
  - Do they have a VPAT?
  - Have they made a commitment to address accessibility?

Fill out the ICT Accessibility & Security Review online form as soon as possible to allow Accessibility enough time to vet the ICT product purchase.

What Does the Accessible Procurement Process Achieve?

Having a consistent campus-wide process to vet the accessibility of ICT product purchases means that with every purchase we are nudging CSUSB toward a more inclusive environment by:

- Procuring the most accessible products
- Building a culture of accessibility on campus and among partner vendors
- Improving the accessibility of products in the near and long term
- Increasing & maintaining equal access for our students, faculty, and staff

Information and Communication Technology (ICT)

Information and Communication Technology (ICT) products and services must be compliant with all applicable requirements and standards in Section 508 of the Federal Rehabilitation Act. ICT is defined by the U.S. Access Board ICT Final Standards and Guidelines as "Any information technology, equipment, or interconnected system or subsystem of equipment for which the principal function is the creation, conversion, duplication, automatic acquisition, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, reception, or broadcast of data or information." The four main categories of ICT are as follows:

- o **Electronic Content** (Examples: websites, web-based content, online training materials, tests, and surveys, multimedia (video/audio), interactive maps, subscription services: news feeds, alert services, professional journals, etc.)
- o **Software** (Examples: Time and attendance software, web forms and applications, workflow applications, content management systems, learning management systems, Microsoft Office, Adobe Acrobat, operating systems, collaboration environments, virtual meeting tools, Software as a Service, etc.)
- o **Hardware** (Computers, laptops, servers, tablets, printers, copiers, document scanners, multi-function office machines, keyboards, mice, information kiosks, transaction machines, mobile phones, etc.)
- o **Support Documentation and Services** (Training Services, Help Desk or call center, automated self-service and technical supports, product documentation, etc.)
  (Source: Section 508 Toolkit)

CSUSB reviews ICT purchases for accessibility based on the potential impact a product has on the campus community. The Impact Determination and Level of Evaluation for New Procurements and Renewals is covered in detail later in this document.

ICT Purchases that are Pre-Approved by Accessibility

Certain ICT purchases do not require the purchase requestor to fill out the ICT Accessibility & Security Review online form. Accessibility maintains a Pre-Approved Technology Purchases list. Items on this list are fast-tracked for purchase without the need for additional accessibility vetting.

Methods to Procure ICT

Regardless of procurement method or cost, ICT purchases must go through accessibility vetting unless on the Pre-Approved Technology Purchases list. The level of accessibility vetting an ICT purchase receives is based on the impact the product may have on CSUSB students, faculty and staff, and in some cases whether it will be accessible to the general public.

The methods of procurement are as follows:

- Non-competitive bid procurements
- Competitive bid procurements
  - Informal Competition
  - Formal Competition
- Procurement Card Purchases

Accessibility may provide language to Purchasing for inclusion on contracts. This information is the result of vetting of product VPAT/ACR and the identification of accessibility barriers.

New Purchases vs Renewals

Submittal of the ICT Accessibility & Security Review online form is required for both new purchases and renewals.

When the ICT form is submitted at a product renewal, this triggers the accessibility review follow-up to determine whether they have made progress towards accessibility.

Free or No-Cost ICT Products

The cost to procure a product, whether low or no cost, does not preclude it from compliance with accessibility standards. As a result, free or donated ICT products that are in use by students, faculty and/or staff for any purpose relating to official business of CSUSB must also undergo accessibility vetting.

Determining ICT Product Impact

While a VPAT is required for most all software and web-based purchases, the level of review will vary depending on impact.

Accessibility determines the potential impact of the proposed purchase, especially for persons with disabilities, by considering what the product/service does, where in the university the product/service will be used and by whom, and how widely used the product/service will be used. The impact matrix comprised of these factors dictates the level of scrutiny a product will receive based on the likelihood that someone with a disability will interact with it.

Low Impact

A low impact product is typically one that is:

- Not required in order to remain in good standing as a student or employee
- Used by very few people, and usually only faculty and/or staff
- Available only in a restricted space or limited in access to certain individuals
- Primarily used for conducting or designing a research study

Medium Impact

A medium impact product is typically one that:

- Is generally recognized as the primary method to access information or accomplish a task
- Is generally used by a larger group of people, including students
- Is accessible in a location that may not be restricted

High Impact

A high impact product is typically one that:

- Would be used by many people: faculty/staff, students, and/or the general public
- Is the only method made available to access a program, service, or data
- Alternatives do not exist or they are not equal in their availability or access
- Is critical in nature

Medium and high impact purchases may also require:

- Revisions to, or additional VPATs submitted by the vendor
- Vendor completed Accessibility Roadmaps
- Equally Effective Alternate Access Plan

The above bullets are the main classification criteria used to help determine the impact of a product. However, there are nuances and special circumstances that may place an ICT product in an unexpected category. For example, an ICT product that previously met the definition of a low impact purchase (used in a restricted office by a staff) could be elevated into the medium impact category if there are multiple departments across campus that begin purchasing the same software.

Voluntary Product Accessibility Templates (VPATs) and Accessibility Conformance Reports (ACR)

A Voluntary Product Accessibility Template (VPAT) is a document that is filled out by a vendor to inform the purchaser of the accessibility of their ICT product(s). Once the VPAT is completed, it becomes known as an Accessibility Conformance Report (ACR). Based on the impact determination above, the verification of accessibility documentation is initiated.

If the product has different interfaces for different audiences (e.g. admin, student or end-user), or applications on different devices or platforms (e.g. iOS Android, Web), then **answers to each question on the VPAT must clearly delineate support for each unique interface view or platform consistently.**

The VPAT is crucial in the accessibility review process. Accessibility review cannot occur until a VPAT that is completed correctly and addresses all of the platform specific or unique views of the product has been received.

As of August 2018, the most current VPAT is version 2.1. Some vendors may supply a 1.x VPAT. If a vendor submits the old VPAT document type we will accept it and generally request that they provide an updated VPAT 2.x within 90 days. *If a vendor does not have a VPAT you can* *download a blank VPAT 2.1 document with instructions* *and share it with your vendor.*

An Overview of the Accessibility Review Process

The following table is a broad overview of the steps that occur during an accessibility review. The process is initiated by the requester filling out the ICT Accessibility & Security Review online form.

Role	Responsibility
Requesting Department/Requester *Submitting the ICT Accessibility & Security Review online form as soon as possible is the best way to ensure your product purchase is expeditious.*	1. Complete the ICT Accessibility & Security Review online form. 2. In most cases, request a completed VPAT 2.1 from product vendor. 3. Include approval email from the accessibility review along with requisition paperwork.
Purchasing	1. Check for inclusion of approval email from accessibility review along with requisition paperwork. a. Notify requester of the requirement for accessibility review. 2. If applicable, enforce contracts to hold vendor to accessibility language.
Accessibility *There is no pre-determined timeline established for the review process. The goal of Accessibility is to complete a review as quickly as possible. However, reviews are highly dependent on the following variables:* • *Impact of product* • *Quality of VPAT/ACR documentation* • *Responsiveness of vendor*	1. Determine ICT impact and conduct subsequent review of VPAT/ACR for quality. 2. Engage vendor to provide feedback or ask for clarification. 3. Send approval to requester once review has been completed. 4. If applicable request vendor fill out accessibility roadmap.

	5. Provide specific accessibility language to Purchasing for inclusion in contracts to address products with accessibility barriers. 6. If applicable initiate EEAAP process with purchase requestor. 7. Provide approval email to requester once accessibility review is complete.
Vendor *If a vendor does not have a VPAT you can [download a blank VPAT 2.1 document with instructions](#) and share it with your vendor.* *Instruct the vendor to complete only the sections that apply to their product, and to consistently answer those questions for each platform or unique view the product supports.*	1. Provide completed VPAT to requestor 2. Engage in interactive process with Accessibility. 3. If applicable, complete accessibility roadmap. 4. If applicable, provide accessibility statement.

For medium and high impact purchases, Accessibility reviews the ACR/VPAT and evaluates the vendor's stated level of support and remarks and explanations for each Accessibility Standard. The ACR is analyzed for completeness, ensuring that the Summary Table is complete and summarizes the compliance status for the overall applicable Technical, Functional, and Documentation sections. Accessibility also verifies that, based on the type of product and its functionality, all appropriate sub-sections completed.

After completing the ACR review, Accessibility annotates the original ACR and sends it to the vendor along with our comments for their review and response. Further accessibility vetting may be performed via a vendor product demonstration.

The process and timelines involved in the accessibility review process depends on:

- Completeness and accuracy of VPAT/ACR documentation
- The impact of the ICT product
- Responsiveness of vendor

Exemptions

Exemptions are rare; there are very few instances where an exemption is applicable to an ICT purchase from an accessibility perspective.

- Do not confuse exemptions with the Pre-Approved Technology Purchases list. Products on this list are not considered exempt even though they do not require accessibility review.
- Do not confuse exemptions with "Sole-Source" ICT products. Sole-Source products are not exempt from accessibility review.

Documentation burden for requesting an exemption from accessibility requirements is essentially greater than a regular accessibility review. This is because the individual requesting the exemptions is assuming risk for the institution. To undergo review for an ICT accessibility exemption the following documentation is required:

- Accessibility Conformance Report (ACR)
- Section 508 Refresh Chapter 3 Functional performance criteria
- Product Accessibility Roadmap
- Equally Effective Alternate Access Plan (EEAAP)
- 504 Accommodation Plan

There are few legitimate reasons that a product should be granted an exemption. Those legitimate narrow circumstances are:

- Back office - Pertains to a group of products that reside in either a telecommunication maintenance closet or data center. The product is not accessed daily and is usually only accessed as a course of maintenance. Further, there is no remote access to that product, access can only be achieved at the physical location. Staff and students do not interact with the product except when maintenance is required.
- Fundamental Alteration - CSU is not required to make changes in fundamental characteristics of a product to comply with 508. This does not apply to cosmetic or aesthetic changes, but to a change that fundamentally alters the device/product so that it no longer meets the purpose for which it was intended.

Exemption Process
1. A written request for exemption may be made to the Accessibility Coordinator after review and approval by the requestor's appropriate director, division chair, or supervisor.
2. All of the above documentation will be required with an exemption request.
3. Exemption requests are reviewed by:
    a. Accessibility Coordinator
    b. Campus ADA Compliance Officer
    c. Director of Risk Management.
4. The Accessibility Coordinator will maintain documentation for any exemption reviews.

Accessibility Roadmap

The [CSU Accessibility Roadmap](#) is a specific plan completed by the vendor to remediate identified accessibility gaps in a reasonable timeframe. The Accessibility Roadmap includes a list and description of each gap found during the review process, the current resolution status and disposition of each gap, and specifies a timeline for remediation of each gap.
The Accessibility Roadmap also lists any known workarounds to provide end-users access until the vendor has resolved each of the identified accessibility gaps.

Equally Effective Alternative Access Plan (EEAAP)

An [Equally Effective Alternative Access plan](#) will be created for high impact ICT product purchases that have significant accessibility barriers. The purpose of an EEAAP is to identify accessibility barriers and lay out workarounds so that the end-user does not have this burden. Additionally, the EEAAP outlines the institutional response to help an individual achieve alternate means of access, or procedures to follow should an accommodation request arise. An individual from the purchase requestor department is always appointed as the contact person to initiate and oversee EEAAP implementation requests.

The Accessibility Coordinator will convene the EEAAP committee. The committee creates and approves EEAAP documents and will meet on an as-needed basis. Membership consists of Accessibility staff and a designee from the requesting department or division purchasing the product with accessibility barriers. Additional members may be invited to participate should the EEAAP involve their department or service.

The EEAAP should be sufficiently detailed and include product-specific information for how the campus plans to provide equally effective access in a timely manner for anyone that reports a problem accessing the product. Certain conditions to help facilitate equal access may be outlined in the EEAAP document, which will include a designee from the requesting office, department, or division to be named on the EEAAP document to facilitate equivalent access.

An accommodation plan may also be required, with accommodations typically delivered via the Services to Student's with Disabilities office or Human Resources office, depending on the role of the impacted person. This is determined during the EEAAP committee.

Accessibility Statement

Vendor will publish an accessibility statement linked to each page of the application. The accessibility statement will include a clear statement of commitment to ensuring equal access for all users, a summary of the overall level of compliance with Accessibility standards, information for users with disabilities regarding product accessibility features and gaps, and clear instructions for accessing user support.

Vendors may find the [CSU Accessibility Statement Recommendations](#) helpful when they support the CSU's commitment to effectively serve all the users who will utilize the product. The roadmaps should describe the time lines by which these accessibility gaps will be remediated as well as recommendations regarding interim workarounds.

Glossary

ACR: An Accessibility Conformance Report is the name given to a completed VPAT and supporting documentation that addresses a product's level of accessibility.

ATI: The Accessible Technology Initiative at the Chancellor's Office is responsible for implementation of accessibility practices outlined in Executive Order 1111, The California State University Board of Trustees Policy on Disability Support and Accommodations.

EEAAP: Equally Effective Alternate Access Plan is a document that outlines the process for providing alternate means of access for an individual who may not be able to access a product due to identified accessibility barriers. This document is created with information obtained from verified ACR and completed by CSUSB Accessibility. A named individual from the purchase requester's office is named in the EEAAP implementation plan to coordinate any such alternate access requests.

ICT: Information and Communication Technologies refers to electronic content, software, hardware, and support documentation and services.

VPAT: Voluntary Product Accessibility Template is a standardized document released by the Information Technology Industry Council and is currently at version 2.1. A VPAT is completed by the product vendor development team and outlines the product's level of accessibility conformance against international standards. Although the title suggests that the document is voluntary, is it required to do business with state and federal entities.

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Next Scheduled Review: August 28, 2019

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