VI – 1.04 Policy on Electronic and Information Technology Accessibility

I. **POLICY OVERVIEW**
Bowie State University (BSU) is dedicated to making electronic and information technology (EIT) resources and services accessible to all BSU students, faculty, staff, and the general public regardless of physical or mental ability. The University seeks to provide electronic and information technology that has been designed, developed, or procured to be accessible to people with disabilities, including those who use assistive technologies.

II. **PURPOSE**
This policy establishes the necessary standards required to establish accessible electronic and web-based information and services in accordance with applicable law. In accordance with this policy, all BSU programs, services, and activities will be made accessible to all students, staff, faculty, and the general public. This policy encompasses all technology products used to deliver academic programs and services, student services, information technology services, auxiliary programs and service, and other electronic vehicles and platforms used to communicate information.

Under this policy, all BSU departments must:
  • Adhere to the BSU EIT Accessibility Requirements, including the establishment of an EIT Accessibility Plan.
  • Develop, purchase and/or acquire, to the extent feasible, hardware and software products that are accessible to people with disabilities.
  • Promote awareness of this policy to all members of the University community, particularly those in roles that are responsible for creating, selecting, or maintaining electronic content and applications.

III. **DEFINITIONS**

A. **Accessibility/Accessible:**
For purposes of this policy means that individuals with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same services within the same timeframe as individuals without disabilities, with substantially equivalent ease of use.

B. **Alternate Formats:**
For purposes of this policy, alternate formats are formats usable by people with disabilities, which may include, but is not limited to, Braille, ASCII test, large print, recorded audio, and electronic formats that comply with Section 508 standards.

C. **Alternate Methods:**
Different means of providing information, including product documentation, to people with disabilities, including, but not limited to, voice, fax, relay service, TTY, internet posting, captioning, text-to-speech synthesis, and audio description.

D. **Assistive Technologies:**
Adaptive, rehabilitative devices that promote greater independence for individuals with disabilities by changing how these individuals interact with technology. Examples include special input devices (e.g., head or foot mouse, puff and-sip switches, speech recognition), screen-reading software, and screen magnifiers.

E. **Audio Description:**
Audio description is a term used to describe the narration of key visual elements in a video or multimedia product. The description summarizes any visual information, including action, settings, and characters that are necessary to understand the video.

F. **Disability:**
A term that refers to an individual with (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individuals; (2) a record of such an impairment; or (3) being regarded as having such an impairment. For purposes of this policy "disability" encompasses, and is equivalent to, "functional impairment" and vice versa.

G. **Electronic and Information Technology ("EIT"):**
Electronic and information technology includes information technology and any equipment or interconnected system or subsystem of equipment that is used in title creation, conversion, or duplication of data or information including, but not limited to: telecommunications products (such as telephones), information kiosks, Automated Teller Machines (ATMs) and transaction 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"), and office equipment such as classroom podiums, copiers and fax machines.

H. **Equally Effective Alternate Access Plan ("EEAAP"):**
A plan that will be implemented in case the university buys, develops or uses a technology product or service that is not fully accessible.

I. **Third-Party Websites or Web Applications:**
Web-based technologies that are not exclusively operated or controlled by Bowie State University, and that do not involve significant participation of a non-University entity.

J. **Transcript:**
A transcript is a written or text-based record of dictated or recorded speech.

K. **Usability:**
Refers to how easily, effectively, and efficiently users can use a product or system to achieve their goals, and how satisfied they are with the experience.

L. **Undue Burden:**
For purposes of this policy, an undue burden is a significant difficulty or expense.

IV. POLICY

A. WEB ACCESSIBILITY
In furtherance of its responsibility to provide equal access to its programs, services and activities, BSU strives to make all web content fully accessible for individuals with disabilities.

1. Web Accessibility Overview and Guidelines

   BSU shall adhere to WCAG 2.0, Level AA Compliance standards for web-based products/services.

2. Maintenance of Standards
   New and updated administrative websites, web applications and web content produced by BSU or by third party developers, should, at minimum, conform to the baseline accessibility standards as defined in WCAG 2.0 AA standards. The office of University Relations and Marketing (URM) will be the campus entity ultimately responsible for ensuring web compliance for the university's public facing website.

   a. **Training and Accountability**
      All web content editors for BSU websites will be required to attend regular training to remain abreast of accessibility standards and practices. Trainings will be announced to web content editors in advance and attendance will be mandatory in order for editors to gain access to upload content. Trainings will be conducted by BSU staff or an outside entity who specializes in creating accessible content.

   b. **Self-Assessment Tools**
      In order to ensure that WCAG 2.0, Level AA standards are being maintained on BSU websites, BSU will use accessibility self-assessment tools to scan newly uploaded web content. These accessibility tools will identify all inaccessible HTML content, preventing any non-compliant content from being published. Additionally, the University will perform regular accessibility scans to ensure compliance.

   c. **Third-Party Websites and Web Applications**
      When procuring new web-based products or related services, vendors will be expected to provide a Voluntary Product Accessibility Template (VPAT) to document the accessibility of their products. Newly procured third-party websites and web applications must be WCAG 2.0, Level AA compliant. If the desired product is not WCAG 2.0 compliant, the vendor may also provide a remediation plan to outline when the product will become compliant. Additionally, if the WCAG 2.0, Level AA standard would constitute an undue burden and there are no alternative WCAG 2.0 compliant web-based products available in the commercial marketplace, a plan to provide an equally effective alternate form of access should be developed and implemented.

Regarding existing third-party websites, if the vendor is unable to provide a VPAT, remediation plan, and/or replacement of the website is not possible or would constitute an undue burden, a plan to provide an equally effective alternate form of access should be developed and implemented.

d. **Responsible Parties**
URM will be responsible for enforcing and monitoring the web accessibility self-assessment and remediation process for the university's public-facing website.

URM will be responsible for managing the assessment and monitoring of third-party websites and web applications to determine whether they are compliant. In the event a third-party website is found to be non-compliant, the vendor or campus party responsible for maintaining the website will be notified and a remediation plan must be submitted to provide a timeline for achieving compliance. Alternatively, an equally effective alternate form of access should be developed and implemented.

B. **ACCESSIBLE INSTRUCTION AND ACADEMIC SUPPORT SERVICES**
Requiring students to use electronic technology to complete course work when that technology is not accessible to all students is discrimination. BSU requires that all physical and electronic/digital course materials be accessible to students of all abilities.

1. Accessible Library Materials and Services
Library resources play a critical role in the instructional process and it is essential that these resources be reviewed to ensure equivalent access for students, staff, and faculty with disabilities. Library Services is responsible for Accessible Library Materials and Services

2. Learning Management Systems and Academic Support Tools
Whether students are enrolled in courses that gather in the classroom, are exclusively online, or courses that provide a hybrid combination of both teaching environments, electronic learning management systems must provide students with a holistic and inclusive learning experience, regardless of their physical or cognitive ability. Academic Computing is responsible for the Learning Management Systems.

All learning management systems (LMS) and academic support tools used by BSU faculty must be WCAG 2.0, Level AA compliant. In addition, all faculty members are required to upload accessible electronic and digital content through the applicable LMS.

a. **Uploading Content through Learning Management Systems**
Content uploaded to the LMS must be converted to an accessible format. All faculty and academic support staff shall upload and provide accessible electronic materials thorough the LMS.

b. **Academic Support Tools**
   All academic support tools and resources provided to student must be WCAG 2.0, Level AA accessible.

C. **ELECTRONIC DOCUMENTS**
   All University-produced documents, including but not limited to, word processing documents, PDFs, presentations, electronic publications and spreadsheets must be accessible. Legacy documents should be made accessible when used. Additionally, all materials distributed to students, whether in-class or online, in hard copy or electronic format, must be accessible to students with disabilities.

   1. All Departments and Programs/University Employees
      To continue to provide an accessible working and learning environment, all BSU faculty and staff members should regularly create and use accessible electronic documents that meet the standards and guidelines of this policy.

   2. Electronic Course Documents
      In order to provide accessible documents to students who use adaptive technology software, such as screen readers, faculty members should use accessibility checkers provided by products such as Microsoft Word. In addition, faculty members should follow the following guidelines:

      a. **Select Materials in Advance.**
         To prepare for BSU students who may require course materials in alternate formats, faculty members should provide their textbook and reading materials far in advance of the start of the semester so that alternative formats can be procured or materials can be appropriately converted.

      b. **Include an accessibility statement in the syllabus.**
         The accessibility statement should stress BSU's commitment to creating an academic environment that supports its diverse student body and should encourage open communication with the faculty member and participation in the course. Additionally, the accessibility statement should refer students to the Disability Support Services if they require additional accommodations.

      c. **Use accessibility and universal design practices.**

D. **ACCESSIBLE VIDEO AND AUDIO MATERIALS**
   While transcripts, captions, and descriptive audio are essential for people with hearing impairments and vision impairments, captions, transcripts and descriptive audio can help all campus members follow, comprehend, and retain information found in promotional and educational videos. Media Operations is responsible for Instructional Technology in the classroom.

1. Transcript and Captioning Requirements

   a. **Transcripts**
   BSU faculty and/or staff are encouraged to provide transcripts for audio and video content. However, videos will not be considered WCAG 2.0, Level AA compliant if they require captioning and there is no captioning accompanying the transcript.

   b. **Captioning Guidelines**
   In accordance with USM the following guidelines apply to digital and electronic material used for instructional, promotional and public-facing materials:

      i. Captioning Required
      Captioning is required for the following types of media:
      - Media used for instructional purposes for a student enrolled at the University who is deaf or hard of hearing and registered with Disability Support Services;
      - Media used for instructional purposes provided to the general public through the University's own website or services such as YouTube, iTunes U, and edX;
      - Media used to orient, publicize, promote or explain the University and its services that is intended to reach the general public (e.g., Admissions, Orientation, University Advancement, etc.); and
      - Media intended to reach the general public that is linked to the University website

      ii. Captioning Encouraged
      Captioning is strongly encouraged for all online audio and audiovisual media that will be used in the future for an open audience.

      iii. Captioning Not Required
      Captioning is not required for media that will be used for a limited duration when the audience is consistently restricted to a group of users who are known not to need captioning. However, if BSU receives notice of a student's need for captioning at any time, the University will make the content accessible in a timely manner.

2. Audio Description
   BSU faculty and/or staff are strongly encouraged to provide audio descriptions for video content.

E. **ACCESSIBLE SOCIAL MEDIA CONTENT**
   BSU uses social media to provide information to current and prospective students, employees, and alumni and to promote events and activities. BSU is committed to

ensuring that all university sponsored social media accounts are accessible to the extent that accessibility is allowed in the particular account platform.

F. **ACCESSIBLE PROCUREMENT AND THIRD PARTY-VENDORS**
Electronic products or services purchased by the University will be accessible to individuals with disabilities.

1. The Procurement/Accessibility Team
   If a proposed purchase involves web interfaces or electronic capabilities, an EIT accessibility expert must participate on the team to help ensure that EIT accessibility is addressed meaningfully in the procurement process.

   a. **Training**
   Members of the BSU Office of Procurement will be required to attend trainings to ensure awareness of accessibility standards and requirements. This training should consist of teaching evaluative standards in order to objectively assess products for accessibility, such as a Voluntary Product Accessibility Template (VPAT). Additionally, BSU Procurement Officers will be trained to understand the requirements imposed by COMAR 21.05.08.05 Nonvisual Access Clause.

   b. **Auditing**
   The Office of Procurement will be responsible for following up with vendors who enter into a two-year remediation agreement to make their products compliant. The Office of Procurement will be required to audit the products to determine their compliance based on the remediation agreement provided by the vendor.

2. Procurement EIT Accessibility Standards
   When procuring information technology, BSU will acquire products that comply with applicable WCAG 2.0 AA provisions when such products are available in the commercial marketplace. BSU will make accessibility a significant factor in procurement. When a product that best matches campus needs does not meet the requirements, the company will be provided with an option to commit to adding the missing accessibility features within two years of the procuring the product.

3. Procuring Accessible Course Materials

   a. **Course Materials**
   Accessibility should be a significant criterion when procuring instructional materials and technology. To consider accessibility in procurement, the Office of Procurement will be responsible for asking vendors to provide information about the accessibility of their products that is valid and measured using a method that is reliable and objective (e.g., WCAG 2.0 AA). The Procurement Department will also be responsible for objectively evaluating the accessibility of products and for scrutinizing the information provided by

vendors. BSU Procurement officers and others should be aware of the COMAR 21.05.08.05 Nonvisual Access Clause.

The nonvisual access clause is not required if the procurement officer makes a determination that: (1) The information technology is not available with nonvisual access because the essential elements of the information technology are visual and nonvisual equivalence cannot be developed; or (2) The cost of modifying the information technology for compatibility with software and hardware used for nonvisual access would increase the cost of the procurement by more than 5 percent.

The procurement officer may request such documentation as is reasonably necessary to implement this regulation.

b. **Multimedia Materials**
All future media resources purchased at BSU will require captioning capabilities. If it is determined that no captioned version exists, a plan should be made to caption the material, as needed. If the media cannot be captioned, an alternate accessible version, such as a transcript should be provided..

4. Sample Text for RFPs or Other Procurement Processes

a. **General Procurement**
The Office of Procurement will implement a procurement statement consistent with that of COMAR 21.05.08.05 that demonstrates a commitment to procuring accessible technology.

b. **Accessibility Statement**
In the requirements section, an accessibility statement should be included such as:

Accessibility:

BSU requires that all purchases be accessible according to Sections 504 and 508 of the Rehabilitation act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended. BSU requires WCAG 2.0 Level AA compliance for products/services with web or internet access.

c. **VPAT and Accessibility Questionnaire**
Text should be included in RFP or other procurement processes to request detailed information from suppliers about the accessibility of their IT products or services. The language should be developed with the procurement team.

   i. VPAT Questionnaire
   Bids to Bowie State University for web-based products or related services must include a Voluntary Product Accessibility Template

(VPAT) as a tool to assess a product's compliance with the accessibility standards. Vendors are responsible for documenting the accessibility of their products. In addition to using the VPAT, BSU Procurement officers should ask vendors specific questions about the product or service.

For each area of noncompliance, suppliers are strongly encouraged to describe any planned remediation roadmaps, including timelines and steps that will be taken to achieve full compliance, as well as interim workarounds to enable access by individuals with disabilities.

    ii.   Accessibility Questionnaire
In order to engage vendors about an EIT product's accessibility and to help gather information about the accessibility of products and services, vendors and/or bidders should answer a questionnaire concerning their product.

5. <u>Non-Compliant Products</u>

    a. **Existing Products that are Non-Compliant**
Once a contract has been signed, subsequent payments to the vendor (i.e. to pay for maintenance) will not require an accessibility review unless the contract (or maintenance contract) is being renewed. If the contract is being renewed, an accessibility compliance clause or addendum should be added to the contract. If the accessibility clause or addendum is not added to the contract, then the product must be reviewed for accessibility and an accessibility exceptions request submitted if the product is not fully accessible.

    b. **Renewing Contracts**
When a contract is renewed, an accessibility compliance clause or addendum should be added to the contract if it does not already exist. In addition, an accessibility review of the product is required before submitting the contract to purchasing if the contract does not have an accessibility clause or addendum. If the product is not fully accessible, an accessibility exceptions request must be submitted and the vendor must be contacted to determine remediation timeframe.

    c. **Procuring New Products that are Noncompliant**
When a product that best matches campus needs does not meet the requirements, the company should be provided with an option to commit to adding the missing features within two years of the university's procuring the product.

6. Supplier Demo and Tests
   If products require demonstrations, suppliers should be required to provide demonstrations to support their statements about the accessibility of their products or services. For example, the supplier should show how blind or low-vision users would access the product using a screen reader. The supplier also may be asked to include members of other disabled communities to demonstrate different types of accessibility compliance. The EIT team member can help identify an assistive technology user to participate in the demonstration. The supplier must also demonstrate the accessibility of the product, perhaps by having a member of a disabled community use the product in the demonstration.

7. Equally Effective Alternate Access Plan
   In situations where it may be technologically impossible to make a specific technology accessible, or if doing so would require a fundamental alteration or would result in undue financial and administrative burden, a University may provide an Equally Effective Alternate Access Plan (EEAAP).

   An EEAAP must describe how to provide alternate access to the same information or services offered by a less than accessible technology. The plan must also afford students with disabilities the opportunity to gain the same benefit, obtain the same result or reach the same level of achievement as the non-disabled person and it must be delivered in an equally integrated manner.

8. Post Purchase
   Once the product or service has been purchased, it is important for DIT accessibility experts to meet with the supplier, before installation or project initiation, to review accessibility requirements and expectations. It is also important to clarify how product/service accessibility will be maintained throughout the life of the contract. This includes establishing procedures to:

   - Re-test new versions/updates.
   - Evaluate and duplicate any complaints.
   - Communicate complaints to the supplier via the procurement team.
   - Verify that issues have been remedied.
   - Alert the EIT Workgroup if there are significant accessibility problems with products widely used at BSU.
   - Provide feedback to the EIT Workgroup about suppliers, products, and the purchase process to help improve these guidelines.
   - Have an IT accessibility expert review IT accessibility requirements and expectations with the selected supplier before installation or project initiation.
   - Establish procedures to test software updates for accessibility, submit complaints about the product or service via procurement, and ensure issues are remedied.
   - Provide feedback to the EIT Workgroup about addressing accessibility through the procurement process.

G. **STATEMENT OF ACCESSIBILITY**
All web pages and web-based applications must display in a consistent location (e.g., menu or text in the banner or footer) a statement, or link to a statement, referring to a commitment to accessibility by the University, college, department, program or unit.

The link may point to BSU's accessibility statement or for full statements on web pages, the suggested language is:

> Bowie State University is committed to making its websites accessible to all users, and welcomes comments or suggestions on access improvements. Please send comments or suggestions on accessibility to _____.

OR:

> "The [name of department or unit] is committed to making its websites accessible to all users, and welcomes comments or suggestions on access improvements. Please send comments or suggestions on accessibility to the [position to contact]."

H. **EXEMPTIONS**

1. Exemptions from Policy
    The following circumstances may qualify as exemptions from this policy:

    a. Where compliance is not technically possible or may require extraordinary measures due to the nature or intent of the information resource, application or service, a request for exemption must be made. Lack of sufficient funding for any particular college, department, program, or unit of the University would not be considered for an exemption.
    b. Where compliance would result in a fundamental alteration of the information resource, application, or service, and not satisfy the original intent.
    c. Where, in the case that information resources, applications and services that are procured through third party vendors or contractors; and that no alternative accessible products are available from other third party vendors or contractors, procurement can be made of a non-compliant product.
    d. Where the product is not currently in compliance, but efforts are underway to fix the defects by a defined date.

2. Requesting an Exemption
    Purchasers, developers of EIT, and instructors may request exemption from meeting the requirements of this policy by completing an EEAAP Request then submitting it to the Office of Equity Compliance for review and approval (if determined to be a justifiable reason for exception).

I. **AUDITING**

The EIT Workgroup will designate a representative member of the Workgroup to conduct random audits of web accessibility, course instructional materials and procurement for all BSU Web Pages, Materials and Procurement Processes. Based on these audits, the EIT Workgroup will provide individualized feedback and guidance so accessibility can be improved.

Approved on April 3, 2019.