FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT POLICY

Section 508 Standards for Electronic and Information Technology Accessibility

Electronic and information technologies (EIT) are a significant means by which Foothill – De Anza College District provides information to students, faculty, staff and other constituents. The need to ensure accessibility to all members of the campus community becomes critical as more administrative services and learning environments are based on EIT. It is also a part of the district's ongoing commitment to establishing a barrier free learning community, or universal access, to all students.

Individuals with disabilities are guaranteed access to educational institutions and systems of communication under the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Amendments to Section 508 of the Rehabilitation Act clarify accessibility requirements for EIT developed, procured, maintained, or used by federal agencies. Furthermore, California Government Code Section 11135 states the following:

> (2) In order to improve accessibility of existing technology, and therefore increase the successful employment of individuals with disabilities, particularly blind and visually impaired and deaf and hard-of-hearing persons, state governmental entities, in developing, procuring, maintaining, or using electronic or information technology, either indirectly or through the use of state funds by other entities, shall comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794d), and regulations implementing that act as set forth in Part 1194 of Title 36 of the Federal Code of Regulations
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> (3) Any entity that contracts with a state or local entity subject to this section for the provision of electronic or information technology or for the provision of related services shall agree to respond to, and resolve any complaint regarding accessibility of its products or services that is brought to the attention of the entity.

As mandated by federal and state laws and the California Community Colleges Chancellor's Office, it is necessary that the Foothill – De Anza Community College District comply with Section 508 Standards to ensure accessibility to EIT for individuals with disabilities.

Administrative Procedures Regarding Section 508 Accessibility Standards for EIT

The technical standards of Section 508 provide criteria specific to Electronic & Information Technology (EIT) acquisition. EIT Includes 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. The term electronic and information technology includes, but is not limited to, computers, software, telecommunications products (such as telephones), information kiosks and transaction machines, World Wide Web sites, multimedia, and office equipment such as copiers and fax machines. The term does not include any equipment that contains embedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. For example, HVAC (heating, ventilation, and air conditioning) equipment such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation, are not information technology. The complete standards are available on the federal Section 508 website http://www.section508.gov/ and an explanatory guide is available on the Access Board website, http://www.access-board.gov/sec508/guide/.

Section 508 standards apply only to new acquisitions; existing EIT products do not have to be made to conform. When developing, procuring, or maintaining EIT, the district shall ensure that those products conform to Section 508 standards, unless a fully conforming product is not commercially available or, unless a significant difficulty or expense would be imposed on the district. Where an exception is claimed, it will still be necessary to provide the information in a timely manner and in an alternate format suitable for the individual with a disability. Purchasers must also pursue effective acquisition strategies for acquiring EIT products that conform to the applicable standards.

Successful implementation of Section 508 requires the support of each employee who is involved in the design, development, and procurement of EIT. Acquisition of EIT that conforms to these standards is the shared responsibility of administrators and requestors. Administrators, in consultation with EIT requestors, shall be responsible for performing market research to determine availability of conforming products. If conforming products are not found, the most conforming products can be purchased. If an exception is claimed, it must be documented on the EIT Determination Form at the end of this document. Details of these steps and the EIT Determination Form follow:

After you identify your needs and general product specifications, perform market research to determine availability of conforming products.

Begin your market research by consulting the district's hardware and software standards for a list of conforming EIT products. You may submit a purchase request for any products listed there. The ETAC Hardware/Software Standards subcommittee in consultation with the Section 508 subcommittee will update and maintain this list regularly and work toward compliance of all district standard EIT. Complete the 508 EIT Determination form by checking the appropriate box and submit it with your Purchase Requisition.

For EIT products not on the district standards list, you will need to search for Section 508 conforming information on the products in question. The "Buy Accessible" section of the Section 508 website (http://www.section508.gov), contains a searchable database of current Voluntary Product Accessibility Template (VPAT) documents. The VPAT is an informational tool developed by industry and government to help facilitate the market research responsibilities under Section 508. The VPAT consists of a template containing the applicable standards and how the product or service either conforms to or does not conform to those standards. After vendors complete a VPAT on their products and post the information on their corporate web sites, they can submit the URL for those pages to the Section 508 website. Use the VPAT to determine if the product is conforming. Complete the 508 EIT Determination form by checking the appropriate box and submit it with your Purchase Requisition.

If the product VPAT is not currently listed on the "Buy Accessible" site or the vendor does not provide a VPAT, it may be necessary to perform independent research or consult with a specialist who has knowledge of the product in question. Complete a blank VPAT (http://www.itic.org/policy/vpat.html) to help determine if your product conforms **to** all of the standards. You may need to refer to the Section 508 Guide on the Access Board website (http://www.access-board.gov/sec508/guide/) for explanations and examples of the standards. If further assistance is needed, contact the ETAC Section 508 subcommittee through the ETAC website, http://ets.fhda.edu/etac/. They will help you make a determination. Complete the 508 EIT Determination form by checking the appropriate box and submit it with your Purchase Requisition.

If a fully conforming EIT product is not found, request a purchase of the most conforming product that is commercially available and document this nonavailability.

You may conclude that EIT products meeting the applicable technical provisions of the standards are not available (and purchase EIT products that do not meet those provisions) when you cannot find a commercial item that both meets applicable technical provisions and can be furnished in time to satisfy the requirements. If you are able to identify only partially conforming products and services, you must purchase the most conforming product or service that meets your needs. Complete the 508 EIT Determination form by checking the appropriate box and submit it with your Purchase Requisition.

If an exception is claimed, document the reason.

If you determine that purchase of the most conforming EIT product will not meet your needs, you must then explain why. Requestors and/or administrators must complete the "Exceptions" section of the 508 EIT Determination Form if they determine that a commercial product is available that conforms **to** both applicable standards and the requestor's minimum needs, but that acquisition of this product would impose a significant difficulty or expense on the program or component for which the EIT is being acquired. Where an exception is claimed, it will still be necessary to provide the information in a timely manner and in an alternate format suitable for the individual with a disability. Explain in the "Exceptions" section how the alternative will be provided. Submit this information with the Purchase Requisition.

Web Development

For purchases of web-based products or for supplemental applications and/or content in electronic form included as part of a textbook, follow the process outlined above for other EIT products. For web-based development and maintenance, ensure that the final product will conform to the applicable Section 508 standards by including Section 508 conformance as a specification for the contract. If you develop or maintain district web content, refer to the Section 508 Checklist http://www.webaim.org/standards/508/checklist for suggestions on how to conform to Section 508 for web content. For web content used in courses, the State Chancellor's Office will review accessibility of the curriculum when the course is reviewed for accreditation every six years.

Competitive Quotations and Advertised Bids

If the purchase exceeds the mandated bid threshold (currently $62,400.00), it will be subject to advertised, competitive bidding and award by the Board of Trustees as described in Board Administrative Procedure 314 0 (AP3140). This procedure is posted on the Purchasing Services website. If the purchase will be subject to advertised competitive bidding, contact the District Purchasing Services Department prior to beginning market research or as soon as you become aware that the purchase will exceed the bid threshold. Purchasing will work with the requestor to draft bid specifications suitable for an advertised bid and will assist in establishing a bid calendar. After the bid specifications are determined and a purchase requisition is submitted, the bid and award process typically requires ten weeks.

If the purchase will be less than the advertised bid threshold but more than $5000, the purchase requisition should recommend at least three suitable products or explain why fewer than three products are available to meet the need. This is because Board Policy requires 3 competitive quotations for purchases valued between $5000 and the advertised bid threshold (see AP3140). If only one product will meet the requestor's needs, this is known as a "sole source procurement." Sole source requisitions should include an explanation of why only one product will meet the requestor's needs. If you have questions, please see Administrative Procedure 3140 for more information or contact the Purchasing Services Department (x6193 or www.purchasing.fhda.edu).

Section 508 Electronic & Information Technology Determination Form

Place a check next to the criteria you used to determine Section 508 compliance and sign the form at the bottom. If you claim it is a significant difficulty or expense to acquire the most compliant EIT products, complete that section and sign the form at the bottom. Attach this completed form to your Purchase Request.

___ This EIT product is on the district standards list.

___ This EIT product **is fully conforming** based on a Voluntary Product Accessibility Template (VPAT) found on the "Buy Accessible" section of http://www.section508.gov; or a blank VPAT from http://www.itic.org/policy/vpat.html was completed; or other means were used to determine the product conforms **to** the standards.

___ This EIT product **is the most conforming** of other similar products based on a Voluntary Product Accessibility Template (VPAT) found on the "Buy Accessible" section of http://www.section508.gov; or a blank VPAT from http://www.itic.org/policy/vpat.html was completed; or other means were used to determine how much of the product conforms to the standards. You may need to refer to the Section 508 Guide for explanations and examples of the standards (http://www.access-board.gov/sec508/guide/). If further assistance is needed, the ETAC Section 508 subcommittee will help you make a determination.

Exceptions

___ More conforming EIT was found than this product, but to purchase it would impose a significant difficulty or expense on the program or component for which the EIT is being acquired. Where an exception is claimed, it will still be necessary to provide the information in a timely manner and in an alternate format suitable for the individual with a disability. Explain below or in an attachment, the steps you took to determine the exception and how the alternative will be provided.

Requestor Name _____Phone Number _____

Signature _____Date _____

Administrator Name _____Phone Number _____

Signature _____Date _____