29.01.04.R0.01   Accessibility Requirements for Electronic and Information Resources

Revised August 23, 2024
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Procedure Statement

East Texas A&M University (University) is committed to providing a working, learning, and service environment that affords equal access and opportunity to otherwise qualified individuals with disabilities in compliance with federal and state law. Consistent with this commitment, the University strives to provide electronic and information resources (EIR) that are accessible to all authorized users and that meet the requirements of the Texas Department of Information Resources (DIR).

This procedure implements the requirements of System Regulation 29.01.04

Procedures and Responsibilities

1   GENERAL

    1.1   The University uses EIR throughout the university's operation.

    1.2   The University uses websites to share information within the university and with the general public. In addition, the University uses software applications that support the business and academic functions of the university.

    1.3   Making these resources accessible and usable is important to the success of this university and required by 1 TAC 206 (referencing Section 508 and WCAG 2.0 Level AA guidelines), 1 TAC 213, and TGC 2054.451, Subchapter M, System Regulation 29.01.04, and related procedures in the development, procurement, maintenance or use of EIRs.

2   PURPOSE

This procedure establishes standards in accordance with the governing regulations for use when:

    2.1   Designing, developing, and maintaining websites and software applications.

    2.2   Procuring, developing, or changing EIR.

2.3 Developing strategies, funding models, workflows, and resources to meet compliance standards, including but not limited to:

    2.3.1 Instructional technologies, LMS platforms, and library resources

    2.3.2 Closed captioning, transcription, and audio descriptions

    2.3.3 Procurement processes

    2.3.4 Website design, development, and modification

    2.3.5 Marketing and Communications

3 SCOPE

3.1 This procedure applies but is not limited to, all aspects of access to information technology, web-based materials, academic programs, procurement of goods, all websites and software applications that are:

    3.1.1 Owned by the University

    3.1.2 Collaboratively owned and under the custody of the University

    3.1.3 Hosted by the University.

3.2 The intended audience for this procedure is:

    3.2.1 Any personnel or department involved in designing, developing, or maintaining business processes, research documentation, websites and content, instructional materials, or software applications.

    3.2.2 Any personnel or department involved in procuring, developing, or changing EIR.

    3.2.3 Vice Presidents, Department Heads, or program leaders who own or manage stand-alone websites, web-based materials, or software applications. This includes, but is not limited to, project management, systems development lifecycle, and education and outreach programs.

4 ACCESSIBILITY COORDINATOR

4.1 The Electronic Information Resources Officer is designated as the University's Electronic Information Resources Accessibility Coordinator (EIRAC). [TAC, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.41]

4.2 The ERIAC is responsible for the following tasks:

4.2.1 Provide leadership and guidance and acts as liaison to all functional areas where Information Resource is developed or procured.

4.2.2 Establishing procedures and practices in cooperation with owners, web developers, and publishers of websites, online materials, and web applications to develop, support, and maintain EIR accessibility.

4.2.3 Develop and maintain administrative procedures on EIR accessibility and usability.

4.2.4 Handling requests for exceptions.

4.2.5 Routine monitoring for compliance through testing and validation.

4.2.6 Remediating non-compliant items on electronic information, websites, web-based materials, and software applications.

4.2.7 Providing consultation on accessibility when procuring EIR.

4.2.8 Compliance reporting to the Department of Information Resources (DIR).

4.2.9 Develop and implement a plan by which EIRs will be brought into compliance with 1 TAC 206 (referencing Section 508 and WCAG 2.0 Level AA guidelines), 1 TAC 213, and TGC 2054.451, Subchapter M Accessibility Standards.

4.2.10 Educate employees concerning: (1) which EIRs are subject to the WCAG 2.0 AA Technical Accessibility Standards and, (2) detailed standards and specifications necessary to achieve compliance.

4.2.11 Review and/or monitor the procurement, development, or modification of all EIRs to ensure compliance with 1 TAC 206 (referencing Section 508 and WCAG 2.0 Level AA guidelines), 1 TAC 213, and TGC 2054.451, Subchapter M accessibility standards

5 ACCESSIBILITY REQUIREMENTS FOR WEBSITE & WEB-BASED MATERIALS

5.1 The Electronic Information Resources Officer and the Marketing and Communications team are responsible for developing and maintaining university web accessibility and usability standards.

5.2 The Academic and non-Academic Departments are responsible for developing and maintaining accessible web-based materials and usability standards.

5.3 The Office of Academic Technology is an EIR Accessibility liaison that can provide valuable teaching and learning resources, answer questions, and route concerns on EIR Accessibility to the ERIAC.

5.4 The primary website contains a Site Policy webpage that includes links to the following:

    5.4.1 Accessibility Statement

    5.4.2 Privacy and Security Statement

    5.4.3 Contact Information

    5.4.4 Open Records Information

    5.4.5 Copyright

    5.4.6 Fair Use

    5.4.7 Key Public Entry Points (KPEP)

    5.4.8 Disclaimer

    5.4.9 State of Texas Links

5.5 All other key public entry points, where technically feasible, will include a link to the site policy web page on the primary website.

5.6 Department Heads and program leaders are responsible for the following tasks:

    5.6.1 Ascertaining if the departments, web-based materials or program webpage or any parts of it should be made available in languages other than English based on recommended guidelines:

        5.6.1.1 The frequency with which those individuals access the electronic information;

        5.6.1.2 The importance of the information or service provided through the webpage or web-based platform; and

        5.6.1.3 The resources available and the costs incurred.

    5.6.2 If necessary, publishing the translated material.

6   ACCESSIBILITY REQUIREMENTS FOR STAND-ALONE WEBSITES, WEB-BASED MATERIALS, AND SOFTWARE APPLICATIONS

6.1   A stand-alone website, web-based materials or a software application that is designed, developed and managed by a department for a specific purpose supporting a business or academic function will be made accessible and usable in accordance with the university's accessible electronic information and technology and usability standards.

6.2   This requirement is applicable to all new, current, redesigned, or work-in-progress websites, web-based materials, or software applications developed internally or outsourced through a contract.

6.3   Software applications include those that are either accessed through the internet (web-based) or directly through the network.

6.4   Geographical Information System (GIS) applications and software are exempt from this accessibility requirement based on a statewide exemption granted by DIR. However, GIS websites are not exempt from this accessibility requirement.

6.5   A stand-alone website, web-based materials, or a software application will include links to the Site Policy and the university homepage.

6.6   The department that owns a stand-alone website or a software application is responsible for facilitating its usability to people with limited English proficiency based on the guidelines provided in Section 5.6.1.

6.7   When designing, developing or maintaining software applications or websites, application developers, web developers, content publishers, contract vendors or programmers will adhere to the Accessibility and Usability Standards established by the IT Accessibility Department.

6.8   Web-based software applications and websites will be designed with considerations for the types of internet connections available to the university community and undergo accessibility and usability testing.

6.9   Software applications and websites will not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards.

6.10 Applications will not disrupt or disable activated features of the operating system that are identified as accessibility features, where the application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available as a product to the developer.

6.11 Developers will periodically test and validate the stand-alone websites and software applications to ensure compliance.

6.12 Utilize targeted role-based communications to directly impact accessibility (e.g., webmaster, developer, instructional designer, HR personnel, etc.) to communicate EIR Accessibility commitments and expectations to faculty, staff, students, and community.

6.13 Vendor specific "non-standard" extensions will be avoided.

6.14 Existing websites and software applications will be brought into compliance by the corrective action plan.

7 CORRECTIVE ACTION PLAN

7.1 Non-compliant items will be identified and corrected in the following order:

7.1.1 University website

7.1.2 Stand-alone websites

7.1.3 Web based software applications used by the general public

7.1.4 Web based software applications used internally

7.1.5 Network based software applications used internally

7.1.6 Instructional technologies, LMS platform, and library resources

7.1.7 Closed captioning, transcription, and audio descriptions

7.1.8 Procurement processes.

7.2 The Electronic Information Resources Officer is responsible for identifying non-compliant items and developing a corrective action plan in cooperation with the affected department staff.

7.3 The corrective action plan will include the following items:

7.3.1 A listing of non-compliant items

7.3.2 A listing of corrective solutions

7.3.3 A proposed timeline for completion of remediation

7.4 The Department Head or program leader will acknowledge and implement the corrective action plan.

8 ACCESSIBILITY TRAINING AND TECHNICAL ASSISTANCE

8.1 The Electronic Information Resources Officer and other University staff from departments such as, but not limited to, Academic Technology, Marketing & Communications, etc., will provide EIR accessibility training resources and technical assistance to software application developers and web content publishers on compliance with accessibility and usability standards.

8.2 The Office of Academic Technology and HR Training and Development will promote EIR Accessibility tutorials and resources for faculty and staff.

9 COMPLIANCE EXCEPTIONS

9.1 If compliance with accessibility and usability standards is not possible, then a written request for compliance exception will be submitted by the department head or program leader to the EIRAC.

9.2 The written request will contain the following:

9.2.1 Background information

9.2.2 Scope and requirements

9.2.3 Technical (programming) issues currently faced

9.2.4 Justification for exception

9.2.5 An alternate solution and cost

9.3 The EIRAC will review the requests for exceptions to the 1 TAC 206 (referencing Section 508 and WCAG 2.0 Level AA guidelines), 1 TAC 213, and TGC 2054.451, Subchapter M accessibility standards, make determinations regarding requests, and ensure that requests meet the requirements for an exception.

9.4 The Chief Information Officer will further review exception requests, make recommendations regarding approval, and forward requests to the President with a recommendation for approval.

9.5 The President will review and approve all university exceptions to the 1 TAC 206 (referencing Section 508 and WCAG 2.0 Level AA guidelines), 1 TAC 213, and TGC 2054.451, Subchapter M accessibility standards.

9.6 An approved exception will include the following:

9.6.1 A date of expiration

9.6.2 A plan for alternate means of access

9.6.3 Justification for the exception, including relevant cost avoidance estimates

9.6.4 Signatures

9.7 The ERIAC will maintain exception requests in accordance with the record retention schedule.

10 PROCUREMENT

10.1 This section applies to the procurement of EIRs (or products) that are available commercially off-the-shelf or can be developed in response to a procurement solicitation.

10.2 Any EIR that is developed, procured, or changed will comply with the following:

10.2.1 The Technical Accessibility Standards (see table below)

10.2.2 The "Functional Performance Criteria" [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.35]

10.2.3 The "Information, Documentation, and Support Requirements" [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.30 - §213.41]

10.2.4 Vendors for externally procured EIRs are required to supply detailed information on how their proposed products, services, or solutions address the requirements of the Web Content Accessibility Guidelines (WCAG) 2.0. This information should be delivered to the University in the form of a Voluntary Product Accessibility Template (VPAT) to document conformance to the applicable WCAG 2.0 standards.

10.3 Some exemptions and exceptions (see Section 13) may apply to this requirement based on significant difficulty or expense. [Government Code, Title 10, Section B, Chapter 2054, Subchapter A]

10.4 The Purchasing Department will coordinate with the EIRAC for purchases of EIRs made under purchasing contracts or purchase orders to ensure compliance with the 1 TAC 206 (referencing Section 508 and WCAG 2.0 Level AA guidelines), 1 TAC 213, and TGC 2054.451, Subchapter M accessibility standards. When applicable, appropriate terms and conditions needed to meet accessibility requirements will be added to EIR acquisition documents and contracts.

10.5 Any compliance exceptions to the EIR category will be handled according to the procedures described in Section 11 in conjunction with Section 13.

11 EXEMPTIONS AND EXCEPTIONS FOR SIGNIFICANT DIFFICULTY OR EXPENSE

11.1 If the total dollar value being paid for any EIR is less than $5,000, an accessibility exemption must be based, in part, on a determination that compliance under such circumstances would impose significant difficulty or expense to the University.

11.2 If the total dollar value for any EIR exceeds $5,000, then the EIRAC, in consultation with the Purchasing Department, is responsible for evaluating the impact of difficulty or expense to the University and recommends an appropriate exception.

11.3 These exemptions and exceptions do not alter the regular university purchasing procedures.

11.4 All accessibility exceptions due to difficulty or expense must follow procedures described in Section 9 of this procedure.

Related Statutes, Policies, or Requirements

Texas Administrative Code, Title 1, Part 10, Chapter 206, Subchapter C, Rule §206.70 - §206.74

Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.30 - §213.41

Texas Government Code, 2054.451 Subchapter M

System Regulation 29.01.04 *Accessibility of Electronic and Information Resources*

Suspends University Rule 29.01.04.R1 *Accessibility of Electronic and Information Resources*

Definitions

Accessible – A support provision that is not dependent on a single sense or ability and can be used in a variety of ways.

Accessibility – A design of products, services and environments for people with disabilities. Ensures concept of accessible design and practice of accessible development has both "direct access" (i.e. unassisted) and "indirect access" meaning compatibility with assistive technology.

Electronic and Information Resources (EIR) – includes information technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, duplication, or delivery of data or information. EIR includes, but is not limited to, telecommunications products (such as telephones), information kiosks and transaction machines, World Wide Websites, multimedia and office equipment such as copiers and fax machines. EIR 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.

Key Public Entry Point – A web page that is specifically designed for the general public to access official information (for example, the governing or authoritative documents) from the University. A list of these pages is found at www.tamuc.edu.

Multimedia – An electronic device or a system that allows a user to control, combine or manipulate different types of media such as text, audio, video, computer graphics and animation.

Products – Electronic and information technology

Telecommunications – The transmission between or among points specified by the user of information of the user's choosing without change in the form or content of the information as sent and received.

Video – The technology of electronically capturing, recording, processing, storing, transmitting, and reconstructing a sequence of still images representing scenes in motion. Televisions or tuner cards for use in computers are prime examples.

Self-Contained, Closed Products – Products that generally have embedded software and are commonly designed in such a fashion that a user cannot easily attach or install assistive technology. These products include, but are not limited to, information kiosks and information transaction machines, copiers, printers, calculators, fax machines and other similar products.

Usable – A web page, a software application, or any electronic and information resource that is useful, efficient, intuitive, easy to use or navigate, and understandable.

Usability – A design criteria for a web page, a software application, or any electronic and information resource which makes it usable.

DIR Accessibility Rules – Refers to rules issued by the Texas Department of Information Resources (DIR regarding the development, procurement, maintenance, and use of EIRs by institutions of higher education and set forth in TGC 2054.451, Title 1, Chapter 206, Rule §206.70 of the Texas Administrative Code and in Title 1, Chapter 213 of the Texas Administrative Code.

Revision History

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