

**ADMINISTRATIVE PROCEDURES**

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| **50.09 Accessibility Requirements for Electronic and Information Resources**  | **Revised: February 7, 2017** |

1. GOVERNING REGULATIONS

This procedure is governed by the following policies and regulations:

1.1 Texas Administrative Code, Title 1, Part 10, [Chapter 206, Subchapter C](https://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=5&ti=1&pt=10&ch=206&sch=C&rl=Y), Rule §206.70 - §206.74

1.2 Texas Administrative Code, Title 1, Part 10, [Chapter 213, Subchapter C](https://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=5&ti=1&pt=10&ch=213&sch=C&rl=Y), Rule §213.30 - §213.41

1.3 System Regulation [29.01.04](http://policies.tamus.edu/29-01-04.pdf) *Accessibility of Electronic and Information Resources*

2. DEFINITIONS

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

2.2 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.

2.3 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 Web sites, 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.

2.4 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 Texas A&M Forest Service. A list of these pages is found at <http://tfsweb.tamu.edu/kpep>.

2.5 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.

 2.6 Products – Electronic and information technology

2.7 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.

2.8 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.

2.9 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.

2.10 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.

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

2.12 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 [Title 1, Chapter 206, Rule §206.70](http://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=206&rl=70) of the Texas Administrative Code and in [Title 1, Chapter 213](http://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=5&ti=1&pt=10&ch=213&sch=C&rl=Y) of the Texas Administrative Code.

3. GENERAL

3.1 TFS uses EIR throughout the agency’s operation.

3.2 TFS uses web sites to share information within the agency and with the general public. In addition, TFS uses software applications that support the business functions of the agency.

3.3 Making these resources accessible and usable is important to the success of this agency and required by System Regulation 29.01.04, the DIR Accessibility Rules, and related procedures in the development, procurement, maintenance or use of EIRs.

4. PURPOSE

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

4.1 Designing, developing and maintaining web sites and software applications.

4.2 Procuring, developing or changing EIR.

5. SCOPE

5.1 This procedure applies to all web sites and software applications that are:

1. Owned by TFS
2. Collaboratively owned and under the custody of TFS
3. Hosted by TFS

5.2 The intended audience for this procedure is:

1. Any personnel or department involved in designing, developing or maintaining web sites (and content) or software applications.
2. Any personnel or department involved in procuring, developing or changing EIR.
3. Division heads, department heads or program leaders who own or manage stand-alone web sites or software applications.

6. ACCESSIBILITY COORDINATOR

6.1 The Information Resources (IR) Department Head is designated as the agency’s Electronic Information Resources Accessibility Coordinator (EIRAC). [TAC, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.41]

 6.2 The ERIAC is responsible for the following tasks:

a. Provide leadership and guidance, and acts as liaison to all functional areas where IR is developed or procured.

b. Establishing procedures and practices, in cooperation with owners, web developers and publishers of web sites and web applications, to develop, support and maintain web accessibility.

c. Develop and maintain administrative procedures on web accessibility and usability.

1. Handling requests for exceptions.
2. Routine monitoring for compliance through testing and validation.
3. Remediating non-compliant items on web sites and software applications.
4. Providing consultation on accessibility when procuring ElR.
5. Compliance reporting to the Department of Information Resources (DIR).
6. Develop and implement a plan by which EIRs will be brought into compliance with DIR Accessibility Rules.
7. Educate TFS employees concerning (1) which EIRs are subject to the DIR Technical Accessibility Standards and, (2) detailed standards and specifications necessary to achieve compliance.
8. Review and/or monitor the procurement, development or modification of all EIRs to ensure compliance with DIR Accessibility Rules.

7. ACCESSIBILITY REQUIREMENTS FOR TFS WEB SITE

7.1 The IR Department and the Communications team are responsible for developing and maintain agency web accessibility and usability standards.

7.2 The primary TFS web site contains a Site Policy web page that includes links to the following:

1. Accessibility Statement
2. Privacy and Security Statement
3. TFS contact information
4. Open records information
5. Compact with Texans
6. Copyright
7. Fair Use
8. Disclaimer
9. Key Public Entry Points (KPEP)
10. State of Texas Links

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

* 1. Department heads and program leaders are responsible for the following tasks:
	2. Ascertaining if the department or program web page or any parts of it should be made available in languages other than English based on recommended guidelines:
1. The number or proportion of people in the eligible service population with limited English proficiency;
2. The frequency with which those individuals access the web page;
3. The importance of the information or service provided through the web page; and
4. The resources available and the costs incurred.
	1. If necessary, providing the translated version to the Communications team for publishing.

8. ACCESSIBILITY REQUIREMENTS FOR STAND-ALONE WEB SITES AND SOFTWARE APPLICATIONS

8.1 A stand-alone web site or a software application that is designed, developed and managed by a department for a specific purpose supporting a business function will be made accessible and usable in accordance with the TFS web accessibility and usability standards.

8.2 This requirement is applicable to all new, redesigned or work-in-progress web sites or software applications developed internally or outsourced through a contract.

8.3 A stand-alone web site or a software application includes those that are owned by TFS, collaboratively owned but under the custody of TFS or hosted by TFS.

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

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

8.6 A stand-alone web site or a software application will include links to the TFS Site Policy and TFS homepage.

8.7 The department that owns a stand-alone web site or a software application is responsible for facilitating its usability to people with limited English proficiency based on the guidelines provided in Section 7.4(a).

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

* 1. Web-based software applications and web sites will be designed with considerations for the types of internet connections available to the citizens of Texas and undergo accessibility and usability testing.
	2. Software applications and web sites 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.

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.

8.11 Developers will periodically test and validate the stand-alone web sites and software applications to ensure compliance.

* 1. Vendor specific “non-standard” extensions will be avoided.
	2. Existing web sites and software applications will be brought into compliance by the corrective action plan in Section 9.

9. CORRECTIVE ACTION PLAN

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

1. TFS web site
2. Stand-alone web sites
3. Web based software applications used by the general public
4. Web based software applications used internally
5. Network based software applications used internally

9.2 The IR Department is responsible for identifying non-compliant items and developing a corrective action plan in cooperation with the affected department staff.

9.3 The corrective action plan will include the following items:

1. A listing of non-compliant items
2. A listing of corrective solutions
3. A proposed timeline for completion of remediation

9.4 The department head or program leader will acknowledge and implement the corrective action plan.

10. ACCESSIBILITY TRAINING AND TECHNICAL ASSISTANCE

 The IR Department staff will provide training and technical assistance to software application developers and web content publishers on compliance with accessibility and usability standards.

11. COMPLIANCE EXCEPTIONS

11.1 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.

11.2 The written request will contain the following:

1. Background information
2. Scope and requirements
3. Technical (programming) issues currently faced
4. Justification for exception
5. An alternate solution and cost

11.3 EIRAC will review the requests for exceptions to the DIR Accessibility Rules, make determinations regarding requests, and ensure that requests meet the requirements for an exception.

11.4 The Associate Director for Finance and Administration will further review exception requests, make recommendations regarding approval, and forward requests to the Director with a recommendation for approval.

11.5 The Director will review and approve all TFS exceptions to the DIR Accessibility Rules.

11.6 An approved exception will include the following:

1. A date of expiration
2. A plan for alternate means of access
3. Justification for the exception including relevant cost avoidance estimates
4. Signatures

11.7 The ERIAC will maintain exception requests in accordance with the agency’s record retention schedule.

12. PROCUREMENT

12.1 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.

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

1. The Technical Accessibility Standards (see table below)
2. The “Functional Performance Criteria” [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.35]
3. The “Information, Documentation, and Support Requirements” [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.30 - §213.41]
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 TFS in the form of a Voluntary Product Accessibility Template (VPAT) to document conformance to the applicable WCAG 2.0 standards.

12.3 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]

12.4 The Technical Accessibility Standards for each EIR category are as follows:

| **EIR Category** | **Technical Accessibility Standards** |
| --- | --- |
| Commercially Available Software and Operating Systems | [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.30](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=30) |
| Telecommunication Products | [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.31](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=31) |
| Video and Multimedia Products | [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.32](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=32) |
| Self-Contained, Closed Products | [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.33](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=33) |
| Desktop and Portable Computers | [Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.34](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=34) |
| Custom Software Applications and Web Sites developed through Contracts  | [Texas Administrative Code, Title 1, Part 10, Chapter 206, Subchapter C, Rule §206.70](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=206&rl=70)[Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.30](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=30)[Texas Administrative Code, Title 1, Part 10, Chapter 213, Subchapter C, Rule §213.32](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=213&rl=32) |

12.5 The Purchasing Department Head will coordinate with the EIRAC for purchases of EIRs made under purchasing contracts or purchase orders to ensure compliance with the DIR Accessibility Rules. When applicable, appropriate terms and conditions needed to meet accessibility requirements will be added to EIR acquisition documents and contracts.

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

13. EXEMPTIONS AND EXCEPTIONS FOR SIGNIFICANT DIFFICULTY OR EXPENSE

13.1 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 TFS.

13.2 If the total dollar value for any EIR exceeds $5,000 but is less than $25,000 then the EIRAC, in consultation with the Purchasing Department Head is responsible for evaluating the impact of difficulty or expense to TFS and recommend an exception appropriately.

13.3 If the total dollar value being paid for any EIR exceeds $25,000 then the accessibility requirements are not exempt unless an exception is expressly written.

13.4 These exemptions and exceptions do not alter the regular agency purchasing procedures.

13.5 All accessibility exceptions due to difficulty or expense must follow procedures described in Section 11 of this procedure.

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