

# QRD / quick reference document

## TECHNOLOGY PROCUREMENT

### ACCESSIBILITY OF PRODUCTS AND SERVICES TO INDIVIDUALS WITH DISABILITIES

District initiators (Central Departments, Schools, etc.) of procurement for products and services with a technology or related attribute are obligated to ensure that the appropriate consideration of applicable laws and District commitments related to accessibility is given.

While it is beyond this QRD's scope to contemplate every possible procurement scenario where accessibility may be a factor, it should act as a reminder to staff that the District and other governing agencies take the subject of accessibility seriously and expect that District staff who are initiating procurement in this area make sure to alert Procurement and other project stakeholders to the possibility of accessibility requirements.

#### **Regulatory agency resources on this subject (partial list)**

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended, all other regulations promulgated under Title II of the Americans with Disabilities Act, and the accessibility standards of the Web Content Accessibility Guidelines ("WCAG") 2.0 AA.

<http://www.section508.gov>

Software Applications and Operating Systems (1194.21)" Web-based Intranet and Internet Information and Applications (1194.22) " Video or Multimedia Products (1194.24) C.4

<http://wave.webaim.org/>

#### **District resources to contact for additional guidance are.....**

Accessibility Coordinator, Office of Civil Rights  
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As an example, below is an excerpt of language used in a District RFP/Request for Proposal for a District-wide K-5 Curriculum project.

## **START OF SAMPLE RFP LANGUAGE EXCERPT RELATED TO ACCESSIBILITY**

....."Seattle Public Schools is committed to making its technology-related products and services accessible to individuals with disabilities in compliance with applicable law and technical standards. Vendors submitting proposals to this RFP must voluntarily disclose information bearing on whether Vendor's proposal complies with Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended, all other regulations promulgated under Title II of the Americans with Disabilities Act, and the accessibility standards of the Web Content Accessibility Guidelines ("WCAG") 2.0 AA.

To facilitate this disclosure, Vendor is required to submit a completed Voluntary Product Access Template ("VPAT"), which is attached to this RFP as **Exhibit A**. Beyond voluntary disclosures, Vendor agrees that the system and services may be tested and approved by SPS, or that SPS may require that Vendor submit certification from a third-party to demonstrate that Vendor's proposal complies with

this section. Vendor will furnish such documents and information as may be reasonably requested by SPS to evidence Vendor's compliance with the terms of this RFP. Vendor may also be required to give SPS temporary access to the products and services to run an automated or manual web accessibility test.

If your proposed products or services are not in compliance with the above-named laws and standards, describe your plans and the timeframe for your proposal to achieve conformance. Include documentation to support your plan to achieve compliance."...

....." All electronic materials have to be ADA accessible. Other materials must comply with NIMAS-NIMAC standards.

Accessibility for Website / Technology: Seattle Public Schools is committed to making its technology-related products and services accessible to individuals with disabilities in compliance with applicable law and technical standards. Vendors submitting proposals to this RFP must voluntarily disclose information bearing on whether Vendor's proposal complies with Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended, all other regulations promulgated under Title II of the Americans with Disabilities Act, and the accessibility standards of the Web Content Accessibility Guidelines ("WCAG") 2.0 AA. To facilitate this disclosure, Vendors will be required to submit a completed Voluntary Product Access Template ("VPAT") to the District for verification.

All electronic and information technology (EIT) procured through this RFP must meet the applicable accessibility standards of 36 CFR 1194. 36 CFR 1194 implements Section 508 of the Rehabilitation Act of 1973, as amended, and is viewable at the following URL:

<http://www.section508.gov> The following Section 508 technical standards are applicable to this RFP, as a minimum: " Software Applications and Operating Systems (1194.21)" Web-based Intranet and Internet Information and Applications (1194.22) " Video or Multimedia Products (1194.24) C.4 Applicants must state their level of compliance to applicable sections to be considered for purchase under this RFP.

Vendors must ensure that the course management system contained in the proposal fully conforms with Section 508 of the Rehabilitation Act of 1973, as amended in 1998. (For information on Section 508 see [www.section508.gov](http://www.section508.gov) ) This includes both the student and instructor views and also includes all interaction tools (e.g., chats, discussion forums), and add-ons (e.g., grade functions). Vendors must declare if any portion of the version under consideration does not fully conform to Section 508, and the ways in which the proposed product is out of compliance and how the vendor will mitigate the problem.

Additionally, vendors shall submit in RFP Step 1

- 1) Vendors/Publishers most recent **WCAG 2.0AA** accessibility testing results.

- 2) Specify what web content and software conform to relevant legal standards governing accessibility and what equipment, devices, or hardware can be used by and are accessible to individuals with disabilities.
- 3) Agree to make nonconforming web content and software conform to relevant legal standards governing accessibility and make equipment, devices, and hardware usable by individuals with disabilities; or
- 4) If the vendor cannot so agree, then require that the vendor detail how it will support SPS in providing equally effective alternate access for nonconforming web content and software and unusable equipment, devices, and hardware.
- 5) Vendors/Publishers shall agree that they will assist SPS in the resolution of accessibility complaints and indemnify and hold SPS harmless in the event of claims arising from inaccessibility.
- 6) Vendors/Publishers shall agree to provide closed captioning for any video content.
- 7) Vendors/Publishers shall test and confirm that their web content has been independently evaluated through a “web accessibility” evaluation tool. (such as WAVE <http://wave.webaim.org/> or similar) Resulting in a minimum of Level AA conformance.

Nimas/Nimac standards can be found @ <http://www.nimac.us/> “....

Thanks,

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