
29.01.04.W1.01 Accessibility of Electronic and Information Resources - DRAFT

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1. Purpose and Scope

- 1.1. This procedure is intended to provide a plan by which West Texas A&M University, University contractors and others involved in the creation, maintenance, procurement, or use of *electronic and information resources (EIR)* for the University may comply with
 - *Section 508* of the Federal Rehabilitation Act (29 USC §794d);
 - Texas Government Code Chapter 2054, Subchapter M;
 - Texas Administrative Code Title 1, Chapter 206, Subchapter C, §206.70 (TAC 206); and
 - Texas Administrative Code Title 1, Chapter 213, Subchapter C, §§213.30 – 213.41 (TAC 213)to provide access to people with disabilities.
- 1.2. Following this procedure will provide reasonable confidence that all University employees and members of the public, students are included as members of the public, will be able to successfully access WTAMU information and services that are available through EIR.
- 1.3. All applicable EIR must be *accessible* to people with disabilities, unless achieving accessibility imposes a significant difficulty or expense on the University.
- 1.4. Accessible EIR
 - can be used in a variety of ways, and
 - do not depend on a single sense or ability.
- 1.5. TAC 206 requires compliance for University websites.
- 1.6. TAC 213 requires compliance for University
 - software applications and operating systems,
 - *telecommunications products*,
 - video and multimedia products,
 - *self-contained, closed products*,
 - desktop and portable computers,
 - functional performance of the EIR, and
 - information, documentation and support for the EIR.

2. Roles and Responsibilities

- 2.1. All faculty and staff must comply with applicable Texas Department of Information Resources (DIR) accessibility rules (TACs 206 and 213), Texas A&M University System and WTAMU accessibility policies and procedures for the creation, maintenance, procurement, or use of EIR.
- 2.2. An *EIR owner* is the person responsible for the EIR, defined as the person with statutory or operational authority and responsibility at WTAMU for establishing controls for the EIR's generation, collection, processing, access, dissemination and disposal.

- 2.3. University contractors and others involved in the creation, maintenance, procurement, or use of EIR for WTAMU must comply with contractual accessibility requirements or instructions granted by University EIR owners.

3. Applicability

- 3.1. Applicable EIR types are found in the table below. Any EIR that are incidental to the performance of a contract may not be applicable. EIR that are incidental to a contract include materials which are, themselves, not deliverables under the contract. However, EIR are applicable if they are used in service delivery or in the performance of a contract that is likely to involve interaction with internal and external University EIR users.
- 3.2. *Internal EIR users* are authorized employees or students of WTAMU. *External EIR users* are people other than authorized employees or students of WTAMU.

Table 1: Applicability of EIR Covered by Procedure

<i>EIR Types</i>	<i>Internal EIR User</i>	<i>External EIR User</i>
Applications	Applies	Applies
Building Maintenance, Monitoring and Medical Equipment	Does Not Apply	Does Not Apply
Computer Hardware	Applies	Applies if used to provide University information or services
Content	Applies	Applies
Office Equipment	Applies	Applies if used to provide University information or services
Telecommunications Equipment	Applies	Applies if used to provide University information or services
Video and Multimedia Products	Applies	Applies if used to provide University information or services

3.3. Examples

- 3.3.1. **Applications:** web forms and web interfaces, audio and video players, plug-ins, databases and database management systems, software programs and operating systems; all electronic and *information technology* contain software applications of some type.
- 3.3.2. **Building maintenance, monitoring and medical equipment:** HVAC (heating, ventilation, and air conditioning) equipment, thermostats, temperature control devices, and medical equipment. (See TAC 213 for the definition of *electronic and information resources* that includes medical equipment.)

- 3.3.3. **Computer hardware:** desktop, notebook and portable computers, displays, touchscreens, touch-operated controls, keyboards, handheld devices, and servers.
- 3.3.4. **Content:** *web pages* and website content, multimedia, email content, electronic documents and files containing text, tables, graphics, sounds, video, or other content.
- 3.3.5. **Office equipment:** self-contained closed products, such as information kiosks and transaction machines, copiers, printers, calculators, fax machines, scanners, and similar products.
- 3.3.6. **Telecommunications equipment:** devices that communicate over networks designed to carry voice, such as digital, analog, wired, wireless and *Internet*-based telephone products, PBX, and telephone answering machines.
- 3.3.7. **Video and multimedia products:** webcasts of open meetings, training and informational video productions, television tuners, and computer tuner cards.

4. Compliance Exceptions

- 4.1. Effective September 1, 2006, all applicable EIR developed, procured or changed by WTAMU must comply with the standards and specifications of TAC 206 and/or 213, unless the University President or designee, or the System Chancellor approves an *exception*, or unless DIR approves an *exemption*.
- 4.2. EIR owners and their designees must consider all University resources available to their program or program component, and when compliance causes a significant difficulty or expense for the University, they must submit an EIR Accessibility Exception Request.
- 4.3. Approved requests
 - contain enough information to make an informed decision about the benefits and risks of granting the request,
 - extend time to comply with the *DIR accessibility rules*,
 - expire, at which time the EIR must be compliant or the EIR owner must submit a new exception request, and
 - require that the EIR owner provide and maintain *alternate methods* of access to ensure qualified users with disabilities have timely, effective communication and ease of use equal to that of users without disabilities.
- 4.4. If the request is denied, the EIR owner must remediate and reassess the compliance of the EIR.
- 4.5. Noncompliant EIR are remediated per the appropriate sections and the Compliance Plan of this procedure.
- 4.6. See the Procurement section of this procedure for more on exceptions.

4.7. Content Exceptions

4.7.1. Content exceptions are approved in the Content section of this procedure.

4.8. Direct but Insignificant Use Exceptions

4.8.1. Direct but insignificant use exceptions are approved when software is purchased one license at a time and requested by a single user.

4.9. Exception Request Process

4.9.1. For each noncompliant EIR product or service developed, procured or changed for use by WTAMU employees, students or the public, the EIR owner or designee determines if a significant difficulty or expense exception is needed by considering all University resources available to their program or program component.

4.9.2. If needed, the EIR owner or designee completes and submits an EIR Accessibility Exception Request form, available on the WTAMU Accessibility website, to the Office of Information Technology (OIT).

4.9.3. The *Accessibility Coordinator* reviews requests, makes determinations regarding requests, ensures that requests meet the requirements for an exception, and forwards requests to the Chief Information Officer (CIO) with a recommendation regarding approval.

4.9.4. The CIO reviews requests, makes recommendations regarding approval, acts as the designee for the President regarding approval, and forwards requests to the President with recommendations regarding approval.

4.9.5. The President reviews and, if acceptable, approves exceptions to DIR accessibility rules.

4.9.6. The President's decision may not be appealed.

4.9.7. The Accessibility Coordinator notifies the EIR owner or designee of status, and forwards a copy of the processed request.

4.9.8. Processed requests are retained in the OIT following established State records retention policies.

4.10. Alternate Methods of Access

4.10.1. EIR owners must provide authorized users with disabilities access to the inaccessible EIR that is substantially equivalent to the access provided to users without disabilities.

4.10.2. Planned alternate methods of access

- include WTAMU position titles responsible for providing and maintaining the methods,
- include expected time to implement the methods, and
- ensure that methods provide timely, effective communication and ease of use equal to that of users without disabilities.

4.10.3. Alternate methods of access are determined based on the type of access needed by users with disabilities. Where applicable, alternate methods include, but aren't limited to

- Accessible internet posting,
- Additional staff assistance,
- Alternate document types,
- Audio description,
- Braille,
- Captioning,
- Fax,
- Transcripts,
- Teletypewriter (*TTY*),
- Text-to-speech synthesis,
- Reasonable adaptive/*assistive technology* accommodation,
- Recorded audio, and
- Voice.

5. Procurement

5.1. All applicable EIR products developed, procured or changed through a procured services contract, and all EIR services provided through hosted or managed services contracts must comply with applicable TAC 206 and 213 rules, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.

5.2. This section applies to EIR purchases made under purchasing contracts, purchase orders or procurement cards, and to the procurement of EIR that support compliance with DIR accessibility rules.

5.3. Along with other purchasing requirements, University procurement of EIR must comply with accessibility requirements in this section. Accessibility requirements apply to the procurement regardless of the disability of those served, or the dollar amount of the procurement.

5.4. WTAMU will

- purchase accessible EIR, unless the University President or designee, or the System Chancellor approves an exception, or unless the DIR approves an exemption.
- include accessibility requirements when developing specifications for EIR purchases.
- include an EIR accessibility clause in solicitations as applicable.
- include an EIR accessibility warranty in contracts as required.
- monitor to assure goods and services meet accessibility standards.

5.5. See the Software Applications and Operating Systems section of this procedure for more on compliance and testing.

5.6. Planning, Development and Documentation

5.6.1. WTAMU will procure products and services that comply with the DIR accessibility rules when they are available in the commercial marketplace, or they are developed in response to a procurement solicitation.

5.6.2. The DIR accessibility rules will be used to develop solicitation specifications and statements of work.

- 5.6.3. EIR owners or designees will document in a procurement file the steps taken to comply with accessible procurement requirements described in this section.

5.6.4. Significant Difficulty or Expense Exceptions

5.6.4.1. The exception for significant difficulty or expense is not an exception to overall compliance, but an exception to compliance with applicable DIR accessibility rules until the exception expires.

5.6.4.2. To determine if compliance causes a significant difficulty or expense for the University, see the Compliance Exceptions section of this procedure.

5.6.4.3. Examples of significant difficulty or expense may include

- adequate skilled resources or support unavailable,
- cost prohibitive,
- currently nearing end of life cycle,
- incompatible equipment or systems,
- lack of adequate or timely training,
- large programming impact,
- program time constraints or excessively late delivery dates,
- questionable ability of available vendors to perform according to expectations,
- underlying EIR technology platform not accessible, and
- vendors and products not readily available on the open market.

5.6.5. Access by Alternate Means

5.6.5.1. EIR owners and designees may develop or procure technologies that do not strictly follow the DIR accessibility rules, but still result in an outcome of equivalent or better access to the same information for people with disabilities.

5.6.5.2. In such instances, an informed decision must be made to determine what constitutes equivalent or better access. The EIR owner assumes responsibility for making this decision.

5.7. Conducting the Purchase

5.7.1. EIR Accessibility Clause

5.7.1.1. The Director of Purchasing, with help from the Accessibility Coordinator, determines if the standard EIR accessibility clause applies to EIR solicitations and invitations for bid.

5.7.1.2. If applicable, solicitations and invitations for bid will include this standard EIR accessibility clause.

EIR Accessibility Clause: The vendor expressly acknowledges that State funds may not be expended in connection with the purchase of electronic and information resources

unless those resources meet certain statutory requirements relating to accessibility by persons with disabilities. Vendor represents and warrants that the electronic and information resources and all associated information, documentation and support that it offers to provide the University under this invitation for bid (collectively, the “EIRs”) comply with the applicable requirements set forth in Title 1, Chapter 213 of the Texas Administrative Code (TAC) and Title 1, Chapter 206, Rule 206.70 of the TAC (as authorized by Chapter 2054, Subchapter M of the Texas Government Code). Any purchase considered EIR as defined by TAC 206/213 requires the submission of a completed *VPAT (Voluntary Product Accessibility Template)* in order for the University to determine compliance with the applicable EIR standards. In the event that vendor is unable to do so, then the University may not consider vendor in compliance with TAC 206/213.

5.7.2. Market Research

- 5.7.2.1. The EIR owner or designee will research the market to determine the commercial availability of accessible goods and services that best fit their program or program component’s business need.
- 5.7.2.2. EIR owners or designees may use these tools to identify potential vendors and providers.
 - Texas A&M University System provided purchase agreements and contracts.
 - The DIR searchable web site for IT commodities and services.
 - The US General Services Administration *Buy Accessible Wizard* searchable web site.
 - Information posted on vendor web sites.
 - Other means, as appropriate.
- 5.7.2.3. EIR owners or designees, with help from the Accessibility Coordinator, will use vendor supplied VPATs (Voluntary Product Accessibility Templates) to assess the degree of accessibility of a given product or service.
- 5.7.2.4. See the Software Applications and Operating Systems section of this procedure for more on vendor VPATs.

5.8. Contractors

5.8.1. Applying Accessibility Standards

- 5.8.1.1. All EIR products developed, procured or changed by a contractor and/or a subcontractor under a procured services contract with WTAMU, and all EIR services provided by a contractor through a hosted or managed services contract with WTAMU, which requires University employees, students or the public to either use the contractor’s product or service directly, or use the contractor’s product or service indirectly to a significant extent in order to furnish a University

product or perform a University service, must comply with applicable TAC 206 and 213 requirements.

- 5.8.1.2. If the contractor's EIR is used by the contractor's employees only, and is not used by University employees, students or the public as listed above, then the contractor's EIR is considered incidental or insignificant for purposes of the contract with WTAMU, and accessibility compliance does not apply, unless that contractor's EIR becomes University property upon completion of a contract.

5.8.2. Required Terms and Conditions

- 5.8.2.1. In addition to terms and conditions that may be required by other WTAMU, Texas A&M University System, state and federal statutory, regulatory, and purchase requirements, a contract that directly or indirectly requires the purchase of EIR must contain sufficient language to hold the contractor accountable for fulfilling applicable accessibility requirements.
- 5.8.2.2. Help must be obtained from the Director of Purchasing, Accessibility Coordinator, or legal counsel to ensure that contract terms and conditions properly address applicable TAC 206 and 213 accessibility requirements.
- 5.8.2.3. If required, negotiated contracts and agreements may include this standard EIR accessibility warranty.

EIR Accessibility Warranty: Contractor represents and warrants ("EIR Accessibility Warranty") that the electronic and information resources and all associated information, documentation, and support that it offers to provide the University under this Agreement (collectively, the "EIRs") comply with the applicable requirements set forth in Title 1, Chapter 213 of the Texas Administrative Code (TAC) and Title 1, Chapter 206, Rule 206.70 of the TAC (as authorized by Chapter 2054, Subchapter M of the Texas Government Code). To the extent contractor becomes aware that the EIRs, or any portion thereof, do not comply with the EIR Accessibility Warranty, then contractor will, at no cost to the University, either (1) perform all necessary remediation to make the EIRs satisfy the EIR Accessibility Warranty or (2) replace the EIRs with new EIRs that satisfy the EIR Accessibility Warranty. In the event that contractor is unable to do so, then the University may terminate this Agreement and contractor will refund to the University all amounts the University has paid under this contract within thirty (30) days after the termination date.

5.9. Contract Management and Monitoring

- 5.9.1. EIR owners, with help from the Director of Purchasing and the Accessibility Coordinator, must ensure that EIR services and products are provided by all parties to the contract according to contract terms and conditions.

5.9.2. Contract Management

- 5.9.2.1. When making purchases that directly or indirectly require EIR, EIR owners or designees will follow approved university contracting guidelines, and must ensure that accessibility requirements are met by the contractor.
- 5.9.2.2. For complex contracts, a contract manager may be named and others may be assigned to assist the contract manager.
- 5.9.2.3. Accessibility management and monitoring of contracts is required and ensures that University
 - contract accessibility requirements are satisfied, and
 - financial interests are protected.

5.9.3. Risk Assessment

- 5.9.3.1. Management and monitoring of accessibility risk is required and must be consistent with these contract aspects.
 - Complexity of terms and conditions.
 - Level and duration of risk to contracted outcomes if accessibility is not appropriately provided.
 - Potential dollar loss if accessibility is not adequately provided.
- 5.9.3.2. Risk assessment for accessibility also includes these considerations.
 - Accessibility standards.
 - Complaint history.
 - Costs associated with accessibility.
 - Importance of accessibility to the performance of the contract.
 - Usage scope.
 - Vendor or provider history in meeting accessibility standards.
 - Other considerations, as appropriate.

6. Content

- 6.1. WTAMU uses the Web Content Accessibility Guidelines (WCAG) 2.0 as the primary way to meet the DIR accessibility rules for electronic content accessibility.

6.2. Official University Communications

- 6.2.1. Regardless of the medium or the method of transmission and storage, electronic content that communicates official University business, as determined by the University mission, to a University employee or a member of the public, students are included as members of the public, must conform to Level A and Level AA Success Criteria and Conformance Requirements specified for web pages in WCAG 2.0 to achieve compliance

with applicable TAC 206 standards when the content of the communication includes one or more of the following.

- Content that is public facing.
- Content that is broadly disseminated throughout the University, including templates.
- Letters adjudicating any cause which is within the jurisdiction of the University.
- Internal and external program and policy announcements.
- Notices of benefits, program eligibility, and employment opportunities and decisions.
- Forms, questionnaires and surveys.
- Emergency notifications.
- Formal acknowledgements and receipts.
- Educational and training materials.

6.3. Exceptions

6.3.1. Nothing in this procedure obviates or limits the applicable requirements of Sections 501 and 504 of the Rehabilitation Act of 1973, as amended. However, exceptions to compliance with this procedure for official University communications are as follows.

6.3.1.1. Electronic content of any of the above types of communications stored solely for archival purposes or retained solely to preserve the exact image of the original hard copy are not required to conform to the provisions of this procedure.

6.3.1.2. Works in progress and drafts that are not public facing and that are intended for limited internal distribution are not required to conform to the provisions of this procedure.

7. Websites

7.1. All new or changed *official University websites*, all web pages residing on University servers or servers funded by University budgets, must comply with the DIR accessibility rules for *State website* accessibility as specified in this section, unless the University President or designee approves an exception, or unless DIR approves an exemption.

7.2. WTAMU uses the Web Content Accessibility Guidelines (WCAG) 2.0 as the primary way to meet the DIR accessibility rules for State websites.

7.3. Upon implementation, all new or changed web pages and website designs must pass applicable WCAG 2.0 Level A and AA Success Criteria and Conformance Requirements to achieve compliance with applicable TAC 206 standards.

7.4. See the Software Applications and Operating Systems section of this procedure for more on compliance and testing.

7.5. Key Public Entry Points

7.5.1. A *key public entry point (KPEP)* is a web page on a State website that is frequently accessed directly by members of the public, which an institution of higher education has specifically designed to enable direct access to official institution of higher education information.

7.5.2. All University key public entry points must include these links.

- University Accessibility (link) – www.wtamu.edu/accessibility
- University Contacts (link) – www.wtamu.edu/contact
- University Link Policy and Privacy Statement (link) – www.wtamu.edu/privacy
- WTAMU *Home page* (link) – www.wtamu.edu

7.6. Standards

7.6.1. TAC 206.70 (a) – (c) Accessibility requirements primarily mirror federal Section 508 §1194.22 (a) – (p) technical standards with two exceptions at this time. TAC requirements 206.70 (b) and (c) are modifications of Section 508 §1194.22 (b) and (k) respectively.

7.6.2. *Text Equivalent*

7.6.2.1. **Standard:** (1) [a] A text equivalent for every non-text element shall be provided (e.g., via “alt”, “longdesc”, or in element content).

7.6.2.2. Non-text elements include, but are not limited to

- animations, (for example, animated GIFs),
- applets and programmatic objects,
- frames,
- graphical buttons and representations of text (including symbols),
- images, including images used as list bullets,
- scripts,
- spacers, and
- video.

7.6.2.3. Text equivalents must serve the same purpose as the visual or auditory content.

7.6.2.4. Non-text elements used strictly for decorative purposes, such as images used as list bullets, or spacers, require the empty or null alt attribute.

7.6.3. *Color*

7.6.3.1. **Standard:** (1) [c] Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.

7.6.3.2. Color alone must not be used to convey information.

- 7.6.3.3. Foreground and background colors must provide sufficient contrast.

7.6.4. *Style Sheets and Organization*

- 7.6.4.1. **Standard:** (1) [d] Documents shall be organized so they are readable without requiring an associated style sheet.

- 7.6.4.2. Style sheets may be used for color, indentation, and other presentation effects, such as heading color, list item indentation, or navigation element placement, but the document content must follow a logical reading order.

7.6.5. *Image Maps*

- 7.6.5.1. **Standard:** (1) [e] Redundant text links shall be provided for each active region of a server-side image map.

- 7.6.5.2. **Standard:** (1) [f] Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.

- 7.6.5.3. An image map is a picture on a Web page that provides different links to other Web pages, depending on where a user clicks on the image.

- 7.6.5.4. Server side image maps may only be used if the map's active region cannot be defined by an existing geometric shape. Provide separate text links outside the server-side image map to allow access to the same image map content.

- 7.6.5.5. Provide appropriate descriptions for images and hot spots of client-side image maps.

7.6.6. *Data Tables*

- 7.6.6.1. **Standard:** (1) [g] Row and column headers shall be identified for data tables.

- 7.6.6.2. **Standard:** (1) [h] Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.

- 7.6.6.3. Data tables are used to display tabular data, which is logically organized into rows and columns. In data tables, such as financial tables, identify column and row headers appropriately, and associate table cells with appropriate headers.

- 7.6.6.4. Layout tables are used to control the display of elements in a page. In general, avoid using tables for layout purposes unless the table makes sense when linearized. Instead, use CSS to position page elements.

- 7.6.6.5. Tables used strictly for layout should be simple with limited table nesting, and do not require column and row headers.

7.6.7. Frames

- 7.6.7.1. **Standard:** (1) [i] Frames shall be titled with text that facilitates frame identification and navigation.
- 7.6.7.2. For web pages designed using frames, frame titles must describe the frame's purpose. If it is not obvious by frame titles alone, then the purpose of frames and how frames relate to each other must be described.

7.6.8. Flicker

- 7.6.8.1. **Standard:** (1) [j] Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.
- 7.6.8.2. To avoid the risk of optically induced seizures, elements on a web page, such as animated GIFs, should not flicker at a rate between 2–55 cycles per second. Because it may be difficult to measure flicker rates, avoid or limit the use of flickering, blinking or moving elements, and ensure a method for users to stop the animation.

7.6.9. Scripting Languages

- 7.6.9.1. **Standard:** (1) [l] When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by assistive technology.
- 7.6.9.2. Information within all scripts must be text-based and directly accessible to assistive technologies, or an alternative method of accessing equivalent functionality, such as a standard HTML link, must be provided.

7.6.10. Applets, Plug-ins, and Other Applications

- 7.6.10.1. **Standard:** (1) [m] When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with §1194.21(a) through (l).
- 7.6.10.2. All applets, scripts, and plug-ins (including Acrobat PDF, PowerPoint, etc.) and the content within them must be accessible to assistive technologies, or an alternative means of accessing the same information must be provided.
- 7.6.10.3. The web page must also provide a link to the applet, plug-in or other application required to interpret the page content.

7.6.11. Electronic Forms

- 7.6.11.1. **Standard:** (1) [n] When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

- 7.6.11.2. Electronic online forms must be made accessible regardless of the final method of completion and submission.
- 7.6.11.3. Web-based forms on official University websites that request information from the public must have a link to the WTAMU Link Policy and Privacy Statement.

7.6.12. Skip Navigation

- 7.6.12.1. **Standard:** (1) [o] A method shall be provided that permits users to skip repetitive navigation links.
- 7.6.12.2. A method must be provided to allow for skipping lists of navigational menus or other lengthy lists of links. The skip navigation method must be available to screen readers and have keyboard access. Acceptable methods may include a visible link or proper heading structure.

7.6.13. Timed Response

- 7.6.13.1. **Standard:** (1) [p] When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.
- 7.6.13.2. The user must be given the ability to control the timing of content changes.

7.6.14. Webcasts of Live Open Meetings, Training and Informational Videos

- 7.6.14.1. **Standard:** (b) Based on a request for accommodation of a webcast of a live/real time open meeting (Open Meetings Act, Texas Government Code, Chapter 551) or training and informational video productions which support the institution of higher education's mission, each institution of higher education must consider alternative forms of accommodation. Refer to §206.1 of this chapter for definitions for *Alternate Formats* and *Alternate Methods*.
- 7.6.14.2. Upon request, WTAMU webcasts of live/real time open meetings or training and informational video productions that support the University's mission must be provided in an alternative form for accommodation.
- 7.6.14.3. EIR owner's must take reasonable steps to ensure that the alternative form for accommodation provides access to, and use of, the live/real time open meeting or training and informational video production that is comparable to that provided to WTAMU employees and members of the public, students are included as members of the public, without disabilities.
- 7.6.14.4. Examples of alternative forms for accommodation include captioning, audio descriptions, and transcripts of audio and video content.
- 7.6.14.5. University public announcements for webcasts of live/real time open meetings, or training and informational video productions that support the University's mission must provide

- timely notification of the webcast of a live/real time open meeting or training or informational video production, generally allow three weeks advance notice, and
- instructions and a University contact for requesting accommodations, generally allow two weeks to secure accommodations.

7.6.15. Alternative Version Web Pages

- 7.6.15.1. **Standard:** (c) An alternative version page, with equivalent information or functionality, must be provided to make a website comply with the provisions of this section, when compliance cannot be accomplished in any other way. The content of the alternative page must be updated whenever the primary page changes.
- 7.6.15.2. Create an alternative version when there is no other way to make the content accessible, or when it offers significant advantages for people with certain disabilities.
- 7.6.15.3. Alternative version web pages must
- be updated at the same time as the primary page,
 - provide equivalent navigation as the primary page, and
 - provide an alternative to inaccessible components (for example, scripts, plug-ins, and applets).

7.6.16. Design

- 7.6.16.1. Official University websites should be designed with consideration for current and emerging Internet connection technologies available to the general public.

7.7. Testing

- 7.7.1. TAC 206.70 (d) requires that all new or changed web page and website designs be tested by WTAMU using one or more Section 508 compliance tools in conjunction with manual procedures to validate compliance with accessibility standards, unless the University President approves an exception, or unless DIR approves an exemption.
- 7.7.2. EIR owners are responsible for University accessibility compliance and compliance testing.
- 7.7.3. Compliance testing tools and resources are available on the University Accessibility Resources web page and the DIR statewide EIR accessibility website.
- 7.7.4. WTAMU uses an automated web scanning service to measure accessibility compliance, help remediate noncompliance, comply with testing requirements, and generate test documentation.

- 7.7.5. EIR owners may contact the Accessibility Coordinator or Web Communications Manager to discuss using the automated web scanning service, or they may use a preferred tool to generate compliance testing documentation to meet the EIR conformance criteria.

7.7.6. Conformance Criteria

- 7.7.6.1. TAC 206.70 (e) requires WTAMU to include criteria for monitoring its website for compliance with TAC 206.70 standards.
- 7.7.6.2. Upon implementation, all new or changed web pages and website designs must pass applicable WCAG 2.0 Level A and AA Success Criteria and Conformance Requirements to comply with applicable TAC 206 standards.

7.8. Annual Progress Report

- 7.8.1. The first automated accessibility web scanning service report, and/or the first EIR owner-preferred accessibility compliance tool report of the new fiscal year determines the baseline accessibility compliance levels for University websites.
- 7.8.2. Subsequent web scanning reports are reviewed annually for progress from the baseline, and results are included in the annual progress report on EIR accessibility by the Accessibility Coordinator.

8. Software Applications and Operating Systems

- 8.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for software applications and operating systems as specified in this section, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.
- 8.2. EIR owners or designees, with help from the Accessibility Coordinator, must review software vendor VPATs to ensure that software applications comply with applicable accessibility standards.
 - 8.2.1. Staff may need to request additional product documentation and information from the vendor to verify a product's statement of accessibility.
- 8.3. EIR owners are responsible for University accessibility compliance and compliance testing, and are encouraged to conduct accessibility acceptance testing before deploying software applications, or accepting the delivery of software developed internally or under a WTAMU contract.
- 8.4. All web-based applications must also comply with the requirements in the Websites section of this procedure.

8.5. Standards

- 8.5.1. TAC 213.30 (1) – (12) Software Applications and Operating Systems standards and specifications mirror federal Section 508 §1194.21 (a) – (l) technical standards at this time.

8.5.2. *Keyboard*

- 8.5.2.1. **Standard:** (1) When software is designed to run on a system that has a keyboard, product functions shall be executable from a keyboard where the function itself or the result of performing a function can be discerned textually.
- 8.5.2.2. Every software application feature must be available using only the keyboard for input. The feature itself or the result of the feature must provide text feedback available to assistive technologies for user perception, operation and understanding of the software input and output.

8.5.3. *Compatibility*

- 8.5.3.1. **Standard:** (2) Applications shall 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 also shall not disrupt or disable activated features of any 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 to the product developer.
- 8.5.3.2. Systems or applications must not disrupt or disable documented accessibility features of software products or operating systems.

8.5.4. *Visual Focus Indicators*

- 8.5.4.1. **Standard:** (3) A well-defined on-screen indication of the current focus shall be provided that moves among interactive interface elements as the input focus changes. The focus shall be programmatically exposed so that assistive technology can track focus and focus changes.
- 8.5.4.2. The point of action (such as cursor) must be easy to find and must programmatically expose input focus to assistive technology so that assistive technology can track focus and focus changes.

8.5.5. *User Interface Element*

- 8.5.5.1. **Standard:** (4) Sufficient information about a user interface element including the identity, operation and state of the element shall be available to assistive technology. When an image represents a program element, the information conveyed by the image must also be available in text.
- 8.5.5.2. All visually available (on screen) information in a product must be available to assistive technology, and images used to convey information or functionality

must have sufficient contrast and resolution to allow assistive technology users, such as screen magnification software users, to understand the meaning of the content or the functionality.

- 8.5.5.3. Images, graphs, icons and forms must have descriptive information conveyed in a text format such as a text label, alternative text (ALT) tag or tool tip, and developers are encouraged to use actual text rather than image replacement techniques.

8.5.6. Bitmap Images

- 8.5.6.1. **Standard:** (5) When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images shall be consistent throughout an application's performance.
- 8.5.6.2. An image's use must be consistent, and controls must be consistent in appearance, labeling, and function throughout the same application.
- 8.5.6.3. Alternative text (such as tool tip, ALT text) should also adhere to this standard.

8.5.7. Textual Information

- 8.5.7.1. **Standard:** (6) Textual information shall be provided through operating system functions for displaying text. The minimum information that shall be made available is text content, text input caret location, and text attributes.
- 8.5.7.2. Text information from a product must be available to assistive technology. This is accomplished by interfacing with operating system functions for displaying text (such as APIs that accept text content and attributes).

8.5.8. Display Attributes

- 8.5.8.1. **Standard:** (7) Applications shall not override user selected contrast and color selections and other individual display attributes.
- 8.5.8.2. A product must be able to conform to the user's operating system display settings. A product cannot use its own color and contrast settings, unless it complies with Standard (10) below for color and contrast settings.
- 8.5.8.3. For web-based applications and information systems, styles must be set in an external style sheet. In-line and page-level styles are not acceptable.

8.5.9. Animation

- 8.5.9.1. **Standard:** (8) When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.
- 8.5.9.2. If animation is used in a product, the user must be able to select at least one non-animated mode to display the animation's information (such as audio or text description). A textual equivalent of the animation must be available on

the same page, or a link to that textual information must be provided on the page.

- 8.5.9.3. Animation should stop automatically after 30 seconds, or controls to disable the animation must be available to the user.

8.5.10. Color Coding

- 8.5.10.1. **Standard:** (9) Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

- 8.5.10.2. Color should never be the only means to identify functions, visual elements or information.

8.5.11. Color and Contrast Settings

- 8.5.11.1. **Standard:** (10) When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.

- 8.5.11.2. A variety of color selections and contrast levels should be provided when an application allows the user to change contrast or color settings.

- 8.5.11.3. If the product does not feature adjustable color or contrast settings, then the standard does not apply.

- 8.5.11.4. In either case, the product must conform to Standard (7) above regarding system display attributes.

8.5.12. Flashing or Blinking Text

- 8.5.12.1. **Standard:** (11) Software shall not use flashing or blinking text, objects or other elements having a flash or blink frequency greater than 2 Hz and lower than 55 Hz.

- 8.5.12.2. Software products should be designed so that blinking on the screen is nonexistent, or very slow (such as one blink per second), or very fast (at least fifty-five blinks per second).

- 8.5.12.3. Flashing objects should be avoided whenever possible.

8.5.13. Electronic Forms

- 8.5.13.1. **Standard:** (12) When electronic forms are used, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

- 8.5.13.2. Electronic forms in products must be accessible to assistive technology. This includes the fields in the form, all information required to complete the form, and any functions used to submit the form.
- 8.5.13.3. Placement of form field labels should be consistently applied throughout an application.
- 8.5.13.4. Form field labels must be programmatically associated with form field inputs.
- 8.5.13.5. Form submission or execution must be a discrete operation separate from form input.

9. Telecommunications Products

- 9.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for telecommunications products as specified in this section, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.
- 9.2. The term telecommunications applies to the transmission of actual information and the means of transmittal, for example, telecommunications include both a voice mail message as a piece of actual information and a telephone system as a means of transmittal.
- 9.3. Where possible to meet the needs of users with disabilities accessing telecommunications and call centers, the University should provide
 - alternative input controls, including voice commands, and
 - access to live operators for users experiencing difficulty with automated systems.

9.4. Standards

- 9.4.1. TAC 213.31 (1) – (11) Telecommunications Products standards and specifications mirror federal Section 508 §1194.23 (a) – (k) technical standards at this time.

9.4.2. *TTY Function and Compatibility*

- 9.4.2.1. **Standard:** (1) Telecommunications products or systems which provide a function allowing voice communication and which do not themselves provide a TTY functionality shall provide a standard non-acoustic connection point for TTYs. Microphones shall be capable of being turned on and off to allow the user to intermix speech with TTY use.
- 9.4.2.2. A teletypewriter (TTY) is a data terminal that sends and receives tones and converts the tones into text so that a person who is deaf or has a communication disability can use the telephone.
- 9.4.2.3. Telephone systems must have the following TTY accessibility features.
 - An available port for direct connection of TTY devices.

- Speech and TTY intermixing capabilities.

9.4.2.4. Microphones must allow the user to turn them on and off when intermixing speech.

9.4.3. TTY Signal Protocol

9.4.3.1. **Standard:** (2) Telecommunications products which include voice communication functionality shall support all commonly used cross-manufacturer non-proprietary standard TTY signal protocols.

9.4.3.2. Voice telecommunications products must support commonly used protocols such as 45.5 baud Baudot and 300 baud ASCII.

9.4.3.3. Telephone systems that compress or alter transmissions must ensure that signals can be decoded properly.

9.4.4. TTY Compatibility with Voice Response Systems

9.4.4.1. **Standard:** (3) Voice mail, auto-attendant, and interactive voice response telecommunications systems shall be usable by TTY users with their TTYs.

9.4.4.2. Automated telecommunication services, such as voice mailboxes, auto-attendant, and interactive voice response systems must support TTY interaction.

9.4.4.3. System usability by TTY users includes

- clear instructional prompts,
- enough response time for relay service assistance,
- auditory instructions that when typed are understandable when read by TTY users, and
- message systems that will not corrupt TTY data.

9.4.5. Timed Response

9.4.5.1. **Standard:** (4) Voice mail, messaging, auto-attendant, and interactive voice response telecommunications systems that require a response from a user within a time interval, shall give an alert when the time interval is about to run out, and shall provide sufficient time for the user to indicate more time is required.

9.4.5.2. Telecommunication systems must alert users when their response time is limited. Users must be permitted to indicate if more time is needed to respond before being disconnected. When the user requests additional response time, the system grants additional time.

9.4.6. Caller Identification

- 9.4.6.1. **Standard:** (5) Where provided, caller identification and similar telecommunications functions shall also be available for users of TTYs, and for users who cannot see displays.
- 9.4.6.2. The information available on the display of telecommunications equipment, including caller ID and similar functions, must be available to TTY users and those who cannot see the device's display.

9.4.7. Volume Control

- 9.4.7.1. **Standard:** (6) For transmitted voice signals, telecommunications products shall provide a gain adjustable up to a minimum of 20 dB. For incremental volume control, at least one intermediate step of 12 dB of gain shall be provided.
- 9.4.7.2. Stepped volume controls must provide users with an intermediate level of at least 12 dB (decibel) gain. There is no requirement for an intermediate level for volume controls that allow the user to set volume anywhere from 0 dB to 20 dB.

9.4.8. Automatic Volume Reset

- 9.4.8.1. **Standard:** (7) If the telecommunications product allows a user to adjust the receive volume, a function shall be provided to automatically reset the volume to the default level after every use.
- 9.4.8.2. On telecommunication products that have adjustable volume, there must be an automatic volume reset function that sets the volume back to the default level.
- 9.4.8.3. Assume that this standard refers to products that have a handset, headset, earphone, or other transducer near the ear, and that the default volume level is safe, clear, and audible for users without disabilities.

9.4.9. Audio Output

- 9.4.9.1. **Standard:** (8) Where a telecommunications product delivers output by an audio transducer which is normally held up to the ear, a means for effective magnetic wireless coupling to hearing technologies shall be provided.
- 9.4.9.2. Telephone receivers must be equipped with hearing aid compatibility (HAC) to effectively use magnetic wireless coupling devices such as hearing aids, and to eliminate acoustic feedback.
- 9.4.9.3. Assume that effective magnetic wireless coupling to hearing aids with a telecoil and cochlear implants is applicable to this requirement.

9.4.10. Hearing Technology Interference

- 9.4.10.1. **Standard:** (9) Interference to hearing technologies (including hearing aids, cochlear implants, and assistive listening devices) shall be reduced to the lowest

possible level that allows a user of hearing technologies to utilize the telecommunications product.

- 9.4.10.2. Telephone system interference to assistive hearing technologies (such as hearing aids, cochlear implants, and listening systems) must be reduced to the lowest possible level.

9.4.11. Information Transmission and Pass through Standard Codes

- 9.4.11.1. **Standard:** (10) Products that transmit or conduct information or communication, shall pass through cross-manufacturer, non-proprietary, industry-standard codes, translation protocols, formats or other information necessary to provide the information or communication in a usable format. Technologies which use encoding, signal compression, format transformation, or similar techniques shall not remove information needed for access or shall restore it upon delivery.
- 9.4.11.2. Telecommunications products must have the ability to process information in a usable format, and must not remove information required for access (such as TTY text messaging) unless the information can be fully restored to the user receiving the information. For example, a Voice over Internet Protocol (VoIP) telecommunications system must be able to simultaneously originate, carry, and receive auditory and text-based communications.
- 9.4.11.3. This requirement applies to the transmission of TTY signals over voice-based telecommunications systems, including VoIP, and was written broadly to ensure that it would apply to evolving technologies.

9.4.12. Mechanically Operated Controls

- 9.4.12.1. These provisions apply to products with mechanically operated controls or keys such as telephone keypads and computer keyboards.
- 9.4.12.2. These provisions do not apply to touch screen technology.
- 9.4.12.3. **Standard:** (11) Products which have mechanically operated controls or keys, shall comply with the following:
- 9.4.12.3.1. **Standard:** (11) (A) Controls and keys shall be tactilely discernible without activating the controls or keys.
- 9.4.12.3.2. Individual controls and keys must be identifiable and discernible from adjacent keys by touch without activating them. For example, a raised dot on the telephone keypad number 5 key helps users achieve non-visual orientation of the keypad.

- 9.4.12.3.3. **Standard:** (11) (B) Controls and keys shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls and keys shall be 5 lbs. (22.2 N) maximum.
- 9.4.12.3.4. Keys and controls must be usable with one hand, and without particular motions (twisting of the wrist, tight grasping, pinching) or considerable exertion of more than five pounds, or 22.2 N, of force.
- 9.4.12.3.5. **Standard:** (11) (C) If key repeat is supported, the delay before repeat shall be adjustable to at least 2 seconds. Key repeat rate shall be adjustable to 2 seconds per character.
- 9.4.12.3.6. To prevent users from making unintended keystrokes, products with key repeat features must allow a two-second delay before repeating a key being held down, and must also allow up to two seconds between each repetition of a key being held down.
- 9.4.12.3.7. If the product and/or system does not support key repeat, then the standard does not apply.
- 9.4.12.3.8. **Standard:** (11) (D) The status of all locking or toggle controls or keys shall be visually discernible, and discernible either through touch or sound.
- 9.4.12.3.9. Locking, toggle controls and keys (such as the Caps Lock and Scroll Lock) must be visually discernible and alert the user through touch or sound that the function has been engaged.

10. Video and Multimedia Products

- 10.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for video and multimedia products as specified in this section, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.

10.2. Standards

- 10.2.1. The TAC 213.32 (1) standard for Video and Multimedia Products mirrors the Section 508 §1194.24 (b) technical standard, and the TAC 213.32 (2) standard is modified from the Section 508 §1194.24 (c) – (e) technical standards at this time.

10.2.2. Television and Computer Tuner Cards

- 10.2.2.1. **Standard:** (1) Television tuners, including tuner cards for use in computers, shall be equipped with secondary audio program playback circuitry.

- 10.2.2.2. All video and multimedia products (such as TVs, DVD players, VCRs) with TV tuners, and TV tuner cards for desktop and portable computers, must support secondary audio playback via secondary audio program (SAP) circuitry.
- 10.2.2.3. SAP is an auxiliary sound channel that can be transmitted in addition to a television station's main audio channel.
- 10.2.2.4. Television support for SAP is also a requirement of the Television Decoder Circuitry Act of 1990 (Public Law 101-431) for all televisions with screens at least 13 inches in size. The University should therefore purchase televisions with screens greater than or equal to 13-inches.

10.2.3. Web-delivered Multimedia Content

- 10.2.3.1. **Standard:** (2) Upon receiving a request for accommodation of a Web cast of training/informational video productions which support the institution of higher education's mission, each institution of higher education which receives such a request for accommodation shall provide an alternative form(s) of accommodation in accordance with §2054.456 and §2054.457, Texas Government Code.
- 10.2.3.2. Upon request, WTAMU webcasts of training and informational video and multimedia productions that support the University's mission must be provided in an alternative form for accommodation.
- 10.2.3.3. EIR owner's must take reasonable steps to ensure that the alternative form for accommodation provides access to, and use of, the training and informational video and multimedia production that is comparable to that provided to University employees and members of the public, students are included as members of the public, without disabilities.
- 10.2.3.4. Examples of alternative forms for accommodation include captioning, audio descriptions, and transcripts of audio and video content.
- 10.2.3.5. Public announcements for webcasts of training or informational video productions that support the University's mission must provide
 - timely notification of the training or informational video webcast, generally allow three weeks advance notice, and
 - instructions and a University contact for requesting accommodations, generally allow two weeks to secure accommodations.

11. Self-Contained, Closed Products and Office Equipment

- 11.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for self-contained, closed products as specified in this section, unless the University

President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.

- 11.2. Self-contained products which do not readily permit the installation of industry standard assistive technology by end-users must be natively accessible and comply with TAC 213.33 (1) – (10).

11.3. Standards

- 11.3.1. TAC 213.33 (1) – (10) Self Contained, Closed Products standards and specifications essentially mirror federal Section 508 §1194.25 (a) – (j) technical standards at this time.

11.3.2. Usability

- 11.3.2.1. **Standard:** (1) Self-contained products shall be usable by people with disabilities without requiring an end-user to attach assistive technology to the product. Personal headsets for private listening are not assistive technology.
- 11.3.2.2. Self-contained products must be usable by people with disabilities. Products cannot require the attachment of assistive technology for their use.
- 11.3.2.3. Personal headsets for private listening are not assistive technology.

11.3.3. Timed Response

- 11.3.3.1. **Standard:** (2) When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.
- 11.3.3.2. The product must alert users whenever a time-critical action is required, and users must be given enough time to extend the action response time. When users request extended response time, time should be granted.

11.3.4. Touch Screens, Contact-Sensitive and Mechanically Operated Controls

- 11.3.4.1. **Standard:** (3) Where a product utilizes touch screens or contact-sensitive controls, an input method shall be provided that complies with Telecommunications products in §213.31 (11) (A) – (D) of this subchapter.
- 11.3.4.2. This provision does not prohibit the use of touch screens and contact-sensitive controls, but requires a redundant set of mechanically operated controls or keys (such as telephone keypads and computer keyboards) that can be used by people who cannot access touch screen information.
- 11.3.4.3. For all normal system functions, the product must provide a set of input controls that is not touch-sensitive and that conforms to TAC §213.31 (11) (A) – (D). See also the Telecommunications Products section of this procedure, Standards (11) (A) – (D).

11.3.5. Biometric Identification and Control

- 11.3.5.1. **Standard:** (4) When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.
- 11.3.5.2. If a system uses biometrics for identification (such as retinal scanning, voice recognition or fingerprint identification) or for system operation, the system must also provide a means of equivalent, alternative access independent of any particular biological feature (such as entering a password).

11.3.6. Auditory Output

- 11.3.6.1. **Standard:** (5) When products provide auditory output, the audio signal shall be provided at a standard signal level through an industry standard connector that will allow for private listening. The product must provide the ability to interrupt, pause, and restart the audio at any time.
- 11.3.6.2. If a product provides an audio output signal, it must meet specific product requirements that allow for private listening, such as provide an industry standard jack for headphones.
- 11.3.6.3. Input controls must allow the user to interrupt, pause, and restart information delivered through the product's audio signal.
- 11.3.6.4. If a product does not have auditory output, then this standard does not apply.

11.3.7. Volume Control

- 11.3.7.1. **Standard:** (6) When products deliver voice output in a public area, incremental volume control shall be provided with output amplification up to a level of at least 65 dB. Where the ambient noise level of the environment is above 45 dB, a volume gain of at least 20 dB above the ambient level shall be user selectable. A function shall be provided to automatically reset the volume to the default level after every use.
- 11.3.7.2. When a product has voice output and it will be used in a public area, it must have incremental volume control for the user to increase voice output above the ambient level.
- 11.3.7.3. The product must be able to automatically reset the volume to its default level after every use.

11.3.8. Color Coding

- 11.3.8.1. **Standard:** (7) Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

- 11.3.8.2. Products may not use color alone as the method of imparting information or meaning to a user or indicating an option for the operation of product controls.

11.3.9. Color and Contrast

- 11.3.9.1. **Standard:** (8) When a product permits a user to adjust color and contrast settings, a range of color selections capable of producing a variety of contrast levels shall be provided.
- 11.3.9.2. A variety of color selections and contrast levels should be provided when a product allows the user to change contrast or color settings.
- 11.3.9.3. If the product does not feature adjustable color or contrast settings, then the standard does not apply.

11.3.10. Flicker

- 11.3.10.1. **Standard:** (9) Products shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.
- 11.3.10.2. If a product includes one or more visual display screens, it should be designed so that flicker on the screens is nonexistent or very slow (one flicker per second), or very fast (at least fifty-five flickers per second).

11.3.11. Fixed Freestanding Products and Operable Controls

- 11.3.11.1. These standards apply to reach ranges, physical controls and features of large office equipment, (such as copiers, information kiosks, freestanding printers and scanners, transaction machines, and other products) located in fixed, designated areas.
- 11.3.11.2. *Operable controls* are product components that require physical contact for normal operation, and include mechanically operated controls, input and output trays, card slots, keyboards, or keypads.
- 11.3.11.3. **Standard:** (10) Products which are freestanding, non-portable, and intended to be used in one location and which have operable controls shall comply with the following:

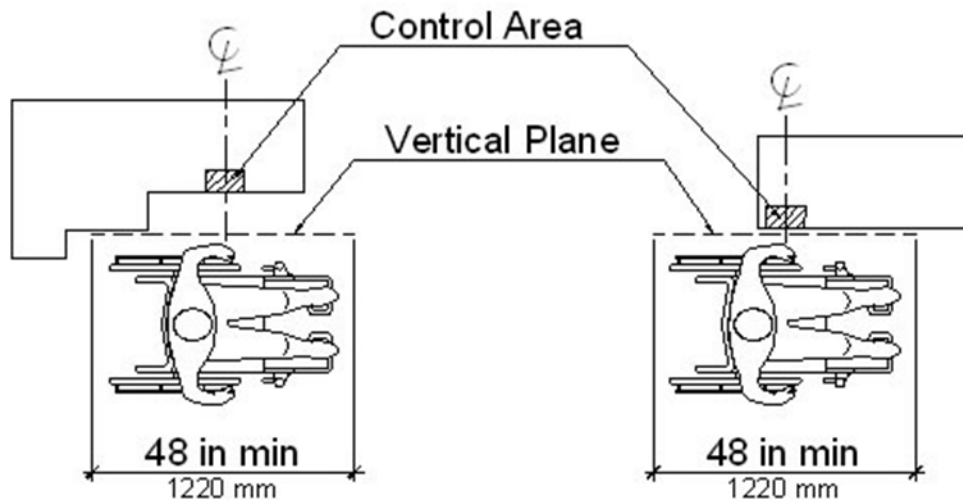
11.3.12. Vertical Reference Plane

- 11.3.12.1. **Standard:** (10) (A) The position of any operable control shall be determined with respect to a vertical plane, which is 48 inches in length, centered on the operable control, and at the maximum protrusion of the product within the 48 inch length.
- 11.3.12.2. When a product is intended to be a free-standing, permanent installation, each operable control must be within reach relative to an established vertical reference plane. See Figure 1.

11.3.13. *Height of Proximal Controls*

11.3.13.1. **Standard:** (10) (B) Where any operable control is 10 inches or less behind the reference plane, the height shall be 54 inches maximum and 15 inches minimum above the floor.

11.3.13.2. Each control that is proximal (within 10 inches of its reference plane) must be between 15 and 54 inches from the floor. See Figure 1.



Vertical Plane Relative to the Operable Control

Figure one above illustrates two bird's-eye views of the Vertical Plane Relative to the Operable Control. In both views, the vertical plane is centered on the control area. In the first view, the vertical plane is set back from the control area by a protrusion on the device. In the second view, there are no protrusions on the device and the vertical plane is right up against the control area.

11.3.14. *Height of Recessed Controls*

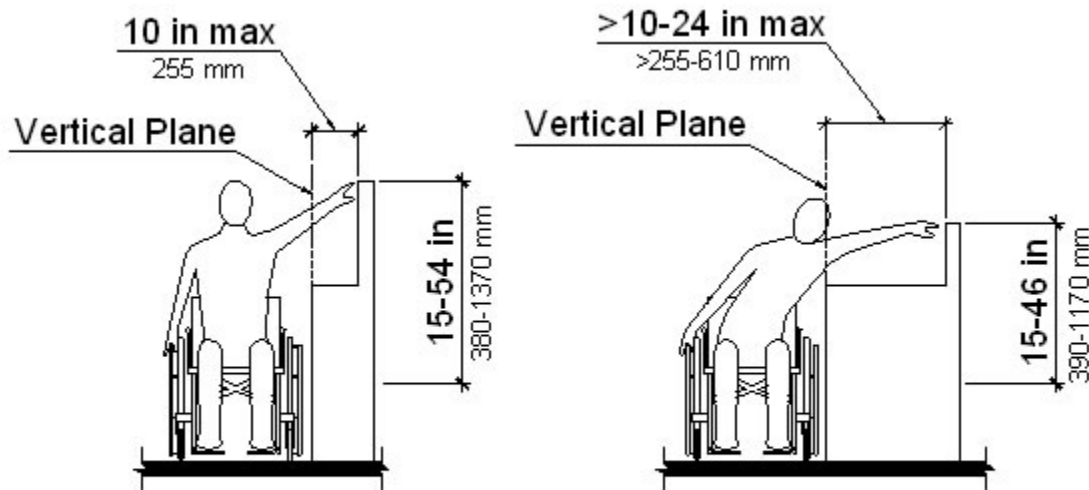
11.3.14.1. **Standard:** (10) (C) Where any operable control is more than 10 inches and not more than 24 inches behind the reference plane, the height shall be 46 inches maximum and 15 inches minimum above the floor.

11.3.14.2. Each control that is recessed (farther than 10 inches from its reference plane, but within 24 inches) must be between 15 and 46 inches from the floor. See Figure 2.

11.3.15. *Maximum Depth of Controls*

11.3.15.1. **Standard:** (10) (D) Operable controls shall not be more than 24 inches behind the reference plane.

11.3.15.2. Controls may not be recessed more than 24 inches. See Figure 2.



Height of Operable Control Relative to the Vertical Plane

Figure two above illustrates two front views of Height of Operable Control Relative to the Vertical Plane. The first view illustrates a reach of no more than 10 inches deep with the control area between 15 and 54 inches. The second view illustrates a reach greater than 10 inches but not more than 24 inches deep with the control area between 15 and 46 inches.

12. Desktop and Portable Computers

- 12.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for desktop and portable computers as specified in this section, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.
- 12.2. These provisions cover the keyboards, keypads, touch screens, and other controls on desktop and laptop computers that need to be activated during the normal operation of the system.
- 12.3. Other controls include, on/off switches, reset buttons, unlocking controls for docking stations, and releases on items such as PCMCIA card slots and drives.

12.4. Standards

- 12.4.1. TAC 213.34 (1) – (4) Desktop and Portable Computers standards and specifications essentially mirror federal Section 508 §1194.26 (a) – (d) technical standards at this time.

12.4.2. Operable Controls

- 12.4.2.1. **Standard:** (1) All mechanically operated controls and keys shall comply with Telecommunications products in §213.31(11)(A) - (D) of this subchapter.

- 12.4.2.2. All controls and keys for the normal operation of a desktop or portable computer must be accessible, including the keyboard, keypad, power switch, reset button, unlocking controls for docking stations, and release buttons for expansion cards and drives.
- 12.4.2.3. For all normal system functions, the product must provide a set of input controls that conforms to TAC §213.31 (11) (A) – (D). See also the Telecommunications Products section of this procedure, Standards (11) (A) – (D).

12.4.3. Touch Screens

- 12.4.3.1. **Standard:** (2) If a product utilizes touch screens or touch-operated controls, an input method shall be provided that complies with Telecommunications products in §213.31(11)(A) - (D) of this subchapter.
- 12.4.3.2. This provision does not prohibit the use of touch screens and contact-sensitive controls, but requires a redundant set of mechanically operated controls or keys (such as number keypads and computer keyboards) that can be used by people who cannot access touch screen information.
- 12.4.3.3. For all normal system functions, the product must provide a set of input controls that is not touch-sensitive and that conforms to TAC §213.31 (11) (A) – (D). See also the Telecommunications Products section of this procedure, Standards: (11) (A) – (D).

12.4.4. Biometric Identification and Control

- 12.4.4.1. **Standard:** (3) When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.
- 12.4.4.2. If a system uses biometrics for identification (such as retinal scanning, voice recognition or fingerprint identification) or for system operation, the system must also provide a means of equivalent, alternative access independent of any particular biological feature (such as entering a password).

12.4.5. Computer Expansion Joints

- 12.4.5.1. **Standard:** (4) Where provided, at least one of each type of expansion slots, ports and connectors shall comply with publicly available industry standards.
- 12.4.5.2. One or more of each kind of expansion slot, port, or connector on a computer must be designed according to an industry standard.
- 12.4.5.3. An industry standard is a specification that is made available by the manufacturer to the public, so that third party and cross-manufacturer developers may build compatible connections.

12.4.5.4. Examples include

- parallel ports,
- serial ports,
- PS/2 interfaces,
- SCSI interfaces,
- PCMCIA devices,
- USB interfaces,
- PCI slots,
- AGP,
- COM port,
- wireless RF and infrared connectors, and
- Bluetooth.

13. Functional Performance Criteria

13.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for functional performance criteria as specified in this section, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.

13.2. The performance requirements of this section

- are intended for overall product evaluation,
- are designed to ensure that the individual accessibility components work together to create a functionally accessible product, and
- cover operation, including input and control functions, operation of mechanisms, and access to visual and audible information.

13.3. Standards

13.3.1. TAC 213.35 (1) – (6) Functional Performance Criteria standards and specifications mirror federal Section 508 §1194.31 (a) – (f) Functional performance criteria at this time.

13.3.2. Vision and Visual Acuity

- 13.3.2.1. **Standard:** (1) At least one mode of operation and information retrieval that does not require user vision shall be provided, or support for assistive technology used by people who are blind or visually impaired shall be provided.
- 13.3.2.2. **Standard:** (2) At least one mode of operation and information retrieval that does not require visual acuity greater than 20/70 shall be provided in audio and enlarged print output working together or independently, or support for assistive technology used by people who are visually impaired shall be provided.
- 13.3.2.3. When the EIR is not technically accessible, the EIR must provide functional access to users who are blind or have low vision, and/or be usable with assistive technologies for visual impairments.

13.3.3. Hearing and Audio Information

- 13.3.3.1. **Standard:** (3) At least one mode of operation and information retrieval that does not require user hearing shall be provided, or support for assistive technology used by people who are deaf or hard of hearing shall be provided.
- 13.3.3.2. **Standard:** (4) Where audio information is important for the use of a product, at least one mode of operation and information retrieval shall be provided in an enhanced auditory fashion, or support for assistive hearing devices shall be provided.
- 13.3.3.3. When the EIR is not technically accessible, the EIR must provide functional access to users who are deaf or hard of hearing, and/or be usable with assistive technologies for hearing impairments.

13.3.4. Speech

- 13.3.4.1. **Standard:** (5) At least one mode of operation and information retrieval that does not require user speech shall be provided, or support for assistive technology used by people with disabilities shall be provided.
- 13.3.4.2. When the EIR is not technically accessible, the EIR must provide functional access that does not rely on user speech, and/or be usable with assistive technologies for speech impairments.

13.3.5. Motor Control

- 13.3.5.1. **Standard:** (6) At least one mode of operation and information retrieval that does not require fine motor control or simultaneous actions and that is operable with limited reach and strength shall be provided.
- 13.3.5.2. When the EIR is not technically accessible, the EIR must provide functional access to users with motor disabilities, and/or be usable with assistive technologies for mobility impairments.

14. Product Information, Documentation, and Support

- 14.1. All EIR developed, procured or changed by WTAMU must comply with DIR accessibility rules for information, documentation and support as specified in this section, unless the University President or designee, or the System Chancellor approves an exception, or unless DIR approves an exemption.
- 14.2. These standards address access to all information, documentation, and support provided to end users of EIR. This includes user guides, installation guides for end-user installable devices, and customer support and technical support communications.

14.3. Standards

14.3.1. TAC 213.36 (1) – (3) Information, Documentation, and Support standards and specifications mirror federal Section 508 §1194.41 (a) – (c) Information, documentation, and support requirements at this time.

14.3.2. Product Support Documentation

14.3.2.1. **Standard:** (1) Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge.

14.3.3. Accessibility and Compatibility Features

14.3.3.1. **Standard:** (2) End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge.

14.3.3.2. Vendors and EIR owners of EIR covered under this procedure must provide end users with access to all product information and support documentation, including product accessibility and compatibility features, in alternate formats upon request at no additional charge.

14.3.3.3. EIR owners should contact their vendors directly to request alternate format support documentation for their products.

14.3.3.4. When alternate format documentation is not vendor provided, EIR owners may contact the University IT Service Center or the Accessibility Coordinator for help to acquire the requested documentation.

14.3.4. Support Services

14.3.4.1. **Standard:** (3) Support services for products shall accommodate the communication needs of end users with disabilities.

14.3.4.2. Technical support must accommodate the communication needs of individuals with disabilities within the Functional Performance Criteria and other applicable sections of this procedure.

14.3.4.3. For example,

- users who are deaf must have access to support through accessible telecommunications, and through alternate means of support as needed when this support is otherwise available to any customer within the terms of use of a product, and
- users who are blind must have access to Web-based, telephone, and other support, without barriers to standard assistive technology or other accessible products used to access that support.

15. Compliance Plan

- 15.1. TAC 213.41 requires WTAMU to develop a plan by which all EIR that are subject to the EIR accessibility standards of TAC 213 will be brought into compliance with those standards.
- 15.2. TAC 206.70 requires WTAMU to include criteria for monitoring its website for compliance with the standards of TAC 206.
- 15.3. All University staff, vendors and contractors share in the responsibility to meet and maintain EIR accessibility compliance standards, and provide equal access.

15.4. Objectives

15.4.1. Objectives are to

- increase enrollment and employment diversity,
- increase access benefits for employees and members of the public with disabilities,
- achieve accessibility compliance for all EIR prioritized over subsequent review cycles,
- reduce the need for access accommodations, and
- reduce risks associated with noncompliance.

15.5. Accessibility Administrators, and Accessibility Compliance Inventories (ACIs)

15.5.1. Division/Department Heads will assign departmental Accessibility Administrators to

- attend EIR accessibility training,
- coordinate compliance with EIR owners and designees in their departments, and
- complete an annual EIR Accessibility Compliance Inventory (ACI) with their departments.

15.5.2. Accessibility Coordinator will train Accessibility Administrators to complete an annual EIR Accessibility Compliance Inventory (ACI).

15.5.3. Accessibility Coordinator will review University ACIs and include results in the annual progress report on EIR accessibility.

15.6. Training

15.6.1. TAC 213.39 states that the University President or System Chancellor should ensure appropriate staff receives training necessary to meet all accessibility related rules.

15.6.2. Accessibility Coordinator will train appropriate faculty and staff on DIR accessibility rules, and related procedures including

- Introduction to EIR Accessibility,
- Accessible Office Documents,
- Accessible PDF,
- Accessibility in Procurement,
- Website Testing with Siteimprove,
- Manual Website Testing, and

- Accessibility Compliance Inventory.

15.6.3. DIR provides a central location for statewide accessibility information, and the University Accessibility Resources webpage lists upcoming WTAMU and external training.

15.7. Testing

15.7.1. EIR owners or designees will perform annual website testing of all new or changed web page and website designs for compliance with applicable WCAG 2.0 Level A and AA Success Criteria and Conformance Requirements.

15.7.2. Accessibility Coordinator will review University website testing reports and include results in the annual progress report on EIR accessibility per the Websites section of this procedure.

15.8. Personnel Qualifications and Duties

15.8.1. Human Resources personnel documents that list required or preferred qualifications for programmers, developers and related faculty and staff positions will include language on familiarity with and/or ability to create compliant EIR.

15.8.2. Human Resources personnel documents that list duties as essential work performed will include departmental Accessibility Administrator duties.

15.9. Enforcement Information

15.9.1. The US Department of Education Office of Civil Rights (OCR) enforces federal civil rights laws, such as Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act (ADA), that prohibit discrimination on the basis of disability by educational institutions that receive federal financial assistance.

15.9.2. OCR enforcement activity on behalf of students with disabilities against public institutions of higher education due to accessibility noncompliance is significant. Agreements include adherence to accessibility technical standards, and reaffirm that schools must provide EIR that is fully accessible to and independently usable by students with disabilities. Otherwise schools must provide accommodations or modifications that ensure the benefits of their educational programs are provided to these students in an equally effective and equally integrated manner.

15.10. Functional Definition of Accessibility

15.10.1. OCR gives a functional definition of accessibility for students with disabilities. Under this definition, these students must be afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as other students, with substantially equivalent ease of use as students without disabilities.

16. Definitions

- 16.1. **Accessibility Coordinator** – In accordance with System Regulation 29.01.04, the Chief Information Officer (CIO) has appointed an Accessibility Coordinator. In the absence of an Accessibility Coordinator, the CIO will serve in this capacity.
- 16.2. **Accessible** – EIR that can be used in a variety of ways and that does not depend on a single sense or ability.
- 16.3. **Alternate Formats** – Alternate formats usable by people with disabilities may include, but are not limited to, Braille, ASCII text, large print, recorded audio, and electronic formats that comply with the DIR accessibility rules.
- 16.4. **Alternate Methods** – Different means of providing information, including product documentation, to people with disabilities. Alternate methods may include, but are not limited to, voice, fax, relay service, TTY, Internet posting, captioning, text-to-speech synthesis, and audio description.
- 16.5. **Assistive Technology** – Any item, piece of equipment, or system, whether acquired commercially, modified, or customized, that is commonly used to increase, maintain, or improve functional capabilities of individuals with disabilities.
- 16.6. **Buy Accessible Wizard** – A Web-based application that guides users through a process of gathering data and providing information about electronic and information resources (EIR) and Section 508 compliance, or other tools/resources developed by or for the Federal government to indicate product/service compliance with the Section 508 standards.
- 16.7. **DIR Accessibility Rules** – Rules issued by the Texas Department of Information Resources (DIR) regarding the development, procurement, maintenance and use of EIR by institutions of higher education, and set forth in Texas Administrative Code (TAC) Title 1, Chapter 206, Rule 206.70, and in TAC Title 1, Chapter 213.
- 16.8. **EIR Owner** – The person responsible for the EIR, defined as the person with statutory or operational authority and responsibility at WTAMU for establishing controls for the EIR's generation, collection, processing, access, dissemination and disposal.
- 16.9. **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. The term 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. 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.
- 16.9.1. **Note:** EIR are not limited to computer hardware or software, but also include services performed on such hardware and software (such as maintenance services). EIR also include electronic subscription services, such as databases available via Internet websites. EIR aren't limited to those that are directly developed, procured, maintained, or used by the University, but also include EIR used by a contractor of the University, if the contract either requires the use of such EIR or requires the contractor to use such EIR, to a significant extent, in performing a service or furnishing a product.
- 16.10. **Exception** – An exception is a justified, documented non-conformance with one or more standards or specifications of the DIR Accessibility Rules, which has been approved by the President/Chief Executive Officer (CEO) or Chancellor or designee of an institution of higher education. An exception must be determined by the President/CEO, Chancellor or designee as necessary to avoid significant difficulty or expense to the University. At a minimum, an exception will include: a date of expiration, a plan for alternate means of access for persons with disabilities, a justification for the exception including relevant cost avoidance estimates, and the President/CEO or Chancellor or designee signature.
- 16.11. **Exemption** – A justified, documented non-conformance with one or more standards or specifications of TAC Title 1, Chapter 206 and/or Chapter 213, which has been approved by DIR and which is applicable statewide.
- 16.12. **Home Page** – The initial page that serves as the front door or entry point to a State website.
- 16.13. **Information Technology (as used in the EIR definition)** – Any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. The term includes computers (including desktop and laptop computers), ancillary equipment, desktop software, client-server software, mainframe software, web application software and other types of software, firmware and similar procedures, services (including support services), and related resources.
- 16.14. **Internet** – An electronic communications network that connects computer networks and computer facilities around the world.
- 16.15. **Intranet** – A computer network operating like the Internet but having access restricted to a limited group of authorized users such as employees of an institution of higher education.

- 16.16. **Key Public Entry Point (KPEP)** – A web page on a State website that is frequently accessed directly by members of the public, which an institution of higher education has specifically designed to enable direct access to official institution of higher education information.
- 16.17. **Official University Websites** – All web pages residing on University servers or servers funded by University budgets.
- 16.18. **Operable Controls** – A component of a product that requires physical contact for normal operation. Operable controls include, but are not limited to, mechanically operated controls, input and output trays, card slots, keyboards, and keypads.
- 16.19. **Product** – Electronic and information technology.
- 16.20. **Section 508** – The technical standards issued by the US Access Board implementing Section 508 of the Rehabilitation Act of 1973 as amended, 29 U.S.C. §794(d).
- 16.21. **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 in information transaction machines, copiers, printers, calculators, fax machines, and other similar products.
- 16.22. **State Website** – A website that is connected to the Internet and is owned, funded, or operated by or for a State institution of higher education, including the homepage, all subordinate pages, and key public entry points (KPEPs). Official University websites are State websites.
- 16.23. **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.
- 16.24. **TTY** – An abbreviation for teletypewriter. Machinery or equipment that employs interactive text based communications through the transmission of coded signals across the telephone network. TTYS may include, for example, devices known as TDDs (telecommunication display devices or telecommunication devices for deaf persons) or computers with special modems. TTYS are also called text telephones.
- 16.25. **Voluntary Product Accessibility Template (VPAT)** – A summary to assist contracting officials and other buyers in making preliminary assessments regarding the availability of commercial EIR products and services with features that support accessibility. The VPAT form and WTAMU Guide for Completing the VPAT are available from the Accessibility Coordinator. Additional information is available at the Section 508 website (<http://www.section508.gov>).

- 16.26. **Web Page** – Presentation of State website content, including documents and files containing text, graphics, sounds, video, or other content, that is accessed through a web browser.

OFFICE OF RESPONSIBILITY: Information Technology

CONTACT: Chief Information Officer