



Procedure: Technology Accessibility
Americans with Disabilities Act Compliance Procedures

Procedure Number: 3364-15-15.1

Responsible Department: Internal Audit & Compliance

Effective Date: 02/05/2015

This procedure is authorized by the university's policy on Nondiscrimination based on Disability-
Americans with Disabilities Act Compliance.

- (A) Policy statement/Purpose of policy/Scope
<https://www.utoledo.edu/policies/administration/compliance/pdfs/3364-15-15-technology-accessibility.pdf>
- (B) Alignment with Federal Law
 - (1) These procedures provides additional guidance and direction in support of policy 3364- 50-03, [Nondiscrimination on the basis of disability-Americans with Disabilities Act compliance](#), which outlines The University of Toledo's policy of complying with the [Americans with Disabilities Act of 1990](#)("ADA"), the Rehabilitation Act of 1973, Ohio law, and related regulations.
 - (2) ADA law pertaining to technology requires that public institutions make every effort to ensure that their technology is accessible at the time it is made available to its end users. In those situations when this is not possible or feasible, the University expects that the process owner will work with the ADA Compliance Officer or their designee to develop an agreed-upon path toward ensuring equal access for students and employees with disabilities.

(C) Resources

- (1) The University provides numerous resources to employees that require assistance in making technology ADA-accessible.
 - (a) The Office of Accessibility and Disability Resources can provide guidance on how to make materials accessible (i.e., Word, Adobe, PowerPoint, video files, etc.)
 - (b) The Office of Accessibility and Disability Resources also provides support to faculty and staff on more technical matters, and has access to third-party support in certain areas of technology accessibility (captioning, etc.)
 - (c) Resources are available online to guide is creating accessible material and selecting accessible software.
 - (d) The "Buy Accessible" website (link below) contains current VPATs for many commonly used software products.
 - (e) UToledo Online provides leading-edge technologies, innovative pedagogies, and faculty and student support to help create inventive, engaging, and effective environments where online learners can succeed.
 - (f) University Marketing and Communications provides guidance on the accessibility of "externally-facing" UToledo webpages.
 - (g) The Information Technology department provides guidance on the accessibility of "internally-facing" UToledo webpages.
 - (h) The ADA Compliance Officer will answer any questions an employee, student, patient, or visitor may have on technology accessibility that cannot be answered by any of the above resources.

(D) Procedure

(1) Procurement of Technology

- (a) All UToledo operating units are expected to comply with the University's Procurement policy 3364-40-1 5. The policy includes a requirement to obtain a Voluntary Product Accessibility Template (VPAT) from the software vendor, regardless of amount, which attests to the software conformance to Section 508 and WCAG 2.1 standards. Applicable language from the Procurement policy is below.

If a VPAT is not available from the vendor, the purchaser should work with the ADA Compliance Officer, prior to purchase, to confirm the software's accessibility to disabled individuals in the UToledo community.

When considering any software for purchase, the most suitable product that serves the purchaser's business/pedagogical needs should be obtained, provided that the software is accessible by UToledo employees and students that are known to have disabilities. In those circumstances where accessible software has not been developed, the purchaser should inform and consult with the ADA Compliance Officer. This consultation should occur prior to purchase, so that alternatives can be pursued to ensure the equal access specified by ADA.

- (i) Each campus shall acquire products that comply with applicable standards of Section 508 of the Rehabilitation act of 1973 regarding telecommunications and technology provisions when such products are available in the commercial marketplace. This, 3364-15-15 Technology Accessibility too, requires a VPAT and review by appropriate persons if there are questions.
- (ii) For each software product being considered for purchase for the first time by the University, the purchaser shall ask vendor to provide a VPAT and/or provide a trial version to be tested for accessibility by the University.
- (b) When web-based applications are purchased, the operating unit making the purchase must obtain a certification from the vendor as to its compliance with WCAG 2.1 or Section 508. If no such certification is available, a certification as to its compliance should be obtained from the Americans with Disabilities Act Compliance Officer. The certification will be based on the favorable results of the web functionality testing and using the University's compliance auditing software.

(2) Existing Technology Equipment and Supplies

All existing equipment and supplies used to deliver technology services to students, patients, and employees (desktop computer equipment, servers, etc.) must comply with Section 508.

(3) Existing Non-Web-Based Software

(a) Purchased Desktop Software

(i) Operating units should make every effort to ensure that existing purchased desktop software is made as accessible as possible to disabled individuals.

(a) Please refer to the Accessibility Matrix <http://buyaccessible.gov/content/VARC> to identify known accessibility issues with purchased desktop software, as documented in VPATs. If possible and available, VPATs prepared by independent, third-party entities are preferable to VPATs prepared by the vendor itself.

(ii) The ADA Compliance website <https://www.utoledo.edu/offices/marketing/toolkit/web/accessibility.html> contains links on how operating departments can make documents produced by desktop software accessible.

(iii) Should your desktop software not be included in the Accessibility Matrix, please contact the ADA Compliance Officer for assistance and guidance.

(b) Internally Developed Software/Tools That Are Not Web- or Mobile-Based

(i) Software developed by the University that is not web-based must also follow Federal software accessibility standards. A blank [VPAT Form](#) is available to download online and contains these standards.

(ii) The ADA website contains links on how operating departments can make internally developed software accessible. Please contact the ADA Compliance Officer should you require guidance beyond this website.

(c) Free or Open-Source Software. In situations where such software will be used by students with disabilities, the free or open-source software must be evaluated by Student Disability Services to determine suitability for use in the classroom.

- (4) Web-Based or Mobile-Based Software and Tools
- (a) Software that is Internet-based (web applications, mobile phone applications, Online Educational Resources, etc.) also must comply with accessibility standards.
 - (b) The University of Toledo follows the World Wide Web Consortium's Web Content Accessibility Guidelines version 2.1(a) ([WCAG 2.1](#)), the primary international guidelines.
 - (c) Any web- or mobile-based functionality developed for University purposes must follow WCAG 2.1 standards, regardless of whether they are developed by University employees or third parties. Below are examples of University departments currently developing this functionality; however, all University departments are subject to this policy. University Marketing and Communications: ("externally-facing" websites) UToledo Online department: (online courses) College-administered websites (i.e., not maintained by IT) Marketing and Communications department IT department ("internally-facing" websites)
 - (d) Any University department that develops web- or mobile-based content for placement on University websites must develop procedures for ensuring the content is accessible to disabled users, as soon as it can be determined that students or employees with disabilities will access the content imminently. The ADA Compliance Officer should be advised in advance of any situation where content of this nature cannot be made accessible, so that they may work with the process owner to agree upon a path toward full compliance as soon as possible. The procedures developed should lead to all content meeting the standards, acknowledging that accessibility issues can be deferred if current students or employees with disabilities do not require it.
 - (e) Web developers should use "web-checking" software to evaluate the accessibility of all websites. This software is available to all employees developing web-based content. It is also used by the ADA Compliance Officer to perform random audits. Please contact the ADA Compliance Officer for additional information.

(E) References

- (1) Policy 3364-50-03, Nondiscrimination on the basis of disability-Americans with Disabilities Act compliance:
http://www.utoledo.edu/policies/administration/diversity/pdfs/3364_50_03_Non discrimination_o.pdf
- (2) Americans with Disabilities Act of 1990:
<http://www.ada.gov/pubs/adastatute08.htm>
- (3) Section 508 of the Rehabilitation Act:
<https://www.section508.gov/section508-laws>
- (4) Section 504 of the Rehabilitation Act of 1973:
<https://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>
- (5) Software Accessibility Matrix: <http://buyaccessible.gov/content/VARC>
- (6) Visit the university accessibility website:
<https://www.utoledo.edu/offices/marketing/toolkit/web/accessibility.html>
- (7) Voluntary Product Accessibility Template form:
<https://www.itic.org/policy/accessibility/vpat>
- (8) Telecommunications Act of 1996:
<https://www.fcc.gov/general/telecommunications-act-1996#:~:text=The%20Telecommunications%20Act%20of%201996,any%20market%20against%20any%20other>
- (9) World Wide Web Consortium's Web Content Accessibility Guidelines version 2.1: <http://www.w3.org/TR/WCAG/>

This Statement of Procedure is
Reviewed and authorized by:

Initial effective date: 2/02/2015

Review/Revision Date: 07/08/2021

Next Review Date: 07/08/2024

/s/

Enjie Hall, Director of Campus Accessibility
and Student Disability Services

7/08/2021

Date