



California State University, Chico

**Accessible Electronic and Information Technology
Procurement Plan**

D R A F T

ACCESSIBLE ELECTRONIC AND INFORMATION TECHNOLOGY PROCUREMENT PLAN

I. Introduction

California Government Code 11135 and CSU Executive Order 926 require the CSU to comply with Section 508 of the Rehabilitation Act of 1973 as amended. Section 508 mandates that the CSU apply accessibility standards and assess product conformance when purchasing, developing, maintaining or using electronic and information technology (E&IT) products and services. The CSU is required to purchase E&IT products and services that conform to applicable accessibility standards if such are commercially available, meet functional needs of the requestor, and the purchase does not result in undue burden or require a fundamental alteration.

The requirements of applicable laws and regulations for the acquisition of goods and services by the CSU are defined with the CSU Policy Manual for Contracting and Procurement. The CSU Chancellor's Office will update the systemwide policy manual to include requirements for the acquisition of accessible E&IT products. Existing procurement law and policy continues to be relevant and is to be applied along with Section 508 requirements to reach award decisions.

The plan contained herein is in response to CSU Coded Memorandum AA-2007-04, with plan submission date revisions contained in Coded Memorandum AA-2007-13. Definitions are provided in Appendix A.

II. Plan Elements

PLAN ELEMENT 1: A. Research, evaluation, documentation, verification B. Determination of exceptions related to E&IT

Formal Competitive E&IT Procurements (\$50K & Over)

- A. Research, evaluation, documentation, and verification (where appropriate) to be conducted as follows:
- Requestor to define functional requirements for the product or service needed
 - Requestor to perform market research to determine the commercial availability of accessible products/services; such research to be documented
 - Information provided by Requestor to be utilized in development of formal solicitation by Procurement & Contract Services' (P&CS) Buyer
 - Solicitation to include requirement for vendors to submit Section 508 compliance documentation
 - Type of compliance documentation (e.g., VPAT or Vendor E&IT Checklist) and criteria/relative weighting to be used to evaluate vendor 508 compliance submittals to be determined by Campus ATI Review Team. Campus CIO or 508 Compliance Officer (when/if position is established) review/concurrence will be requested as necessary.

- Campus ATI Review Team shall evaluate vendor 508 compliance submittals to determine the degree of compliance with Section 508 requirements, identifying the submittal that meets or best meets requirements
 - P&CS Buyer shall document Section 508 accessibility evaluations and conclusion; conclusions could include:
 - All products meet functional requirements and meet 508 standards
 - Product previously purchased and still conformant (no reason to believe status changed)
 - Products meet 508 standards to varying degrees
 - P&CS Buyer to issue an award for the commercial product that provides the greatest degree of compliance while satisfying other functional requirements and existing procurement law and policy.
- B. Determination of E&IT accessibility exceptions to be conducted as follows:
- Campus ATI Review Team shall review all information concerning the procurement and make a recommendation to the CIO or 508 Compliance Officer (if/when position established) whether an exemption is warranted for a particular procurement or not; the CIO or 508 Compliance Officer shall approve or deny the recommendation
 - Possible exemptions include:
 - Net Cost Increase – exemption allowed if it can be determined procurement of accessible E&IT product will increase cost to CSU
 - Commercial Non-Availability – exemption allowed if there are no commercially available 508 compliant products
 - Sole Brand - exemption allowed for approved sole brand procurements (only one brand that meets the required functional specifications)
 - Back Office - exemption allowed for products that reside in either a telecommunication closet or data center, and where there is no human interaction excepted when maintenance is required
 - Fundamental Alteration - exemption allowed if a fundamental changes to the characteristics of a product required to make it compliant
 - Undue Burden - exemption allowed if the acquisition of the accessible products would cause significant difficulty or expense to the CSU system
 - Other - exemption allowed on a case-by-case basis per other a508 exemption allowances

E&IT Procurements Below the Formal Competitive Threshold (Under \$50K)

- A. Research, evaluation, documentation, and verification (where appropriate) to be conducted as follows:
- Same above, but eliminating the formal solicitation
 - Requestor to submit Section 508 documentation to Procurement & Contract Services once conforming E&IT products have been identified or an exemption has been approved
- B. Determination of E&IT accessibility exceptions to be conducted as follows:
- Same as formal solicitations

PLAN ELEMENT 2: Process for determining Undue Burden and Fundamental Alteration

- A. Process for Determining Undue Burden (product that causes significant difficulty or expense to the organization)

- Requestor completes request for undue burden, documenting issues that are felt to qualify the procurement for this exemption; considerations and information may include:
 - resources available to program for which the product is being developed, purchased, maintained or used
 - functionality needed from product and technical difficulty in making the product accessible
 - compatibility with campus infrastructure, including security
 - integration difficulty
 - provisions that cannot be met as a result of undue burden
 - technical provisions of Section 508 standards
 - funds available to CSU
 - cost of acquiring product that meets application technical standards, along with explanation of how costs were estimated
 - market search data
 - proposed method of alternate access
 - time schedule on when it will no longer be an undue burden to the organization, i.e., when will product be conformant
 - Campus ATI Review Team to review request and make recommendation to CIO and/or 508 Compliance Officer (if/when position established)
 - CIO or 508 Compliance Officer will review the recommendation; and forward to the campus President or designee; the campus President will have final authority to approve or disapprove the undue burden request
- B. Process for Determining Fundamental Alteration (fundamental change required to make product accessible)
- Requestor completes request for fundamental alteration exemption, documenting issues that are felt to qualify the procurement for this exemption and proposed method for alternate access; considerations and information may include:
 - functional requirements and the specific need for the E&IT product
 - accessibility of the product and the impact of the accessible product to the functional requirements
 - vendor product documentation
 - Campus ATI Review Team to review request and make recommendation to CIO and/or 508 Compliance Officer (if/when position established)
 - CIO or 508 Compliance Officer review the recommendation and approve or deny exemption

PLAN ELEMENT 3: Procedures for providing equally effective alternative access to the E&IT accessibility procurement process.

- A. Procedures to providing equally effective alternative access include:
- Development of a plan for alternate access methods for persons who require such access by Human Resources and the CIO or 508 Compliance Officer.
 - The plan to include:
 - A communications process with contact information for the articulation of access needs and accessibility issues from student, members of the public and employees with disabilities

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- Protocol around 504/ADA accommodations including the process for providing access to EIT resources
- The responsibilities of the department (that has the inaccessible technology) in providing access to either the technology or to the information resources provided by that technology (i.e. web application)
- A process for filing a complaint regarding accessibility
- A feedback mechanism to evaluate the effectiveness of the solutions
- Requestor is responsible for notifying Human Resources and 508 Compliance Officer (if/when position established) that E&IT product was approved for exception or not yet subject to E&IT accessible procurement process
- Requestor and 508 Compliance Officer, in consultation with appropriate offices, will assess the potential impact on students, employees, and members of the public.
- For every exempted acquisition that is not for one person's use, the Requestor needs to articulate the process for how access will be provided to individuals with disabilities.

PLAN ELEMENT 4: A communication process and training plan to educate the requirements and the established procedures

A. Communication Process

The general communication process will include:

- Distribution of information in campus Announcements regarding Section 508
- Updating existing campus ATI website to provide updated E&IT Section 508 procurement information, which will also allow for discussion of current issues
- Posting of information on P&CS website related to E&IT Section 508 procurement requirements
- Posting of information on User Services' website related to E&IT Section 508 procurement requirements
- Conducting discussion forum so that people can interact and ask questions
- Establishing e-mail address for questions and comments

The communication process for specific implementation phases will include:

- Distribution of information in campus Announcements to keep campus community up-to-date on the progress of Section 508 implementation
- Conducting training with individuals most involved with E&IT procurements and making recommendations for purchases
- Conducting training with departmental staff involved
- Conducting general session to explain the overall impact of the 508 requirements
- Sending emails, as necessary, to explain the impending process and how it will impact the receivers area of responsibility. The notification to also advise of the dates and times of training and encourage individuals to attend due to the affect it may have on the way they do business
- Sending email in advance of the training to remind individuals of scheduled trainings
- Holding discussion forums throughout planning and implementation process with stakeholders.

B. Training Process

The training process will include:

Overall

- Section 508 Compliance Officers Training:
 - Comprehensive block on the 508 Compliance Officer's roles and responsibilities
 - Available resources and support sources
 - The secrets on how to be a 508 Compliance Officer and what to expect
 - Better understanding of the law and exemptions
 - Discussion on his/her concerns and issues and possible solutions for them

- Buyer Training (Procurement Office):
 - Comprehensive block on Section 508
 - Better understanding of the law and how it impacts on procurement
 - Buyer's role and responsibilities

- Technician Training (Relevant Departmental Offices):
 - 508 technical standards
 - How to know whether a standard has been met
 - Evaluating conformance
 - Accessibility testing protocol
 - Technician's role in the procurement process

For Each Implementation

- Requestors Training:
 - Requestor's roles and responsibilities
 - Available resources and support sources
 - Discussion on his/her concerns and issues and possible solutions for them

- Buyers, Requestors, Section 508 Compliance Officers and Technicians:
 - Section 508 law and the overall process
 - How to process an E&IT acquisition request
 - Forms, checklists and procedures
 - Market research and evaluating the vendor documentation
 - Roles and responsibilities of others in the process

- CIO and Offices that will be affected by Section 508:
 - Overview on Section 508
 - Implementation schedule
 - The roles and responsibilities that management and offices will have in the process (e.g., selection of Section 508 Compliance Officers, technical assistance, public support of the program)

- Specialty groups (Include members of groups where applicable, such as students, faculty, staff and contractors):
 - Overview on Section 508
 - The Section 508 process tailored specifically to the audience
 - Roles and responsibilities
 - Implementation schedule

PLAN ELEMENT 5: An evaluation process to measure the effectiveness of the

A. Method for measuring effectiveness

Goal: 100% Compliance with Section 508 Requirements by following process in Plan Element 1

- Self-check by randomly selecting and reviewing sampling of E&IT acquisitions, verifying whether proper Section 508 documentation was completed, approved and on file.

PLAN ELEMENT 6: Identification of roles and responsibilities associated with the above process

A. Roles and responsibilities:

Requestor – the individual requesting the acquisition of an E&IT product or service

- Develops functional requirements for the requested products or services, with the assistance of campus technical staff as necessary
- Conducts market research to identify sources that meet the functional requirements
- Determines which accessibility subcategories are applicable for the product
- Evaluates the vendor responses to Section 508 compliance
- Verifies Section 508 compliance information submitted
- Provides Section 508 documentation for the acquisition file
- Obtains Section 508 Compliance Officer review and approval (if necessary) of Section 508 compliance determination
- Provides the acquisition request along with the approved Section 508 documentation to the Buyer
- Creates accurate and supportable functional requirements
- Conducts in depth, accurate and complete market research and evaluation of vendor Section 508 documentation
- Participates in formal competition acquisitions by providing necessary information to develop formal solicitation documents that include criteria to evaluate product conformance and evaluation of the proposals
- Informs department responsible for Section 504 on requirements for alternate access

Section 508 Compliance Officer (currently position not filled on campus); CIO and/or HR

- Assists staff, faculty, student, the public and other outside sources with Section 508 issues or questions
- Assists Requestor in the review of E&IT Section 508 compliance documentation
- Evaluates and in some instances approves exemption requests
- Creates comprehensive ATI Section 508 program
- Promotes the importance of Section 508 efforts
- Oversees Section 508 training and communications
- Assists with the resolution of non-conformant procurements and contractor product problem and works to create win-win solutions
- Ensures consistent implementation of Section 508 programs
- Acts as liaison on Section 508 matters with management
- Works with EEO and Disability Support Services on issues, especially E&IT reasonable accommodation problems

- Works with relevant offices to address accessibility issues for students, employees and members of the public

Procurement & Contract Services Buyer – Individual responsible for actual procurement of the E&IT product or service.

- responsible for reviewing the ATI documentation to verify the proper approval has been obtained and the proper documentation has been submitted to be included into the procurement file:
- Processes properly documented E&IT acquisition requests
- Considers only vendors for the acquisition who have complied with Section 508 documentation requirements
- Purchases product per the market research and according to CSU policies and procedures
- Ensures that Section 508 requirements are contained in contracts awarded

Computing & User Support Director or designee – Individual who provides the interface between Section 508 requirements and technical specifications. The Technician may perform in a general capacity such as strategic planning of E&IT requirements or as a specialist such as in the evaluation of a particular E&IT product. Technicians in the various areas of E&IT specialty may be assigned on an as needed basis or on a permanent basis to assist with Section 508 issues. The Technician's roles and responsibilities may include:

- Assists Requestors with functional requirements and market research
- Assists Requestors with evaluating vendor Section 508 documentation
- Evaluates products with the CIO and/or Section 508 Compliance Officer to determine the technical credibility of an exemption
- Works with the Buyer on technical questions and issues during the E&IT acquisition process
- Participates, as the Section 508 technical representative, in strategic planning of campus E&IT requirements (e.g., software development, training)
- Participates as the technical source in the resolution of accessibility issues of students, faculty, staff and the public
- Advises Section 508 Compliance Officer on technical matters as they relate to accessibility issues

PLAN ELEMENT 7: Milestones and timelines that conform to dates required by Coded Memo AA-2007-04 and AA-2007-13

Required Timeline	Due
Submission of E&IT Procurement Plan	8/10/07
Develop and implement E&IT procurement procedure for acquisitions greater than \$50,000 (formal bids)	9/1/07
Develop and implement E&IT procurement procedure for acquisitions greater than \$2,500 [Procurement card purchases exempted]	9/1/08
Develop and implement E&IT procurement procedure for all acquisitions greater than \$2,500	9/1/09
Develop and implement E&IT procurement procedure for acquisitions less than or equal to \$2,500	9/1/10

September 1, 2007 Milestone

Develop and Implement E&IT Procurement Procedure for acquisitions greater than \$50,000.

Task	Timeline	Responsible Party
Prepare forms, procedures, instructions and training	By 8/30/07	The ATI Review Team in conjunction with the CIO and other departments as necessary
Commence training key P&CS & technical staff in the ATI procurement processes	By 8/30/07	
Implement E&IT procurement procedure for acquisitions greater than \$50,000	9/1/07	
Develop communication process	9/1/07	
After gaining real-life experience on process during initial program, create/modify procedures and schedule training classes for campus individuals	10/1/07	
Create centralized special team that can help the Requestors and 508 Compliance Officers with Section 508 legal and process questions	10/30/07	

September 1, 2008 Milestone

Develop and Implement E&IT Procurement Procedure for acquisitions greater than \$2,500, Procard purchases exempted:

Task	Timeline	Responsible Party
Start development of procurement policies	3/15/08	The ATI Review Team in conjunction with the CIO and other appropriate departments as necessary
Start development of procurement procedures	4/15/08	
Start working on forms, instructions, training, and communications	7/15/08	
Initiate communications with stakeholders	8/15/08	
Start training of key people	8/15/08	
Implement E&IT Procurement Procedure for acquisitions greater than \$2,500, Procard purchases exempted	9/1/08	

September 1, 2009 Milestone

Develop and Implement E&IT Procurement Procedure for all acquisitions greater than \$2,500.

Task	Timeline	Responsible Party
Start development of procurement policies	3/15/09	The ATI Review Team in conjunction with the CIO and other appropriate departments as necessary
Start development of procurement procedures	4/15/09	
Start working on forms, instructions, training, and communications	7/15/09	
Initiate communications with stakeholders	8/15/09	
Start training of key people	8/15/09	
Implement E&IT Procurement Procedure for acquisitions greater than \$2,500	9/1/09	

September 1, 2010 Milestone

Develop and Implement E&IT Procurement Procedure for acquisitions less than or equal to \$2,500.

Task	Timeline	Responsible Party
Start development of procurement policies	3/15/10	The ATI Review Team in conjunction with the CIO and other appropriate departments as necessary
Start development of procurement procedures	4/15/10	
Start working on forms, instructions, training, and communications	7/15/10	
Initiate communications with stakeholders	8/15/10	
Start training of key people	8/15/10	
Implement E&IT Procurement Procedure for acquisitions less than or equal to \$2,500	9/1/10	

DEFINITIONS

California Government Code 11135 – State law that requires the CSU to implement Section 508 and to apply federal accessibility standards to electronic and information technology (E&IT) products and services that are created, purchased, maintained or used by the CSU

Campus ATI Review Team – Team of campus individuals consisting of Computing & User Support Director or designee, Disability Support Services Director or designee, and P&CS Buyer

Electronic and Information Technology (E&IT) – Any electronic equipment or interconnected system or subsystem of equipment or software, that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. The term E&IT includes, but is not limited to, computers, software, 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 considered E&IT products that fall under Section 508 requirements.]

Exemption – Net Cost Increase - A specific exemption allowed in California Government Code Section 11135©(2): “. . . *In clarifying "... In clarifying that the California State University is subject to paragraph (2) of subdivision (d), it is not the intention of the Legislature to increase the cost of developing or procuring electronic and information technology. The California State University shall, however, in determining the cost of developing or procuring electronic or information technology, consider whether technology that meets the standards applicable pursuant to paragraph (2) of subdivision (d) will reduce the long-term cost incurred by the California State University in providing access or accommodations to future users of this technology who are persons with disabilities, as required by existing law, including this section, Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 and following), and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794).* "

Fundamental Alteration – changes to product to make it 508 compliant that fundamentally changes the product characteristics

Requestor – Person or department requesting the purchase of E&IT goods and/or services

Section 508 – Part of the Rehabilitation Act of 1973 as amended in 1998; requires that electronic and information technology developed, procured, maintained or used to be accessible to persons with disabilities

Section 508 Technical Accessibility Standards – Accessibility technical specifications and performance-based requirements which focus on the functional capabilities covered by technologies. The standards include the following six sections and are contained in

- Software applications and operating systems
- Web-based intranet and internet information and applications
- Telecommunications products
- Video and multimedia products
- Self-contained, closed products (e.g., kiosks, copiers, fax machines)
- Desktop and portable computers

Undue burden – Section 508 defines “undue burden” as a product that causes “significantly difficulty or expense” to the organization.

Vendor Evaluation Checklist – Document completed by the vendor or supplier to document how their product meets or does not meet Section 508 standards. Maybe be used in lieu of VPAT if so specified by campus.

Voluntary Product Accessibility Template (VPAT) – Template developed by the federal government for vendors to disclose the extent that their E&IT product(s) and service(s) conform to Section 508 technical accessibility standards. The VPATs are specific to a particular product make and model. May be used in lieu of Vendor Evaluation Checklist if so specified by campus.