POLICY Board of Trustees - Montgomery College **76004**

Chapter: Information Technology Modification No. 002

Subject: **Information and Communication Technology Accessibility**

I. Montgomery College is committed to providing equal access to College programs, services and activities, and environments in which the College procures, develops, maintains, or uses Information and Communication Technology (ICT).

II. Implementing this policy will help ensure that all individuals have access to information and communication technology associated with administration and services, courses of instruction, departmental programs, and College-sponsored activities as required by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act As Amended (2009).

III. It is the policy of the Board of Trustees that the College will:

A. Use accessibility guidelines that improve access for all, including those with disabilities.

B. Use hardware and software products that are proactively inclusive.

C. Design and implement work and learning environments that are more inclusive and bolster access for all users.

D. Develop communications, documents, web content, and other multimedia that are consistent with this policy.

E. Annually evaluate and monitor current status and progress of Information and Communication Technology (ICT) accessibility.

IV. Undue burden and/or non-availability of accessible technology may qualify as an exemption from this Policy.

V. The president is authorized and directed to establish procedures necessary to implement this policy.

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Board Approval: May 16, 2016; April 19, 2021

PROCEDURE - Montgomery College **76004CP**

Chapter: Information Technology Modification No. 002

Subject: **Information and Communication Technology Accessibility**

I. Introduction

The intent of the Information and Communication Technology Accessibility policy is to promote equal access to the College's resources, technologies and services for students, employees, guests and visitors — including those with disabilities. The Information and Communications Technology Accessibility policy encompasses the following areas:

A. Web content, web-based information, and services — including those associated with courses of instruction, departmental programs, College-sponsored activities, employment, administration and College services.

B. Hardware and software, enterprise-level systems or technologies that affect a large number of students, faculty, and/or staff, that are developed, purchased, or acquired by Montgomery College.

C. Environments incorporating technology - including classrooms, computer facilities, on-line instruction, distance learning, libraries and resource centers.

D. Exemptions — Extreme difficulty or expense (undue burden); Hardware and software tools specific to a development process in which no member of the development team requires accessibility accommodations; Hardware or software for which no equivalent accessible option is available (non-availability).

II. Definitions

A. Accessible - means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use.

B. Equally Effective Alternate Access - equally effective alternate access to information and communication technology for persons with disabilities is based on (1) timeliness of delivery, (2) accuracy of translation, and (3) delivery in a manner and medium appropriate to the disability of the person. Such alternate(s), to be equally effective, are not required to produce the identical result or level of achievement for disabled and non-disabled persons, but must afford disabled persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

C. Fundamental Alteration - a change to a College program or service may constitute a fundamental alteration if it alters the essential purpose of the program or service or any of its components. In situations where a fundamental alteration can be documented, equally effective alternate access must still be provided.

D. Undue Financial and Administrative Burdens - undue financial and administrative burdens are created when a proposed course of action causes significant difficulty or expense. Because an institution must consider all resources available when reviewing claims of undue financial and administrative burdens, the decision to invoke undue financial and administrative burdens should be carefully weighed and sufficiently documented. In situations where undue financial and administrative burdens can be documented, equally effective alternate access must still be provided. (U.S. Department of Justice, 2013)

E. "Information and Communication Technology (ICT)" - is a term used to describe technologies that provide access to information and/or serve as a mechanism of communication which was previously referred to as Electronic and Information Technology (E&IT) up to March 2018. ICT includes any equipment or interconnected system or subsystem of equipment that is used to create, convert, or duplicate data or information. Technologies that fall into this category include websites, mobile applications, cloud computing, software, copiers, fax machines, printers, ATM's, Kiosks, Telecommunications, and Multimedia. includes information technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, or duplication of data or information.

F. Legacy Web Page - is a web page published prior to the effective date of this policy.

G. New Web Page - is a web page created for or by any Montgomery College unit after the effective date of this policy.

H. Revised Web Page - is a web page that has been altered or updated through visual design or significant content additions, subtractions, or modifications after the effective date of this policy.

I. Web Content Accessibility Guidelines (WCAG) - is a set of globally accepted guidelines iteratively developed through the Web Accessibility Initiative (WAI) by the World Wide Web Consortium (W3C) that develops web standards such as HTML and CSS.

J. Universal Design Center (UDC) – The UDC is a virtual center that supports the College community by removing barriers in working and learning environments through the use of accessible information communication technology, inclusive physical environments, and through the promotion of inclusion, social justice, and cultural competence.

K. Universal Design Center (UDC) Steering Committee – The UDC Steering Committee is the Universal Design Center governance group and advisory group on issues and decisions.

III. Websites

A. All new and revised web pages, web applications and web content, and website templates, published or hosted by the College, program, unit, or faculty that are available to students, prospective students, or applicants must comply with the Web Content Accessibility Guidelines (WCAG) AA.

B. All new and revised web pages must indicate in plain text a method for users having trouble accessing the site to report the inaccessibility. The disclaimer should state, “The College's website must contain a link to MC's Commitment to Accessibility and a method to report barriers and/or to receive an equally effective accessible format.”

C. Legacy Pages: Priority will be given to creating accessible web pages for core institutional information such as course work, registration, advising, admission, catalogs, and student services information. Departments with large web sites containing core institutional information that is made available to students, prospective students, or applicants should establish priorities for ensuring access to these pages according to the pages being used or requested most often. The following guidance is suggested for setting priorities to make legacy web pages accessible:

1. Web pages specifically requested to be made accessible as part of a formal accommodation request shall be made accessible as soon as possible, or an equally effective alternative shall be provided. Undue administrative or financial burdens may contribute to a determination that alternative formats be used to provide the information to individuals requiring use of the information.

2. Other pages that are determined to be of the most importance in providing college services online (core institutional information) should be placed in the first priority.

D. Exemptions

1. Archived web pages do not have to comply with Web Content Accessibility Guidelines (WCAG) AA. unless specifically requested by an individual with a disability. Units with legacy pages not deemed high priority also do not have to comply with Web Content Accessibility Guidelines (WCAG) AA, but are encouraged to identify and improve the accessibility of their pages.

2. Undue burden and non-availability may qualify as an exemption from the policy under the following circumstances:

a. Where compliance is not technically possible, or is unreasonably expensive or difficult in that it may require extraordinary measures due to the nature of the IT or the intent of a web page.

b. The conclusion of undue burden or non-availability is an institutional decision to be made by the Director of ADA Compliance, or designee, in consultation with the affected unit and others with relevant perspective or expertise.

IV. Instructional Materials

A. Instructional materials, digital resources, and utilized technology created, maintained, or used by a program, unit, or faculty must be accessible to

individuals with disabilities at the same time they are available to any other student.

B. Each program and instructor using pre-existing instructional content, ICT, and open source resources used prior to this policy should develop and implement a plan to make the learning environment accessible.

V. Procuring Accessible ICT

A. The College will ensure that any new technology it broadly makes available to students, prospective student applicants, employees or prospective employee applicants including web applications, mobile applications, cloud computing, software, copiers, fax machines, printers, ATM's, Kiosks, Telecommunications, and Multimedia is accessible, provided such new technology is commercially available and its purchase does not result in undue financial and administrative burdens or a fundamental alteration. If a product is available and meets some, but not all, of the relevant accessibility provisions of the WCAG level AA, the product that best meets the standard must be procured.

B. Those responsible for making decisions about which products to procure must consider accessibility as one of the criteria for acquisition. The College will follow the below process to ensure information and communication technology developed, purchased, or acquired by the College is accessible:

1. Vendors must be asked to provide information about the accessibility of their products by providing a Voluntary Product Accessibility Template (VPAT).

2. The information provided by vendors must be valid, evaluated with reliable and objective testing methodology.

3. Those procuring or utilizing multimedia (i.e. video, documents, ePubs, Open Education Resources (OERs)) must include accessibility as a requirement and must be able to objectively evaluate the accessibility of products, and to scrutinize the information provided by vendors. The Universal Design Center (UDC) will provide assistance with review of documentation in determining the accessibility of new technology. Accessibility also includes open sourced and free materials and content, training modules, and support resources.

4. In conjunction with the Office of Procurement, the UDC will establish internal procedures consistent with best practices to promote an efficient procurement process in compliance with federal, state, and local laws.

VI. Technical Assistance, Exceptions, and Monitoring

A. Montgomery College has a responsibility for providing and creating accessible environments, tools, and materials Accessibility is a shared responsibility among all College collaborators, including Disability Support Services (DSS), the Office of Information Technology (OIT), E-Learning, Innovation, and Teaching Excellence (ELITE), the Office of Compliance, Risk, and Ethics, administrative and academic departments, faculty, and staff.

B. The Universal Design Center (UDC), with the UDC Steering Committee , and other collaborative departments/units, such as ELITE supporting training, will provide resources, information and professional development on plan development and implementation, as well as on improving accessibility of programs, web content, instructional materials and other ICT.

C. When compliance is not technically possible, would require a fundamental alteration, or would result in undue financial and administrative burdens, exceptions to the policy may be granted by The Universal Design Center (UDC), in consultation with the UDC Steering Committee, and in conjunction with the director of ADA compliance. Requests for exemption must be in writing to the Universal Design Center (UDC). Whenever an exemption is granted, the College must develop a plan to provide equally effective alternate access to the information or service of the technology to students, prospective students, applicants, and employees.

D. The College will periodically conduct audits of websites, instructional materials, procured or acquired ICT used by departments, programs, and faculty, inform them of the results, and initiate remedial action for identified accessibility barriers.

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Administrative Approval: May 18, 2016; April 20, 2021