

Accessible EIT Purchasing Workflow

1. Purchasing will include the accessibility language in the *EIT Accessibility Compliance Terms and Conditions* document with purchase agreements for all EIT orders.
2. An initial assessment of risk shall be made according to the *EIT Accessibility Risk Assessment.*
   * **Low or Medium Risk**: approve the purchase and send the purchasing department or unit an *EIT Accessibility Acknowledgment Form*.
   * **High Risk:** submit a project request to the EIT Accessibility Coordinator for accessibility review and/or testing
   * **Potentially High Risk with Unknown Accessibility Level:** submit a project request to EIT Accessibility Coordinator for accessibility risk assessment and review/testing as appropriate
3. If the product is high risk and is determined to be inaccessible, and the vendor is unwilling or unable to agree to mutually agreeable remediation timeline, the purchasing department or unit should consider alternative products that are more accessible or submit an *Application for Exception to EIT Accessibility Policy* to the Accessibility Review Board. An exception shall only be granted in instances where it is NOT technically feasible to make the product accessible OR an accessible alternative is unavailable AND the course, program, or service would be fundamentally altered without the technology being considered for purchase.
4. If an *Application for Exception to EIT Accessibility Policy* is filed, the EIT Accessibility Review Board will review the application and make determinations based on established criteria for exception to the EIT Accessibility Policy. (See *Application for Exception to EIT Accessibility Policy*). The review board may make one of the following determinations:
   1. Purchase should move forward
   2. Purchase should move forward, with specific requirements (i.e. submission of Equally Effective Alternative Access Plan, or vendor timeline for remediation)
   3. Purchase should not move forward
5. Regardless of accessibility compliance, all purchases of technology will still need to be approved by the Assistive Technology Steering Committee, IT Oversight Committee, or other purchasing authority as appropriate.



EIT Accessibility Compliance Terms and Conditions Addendum

**EIT Accessibility.** University is committed to providing an accessible, usable, and integrated experience for all people. Company represents and warrants that: (i) web-based EIT products provided under this Agreement conform to WCAG 2.0 AA; and (ii) non-web-based EIT meets or exceeds the applicable accessibility requirements of section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. Company agrees to indemnify and hold harmless University from any claims arising out of its failure to comply with the foregoing accessibility standards.

**Notice and Remediation**. Company agrees to provide evidence of compliance with these requirements before this Agreement becomes effective and any other time upon reasonable request of the University. In the event EIT provided under this Agreement does not fully conform to the to the standards set forth above, Seller will promptly advise University in writing of the nonconformance and provide detailed information regarding the plans to achieve conformance, including but not limited to an intended timeline. Seller agrees to promptly respond to and resolve any complaint regarding accessibility of its products or services. Failure to comply with these accessibility standards shall constitute a breach of this Agreement.

Firm Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:

Title/Position:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_



EIT Accessibility: Purchasing Risk Assessment

# Low Risk:

* Limited audience/user base
* For administrative/research use by limited number of employees
* Not required for course work (low degree of educational opportunities/benefits through technology)
* There are easily identifiable alternatives that provide an equally effective program/service in an equally integrated manner to individuals with disabilities
* For employees only
* There is no commercially available accessible product
* Vendor provides sufficient information which is responsive and provided information is sufficient to determine low risk level

# High Risk:

* Large audience/user base consisting of students
* Required for course work
* High degree of educational opportunities/benefits through technology
* There is no easily identifiable alternative that provides an equally effective, equally integrated program/service in a timely manner to individuals with disabilities
* There is a commercially available accessible alternative

# Questions Buyers should ask themselves:

1. What is this product’s purpose? Educational vs. other?
2. What does this software do and how are we using it?
3. Who is the intended audience? Faculty, staff, students, general public?
4. How many people will use this software?
5. Will this software be required for coursework or job duties?
6. Do we have a specific representative for this vendor that we typically work with?
7. Did the vendor supply a VPAT?
8. Have the VPAT claims been verified by the EIT Accessibility Coordinator?
9. Has the vendor agreed to or indicated willingness to agree contractually to correct identified accessibility issues in a reasonable time frame?
10. Is there an alternative product which provides and equally effective, equally integrated program/service in a manner that is more accessible to individuals with disabilities?