Missouri Western State University

Policy Name: Digital Accessibility	**Date Effective**:
Policy Category: Governance, Legal and General Administration	**Date Last Revised**:
Approving Authority:	**Date Last Reviewed:**
Responsible Office(s): Academic Affairs, Marketing and Communications, Accessibility Resource Center, Finance and Administration	**Recommended Review Cycle**: Annual

I.   Purpose

This policy outlines Missouri Western State University's commitment to ensuring digital accessibility and compliance with the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, et seq. and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794.

II.   Applicability

This policy applies to all information and communication technology acquired, developed, distributed, used, purchased, or implemented by or for the University and used to provide University programs, services, or activities. This policy applies to digital and web resources regardless of whether they are created for an internal audience such as students, faculty, and staff or an external audience that includes the general public, or both.

III.   Definitions

Accessible: "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.

Archived Information: Digital information or digital services which are no longer actively linked to but are subject to records retention plans.

Assistive Technology: An adaptive device or software which assists persons with disabilities with interacting with technology. Examples include magnification software, screen-reading software, captioning, and speech to text or text to speech programs.

Accessible Information Technology: Information technology (IT) that has been designed, developed, or procured to be usable by people with disabilities, including those who use assistive technology.

Accessibility Standard: For the purpose of this policy, publicly available web pages must meet the standard set by the Worldwide Web Consortium's Web Content Accessibility Guidelines

version 2.1, Level AA Conformance ([WCAG 2.1 Level AA](#)) ("Accessibility Standard"). All other Digital Content and information should be designed to maximize accessibility and must meet the requirements of the ADA.

Digital Accessibility: The ability of a website, mobile application, or electronic document to be easily navigated and understood by a wide range of users, including those users who have visual, auditory, motor, or cognitive disabilities.

Digital Content: All electronic information (public facing and non-public facing) procured, created, produced, or revised by a school, unit or department for University business which includes, but is not limited to:

- Websites hosted on the University domain;

- Course sites and course materials;

- Mobile and desktop apps;

- University-created and third-party software, applications, mobile applications, domains, and websites utilized by schools, units and departments;

- Official University social media accounts;

- Audiovisual materials, such as videos and podcasts; and

- Downloadable documents made available through University websites, course sites, and social media, including but not limited to PDFs, PowerPoints, and Word documents.

Disability: A physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of having such impairment; or being regarded as having such an impairment.

Equally Effective: The alternative format or medium communicates the same information in as timely a manner as is feasible.

Legacy Content: Content contained within a website or another piece of information and communication technology which has not been revised since the date a new set of technical guidelines was adopted.

Site Owner: The individual designated by the cognizant Dean, Vice President, Chair, and/or Director of a University unit who is responsible for each University Website within their purview. Site Owners have primary responsibility for: (1) ensuring that the web properties for which they are responsible conform to this policy; and (2) coordinating efforts to ensure accessible Digital Content; and 3) reporting issues for remediation as needed.

IV.   Policy

Missouri Western State University is committed to providing and supporting information technologies and digital communications that are accessible to all users, including those with disabilities and persons using assistive technology, and to meeting or exceeding the requirements

of state and federal law, including the Americans with Disabilities Act and Sections 508 and 504 of the Rehabilitation Act.

The University seeks to implement information technologies that are accessible to all users, including those who use assistive technologies. An accessible IT environment enhances inclusion and usability for everyone, helping to ensure that as broad a population as possible is able to access, benefit from, and contribute to our programs and services.

New or redesigned University websites and digital resources shall be in compliance with the most recent version of or successor standards to the Web Content Accessibility Guidelines ("WCAG") 2.1 Level AA ("Accessibility Standards"), as published by the Web Accessibility Initiative of the World Wide Web Consortium. Legacy Content and digital resources shall be updated to comply with the policy standards according to priorities set by the Organizational Leader (see below) responsible for the web page or digital resource.

V.   Procedures/Policy Details

A.   Implementation

Implementation of digital accessibility will be a continuous and ongoing process, and the approach will evolve as technology evolves. Thus, guidance on current accessibility standards, shared resources, prioritization guidelines, and training materials will be created and regularly updated to support the integration of digital accessibility into each University's daily processes and IT environments.

B.   Responsibility of University Constituents

Technology and communications accessibility is an institution-wide responsibility that requires commitment and involvement from leaders across all units of the University. It is the responsibility of every University unit to comply with this policy when designing, building, or purchasing websites, software, and other digital products and services.

Digital accessibility compliance oversight is shared by the Accessibility Resource Center, Instructional Design, Marketing and Communications, and Technology Services. These units provide resources and guidance to University constituents in their responsibilities for accessible Digital Content.

Oversight of compliance with this regulation is also delegated to the head of each University unit, such as a Dean, Department Chair, Director, or other applicable unit administrator (i.e., "Organizational Leader") to address the accessibility of Digital Content for the department. This individual or their designee coordinates compliance with all University policies, regulations and rules relating to Digital Content owned or used within their department.

The Organizational Leader (or designee) will take appropriate actions to uphold the accessibility of Digital Content; communicate this regulation, and other applicable accessibility information and practices; collaborate with the offices listed above, to respond to and resolve accessibility

issues resulting from the development, use, maintenance, or purchase of Digital Content within the department.

University constituents are required to identify and prioritize existing Digital Content that is not accessible and develop an action plan to make that existing Digital Content Accessible. In addition, upon request, University units must make any existing or historic Digital Content accessible in a timely manner.

C.   Instructional Materials Accessibility

This policy applies to all digital instructional materials, optional and required, whether delivered within the University's learning management system, in face-to-face classes, distance education classes or through electronic instructional activities such as email, blogs, and resources external to the University.

It is the responsibility of faculty or any course content developer to maintain accessible Digital Content consistent with applicable institutional, local, state, and federal requirements.

Digital instructional materials, optional and required, will be accessible and as effective and usable for persons with disabilities as they are for persons without disabilities. Instructional materials and activities will be made available to all students in a timely manner and through an equally effective means.

D.   Evaluation of Accessibility

A variety of evaluation methods shall be used to test and maintain the accessibility of web pages and digital resources, including automated and manual testing, user testing (including the use of assistive technology), and expert evaluation.

E.   Reporting and Responding to Accessibility Issues

Issues regarding digital accessibility should be directed to the [Report a Campus Accessibility Concern](#). The ARC Director is responsible for routing issues to appropriate University units for remediation.

Site Owners who learn of a user accessibility issue through other channels also should submit the issue using the [Report a Campus Accessibility Concern](#) form so that all such concerns can be cataloged centrally. Organizational Leaders and Site Owners shall ensure that prompt efforts are undertaken to address any reported barriers to access. If Organizational Leaders or Site Owners are unable to address the issue promptly, the Organizational Leaders or Site Owners should contact University Accessibility Resource Center to discuss options for an accommodation.

University websites and Canvas sites subject to this policy shall include a link to the [Report a Campus Accessibility Concern](#) form on the footer of each page, providing the primary means for users to submit requests or express concern about the accessibility of Digital Content.

F.   Exceptions

The Americans with Disabilities Act requires that state and local governments have to provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities. In general, all digital content must meet WCAG 2.1 AA standards subject to certain exemptions. Even if content is subject to an exemption, if it is revised, republished, reshared, or updated the newly published or revised content must comply with the Accessibility Standard. Additionally, upon request, Digital Content otherwise exempted from meeting this Accessibility Standard may still need to be provided in an alternate format that is equally effective.

A summary of exemptions is included below.

1. Archived Web Content:

Web content that meets **all four** of the following points would not need to meet WCAG 2.1, Level AA:

      a. The content was created before the date the University must comply with this rule, or reproduces paper documents or the contents of other physical media (audiotapes, film negatives, and CD-ROMs for example) that were created before the University must comply with this rule, **AND**

      b. The content is kept only for reference, research, or recordkeeping, **AND**

      c. The content is kept in a special area for archived content, **AND**

      d. The content has not been changed since it was archived.

2. Preexisting conventional electronic documents

Documents that meet **both** of the following points usually do not need to meet WCAG 2.1, Level AA, except in some situations:

      a. The documents are word processing, presentation, PDF, or spreadsheet files; **AND**

      b. They were available on the University's website or mobile app **before** the date the University must comply with this rule.

3. Content posted by a third party

Only applicable to content third party content on University websites or mobile apps when the posting is not due to contractual, licensing, or other arrangements with the University. However, any content posted by the University on the third-party websites or platforms would likely need to meet the Accessibility Standard as the University's content would not fall under the exception.

4. <u>Password protected individualized documents</u>

- Documents that meet **all three** of the following points do not need to meet WCAG 2.1, Level AA:

    a. The documents are word processing, presentation, PDF, or spreadsheet files, **AND**

    b. The documents are about a specific person, property, or account, **AND**

    c. The documents are password-protected or otherwise secured.

5. <u>Preexisting social media posts</u>

Social media posts made by a state or local government before the date the state or local government must comply with this rule do not need to meet WCAG 2.1, Level AA.

Note: Additional information regarding potential exceptions may be accessed at the U.S. Department of Justice Civil Rights Division [ADA.gov](ADA.gov) site.

G.   Vendor Accessibility Requirements

The University will seek to deploy to the extent feasible information technologies that have been designed, developed, or procured to be accessible to all users, including those who use assistive technologies. The University will:

- Develop, purchase, and/or acquire, to the extent reasonable, hardware and software products that are accessible.
- Promote awareness of this policy to all members of the University community, particularly those in roles that are responsible for creating, selecting, or maintaining electronic content, communications, or applications.

All vendors will be asked to provide a current Accessibility Conformance Report (ACR) or Voluntary Product Accessibility Template (VPAT) that shows their compliance with the Accessibility Standard. Vendors must also agree to the University's appropriate accessibility warranty in the contract terms and conditions before the contract is executed. Vendors who will not agree to this warranty may suggest alternative language for review by the Purchasing Office. If this language is insufficient and/or the ACR/VPAT does not show substantial compliance with the Standards, the purchase may not go forward without an exception approved by the Vice President for Finance and Administration.

Digital accessibility compliance is ultimately the responsibility of the unit making the purchase request. University units should use the information and resources detailed on this page while they verify a product's digital accessibility compliance and work with suppliers to remediate any identified issues. Prospective suppliers should be asked to supply their ACR/VPAT, which serves as a standardized assessment of their product or service's current level of digital accessibility compliance. Requesting this information and documentation up front will decrease the time needed for reviewing the purchase request.

H.   Equal Opportunity and Accessibility Committee

The Equal Opportunity and Accessibility Committee ("EOAC") will support overall compliance of the University's Digital Content, and will consult with the Accessibility Resource Center, Technology Services, Center for Teaching and Learning, Marketing and Communications and Business Office to review and offer accessibility recommendations on known issues with digital accessibility compliance under this policy, including the applicability of the exceptions. The EOAC will review any reported accessibility concerns and work to remediate identified problems. The EOAC will also periodically review this policy, any associated procedures, and the governance model and, as appropriate, recommend changes. The review will help ensure that the policy continues to align with the University's mission, including its commitment to accessibility.

I.   Resources

Additional information about the Accessibility Standard, tools for checking accessibility of sites, and tutorials and tips for making Digital Content accessible may be accessed at [link to site coming soon] In addition to these general resources, the University provides individual consultation and support services.