

# Technology Procurement for Accessibility

## Scenario

Meeting with her executive team, Felicia Morgenstern, president of Sundale University, voiced concerns about a letter another institution had received from the US Department of Education's Office for Civil Rights. The letter indicated that the college's website was in violation of federal law concerning equal access to technology for individuals with disabilities. Morgenstern wondered whether Sundale was at risk of being similarly cited for its website or other digital resources. A lengthy discussion ensued that expanded from a focus on Sundale's website to broader considerations of how the university ensures that its IT tools and services are accessible. It became clear that although Sundale had developed policies concerning accessible IT, those policies were not widely understood or uniformly enforced. Morgenstern asked the provost to convene a university-wide task force to assess Sundale's accessibility practices and make recommendations for improvement. She also took the opportunity of a quarterly meeting with the trustees to make them aware of the situation and the course of action.

The task force examined Sundale's existing practices for providing and supporting technology—whether procured from a vendor or developed in-house—and identified specific steps that could be taken to keep inaccessible technology from being implemented at Sundale. They suggested adding language to the procurement policy that would encourage individuals who want to use new IT tools to learn about accessibility concerns and factor them into technology decisions. At the same time, the task force recommended that Sundale require a full accessibility review of any technology that would be deployed institution-wide. The group proposed that institutional leaders and managers be tasked with making sure that staff who reported to them fully understood and complied with the university's policies. Morgenstern accepted all the committee's recommendations.

One year later, the president reported to Sundale's trustees that the university had made considerable progress. Far more of the technologies that the institution supported were accessible, and those who made technology decisions regularly discussed accessibility and how the campus could improve. Some vendors had begun to consult with faculty to determine how their products and services might be more accessible. The revised policies were especially timely, given Sundale's growing reliance on cloud-based technologies, which sometimes pose even greater difficulty in ensuring accessibility because another entity maintains the applications.

## 1 What is it?

Policies concerning the procurement and acquisition of technology provide an opportunity for colleges and universities to increase the accessibility of the tools and services that students and faculty use, both for academic and administrative purposes. Despite general agreement among institutional leaders that they are obligated to provide accessible technology, efforts at many colleges and universities to fulfil that promise are often ad hoc, incomplete, or not fully implemented. Including accessibility requirements or guidance in institutional policies and practices for how technology is procured is one way for colleges and universities to demonstrate a commitment to ensuring equal access to information, programs, and activities and to comply with applicable legal requirements.

## 2 How does it work?

In the United States, certain federal laws—such as the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973—address requirements for providing access for users with disabilities, and state laws can add another layer of regulation. Many technology tools, however, fail to meet accessibility standards, disenfranchising certain users while exposing institutions to legal action. Even at institutions with well-articulated accessibility policies, such guidelines are sometimes not effective institution-wide. Due to decentralized purchasing and contracting practices, as well as the growing ecosystem of easy-to-deploy learning apps, applications and services are often deployed with little or no oversight from an accessibility perspective. In contrast, institutions that include stipulations for accessibility in procurement policies can screen applications to determine their level of accessibility. Informed decisions can then be made about whether to allow applications to be purchased. In some cases, institutions will permit inaccessible tools, provided that a plan is in place, either to address accessibility issues should a student in a particular course be adversely impacted by courseware that is not accessible or to provide an alternative means of providing equal access.

## 3 Who's doing it?

A small but growing number of colleges and universities are developing policies and practices that bring accessibility into decisions about which technologies are deployed. At George

# Technology Procurement for Accessibility

Mason University, the university counsel, purchasing office, libraries, and IT services are collaborating to [establish purchasing guidelines](#) that ensure all IT purchases are reviewed for accessibility and conform to explicit standards and guidelines. The California State University system has developed system-wide [vendor accessibility requirements](#), as well as an [Equally Effective Alternate Access Plan \(EEAAP\)](#) to address accessibility barriers while the product development team addresses remediation of those barriers (which are outlined in a product [Accessibility Roadmap](#)). Penn State University updated its policy for [accessibility of electronic and information technology](#) to reflect evolving standards and new best practices. The University of Washington uses a step-by-step [checklist](#), including suggested language for contracts, to help users across campus ensure accessibility compliance in technology acquisitions. The University of Wisconsin–Madison [tells stakeholders](#) that they “must consider accessibility early and throughout the process as one of the criteria for [technology] acquisition.” As part of a process of “growing a culture of access,” Wichita State University [has developed](#) an in-depth Foundations of Accessibility course for staff and a technology audit rubric, among other tools.

## 4 Why is it significant?

In the same way that the inclusion of IT security requirements in procurement practices has elevated the security posture of institutions and awareness among users, incorporating guidance about accessibility can limit the number of inaccessible technologies on campus while educating the community about the need to provide access to all users. Leadership in this area is essential for an institution to advance its commitments to accessibility, diversity, and inclusivity. Such action can also help higher education leverage its purchasing power to impel vendors to build accessibility into their products. In addition, these steps may lead to more efficiencies in resource allocation and expenditure.

## 5 What are the downsides?

Consistent adherence to accessibility policies for technology purchases can be challenging because some technologies might need to be deployed even though they are not fully accessible. In other cases, urgent needs for technology may not allow sufficient time to fully evaluate a product’s accessibility, given the extra steps added to the acquisition process. It can be difficult to effectively communicate the rationale and importance of such policies to all relevant campus stakeholders. Campus policies allowing decentralized technology purchases can create gray areas where buyers

may be uncertain about—or may not even be aware of—their responsibilities to ensure that such purchases comply with institutional accessibility policies. At the same time, institution-wide policies about accessibility can raise questions about who has authority for technology procurement. Because current law does not require commercial products to be accessible, accessibility requirements may limit choice in selecting technology solutions.

## 6 Where is it going?

Many institutions need to be more explicit in articulating procurement and acquisition policies to ensure that technology solutions meet institutional requirements and comply with relevant regulations. Accessibility policies will continue to be an important channel through which institutions can develop a culture of inclusivity, helping the campus community see accessibility as a benefit to the institution. Reflecting increased awareness across society of the need for and value of inclusivity, institutions will see continued interest in accessibility across the campus community. As this happens, vendors will understand the need to learn about accessibility standards and conduct their own testing to create and maintain products usable to all, decreasing the amount of time institutions spend screening products for accessibility. Many institutions will likely invest time in assessing not just the language of their accessibility policies but also how they are applied and communicated across campus. Student interest in accessibility is likely to continue to manifest itself in avid and vocal advocates interested in influencing campus policy.

## 7 What are the implications for teaching and learning?

Considerations of inclusivity and accessibility should permeate teaching and learning—as indeed they increasingly do. Faculty members, instructional designers, librarians, and their colleagues continue to deepen their awareness that their efforts to nurture learners must be accessible to all. Changes in pedagogic practice to ensure broader adoption of accessible technology are tangible demonstrations of that enhanced awareness. Broader adoption of the principles of Universal Design for Learning may stimulate more institutions to be intentional about policies that ensure accessible technology purchases. By taking specific steps to ensure that procurement is predicated on principles of access for all learners, institutions can create and sustain a culture in which all members of the teaching and learning community are mindful of accessibility in their decisions about technology.