

UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM

SECTION: General Administration

NUMBER: 07-A.0901.D.13

AREA: Computing Services Legal Affairs

SUBJECT: **Electronic and Information Resources Accessibility Policy** ~~(Interim)~~

1. PURPOSE

- 1.1. The University of Houston System (the “System”) is committed to providing a work environment that affords equal access and opportunity to otherwise qualified individuals with disabilities (see [System Administrative Memorandum \[SAM\] 02.E.09, Reasonable Workplace Accommodations for Employees With Disabilities](#)), in compliance with federal and state law. Consistent with this commitment, the System strives to provide Electronic and Information Resources (“EIRS”) that are accessible to all members of the University community and that meet the requirements of the Texas Department of Information Resources (“DIR” or “Department”).
- 1.2. The purpose of the Electronic and Information Resources Accessibility Policy is to establish rules for the procurement, development, maintenance, and use of electronic and information resources that will be accessible for persons with disabilities.

2. DEFINITIONS

- 2.1. DIR Accessibility Rules - “DIR Accessibility Rules” means rules issued by the Texas Department of Information Resources (DIR) regarding the development, procurement, maintenance and use of EIRS by institutions of higher education and set forth in [Title 1, Chapter 206, Rule §206.70](#) of the Texas Administrative Code and in Title 1, Chapter 213 of the Texas Administrative Code (“[TAC 213](#)”).
- 2.2. Electronic and Information Resource or Electronic and Information Resources (“EIR” or “EIRS”) - “Electronic and Information Resource or Electronic and Information Resources (“EIR” or “EIRS”)” means Information Technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, duplication, or delivery of data or information. The term electronic and information resources includes, but is not limited to, 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, Heating, Ventilation, and Air Conditioning (HVAC) equipment such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation, and are not considered information technology ([TAC 213.1\(6\)](#)).

- 2.3. Exception - A justified, documented non-compliance with one or more standards or specifications of Texas Administrative Code, [Chapter 206](#) and/or [Chapter 213](#) of this title, which has been approved by the Chancellor ([TAC 213.1\(7\)](#)).
 - 2.4. EIR Accessibility Coordinator - The employee designated by the Chancellor to develop, support and maintain its accessibility policy institution-wide.
 - 2.5. Information Technology - “Information Technology” means any equipment or interconnected system or subsystem of equipment, that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. The term includes computers (including desktop and laptop computers), ancillary equipment, desktop software, client-server software, mainframe software, Web application software and other types of software, firmware and similar procedures, services (including support services), and related resources ([TAC 213.1\(9\)](#)).
 - 2.6. Product – Electronic and Information Technology ([TAC 213.1\(12\)](#)).
 - 2.7. Self-Contained, Closed Products - Products which generally have embedded software and are commonly designed in such a fashion that a user cannot easily attach or install assistive technology. These products include, but are not limited to, information kiosks in information transaction machines, copiers, printers, calculators, fax machines and other similar products ([TAC 213.1\(14\)](#)).
 - 2.8. Technical Accessibility Standards and Specifications - Accessibility standards and specifications for Texas agency and institution of higher education websites and EIR set forth in Texas Administrative Code, [Chapter 206](#) and/or [Chapter 213](#) of this title.
 - 2.9. Telecommunications - The transmission, between or among points specified by the user, of information of the user’s choosing, without change in the form or content of the information as sent and received ([TAC 213.1\(16\)](#)).
3. PROCEDURES AND RESPONSIBILITIES
- 3.1. All components will comply with the DIR Accessibility Rules, this policy and procedures related to EIRS in the development, procurement, maintenance, or use of EIRS. Any request for an exception to the DIR Accessibility Rules, this policy or procedures related to EIRS shall be submitted to the component’s EIR Accessibility Coordinator for review and processing.

- 3.2. The Chancellor or their designee(s) will:
- A. Designate an EIR Accessibility Coordinator to ensure compliance with this accessibility regulation ([TAC 213](#)) and policy. The EIR Accessibility Coordinator ~~who~~ shall be organizationally placed to develop, support and maintain its accessibility policy institution-wide. The institution's designation must contain the individual's name and other information in the format prescribed by the Texas Department of Information Resources (Department) ([TAC 213.41\(d\)](#)).
 - B. Inform the Department within 30 days whenever the institution of higher education EIR Accessibility Coordinator position is vacant, or a new/replacement EIR Accessibility Coordinator is designated.
 - C. Review and, if acceptable, approve any Exception to the DIR Accessibility Rules.
- 3.3. The EIR Accessibility Coordinator's responsibilities include:
- A. Develop and implement a plan by which EIRS and standards related to EIRS accessibility will be brought into compliance with the DIR Accessibility Rules, this policy and procedures related to EIRS.
 - B. Notify University community of procedures related to the following:
 - 1. Procurement of EIRS that support compliance with the DIR Accessibility Rules; and
 - 2. Development, maintenance and use of EIRS that support compliance with the DIR Accessibility Rules.
 - C. Monitor compliance with the DIR Accessibility Rules, this policy, and procurement procedures related to EIRS in regard to purchases made under purchasing contracts, purchase orders, or P-Cards.
 - D. Oversee and monitor development, support, maintenance and compliance with this policy and University-wide compliance with the DIR Accessibility Rules.
 - E. Oversee and provide training on compliance with the DIR Accessibility Rules, this policy and procedures related to EIRS.
 - F. Review requests for Exceptions to the DIR Accessibility Rules this policy and procedures related to EIRS. In the event that a request does not qualify as an Exception as defined in this policy, the EIR Accessibility Coordinator will make a determination regarding the request. If the request for an Exception does qualify and complies with the Technical Accessibility Standards and/or requirements of this policy, the EIR

Accessibility Coordinator will forward the request to the Chancellor with a recommendation regarding approval.

- G. In conjunction with the president or their designee, review and, if acceptable, approve any Exception to the DIR Accessibility Rules. Conduct and complete EIR surveys as required by DIR.

4. PROCUREMENT

4.1. Any EIR developed, procured or changed by a component institution or through a procured services contract, and all EIR services provided through hosted or managed services contracts must comply with the following standards:

- A. The appropriate Technical Accessibility Standards (see table below);
- B. The “Functional Performance Criteria” described in the [Texas Administrative Code, Title 1, Rule § 213.35](#); and
- C. The “Information, Documentation, and Support” described in the [Texas Administrative Code, Title 1, Rule § 213.36](#).

EIR Category	Texas Accessibility Standards
Software Applications and Operating Systems	Texas Administrative Code, Title 1, Rule §213.30
Websites	<ul style="list-style-type: none"> • Texas Administrative Code, Title 1, Rule §206.70; • Texas Administrative Code, Title 1, Rule §213.30; and • Texas Administrative Code, Title 1, Title 1, Rule §213.32 (2)
Telecommunications Products	Texas Administrative Code, Title 1, Rule §213.31
Video and Multimedia Products	Texas Administrative Code, Title 1, Rule §213.32
Self-Contained, Closed Products	Texas Administrative Code, Title 1, Rule §213.33
Desktop and Portable Computers	Texas Administrative Code, Title 1, Rule §213.34

4.2. The procurement standards and processes related to this regulation shall apply whenever a contract or other acquisition document requires a vendor to:

- A. Provide an EIR to a component institution for use;

- B. Develop an EIR for a component institution;
- C. Change an EIR for component institution's use; or
- D. Provide and use an EIR to a significant extent in performing the services or furnishing the products identified in that contract

The procurement standards and processes shall require that all appropriate terms and conditions needed to meet accessibility requirements are addressed in EIR acquisition documents and contracts.

5. REVIEW AND RESPONSIBILITY

Responsible Parties: Vice Chancellor for Legal Affairs and General Counsel

~~Senior Associate Assistant~~ Vice Chancellor for ~~Finance~~Equal Opportunity Services

Associate Vice Chancellor and CIO for Information Technology

Review: Every ~~three~~five years on or before February 1

6. APPROVAL

Approved: ~~Dona Cornell~~
Vice Chancellor for Legal Affairs and General Counsel

~~Jim McShan~~
Senior Vice Chancellor for Administration and Finance

~~Renu Khator~~
Chancellor

Date: ~~March 28, 2017~~

7. REFERENCES

System Administrative Memorandum (SAM) 02.E.09, Reasonable Workplace Accommodations for Employees With Disabilities

Texas Administrative Code, Chapter 206 and Chapter 213

REVISION LOG

Revision Number	Approval Date	Description of Changes
Interim	03/28/2017	Initial edition
<u>1</u>	<u>TBD</u>	<u>Changed SAM 07.A.09 (Information Technology) to SAM 01.D.13 (Legal Affairs). Changed one Responsible party to Assistant Vice Chancellor for Equal Opportunity Services. Changed review period from every three years to every five years on or before February 1. Added Section 7, References</u>