UTAH VALLEY UNIVERSITY
Policies and Procedures

POLICY TITLE	Electronic and Information Technology Accessibility	Policy Number	452
Section	Facilities, Operations, and Information Technology	**Approval Date**	June 18, 2019
Subsection	Information Technology	**Effective Date**	June 18, 2019
Responsible Office	Office of the Vice President of Finance and Administration		

1.0 PURPOSE

1.1 Utah Valley University is committed to providing access to higher education through a variety of modalities, including the use of technology. To advance student success and inclusion, the University provides this access to all enrolled students, faculty, staff, and visitors, including individuals with disabilities. This policy establishes accessibility requirements for all electronic and information technology at Utah Valley University, in accordance with federal statute.

2.0 REFERENCES

2.1 *Section 504 of the Rehabilitation Act* of 1973, 29 U.S.C. § 794.

2.2 *Americans with Disabilities Act of 1990*, 42 U.S.C. Chapter 126 (amended 2008)

2.3 Policy 152 *Accommodations for Individuals with Disabilities*

2.4 Policy 165 *Discrimination, Harassment, and Affirmative Action*

3.0 DEFINITIONS

3.1 Accessible: Individuals with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same services within the same timeframe as individuals without disabilities, with substantially equivalent ease of use.

3.2 Electronic and Information Technology (EIT): Information technology and any equipment or interconnected subsystem of equipment that is used in the creation, conversion, or duplication of data or information. The term electronic and information technology includes, but is not limited to, internet and intranet websites; content delivered in digital form; electronic books and electronic book reading systems; search engines and databases; learning management systems, classroom technology and multimedia; personal response systems ("clickers"); and office equipment such as classroom podiums, copiers, and fax machines. It also includes telecommunications products (such as telephones); information kiosks; transaction machines;

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computers; ancillary equipment; software; firmware and similar procedures; services (including support services); equipment maintained and services operated by third-party vendors; and related resources.

3.3 Equally effective alternative access: An alternative format, medium, or other aid in electronic and information technology that communicates the same content as the original format or medium. The alternative format must be accurate, created in a timely manner, and communicate the content in a way that is appropriate to an individual's disability.

3.4 Fundamental alteration: A change to a service, program, or activity that fundamentally alters the nature of the service, program, or activity, including academic courses or technology.

3.5 Undue burden: A proposed accommodation that causes significant financial or administrative burden.

4.0 POLICY

4.1 Scope of Policy

4.1.1 This policy applies to all university employees involved in electronic and information technology produced, maintained, distributed, purchased, and/or licensed by employees on behalf of Utah Valley University for use by students, staff, faculty, and visitors. University employees will adhere to the University's accessible technology standards and procedures that reflect legal obligations imposed by federal and state law and recognized best practices. These standards and procedures can be found on the University's Accessible Tech website.

4.2 Policy Statement

4.2.1 To provide equally effective alternative access, the University shall provide appropriate auxiliary aids and services as necessary to afford individuals with disabilities an equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement, in the most integrated setting appropriate to the individual's needs. This does not require the University to ensure that qualified individuals with disabilities achieve the identical result or level of achievement as individuals without disabilities. Nor does equally effective alternative access require the University to take any action that results in (1) a fundamental alteration in the nature of a service, program, course, or activity or (2) undue financial and administrative burden.

4.2.2 Determination of a fundamental alteration shall be made only by the Office of Accessibility Services for students or the ADA Coordinator for employees in consultation with a relevant subject matter expert.

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4.2.3 A determination of undue burden must consider all available resources and should be carefully weighed and documented. Therefore, a final determination of undue burden should be made only by the appropriate vice president in consultation with the Office of General Counsel.

4.2.4 All members of the UVU community shall follow the accessible technology standards and procedures when creating, selecting, recommending, procuring and/or licensing, developing, implementing, and maintaining electronic and information technologies. If a technology that is necessary to meet university needs does not meet accessibility standards, university employees should consider available accessible alternatives. If an accessible alternative is not available, university employees may request an exception in accordance with this policy (see section 5.1).

4.2.5 When an individual with a disability makes a request for reasonable accommodation, staff, faculty, colleges, schools, departments, programs, and units must follow Policy 152 *Accommodations for Individuals with Disabilitie*s and EIT accessibility standards (found on the Accessible Tech website).

4.3 Responsibility and Authority of University Personnel and Entities

4.3.1 The Electronic and Information Technology (EIT) Accessibility Coordinator is responsible for developing, revising, and publishing campus EIT accessibility standards, best practices, and resources, including training, in collaboration with the Office of General Counsel and other appropriate review boards and campus officials. The EIT Accessibility Coordinator shall also establish, implement, monitor, and document assessment of new technologies for compliance with accessibility requirements and implement a corrective action plan.

4.3.2 IT, Marketing, and any other university department authorized to select and provide IT resources for business or academic purposes will follow the accessible technology standards and procedures when creating, selecting, recommending, procuring and/or licensing, developing, implementing, and maintaining software, systems, and equipment. University technology systems include, but are not limited to, content management systems, learning management systems, online conferencing systems, software and applications, hardware, audio/video equipment, and other IT resources. If it is not feasible to make EIT accessible, these university entities must obtain an approved exception to this policy (see section 5.1).

4.3.3 Colleges, schools, departments, programs, and units shall follow the accessible technology standards and procedures when creating, selecting, recommending, procuring and/or licensing, developing, implementing, and maintaining software, systems and equipment. These activities may include, but are not limited to, purchasing and producing accessible EIT and updating existing media, content, systems, and departmentally owned/managed classrooms and labs. If it is not feasible to make EIT accessible, these university entities must obtain an approved exception to this policy (see section 5.1).

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4.3.4 Employees and university entities authorized to procure and/or license EIT shall ensure these purchasing decisions comply with Accessible Technology Standards and Procedures. They should also ensure when feasible that contract language regarding accessibility and remediation, provided by the EIT Accessibility Coordinator, is included in purchasing and/or licensing agreements. If it is not feasible to make EIT purchases accessible, the requesting department must obtain an approved exception to this policy (see section 5.1).

4.3.5 Faculty must follow the accessible technology standards and procedures found on the University's Accessible Tech website when creating, selecting, recommending, procuring and/or licensing, developing, implementing, and maintaining software, systems and equipment. This includes, but is not limited to, activities such as selecting textbooks (including digital textbooks and supplemental materials), and creating, distributing, and presenting instructional materials such as closed captioned videos, transcribed audio, and accessible documents, tables, charts, and images. If it is not feasible to make specific EIT accessible, faculty must obtain an approved exception to this policy (see section 5.1).

4.3.6 Staff must follow the accessible technology standards and procedures found on the University's Accessible Tech website, when creating, selecting, recommending, procuring and/or licensing, developing, implementing, and maintaining software, systems and equipment. If it is not feasible to make specific EIT accessible, staff must obtain an approved exception to this policy (see section 5.1).

4.4 EIT Accessibility Board

4.4.1 Designated members of the University Accessibility Committee will serve as the EIT Accessibility Review Board. This review board will review and approve EIT accessibility standards proposed by the EIT Accessibility Coordinator, review requests for exception to this policy, and approve or deny standards and exception requests, as appropriate. When reviewing requests for exception to EIT accessibility policy and/or standards, the review committee will include the department head or designee from the relevant department or unit.

5.0 PROCEDURES

5.1 Exceptions

5.1.1 University departments, faculty, and staff should submit a request for an exception to this policy to the EIT Accessibility Review Board if attempting to conform EIT to accessibility standards (see Accessible Tech website)

5.1.1.1 Fundamentally alters a course, program, service, or activity;

5.1.1.2 Creates an undue financial or administrative burden, as determined by the appropriate vice president in consultation with The Office of General Counsel; or

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5.1.1.3 Is not technically feasible.

5.1.2 When reviewing requests for exception to accessibility standards, the EIT Accessibility Review Board will seek to verify that the party requesting the exception:

5.1.2.1 Ensured that the appropriate entity made a determination of fundamental alteration, undue burden, or technical infeasibility;

5.1.2.2 Explored all accessible alternatives and accurately determined they are unavailable;

5.1.2.3 Assessed and determined whether there is a valid, well-supported argument that the technology in question is critical to business operations or course purpose; and

5.1.2.4 Developed an equally effective alternative access plan (EEAAP).

5.1.2.5 When an exception is granted, identify equally effective alternative access that communicates the same information in as timely a manner as the original format.

5.2 Grievances

5.2.1 Users who find existing EIT inaccessible may report the issue to the Office of Accessibility Services, the ADA Coordinator, the EIT Accessibility Coordinator, or submit a report through the *Accessibility Barrier Report Form*, which can be accessed from the footer of the UVU web page.

5.2.2 Individuals who believe they have been denied appropriate accommodations, including appropriate auxiliary aids and services or access to campus technology, may file a grievance in accordance with Policy 152 *Accommodations for Individuals with Disabilities*. This policy supports Policy 165 *Discrimination, Harassment, and Affirmative Action*, and assists employees with providing equal and nondiscriminatory educational opportunities. Noncompliance with this policy, therefore, may lead to noncompliance with Policy 165 and disciplinary action under Policy 165, up to and including termination.

POLICY HISTORY		
June 18, 2019	Regular, new policy approved.	UVU Board of Trustees