

# UNIVERSITY RULE

## 29.01.04.M1      **Accessibility of Electronic Information Resources**

*Approved August 13, 2015*

*Next Scheduled Review: August 13, 2020*

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### Rule Statement

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The use of Electronic and Information Resources (EIR) supports the overall operation and mission of Texas A&M University (Texas A&M). Ensuring these resources are accessible is required by state and federal laws and supports the success of the university's mission.

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### Definitions

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Accessible – Describes an electronic and information resource that can be used in a variety of ways and (the use of which) does not depend on a single sense or ability.

Electronic Information Resources (EIR) – Includes information technology and any equipment or interconnected system or subsystem of equipment used to create, convert, duplicate, or deliver data or information. EIR includes telecommunications products (such as telephones), information kiosks and transaction machines, websites, 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, thermostats or temperature control devices, and medical equipment that contain information technology that is integral to its operation, are not information technology. If the embedded information technology has an externally available web or computer interface, that interface is considered EIR. Other terms such as, but not limited to, Information and Communications Technology (ICT), Electronic Information Technology (EIT), etc. can be considered interchangeable terms with EIR for purposes of applicability for compliance with this rule.

Information Technology – 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 \(9\)](#)).

Owner of an Electronic and Information Resource (EIR owner) – A person responsible for a business function at the university who determines controls for, and oversees the development, acquisition, and/or use of, EIR supporting that business function.

Self-Contained, Closed Products – Products that 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 and information transaction machines, copiers, printers, calculators, fax machines, and other similar products.

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## Official Rule and Responsibilities

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### 1. APPLICABILITY

1.1. This rule applies to products and services described below.

1.1.1. EIR products developed, procured, or materially changed by a Texas A&M employee or third party, acting as an agent of, or on behalf of, the university, or through a procured services contract (i.e., vendor contract); and,

1.1.2. EIR services provided through hosted or managed services contracts.

1.2. This rule does not apply to EIR that have been exempted by the Texas Department of Information Resources (DIR). A list of exempt EIR are posted under the Accessibility section of the DIR website.

1.3. The intended audiences for this Rule include:

1.3.1. University employees who purchase EIR products and/or services, or any other entity that purchases EIR on behalf of Texas A&M.

1.3.2. Individuals or entities (e.g., faculty, application developers, web content managers, vendors or third parties) that develop and/or change Texas A&M EIR.

1.3.3. Units' heads that own or operationally support EIR.

### 2. GENERAL

2.1. Texas A&M is required to comply with accessibility standards and requirements for EIR found in Texas Administrative Code, Title 1, Chapter 206 ([TAC 206](#)) and Chapter 213 ([TAC 213](#)).

2.2. Unless an exemption is granted for specific technologies pursuant to [1 TAC §213.37](#), all EIR must comply with the following requirements.

2.2.1. The appropriate Technical Accessibility Standards based on EIR category (see Table 1).

2.2.2. The “Functional Performance Criteria” described in [1 TAC §213.35](#).

2.2.3. The “Information, Documentation, and Support” described in [1 TAC §213.36](#).

- 2.3. Texas A&M is required to make procurement decisions and utilize contract language which support the acquisition of accessible EIR products and services.

*Table 1: List of Technical Accessibility Standards by EIR Category*

<b>EIR Category</b>	<b>Technical Accessibility Standards</b>
Software Applications and Operating Systems	<a href="#">1 TAC §213.30</a>
Websites	<a href="#">1 TAC §206.70</a> <a href="#">Web Content Accessibility Guidelines (WCAG) 2.0, Level AA</a>
Telecommunications Products	<a href="#">1 TAC §213.31</a>
Video and Multimedia Products	<a href="#">1 TAC §213.32</a>
Self-Contained, Closed Products	<a href="#">1 TAC §213.33</a>
Desktop and Portable Computers	<a href="#">1 TAC §213.34</a>

### 3. ROLES AND RESPONSIBILITIES

- 3.1. The President of Texas A&M shall:

3.1.1. Designate an EIR Accessibility Coordinator.

3.1.2. Approve exception requests for a significant difficulty or expense as described by [§2054.460](#), Texas Government Code (see [1 TAC §213.37](#)).

Responsibility under this provision may not be delegated.

3.1.3. Approve or delegate approval authority for exception requests not subject to a significant difficulty or expense (as set forth in section 3.1.2 herein). Delegation of authority under this provision may not be re-delegated.

3.1.4. Ensure appropriate staff receives training necessary to meet EIR accessibility-related rules and requirements.

- 3.2. The EIR Accessibility Coordinator shall:

3.2.1. Develop, support, and maintain EIR accessibility rules, standards, and procedures;

3.2.2. Establish goals for making EIR accessible;

3.2.3. Process EIR accessibility exception requests and maintain records of approved exceptions; and

3.2.4. Develop and support a plan by which EIR will be brought into compliance; such plan to include monitoring procurement processes and contracts for accessibility compliance.

- 3.3. The EIR owner (e.g., head or director of a unit) shall be responsible for ensuring that EIR owned and/or operationally supported by the unit comply with this rule. Operational responsibility for compliance with this rule may be delegated by the EIR owner to appropriate personnel within the unit.

#### 4. PROCURED EIR

- 4.1. University personnel shall follow EIR procurement procedures and processes which support the acquisition of accessible EIR. Guidance for procuring accessible EIR can be found on the [Texas A&M IT Accessibility website](#).
- 4.2. University personnel who acquire EIR shall require vendors to provide accessibility information for EIR products or services, through one of the following methods.
  - 4.2.1. Voluntary Product Accessibility Templates (VPATs) or other equivalent reporting templates (preferred); or
  - 4.2.2. Credible evidence of the vendor's capability or ability to produce accessible EIR products and services. Such evidence may include, but is not limited to, a vendor's internal accessibility policy documents, contractual warranties for accessibility, accessibility testing documents, and examples of prior work results.

#### 5. ACCESSIBILITY TESTING and VALIDATION

- 5.1. The EIR owner is responsible for ensuring developed, procured, or materially changed EIR undergo accessibility testing to validate compliance with the technical accessibility standards. Accessibility testing tools and resources can be found on the [Texas A&M IT Accessibility website](#).
- 5.2. Accessibility testing for information resource technology projects, as described in [1 TAC §213.38\(g\)](#), shall include the following actions.
  - 5.2.1. Accessibility testing shall be coordinated with the EIR Accessibility Coordinator.
  - 5.2.2. Accessibility testing validation procedures and results shall be documented and a copy provided to the EIR Accessibility Coordinator in a timely manner.

#### 6. EXCEPTIONS

- 6.1. For each EIR that does not comply with accessibility standards and requirements of this Rule, an exception request must be submitted by the EIR owner. Information on requesting an exception can be found on the [Texas A&M IT Accessibility website](#).

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#### **Related Statutes, Policies and Requirements**

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[Americans with Disabilities Act of 1990 \(ADA\)](#)  
[Section 504 of the Rehabilitation Act of 1973](#)  
[Section 508 of the Rehabilitation Act of 1973](#)

[Texas Administrative Code \(TAC\) 206, Institution of Higher Education Websites](#)  
[Texas Administrative Code \(TAC\) 213, Accessibility Standards for Institutions of Higher Education](#)  
[Texas Government Code 2054, Subchapter M. Access to Electronic and Information Resources by Individuals with Disabilities](#)  
[System Regulation 29.01.04 - Accessibility of Electronic and Information Resources](#)  
[SAP 29.01.99.M0.01 - Web Accessibility Procedures \(including Linking and Indexing\)](#)  
[W3C's Web Content Accessibility Guidelines \(WCAG\) 2.0](#)

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## **Contact Office**

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Contact the Chief Information Security Officer at [ciso@tamu.edu](mailto:ciso@tamu.edu) for rule interpretation or clarification.

## **Office of Responsibility:**

[Associate Vice President for Information Technology and Chief Information Officer](#)