

Accessibility in IT Procurement



Part I: Issues, Challenges and a New Approach

States Adoption of ADA/Section 508 Policy

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NASCIO Contacts:

Meredith Ward
mward@NASCIO.org
 Senior Policy Analyst
 NASCIO

201 East Main Street, Suite 1405
 Lexington, KY 40507
 Phone: 859.514.9153
 Fax: 859.514.9166
NASCIO@NASCIO.org
www.NASCIO.org

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The National Association of State Chief Information Officers (NASCIO) has long brought issues of importance to state chief information officers (CIOs) to the forefront. One such issue that NASCIO will be exploring is that of accessibility in information technology (IT) procurement. NASCIO will publish a two part publication on accessibility in procurement and this is the first such brief. Part II will include states in practice and adoption information for states. Let's get started.

Introduction

Historically, state governments have struggled to address accessibility requirements as part of IT procurements. States have statutes on the books and federal laws and regulatory requirements on accessibility apply to states. However, the requirements are not universally understood by the states and suppliers. State CIO offices, working collaboratively with state procurement officials, have an opportunity to change the current approach to benefit citizens, public sector employees and vendors. NASCIO has long advocated for a broad interpretation of enterprise architecture and a governance model with a connection to business processes and a roadmap that informs both the state's procurement of IT and the supplier community. (See NASCIO's Architecture webpage www.nascio.org/committees/ea/). IT accessibility requirements should be guided by a policy framework and be articulated in the state's enterprise architecture. This approach will inform the marketplace regarding the state's policy intentions, guide investments and reduce potential risks of poor outcomes. There are states leading the way.



This initial brief introduces a new, policy-driven approach to information and communications technology (ICT) accessibility for state CIOs, procurement organizations and vendors. Policy-Driven Adoption for Accessibility (PDAA) can help strategically drive a culture of accessibility, generating accessible products and services. The benefits of using PDAA tools include improving marketability and reducing risk to both vendors and procurement organizations by addressing inclusiveness and equal opportunity in the digital age. PDAA should not be considered an alternative to existing processes and requirements, such as contract terms and product specific accessibility documentation, but rather as additional information about a vendor’s ability and commitment to produce accessible offerings in a consistent manner over time.

What is PDAA?

PDAA is the integration of ICT accessibility governance into organizational policies in a way that enables organizations to drive themselves to improve accessibility adoption. A policy driven approach creates a program and mindset within an organization which can yield sustained success over the long term. A well-implemented ICT accessibility policy:

- Makes ICT accessibility difficult to ignore
- Can be governed through non-technical methods and metrics
- Is not prescriptive; tells the organization what to do, not how to do it
- Can help accelerate marketplace innovation

While a primary objective of PDAA is to assist procurement organizations in procuring more accessible offerings, vendors whose offerings meet ICT accessibility technical standards criteria as a result of PDAA may realize additional benefits. These can include:

- Competitive advantage in public sector solicitations or other areas where accessibility criteria plays a role
- Improved Search Engine Optimization resulting from the use of alternate text and captioned video
- Increased market share through expansion of customer base
- Increased brand equity and messaging as socially responsible and inclusive
- Improved ability to hire and retain people with disabilities
- Risk mitigation in the event of litigation or ADA complaints

What is ICT Accessibility and Why is it Important?

ICT accessibility ensures that people with and without disabilities can access the same information, perform the same tasks, and receive the same services using information technology. It is the digital equivalent to accessibility in the physical environment –the curb cuts, ramps, railings, etc., of the digital age. While ICT accessibility can provide usability benefits to everyone who uses ICT, it is a vital necessity to many people with disabilities.

Without ICT accessibility, people with disabilities (PwD), who represent approximately 19% of the US population, may be severely restricted in their ability to use and interact with information technologies. This can create barriers to employment opportunities, social networks, and interaction across a broad spectrum of services and resources that others take for granted. In the public sector, such barriers restrict citizens’ ability to access and interact with digital government. This is contrary



to the principle that government should be open and inclusive. Such barriers may also be considered a violation of civil rights, and for the PwD community, patience for more accessible ICT is wearing thin. This is manifesting in a significant uptick in discrimination complaints and lawsuits filed under Titles I and II of the Americans with Disabilities Act. Recently, the Department of Justice (DOJ) has chosen to directly intervene in some of these cases on the plaintiffs' behalf, and new regulations and technical standards from the DOJ on public and private website accessibility are expected in 2015.

In addition to being the right thing to do, designing technology to be accessible usually results in more usable, effective, and competitive technology for all users. A common analogy is the curb cut - urban landscaping used by everybody, not just the intended audience.

ICT Accessibility Challenges

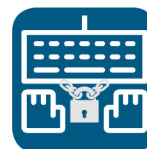
Most government organizations recognize the needs, benefits, and risks related to information and communications technology (ICT) accessibility. Nearly all states now have regulations or policies on ICT accessibility, and are making progress at various levels to help ensure ICT that is used internally by employees and delivered to citizens is accessible. However, government organizations are highly dependent on procurement of ICT from suppliers for the majority of products and services used. Most products and services in the industry today do not meet accessibility requirements. Given the potential risk and loss of revenue due to inaccessible products, why is the industry so slow to respond?

There are certainly technical challenges to making ICT accessible. Continued investments in inaccessible legacy products and platforms prevent many enterprise products from being fully accessible. Also, many products in use today were developed without accessibility in mind, requiring difficult and expensive accessibility retrofits. However, there has been significant progress recently on accessible development platforms, such as HTML5, and tools where accessibility was considered from the initial requirements and throughout the product lifecycle.

The other significant challenge is the lack of governance within organizations to facilitate the production of accessible products and services. ICT accessibility requires participation at various levels and across an organization, and that requires governance. This is true whether an organization develops, buys, or uses ICT. A strong linkage to the enterprise architecture can provide this governance structure.

Although some vendors have individuals or departments to support accessibility, many vendors lack understanding or fail to recognize the importance of ICT accessibility as a requirement, and therefore don't realize they need accessibility governance systems. This manifests in continued production of inaccessible products, limiting government's ability to procure accessible products needed for inclusive digital government.

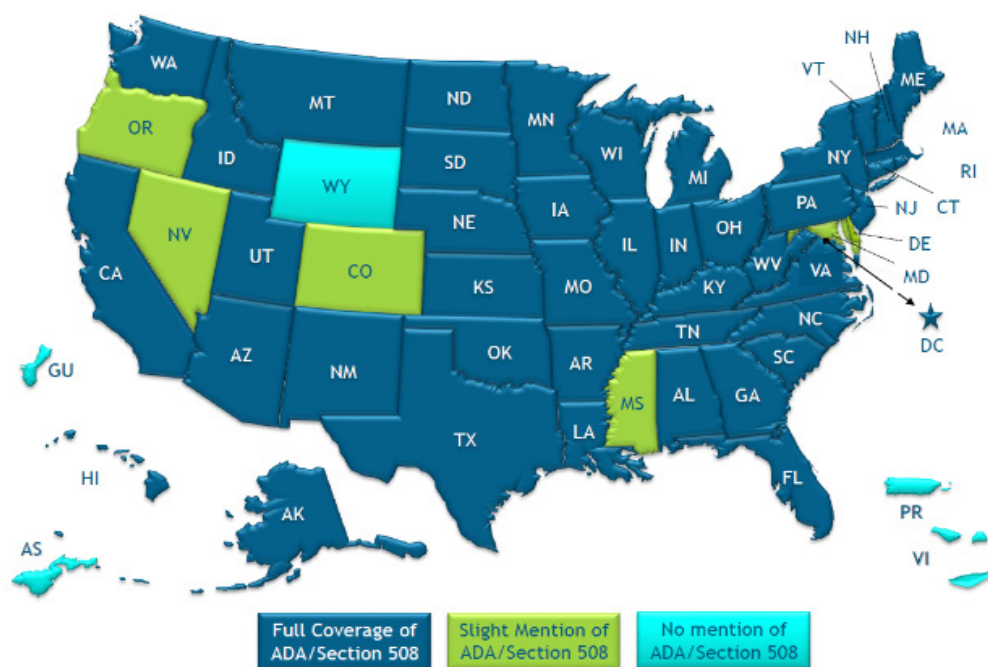
The solution to this challenge is to encourage vendors to establish and implement accessibility governance systems within their organizations. These systems must integrate ICT accessibility criteria into policies, key business processes, organizational culture, and management structures in a consistent, repeatable, and measurable fashion. Only then can organizations address the complexities related to enabling ICT accessibility.



Since accessibility compliance became a federal procurement requirement in 2000, the main approach used by government to obtain accessible ICT has been to drive vendors to have their products comply with accessibility technical standards such as [US Section 508](#) or the [W3C's Web Content Authoring Guidelines \(WCAG\) 2.0](#). This approach has been marginally successful, as indicated by the low number of accessible products, services, and websites in the world today.

Infographic of participating states and territories.

States or territories with slight mention: Oregon, Nevada, Colorado, Mississippi, Delaware and Connecticut. States or territories with not participating Puerto Rico, U.S. Virgin Islands, American Samoa, Guam, and Wyoming.



Vendors with mature accessibility governance systems are likely to produce more accessible products and more accurate product documentation such as contained in Voluntary Product Accessibility Template® (VPAT™) documents. (A VPAT™ is a document provided by a vendor documenting compliance with Section 508.) Government procurement organizations typically require VPAT™ documents or similar reports as part of ICT contractual requirements.

Government procurement organizations can play a more prominent role in encouraging vendors to develop and implement accessibility governance models through an initiative called Policy Driven Adoption for Accessibility (PDAA). Adding PDAA documentation requirements to existing accessibility documentation requirements can provide additional insight into vendors' commitment to ICT accessibility. This can aid government procurement organizations in choosing vendors whose products and services can help them meet their legal obligations on accessibility over time.

Part II in the series will describe the core components of PDAA and highlight states with experience with this recommended approach to improve IT accessibility procurement.

The following individuals contributed heavily to this report. They may be contacted with additional questions or information on PDAA:

- Sarah.Bourne@state.ma.us - Director of IT Accessibility, Massachusetts Office of Information Technology
- Jeff.Kline@dir.texas.gov - Program Director, Statewide EIR Accessibility, Texas Department of Information Resources
- Jay.Wyant@state.mn.us - Chief Information Accessibility Officer, State of Minnesota (MN.IT Services)