



POLICY STATEMENT 31 DIGITAL RESOURCES AND CONTENT ACCESSIBILITY

POLICY DIGEST

Monitoring Unit: Office of General Counsel & Legal Affairs

Initially Issued: November 7, 2019

I. PURPOSE

The university mandates an information technology environment that enables equal access to all constituencies because accessible digital content augments usability for everyone. Therefore, the university strives to procure and provide digital resources and content that are accessible to people with disabilities, including those who use assistive technologies.

This policy establishes minimum standards for the accessibility of digital resources and content, as well as reporting requirements necessary to ensure compliance with the university's obligations under applicable federal regulations.

II. DEFINITIONS

Accessible – refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability

Archived – digital content that is no longer available online but is still subject to the applicable records retention requirement under university policy

Digital Resources and Content – all software; web-based applications; website design; development, hosting, maintenance, and archiving services; cloud-based applications and storage services; and digital hardware interfaces. Additionally, this environment also includes university electronic material, including official university websites and instructional material (text and multimedia) delivered within the university's learning management system

Equally Effective Alternative Access – An alternative format or medium that communicates the same information in as timely a fashion as does the original format or medium

Exceptions – an approved process for providing equally effective alternative access to digital resources and content when compliance is not technically possible or requires undue hardship for the university due to the nature of the digital resource or content in question

Legacy – digital resources and content designed, implemented, updated, distributed, or published on or before August 31, 2019.

New Content – digital resources and content designed, implemented, updated, distributed, or published after August 31, 2019.

Web Standards – The university adopts the World Wide Web Consortium’s standard: Web Content Accessibility Guidelines (WCAG), AA conformance level as the minimum accessibility standard for all digital content. In addition, all digital resources and content shall comply with federal and state laws including the Americans with Disabilities Act of 1990 (ADA), as amended, and Sections 504 and 508 of the 1973 Rehabilitation Act, as amended.

Substantial Change – updates, design, or architectural changes to digital resources and content that goes beyond simple text changes.

III. GENERAL POLICY

A. Scope

1. This policy covers all digital resources and content (current, legacy, and archived) and provides requirements for accessibility effective after August 31, 2019.
2. All digital resources and content designed, implemented, updated, distributed, or published by any college, school, unit, or individual must be accessible and in compliance with the most current web standards.
3. Any substantial changes or updates made to legacy digital resources and content must be in compliance with the most current web standards.
4. All new digital resources and content must be in compliance with web standards at the time of creation.
5. Legacy digital resources and content must be remediated and meet compliance with web standards, or the resources or content must otherwise be made available in an equally effective alternative access format within a timely manner and to any individual requesting access.
6. Each college, school, unit, or individual must ensure all digital resources and content are accessible and in compliance with the most current web standards. The college, school, or unit must establish its own priorities and timetables for updating legacy digital resources and content or plan for its transition to archival status or removal.
7. Information in archived status must be made available in an accessible format to any individual needing access to such content. The affiliated unit is responsible for the information’s maintenance and for providing the information in an accessible format.
8. Each college, school, unit, or individual’s digital resources and content must have a contact method for persons having difficulty accessing such digital resources or content. The Accessibility Notice Statement is the university-established contact method, which contains an electronic form, email, and phone number.

B. Administration

1. The ADA/Title II Coordinator or designee, in conjunction with the Director of Digital Resources and Content Accessibility, consults with colleges/schools/units and individuals; processes exceptions; audits unit reports; and resolves complaints under this policy.

C. Training

1. All persons who design, implement, update, distribute, or publish digital resources and content must complete annual, university-wide digital accessibility training by the end of the calendar year.
2. All web content managers within centrally controlled solutions must complete training provided by the Office of Strategic Communications before being given access to publish.
3. All web content managers not within centrally controlled solutions must provide documentation of remediation via the [Non-OU Campus Site Remediation Form](#).
4. All deans and directors will facilitate, in collaboration with the Director of Digital Resources & Content Accessibility, training their college/school/unit faculty, staff, and student employees who design, implement, update, distribute, or publish digital resources and content.

D. Reporting

1. By July 1 of every year, each dean/director must collect and archive an Annual Digital Resources & Content Accessibility Report for their college/school/unit and send to the Director of Digital Resources & Content Accessibility, which must include:
 - a. A description of local controls for the acquisition, development, and delivery of digital content;
 - b. An evaluation of accessibility of current and legacy digital resources and content; and
 - c. A description of the processes for:
 - i. Equally effective alternative access
 - ii. Barriers and plans to remove such barriers
2. On a yearly basis, the ADA/Title II coordinator or designee, in conjunction with the Director of Digital Resources & Content Accessibility, will select units to audit to ensure ongoing compliance. Selected units will receive a report of deficiencies and potential remedies.

E. Responding to Accessibility Requests

1. When a person contacts a college/school/unit or individual expressing difficulty accessing digital resources and content, the college/school/unit or individual must acknowledge the request within one business day. The remedy or equally effective alternate access should be made available to the individual within five business days. However, the availability of such material is dependent upon the extent of the difficulty and may require additional business days.
2. New and legacy digital resources and content specifically requested to be made accessible, either by an individual or the ADA/Title II Coordinator or designee, should be made accessible, or an equally effective alternative access plan should be provided within five

business days. However, the availability of such material is dependent upon the extent of the difficulty and may require additional business days.

3. Timeliness is generally within five business days; however, the college/school/unit or individual may consider the context, type, and volume of the digital resources and content requested.

F. Exceptions

1. Colleges/schools/units or individuals may request an exception when compliance is not technically possible or may require significant difficulty or expense in relation to the size of the university, the resources available, and the nature of the operation.
2. Exceptions to this policy may be granted by the ADA/Title II Coordinator or designee, in consultation with the dean or director, when appropriate.
3. Requests for exceptions must follow the [Accessibility Exception Request](#) form.
4. For existing digital resources and content: Requests should be initiated as soon as product information, evaluations, or user feedback indicate a serious conflict with current web standards. This initiation can occur at any stage of the digital resources or content lifecycle, including prior to, during, or after design, implementation, updates, distribution, or publication.
5. For new digital resources and content: Colleges/schools/units or individuals must have an exception before design, implementation, updates, distribution, or publication of digital resources or content that does not meet current web standards.
6. Exceptions are not permanent and are reviewed annually unless otherwise indicated at the time the exception is granted.

G. Complaints

1. If a person is dissatisfied with a response to an accessibility request under this policy, they may file a complaint with the ADA/Title II Coordinator or designee as mentioned in [Policy Statement 26](#).
2. Within five business days of receiving the complaint, the ADA/Title II Coordinator or designee will notify the person that their complaint has been received and provide any general complaint procedure information.
3. Within five business days of receiving the complaint, the ADA/Title II Coordinator or designee, in conjunction with the Director of Digital Resources & Content Accessibility, will conduct an evaluation of the digital resources and content in question or notify the person of the need for additional time to conduct an evaluation.
4. Once the evaluation is complete, the ADA/Title II Coordinator or designee will determine what action, if any, is needed.

5. The ADA/Title II Coordinator or designee will inform the person of the outcome of the complaint and the college/school/unit or individual of the action they must take to comply with this policy.
6. If the college/school/unit or individual fails to comply with such a request, normal employee disciplinary procedures will take effect.

IV. SOURCES

[WCAG standards](#)

[WAI-ARIA standards](#)

[PS 26: Policy on Disability Service, Duties & Compliance](#)

[Americans with Disabilities Act of 1990, as amended](#)

[Rehabilitation Act of 1973](#)

V. APPENDICES

[Non-OU Campus Site Remediation Form](#)

[Accessibility Exception Request Form](#)