
Administrative Procedure
Chapter 3 – General Institution

AP 3725 ACCESSIBILITY OF INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)

References:

Government Code Sections 7405, 11135, and 11546.7;
Section 504, Rehabilitation Act of 1973 (29 U.S. Code Section 701);
Section 508 Rehabilitation Act of 1973 (Federal Electronic and Information Technology) (29 U.S. Code Section 794d);
36 Code of Federal Regulations Parts 1194.1 et seq.

Application

The Vice President of Business Services shall be responsible for administering these procedures. These procedures apply to all Long Beach Community College District faculty and staff and to others that may be providing services on behalf of the District.

Definitions

The following definitions apply to this procedure:

Accessible: An individual with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use.

Equally Effective: Alternative access for individuals with disabilities to instructional materials and information and communication technology that (1) is timely, (2) is accurate in translation, (3) is delivered in a manner and medium appropriate to the disability of the individual, and (4) affords the individual with a disability the opportunity to obtain the information as fully, equally and independently as a person without a disability with substantially equivalent ease of use. Note, such alternative(s) are not required to produce the identical result or level of achievement but must afford individuals with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement in the most integrated setting appropriate to the person's needs.

Individual with a Disability: An individual who has one or more physical or mental impairments that substantially limit one or more major life activities.

Information and Communication Technology (ICT): Encompasses electronic and information technology covered by Section 508 of the Rehabilitation Act of 1973, as well as telecommunications products, interconnected Voice over

Internet Protocol (VoIP) products, and Customer Premises Equipment (CPE) covered by Section 255. Examples of ICT include computers, information kiosks and transaction machines, telecommunications equipment, multifunction office machines, software, websites, and electronic documents.

Instructional Materials: Includes electronic instructional materials, such as, syllabi, textbooks, presentations and handouts delivered within LBCC's learning management system, via email or via another electronic means for face-to-face classes as well as e-learning courses. It also includes electronic instructional activities such as instructional videos, online collaborative writing, Web conferencing, blogging, and any other instructional materials as technology evolves.

Timely: As it relates to equally effective alternative access to instructional materials and ICT, timely means that the individual with a disability receives access to the instructional materials or ICT at the same time as an individual without a disability.

ICT and Instructional Material Accessibility Standard Statement

The District is committed to ensuring equal access to instructional materials and ICT for all, and particularly for individuals with disabilities in a timely manner. In accordance with Government Code Sections 7405, 11135, and 11546.7, and best practices, the District will comply with the accessibility requirements of Section 508 of the Federal Rehabilitation Act of 1973 by:

- Developing, purchasing, or acquiring, to the extent feasible, instructional materials and ICT products that are accessible to individuals with disabilities;
- Using and maintaining instructional materials and ICT that is consistent with this Standard; and
- Promoting awareness of this Standard to all relevant parties, particularly those in roles that are responsible for creating, selecting, or maintaining electronic content and applications.

Ensuring equal access to equally effective instructional materials and ICT is the responsibility of all District administrators, faculty, and staff.

Applicable Law

California Government Code section 7405 compliance with Section 508 of the Rehabilitation Act of 1973 as follows:

- A. In order to improve accessibility of existing technology, and therefore increase the successful employment of individuals with disabilities, particularly blind and visually impaired and deaf and hard-of-hearing persons, state governmental entities, in developing, procuring, maintaining, or using electronic or information technology, either indirectly or through the use of state funds by other entities, shall comply with the accessibility requirements of Section 508 of the Federal Rehabilitation Act of 1973, as amended (29 U.S Code Section 794d), and

regulations implementing that act as set forth in Part 1194 of Title 36 of the Federal Code of Regulations.

- B. Any entity that contracts with a state or local entity subject to Section 11135 for the provision of electronic or information technology or for the provision of related services shall agree to respond to, and resolve any complaint regarding accessibility of, its products or services that is brought to the attention of the entity.

The technical standards of Section 508 of the Rehabilitation Act of 1973 and associated regulations (Part 1194 of Title 36 of the Federal Code of Regulations) provide criteria specific to the following technologies:

- A. Software Applications and Operating Systems (Section D1194.21)
- B. Web-based Intranet and Internet Information and Applications (Section D1194.22)
- C. Telecommunications Products (Section D1194.23)
- D. Video and Multimedia Products (Section D1194.24)
- E. Self-contained, Closed Products (Section D1194.25)
- F. Desktop and Portable Computers (Section D1194.26)
- G. Functional Performance Criteria (Section D1194.31)
- H. Information, documentation and support (Section D1194.41)

Procurement of ICT

Whenever the District enters into a contract for the purchase, development, procurement, maintenance, or use of any information or communication technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 (29 U.S. Code Section 794d) and its related regulations. This requirement shall apply to software applications, operating systems, web-based intranet and internet information and applications, telecommunications products, video or multimedia products, and self-contained closed products such as copiers, desktops, and portable computers.

- A. The vendor shall provide documentation such as Voluntary Product Accessibility Template (VPAT) or Web Content Accessibility Guidelines (WCAG 2.2, Level AA) regarding the accessibility of the product.
- B. The documentation regarding the accessibility of the product will be reviewed by the Information Technology Services department. Such review may include product testing, information from the department, and assistance from the

Disabled Student Programs & Services (DSP&S) and/or the 504 Compliance Officer.

- C. Upon review and approval of the documentation, a purchase order and/or contract will be issued according to District established protocols.
- D. Each purchase order/contract with such a vendor shall contain the following provision: “The vendor hereby warrants that the products or services to be provided under this agreement comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. Vendor further agrees to indemnify and hold harmless the District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement and/or action for damages.”

Complaints

The District endeavors to make its ICT accessible to all parties. However, difficulty in accessing any area of our website should be reported to <https://www.lbcc.edu/about-footer-link/accessibility-statement>. Complaints that a District service, program, or activity is not accessible to persons with a disability may be directed to the District’s ADA Compliance Officer at (562) 938-4095.

Also see BP/AP 3410 Nondiscrimination, BP/AP 3720 Computer and Network Use and BP 3725 Accessibility of Information and Communication Technology (ICT), BP/AP 5140 Disabled Student Programs and Services, and AP 6365 Contracts – Accessibility of Information Technology.

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