

DIGITAL ACCESSIBILITY

POLICY NUMBER: IT-DIGITALACCESS

POLICY TYPE: ADMINISTRATIVE

RESPONSIBLE OFFICIAL TITLE: CHIEF INFORMATION OFFICER

RESPONSIBLE OFFICE: OFFICE OF INFORMATION TECHNOLOGY

EFFECTIVE DATE: UPON PRESIDENTIAL APPROVAL – 8/8/2019

NEXT REVIEW DATE: PRESIDENTIAL APPROVAL PLUS FOUR YEARS – 8/8/2023

SUPERSEDES POLICY: WEB ACCESSIBILITY (8/1/2013) - FORMERLY ADMINISTRATIVE REGULATION AR-II-8.0-1 “NKU WEB ACCESSIBILITY POLICY STATEMENT”)

BOARD OF REGENTS REPORTING (CHECK ONE):

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM)

PRESIDENTIAL REPORT (INFORMATION ONLY)

I. POLICY STATEMENT

The creation and dissemination of knowledge is a defining characteristic of universities and is fundamental to Northern Kentucky University's mission. The use of state of the art digital and web-based delivery of information is core to fulfilling the University's mission to deliver an innovative, student-centered education. Northern Kentucky University (NKU) is committed to ensuring equal access to information for all its constituencies, including those who use assistive technologies. An accessible information technology (IT) environment generally enhances usability for everyone. By supporting IT accessibility, NKU helps ensure that the broadest population possible is able to access, benefit from, and contribute to its electronic-based programs and services. This policy establishes minimum standards for the accessibility of digital information and services considered necessary to meet these goals and ensure compliance with applicable state and federal regulations.

Providing appropriate or enhanced accessibility is an ongoing duty incorporated into every function undertaken by the University. Departments need to prioritize accessibility efforts and continually work toward achieving a more accessible environment, as required via Sections 504 and 508 standards of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Principles

The U.S. Government requires its agencies to comply with the Rehabilitation Act of 1973, 29 U.S.C. §794d, Section 508, subpart B §1194.22 “Web-based intranet and internet information and applications” ([Section 508](#)).

Currently the two most widely accepted standards for Web accessibility are the aforementioned Section 508 and the [Web Content Accessibility Guidelines \(WCAG\)](#) of the World Wide Web Consortium (W3C).

This policy divides the NKU web space into sectors for the purpose of creating zones of compliance, exceptions, and timelines for implementation.

Procedures

The following areas of Northern Kentucky University web space are required to adopt [Section 504](#) and [Section 508](#) standards of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Administrative

- *Central Administrative Units:* <http://www.nku.edu>, <https://inside.nku.edu>, and central administrative unit sites

- *Academic Units:* College and department sites constructed for public information and university business functions

Academic

- *Teaching:* The learning management system (e.g. Canvas); course sites; course collaboration tools; pages created by students to fulfill academic requirements that also fall within one or more of the official categories listed here
- *Research:* Research results presented to the public online; human participant sites created for the purpose of conducting research by collecting data (please note the exemptions, listed below, for research collaboration sites and for sites created to conduct research or experiments in developing or utilizing new technologies and applications for the web)
- *Outreach:* Outreach program sites not designed for collaboration
- *Textbooks:* Faculty will ensure that textbooks in electronic format are an option whenever the material is available as such and that all printed materials (e.g., course outlines, reading lists, assignments, articles, tests, examinations, notes, and any other handouts) that are distributed or assigned to the students are available in an electronic format, such as MS Word.

The following areas of Northern Kentucky University web space are not required to adopt Section 504 and 508 standards:

- Unofficial websites (see the “Definitions” section of this document)
- Vendor-obtained web applications for which no accessible functionally equivalent alternative exists
- Inter-institution archives, databases, and collections
 - *Note:* If these websites or webpages fulfill any university purpose other than the conduct of research (e.g., also serve as a course Web page), then alternate accessible sites or webpages must be provided.
- Websites and webpages created to conduct research or experiments in developing or utilizing new technologies and applications for the web
- Websites and webpages created to experiment with new workflow processes that involve web tools
 - *Note:* Once a tool moves beyond an experiment and becomes an accepted part of a workflow process, that tool must comply with this policy.
- Archival sites
- Undue burden: When compliance with this proposed policy would interfere significantly with the site owner's teaching, research, or public service mission
 - *Note:* Site owners are asked to make a good faith effort at evaluating whether a site qualifies for an undue burden; documentation is necessary.

Web Accessibility Requirements

For non-exempted Northern Kentucky University web space, web developers need to make sure electronic content conforms to WCAG 2.0 and 2.1, level A, AA, and where possible AAA, as enforced by the [Section 508 Refresh](#), dated January 22, 2018. The expectation is that all electronic content meet the WCAG level A and AA guidelines, and beyond that, where possible, content would meet [WCAG 2.1 AAA recommendations](#).

Note: This proposed policy does not cover the accessibility of sites outside NKU to which an NKU webpage might be linked. Sites outside the NKU web space containing required content for courses should be reviewed for accessibility before making the course assignments, and faculty will advise

students of available accommodation for any inaccessible content assigned. In the case of equivalent content being available from multiple sources, faculty will give preference to the accessible alternative.

II. ENTITIES AFFECTED

- All current Northern Kentucky University students, faculty, staff, departments and business units
- Potential Northern Kentucky University students, faculty, and staff

III. AUTHORITY

Americans with Disabilities Act (ADA): <https://www.ada.gov/>

ADA sections 504 and 508 as applied to electronic information:

<https://webaim.org/articles/laws/usa/ada>

Kentucky Accessible Information Technology (AIT) law ([KRS 61.980–61.988](#)):

<https://www.3playmedia.com/2017/08/03/kentucky-web-accessibility-laws/>

Web Content Accessibility Guidelines (WCAG) 2.1: <http://www.w3.org/TR/WCAG21/>

IV. DEFINITIONS

Accessible: The concept that people with disabilities are able to access and use a product or system, including with the help of assistive technologies, e.g., an “accessible” website may be designed so that the text can be enlarged by the user, rather than having a fixed font size, or may be designed so that it can be interpreted and “read out loud” by screen reader software used by blind or low-vision people.

Accessible Information Technology: Information technology that has been designed, developed, or procured to be usable by, and therefore accessible to people with disabilities, including those who use assistive technologies.

Assistive Technologies: Adaptive, rehabilitative devices that promote greater independence for individuals with disabilities by changing how these individuals interact with technology, e.g., special input devices such as head or foot mouse, puff and-sip switches, or speech recognition; screen-reading software; and screen magnifiers.

Digital Service: Includes, but is not limited to, websites, web applications, software systems, electronic documents, videos, digital signs, information kiosks, and mobile or computer applications used to deliver educational, administrative, or other services to the university community or general public.

Electronic and Information Technology: Includes information technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, manipulation, management, movement, display, or duplication of data or information.

E-Text: Traditional print material (i.e., textbooks) produced in electronic file formats such as MS Word, HTML, or Adobe PDF and can be adapted to the users’ needs such as Braille, large print, or audio files with a variety of software and hardware.

Official Website: A website that has been created or sponsored by the university, its schools, departments, units, or other administrative offices and that is used in the process of conducting official

university business. In addition, web applications—both those developed in-house and those purchased from outside vendors—are considered official.

Undue Burden: Significant difficulty or expense, considering all resources available to the program or component for which the product is being developed, procured, or maintained.

Universal Design for Learning (UDL): A framework to improve and optimize teaching and learning for all people based on scientific insights into how humans learn. It provides an outline for creating instructional goals, methods, materials, and assessments that are flexible and can be customized and adjusted for individual needs.

Unofficial Website: A website published by an individual such as a student or a university employee, or by a non-university organization, which is hosted on university servers, but does not conduct university business. These may include:

- Student, faculty, and staff personal pages
- Pages created by students to fulfill academic requirements that do not fall within one of more of the categories of “official websites”
- Sites that reside on NKU servers that do not conduct university business, e.g., mirror sites
- Pages hosted on unofficial servers that do not fall within the official website categories listed above.

Usability: The ease, effectiveness, and efficiency with which users can use a product or system to achieve their goals, and how satisfied they are with the experience.

Web Content Accessibility Guidelines (WCAG) 2.1: Guidelines for defining how to make web content more accessible to people with disabilities. Accessibility involves a wide range of disabilities, including visual, auditory, physical, speech, cognitive, language, learning, and neurological.

Web Accessibility: The practice of making webpages more accessible to a wide range of users by applying specific design standards and programming that offer alternative forms of access and enable assistive technologies to function effectively.

V. RESPONSIBILITIES

Northern Kentucky University is committed to the foundational principle that accessibility is everyone’s everyday responsibility. Each person has unique needs which may require consideration and accommodation to access information.

When digital communications, products, and spaces are designed in inclusive ways from the beginning, more people will be able to participate without later design modifications.

The immediate University community includes NKU students, staff, and faculty. The wider University community includes the people of Kentucky and beyond. This includes, but is not limited to people with disabilities such as the following:

- Mental health conditions (bi-polar disorder, attention deficit disorder)
- Learning disorders (dyslexia)
- Physical health conditions (mobility and motor impairments)
- Sensory-related disabilities (deaf or hard of hearing, blind or low-vision)

The impacts of these abilities vary from person to person and from situation to situation:

- A chart that uses only color to represent data doesn't convey its message to a colleague who is color blind.
- The audio in the video played in a meeting or class may not be accessible to someone with an auditory processing disorder.
- A website linked from Canvas may not allow a visually impaired person using screen reader software to access the information.

Each University employee is responsible to contribute to academic and work environments that provide opportunities for more people to share their talents, allowing them to thrive in their endeavors to have fulfilling careers and meaningful lives.

This responsibility must address the acquisition, development, and delivery of digital information and services in the following areas:

- Information technology (IT) and web support
- Purchasing digital information and / or services
- Business and transactional processes
- Marketing, recruitment, and communications
- Delivery of content, including instructional content, policies, procedures, and all digital services

See NKU's Accessibility Charter for the list of responsible parties and their duties:

<https://inside.nku.edu/content/dam/it/docs/Accessibility%20Charter%20for%20NKU%20-%20final.pdf>

VI. TIMING FOR ADOPTION OF STANDARDS

Web accessibility standards should be adopted as soon as practical within the normal parameters of university operations. Risks that attach to a failure to adopt include potential future legal liabilities, impediments to forming effective collaboration with academic and non-academic partners (e.g., research, government, corporate, and community), barriers in communication to external audiences (e.g., prospective students, media, and the academic community), retention risks, and dilution of the university's outreach mission.

Web pages and sites to comply with accessibility standards

- All new and redesigned* websites published by any university college, department, or program
- All official administrative and academic instructional websites
- All academic research and outreach websites
- All large-scale web applications developed within the university, by any university college, department, program, or unit
- All licensed or open source web applications not purchased by NKU but in use within the NKU web space
- All web applications purchased from an external vendor** or obtained under contract with other institutions
- All official NKU affiliated websites (subject to exceptions)

* Website redesign refers to any phase during the development or maintenance of a website in which significant alteration or update is made to the visual design, institutional branding, information architecture, or technical functionality of the site. Minor content updates are not considered website redesign projects.

** If the vendor does not offer a compliant product, all market alternatives must be explored.

VII. EXCEPTIONS

- Webpages, including those in legacy or archive status, that are specifically requested to be made accessible as an accommodation for an individual with a disability shall be made accessible or an equally effective alternative must be provided within three business days, per the United States Access Board reasonable accommodation procedures (<https://www.access-board.gov/the-board/policies/reasonable-accommodation-procedures>). For information-based pages, “equally effective” means that it communicates the same information with a comparable level of accuracy. For interactive or service pages, “equally effective” means that the end results (e.g., registration) is accomplished in a comparable time and with comparable effort on the part of the requestor.
- Websites and pages that are no longer actively linked to but are subject to records retention plans are considered to be in archive status and do not have to be converted to the current accessibility standards unless specifically requested by an eligible individual.
- When conformance to WCAG 2.0 Level AA guidelines require extraordinary measures due to the nature of the information and the intent of the webpage, place an undue burden due to the nature of the information and the intent of the webpage, and there are a lack of accessible solutions or an unreasonably high administrative or financial cost necessary to make the resource meet that goal, then an exception may be granted by NKU’s Chief Information Officer. Requests for such exceptions must be made in writing and must be based on issues other than cost alone.
- These difficulties and resulting exceptions do not relieve NKU faculty or staff from meeting applicable legal obligations to provide reasonable accommodations to users in regard to access to the content and services. Faculty and staff of NKU programs and activities must be prepared to provide content and/or services in a suitable alternative format upon request.

VIII. TRAINING

Training will be offered by Marketing and Communication, CITE, and the Office of Information Technology. Those receiving training include, but are not limited to faculty, staff, and web editors. Training should be delivered annually, as needed/requested, or whenever an accessibility problem is observed.

IX. COMMUNICATIONS

Changes to this policy will be communicated to all Northern Kentucky University faculty, staff, web editors, departments, and units.

REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
Revision & Name Change	August 8, 2019
Name change and format change to “Web Accessibility” (See BoR Presidential Recommendation C-12 of May 2013 BoR materials. Also, this became a board-inform policy because it does not meet criteria for board-approved policy as identified in Presidential Recommendation C-7, p. 96, of January 14, 2015, BoR materials)	August 1, 2013
NKU Web Accessibility Policy Statement (Administrative Regulation AR-II-8.0-1)	July 13, 2005

DIGITAL ACCESSIBILITY

PRESIDENTIAL APPROVAL

PRESIDENT			
Signature	<i>Ashish Vaidya</i>	Date	<i>8/8/19</i>
Ashish Vaidya			

BOARD OF REGENTS APPROVAL

BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)			
<input checked="" type="checkbox"/> This policy was forwarded to the Board of Regents on the Presidential Report (information only) . Date of Board of Regents meeting at which this policy was reported: <u>9 / 11 / 19</u> .			
<input type="checkbox"/> This policy was forwarded to the Board of Regents as a Presidential Recommendation (consent agenda/voting item) .			
<input type="checkbox"/> The Board of Regents approved this policy on ____/____/____. (Attach a copy of Board of Regents meeting minutes showing approval of policy.)			
<input type="checkbox"/> The Board of Regents rejected this policy on ____/____/____. (Attach a copy of Board of Regents meeting minutes showing rejection of policy.)			
EXECUTIVE ASSISTANT TO THE PRESIDENT/SECRETARY TO THE BOARD OF REGENTS			
Signature	<i>Bonita Brown</i>	Date	<i>9/18/19</i>
Print Name <i>Bonita Brown</i>			