

HNC Virtual Solutions

4-13-2016

I. Policy

HNC Virtual Solutions considers the accessibility of electronic and information technology (EIT) for people with disabilities to be a top priority. People are this agency's most valuable asset and it is our responsibility to ensure that people with disabilities - both federal employees and members of the public - enjoy equal access to and use of EIT as those individuals without disabilities.

Section 508 of the Rehabilitation Act of 1973 requires Federal agencies to ensure that any EIT they develop, procure, use or maintain is accessible to both (1) Federal employees and (2) members of the public with disabilities.

HNC Virtual Solutions will ensure that members of the public and federal employees with disabilities have comparable access to EIT in compliance with Section 508. This document establishes HNC Virtual Solutions policies for implementing Section 508 and provides a framework for the roles of relevant authorities, complaint procedures, and review and testing processes.

II. Electronic and Information Technology (EIT) (also known as Information and Communication Technology (ICT))

Equipment, Software, Products, Services and Other Information Technology

EIT is any equipment, product, or service that is used to create, store, process, transmit, convert, duplicate, or receive electronic data or information. EIT includes computer software and hardware utilized by employees and members of the public. Examples of EIT include:

- Computers
- Software
- Telecommunications products (such as telephones)
- Information kiosks and transaction machines
- Websites, including electronic documents posted on websites
- Video or Multimedia products
- Computer tablets
- Handheld devices
- Office equipment such as copiers and fax machines

Assistive Technology and Software

Individuals with disabilities may need specific accessibility-related software, hardware, or peripheral devices (assistive technology) as an accommodation to be able to use certain technology. For instance, in order to use a word-processing program that does not already include an accessibility function, a person who is blind may need add-on software that reads text aloud. Other examples of assistive technology include magnifying software, refreshable Braille displays, speech recognition software, and text telephones (TTY/TDD), and video relay services.

III. Complying with Section 508

In accordance with Section 508, HNC Virtual Solutions will ensure that all EIT products and services it develops, purchases, maintains, or uses are accessible to individuals with disabilities by complying with the U.S. Access Board's Section 508 EIT Accessibility Standards (36 C.F.R. pt. 1194) (<http://www.access-board.gov/sec508/standards.htm>), unless it is an undue burden to do so. If accessibility would constitute an undue burden, the information and data shall be provided by an alternate method or format within a reasonable time period after use of the product or service begins.

A. Section 508 Program

HNC Virtual Solutions will develop a Section 508 Program through HNC Office(s), which will

- Have adequate funding, staffing, resources, and authority to accomplish its responsibilities.

- Run and manage the Section 508 Program, including IT governance, services, training and outreach, and management tasks, to ensure that the requirements of this Policy are complied with.

- Ensure internal policies and procedures are developed to provide accessible EIT resources, data and computer support to employees and members of the public with disabilities.

- Develop and implement a Section 508 compliance plan, including benchmarks.

- Develop and implement a remediation plan, with benchmarks based on highest priorities, for all non-compliant EIT, including legacy systems, websites and documents on websites.

- Develop and implement standardized processes for testing and evaluating EIT products, services, and websites to ensure they (as well as any updates or upgrades) meet the Section 508 Accessibility Standards.

Ensure Section 508 compliance mechanisms and guidance are available and are effectively incorporated in all website development and update processes, including, among other things, Adobe Acrobat files (.pdfs), video and audio multimedia content (closed captioning, open captioning, and audio description), JavaScript or other scripting languages, word processing files, data tables, skip navigational links, online electronic forms, and mobile sites.

Ensure Section 508 compliance is effectively incorporated in all procurement processes, including requirements, contract language, remediation, testing, acceptance, and remedies for noncompliance, and in EIT development and maintenance processes.

Review and evaluate EIT requests for approvals and exceptions to ensure compliance with Section 508 requirements, ensure a remediation or alternative accessibility plan is developed and implemented for any noncompliant technology, and monitor remediation or alternative accessibility.

Ensure all HNC Virtual Solutions requests for exceptions and/or exemptions to Section 508 requirements are evaluated and approved/disapproved.

Develop (or identify) and implement training programs for all staff involved in the purchase, development, use, and maintenance of EIT.

Keep abreast of technologies useful to individuals with disabilities, best practices of federal agencies for Section 508 compliance, and accessibility of EIT being used by other federal agencies.

Ensure technical support and assistance is provided to employees with disabilities, their managers and computer support personnel.

Ensure any handbooks and/or other documents related to this Policy are kept current.

Respond to the Department of Justice biennial survey and report to the President on accessibility of Federal EIT.

Establish regular data collection and reporting methods to keep HNC Virtual Solutions leadership apprised of compliance efforts and progress, including quarterly reports of accessibility testing of HNC Virtual Solutions websites.

Ensure electronic documents, videos, databases, software, applications, forms, and other electronic information that are made available to employees or members of the public comply with the Section 508 EIT Accessibility Standards.

Ensure that EIT product support documentation and support services provided to end users comply with the Section 508 EIT Accessibility Standards.

Develop and implement plans to retrofit or replace inaccessible EIT, including websites, to achieve compliance with the Section 508 EIT Accessibility Standards.

Publicize the HNC Virtual Solutions Section 508 Policy, including the contact information for the Section 508 program.

Maintain records of Section 508 exceptions approved for EIT products and services, remediation or alternative accessibility plans for any non-compliant products, Section 508 complaints filed by individuals with disabilities and remedial actions to resolve those complaints, and Section 508 training provided to agency employees and contractors.

Assist the (OCR or HR) to develop and implement a complaint process for effectively and timely responding to Section 508 complaints (See section V of this Policy).

Participate in government-wide accessibility activities, including interagency collaborative efforts.

Ensure consistency between EIT accessibility requirements of HNC Virtual Solutions under Section 508 and EIT accessibility requirements for recipients of HNC Virtual Solutions funding under Section 504.

Ensure that Section 508 comprehensive review criteria is fully integrated in to all IT governance processes including enterprise architecture, investment planning, change control, acquisition review, web content administration, etc.

B. Coordination and Cooperation

Offices of Civil Rights will implement this Policy by developing, implementing, publicizing, and reporting on complaint processing, EIT policies, contact information, and training in coordination with the Section 508 Program.

Human Resources and Civil Rights offices will implement this Policy, including by

- Developing, implementing, publicizing, and reporting on complaint processes in accordance with Section V.
- Developing, implementing, publicizing, and reporting on accommodation processes, availability of accessible EIT and assistive technology, and accessibility and availability of training materials, in coordination with the Section 508 Program.

- Ensuring managers' and other relevant staff members' performance elements include ensuring awareness of and compliance with this Policy and Section 508.

HNC Virtual Solutions *Officers* will implement this Policy on EIT (including the Web) accessibility policies, procedures, standards, and guidance, including by

- Providing resources such as training, tools, and guidance to assist offices with implementing Section 508 compliance.
- Providing technical requirements and language to Procurement Officials to ensure compliance with Section 508 and Departmental accessibility standards, policies, and procedures as related to any contract or purchase card action.
- Providing guidance, verification, and validation to ensure all EIT acquisitions are tested and found to be accessible in compliance with the Section 508 Accessibility Standards
- Testing new EIT software and hardware acquired, developed or used by HNC Virtual Solutions, including websites are thoroughly tested and documented for 508 compliance.
- Providing guidance to ensure that documentation for Section 508 compliance and exceptions is completed for any contract or purchase card action.
- Managing standard versions and controls of the accessibility software and hardware products to ensure the technologies are maintained as they are updated or upgraded.

Web Content Managers working with respective Officers, will implement this Policy by ensuring all relevant policies and procedures are followed and ensuring that Intranet and Internet Web content, including links to Web applications and non-HTML files, fully conforms to the Section 508 EIT Accessibility Standards, and that web sites can be accessed by automated Section 508 compliance evaluation tools.

Procurement Offices will implement this Policy in coordination with the Section 508 Program, by

- Providing guidance to ensure compliance with Section 508 related policies and procedures as related to new acquisitions.
- Assisting agency officials to develop appropriate Section 508 compliance language, specifications, and minimum requirements for contracts, including adequate remedies for non-compliance by vendors.

- Ensuring vendors provide adequate testing and documentation demonstrating compliance with the Section 508 Accessibility Standards.
- Ensuring that documentation for Section 508 compliance and exceptions is completed and maintained with the acquisition records.
- Assisting agency officials to conduct market research for availability of EIT products and services that comply with the applicable Section 508 EIT Accessibility Standards.
- Training employees involved in the acquisition of EIT systems about their responsibilities under Section 508.

Requiring Officials (including purchase card users) will implement this Policy by documenting applicable EIT accessibility standards and exceptions, documenting results of market research, and documenting the basis for selection of items, including a Section 508 alternatives analysis.

Contracting Officers will implement this Policy by ensuring appropriate Section 508 compliance language is included in all contract actions for EIT and ensuring all Section 508 documentation provided with the purchase request is retained for tracking purposes and a copy is provided to the Section 508 Program

Chief Financial Officers will implement this Policy by providing guidance to ensure compliance with Section 508 related policies and procedures as related to purchase card acquisitions and providing guidance to ensure procurements of EIT paid for using Government purchase cards comply with Section 508. *The CFO* will implement this Policy by ensuring that all non-information technology organizations within HNC Virtual Solutions adhere to Section 508 EIT Standards regarding office equipment not traditionally overseen by the Chief Information Officer (such as DVD players, copiers, fax machines, e-learning products, and other items), in coordination with the Section 508 Program.

C. Other Staff

There are other agency employees who possess specific responsibilities in the implementation of this Policy. They include:

Document Authors or Creators: Any individual creating electronic documents for dissemination internally or externally must ensure that the documents comply with the Section 508 EIT Accessibility Standards.

Web Developers: Web designers and developers who create websites for the agency must ensure that each web page complies with the Section 508 EIT Accessibility Standards.

Training Providers

- Staff involved in the training of employees must ensure that all training materials, including electronic handouts, presentations, slide productions, and other materials are compliant with the Section 508 EIT Accessibility Standards.
- Staff involved in the training of employees will comply with the Section 508 Standards requiring captioning and audio description for training and informational multimedia productions.
- Training Staff will develop and implement plans to increase awareness of Section 508 for HNC Virtual Solutions employees.

Communications Staff: Staff responsible for communications, both internally and externally, must ensure that all official agency communications transmitted electronically comply with the Section 508 EIT Accessibility Standards.

EIT Software and Hardware Testers: Staff must be trained to regularly test new EIT software and hardware acquired, as well as any websites or other electronic information procured, developed, maintained, or used by HNC Virtual Solutions, on a quarterly basis. Testers must thoroughly test EIT systems to ensure compliance with the Section 508 EIT Accessibility Standards

IV. Exceptions

There are exceptions to the Section 508 EIT Accessibility Standards. For a complete list of exceptions, please review the Section 508 EIT Accessibility Standards, § 1194.3. Exceptions must be documented in writing and approved in writing by the Section 508 Program.

Undue Burden

This Policy will not be construed to require an undue burden on HNC Virtual Solutions . An undue burden is a significant difficulty or expense incurred due to an alteration of policy, procedure, or product. In determining whether selecting or developing an EIT that meets the Section 508 Standards would impose an undue burden, HNC Virtual Solutions will consider all the resources available to the program or component for which the EIT is being developed, procured, maintained, or used. The Undue Burden Exception requires a high threshold for avoiding compliance and requires something more than minor inconvenience or increased expense. Compliance with the Section 508 Standards is not an undue burden merely because compliance would be more expensive than non-compliance. Only in extraordinarily exceptional cases is it likely that costs will be found to be so significant that HNC Virtual Solutions is relieved from Section 508 compliance.

Even when meeting the Section 508 Standards would impose an undue burden on HNC Virtual Solutions , Section 508 requires that the information and data to be

provided by the EIT be provided to individuals with disabilities by an alternative means of access. Alternative means of access focuses on the provision of the information and data in an accessible manner, as opposed to the accessibility of the product itself.

Fundamental Alteration

This Policy will not be construed to require a fundamental alteration in the nature of a product or its components. Fundamental alteration means a change in the fundamental characteristic or purpose of the product or service, not merely a cosmetic or aesthetic change. For instance, requiring large screen displays for pocket-sized devices such as pagers may fundamentally alter the product if portability is a paramount concern for the product, and would not be required under this Policy. Generally, adding access should not change the basic purpose or characteristics of a product in a fundamental way.

Commercial Non-Availability (most compliant)

This policy will not require accessibility of commercial off-the-shelf products if no accessible products are available in the market in time to meet the agency's needs. Commercial non-availability determinations must be documented in writing. Commercial non-availability determinations must be based on market research. If products are available that meet some, but not all, applicable Section 508 Standards, you cannot claim a product as a whole is not commercially available just because it does not meet all of the applicable Section 508 Standards. If products are commercially available that meet some but not all of the Section 508 Standards, then HNC Virtual Solutions must use the product that best meets the Section 508 Standards and (Agency's) specified business needs.

Other Exceptions

Other exceptions to this Policy include:

- Systems that are critical to the direct fulfillment of military or intelligence missions.

- EIT that is acquired by a contractor incidental to a contract.

- The installation of specific accessibility-related software or the attachment of an assistive technology device at a workstation of a Federal employee who is not an individual with a disability.

- Agencies are not required to make products owned by the agency available for access and use by individuals with disabilities at a location other than that where the EIT is provided to the public, or to purchase products for access and use by individuals with disabilities at a location other than that where the EIT is provided to the public.

- Products located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment are not required to comply with this Policy.

Any exceptions to this Policy must be approved by the Section 508 Program. A request for an exception must include a detailed account of why accessibility of the EIT would fall under one or more of the exceptions in the Section 508 EIT Accessibility Standards. The request should also include a market analysis of the possible alternatives that were considered, along with their costs and an explanation as to how the alternatives will provide equal access to individuals with disabilities. Documentation and supporting materials for exceptions granted or requested must be maintained as long as the product is in use by the agency.

V. Complaint Procedures

The (HR Office and Civil Rights Office) will implement a complaint process allowing individuals to file a complaint with HNC Virtual Solutions if they believe that EIT products procured, developed, or used by HNC Virtual Solutions do not comply with the accessibility standards. At a minimum, this process will include the following:

Filing instructions and contact information that are posted in accessible formats for individuals with disabilities.

A formal, review and resolution process for all complaints received that includes

- involvement of the Section 508 Program,
- involvement of procurement officials responsible for purchasing the EIT and/or IT officials responsible for developing the EIT,
- involvement of the relevant EIT vendor(s).
- deadlines for complaint response, investigation, and resolution.
- protections from retaliation, including mechanisms for anonymous complaints.
- mechanisms to independently test accessibility of EIT products and services.

Mechanisms to address complaints through headquarters and the central Section 508 Program when the complaints are about EIT that is used agency-wide or by multiple components or that was purchased or developed by headquarters.

Remedies for any violations of this Policy, including purchase of accessible products and services.

Reporting of receipt, substance, processing, status, and resolution of all Section 508 complaints to the Section 508 Program at least quarterly.

Separate resolution procedures for those complaints related to federal employees with disabilities and those complaints related to members of the public with disabilities.

Online complaints forms may be requested by email: Support@hnc-vs.com

Appendix A: Relevant Laws and Regulations

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 (d)), as amended by the Workforce Investment Act of 1998 (P.L. 105-220), August 7, 1998

(<http://www.access-board.gov/sec508/guide/act.htm>)

“Electronic and Information Technology (EIT) Accessibility Standards” (36 CFR Part 1194)

(<http://www.access-board.gov/sec508/standards.htm>)

“Final Rule Amending the Federal Acquisitions Regulations (FAR), Electronic and Information Technology Accessibility” (48 CFR Chapter 1, Parts 2, 7, 10, 11, 12, and 39)

(<http://www.section508.gov/index.cfm?fuseAction=FAR>)

Appendix B: Section 508 Resources

Access Board regulations and rulemaking process on Section 508

<http://www.access-board.gov/508.htm>

GSA portal to federal agency activities on Section 508

<http://www.section508.gov/>

CIO Council's Accessibility Best Practices Library

<http://legacy.cio.gov/www.cio.gov/module.cfm/node/bpl.html>

DOL/ODEP's crowd sourcing on disability employment and accessible workplaces

<https://www.efedlink.org/login/index.cfm?>