1. Definitions:
   - **E&IT** – Electronic and Information Technology. E&IT is defined by federal regulations as any equipment or interconnected system of equipment that is used in the creation, conversion, or duplication of data or information, or used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information.
   - **Requestor** – Person or department requesting the purchase of E&IT goods and/or services.
   - **Buyer** - The individual responsible for the actual procurement of the E&IT product or service.
   - **ATI Coordinator** – Person designated to coordinate the campus efforts in regards to the Accessible Technology Initiative (ATI).
   - **Campus 508 Compliance Officer** – Person, or persons, designated to assist staff, faculty, students, the public and other outside sources with Section 508 issues or questions.
   - **Accessibility Requirements** – Requirements contained in California Government Code Sec. 11135

2. Applicability:
   This administrative procedure pertains to all purchases of E&IT goods and services that are made at CSUB. The Accessible Technology Initiative's:
   - **Vision**: To create a culture of access for an inclusive learning and working environment.
   - **Mission**: To help CSUB in carrying out CSU Executive Order 926 (EO926) by developing guidelines, implementation strategies, tools and resources.
   - **Principle**: To apply universal design, an approach to the design of products and services to be usable by the greatest number of people including individuals with disabilities.
   - **Strategy**: To stimulate collaboration to effect changes that will ultimately benefit all.

3. Purpose/Background:
   This procedure is intended to provide Campus Requestors and Buyers of E&IT goods and services with guidance in the procurement of accessible E&IT goods and services, as required by CSU Executive Order 926 – The CSU Board of Trustees Policy on Disability Support and Accommodations.

4. Procedure:
   **a. For E&IT acquisitions that fall below formal bidding thresholds – Per the CSU Policy Manual for Contracting & Procurement Sections 228, 301A and B, 401A and B, 501A, B, C, and D, 502A, B, C, D, E, F, G and H:**
   Requisitions submitted for E&IT purchases must include an approval, waiver or determination by the Campus 508 Compliance Officer that accessibility requirements are not applicable for the E&IT goods and services to be purchased. In the event that accessibility requirements are waived or are not applicable to the E&IT goods and services to be purchased, the requisition must include a written justification by the Campus 508 Compliance Officer.

   As applicable, Buyers shall only purchase E&IT goods and services that are in compliance with the E&IT accessibility requirements or where the requirements have been waived or deemed not applicable by the Campus 508 Compliance Officer. Purchase Order/Contract for E&IT goods and services subject to accessibility requirements must include the following clause:

   “Contractor warrants that it complies with California and federal disabilities laws and regulations. Contractor hereby warrants that the products or services to be provided under this contract comply with the accessibility requirements of section 508 of the Rehabilitation
Act of 1973, as amended (29 U.S.C. 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. Contractor agrees to promptly respond to and resolve any complaint regarding accessibility of its products or services. Contractor further agrees to indemnify and hold harmless the CSU from any claims arising out of its failure to comply with the aforesaid requirements. Failure to comply with these requirements shall constitute a material breach and be grounds for termination of this Contract.”

b. For Acquisitions governed by formal bidding requirements – Per the CSU Policy Manual for Contracting & Procurement Sections 302, 402, and 502:
Requisitions submitted for E&IT purchases must include an approval, waiver or determination by the Campus 508 Compliance Officer that accessibility requirements are not applicable for the E&IT goods and services to be purchased. In the event that accessibility requirements are waived or are not applicable to the E&IT goods and services to be purchased, the requisition must include a written justification by the Campus 508 Compliance Officer.

The Campus 508 Compliance Officer must be a member of all project teams responsible for the purchase of E&IT products and services that require formal bidding, or a formal evaluation of the product to be purchased.

Specifications for E&IT products and services shall include all applicable accessibility requirements. Any exceptions to accessibility requirements must include a written justification by the Campus 508 Compliance Officer.

Criteria used for the evaluation of proposals that are subject to accessibility requirements must include factors for the evaluation of these requirements.

Buyers shall include the following clause in all E&IT contracts subject to accessibility requirements:

“Contractor warrants that it complies with California and federal disabilities laws and regulations. Contractor hereby warrants that the products or services to be provided under this contract comply with the accessibility requirements of section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. Contractor agrees to promptly respond to and resolve any complaint regarding accessibility of its products or services. Contractor further agrees to indemnify and hold harmless the CSU from any claims arising out of its failure to comply with the aforesaid requirements. Failure to comply with these requirements shall constitute a material breach and be grounds for termination of this contract.”

c. Acquisitions governed by E&IT procurement process for campus purchases greater than $15,000 – (Per Memo: CAMPUS NOTICE: UPDATE REGARDING CSU ACCESSIBLE TECHNOLOGY INITIATIVE (ATI): ELECTRONIC & INFORMATION TECHNOLOGY (E&IT) PROCUREMENT PROCESS FOR CAMPUSS PURCHASES GREATER THAN $15,000, effective as of September 1, 2008)
Requisitions submitted for E&IT purchases must include an approval, waiver or determination by the Campus 508 Compliance Officer that accessibility requirements are not applicable for the E&IT
goods and services to be purchased. In the event that accessibility requirements are waived or are not applicable to the E&IT goods and services to be purchased, the requisition must include a written justification by the Campus 508 Compliance Officer.

The Campus 508 Compliance Officer must be a member of all project teams responsible for the purchase of E&IT products and services that require formal bidding or that are above the $15,000 threshold.

Specifications for E&IT products and services shall include all applicable accessibility requirements. Any exceptions to accessibility requirements must include a written justification by the Campus 508 Compliance Officer.

Criteria used for the evaluation of proposals that are subject to accessibility requirements must include factors for the evaluation of these requirements.

Buyers shall include the following clause in all E&IT contracts subject to accessibility requirements:

“Contractor warrants that it complies with California and federal disabilities laws and regulations. Contractor hereby warrants that the products or services to be provided under this contract comply with the accessibility requirements of section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. Contractor agrees to promptly respond to and resolve any complaint regarding accessibility of its products or services. Contractor further agrees to indemnify and hold harmless the CSU from any claims arising out of its failure to comply with the aforesaid requirements. Failure to comply with these requirements shall constitute a material breach and be grounds for termination of this contract.”

5. Responsibilities:
   a. Buyer:
      • Reviews requisition and associated documents for compliance with ATI policies and procedures.
      • Includes required terms and conditions in Purchase Orders and/or Contracts.
      • Includes proper instructions in solicitation documents to identify accessibility and documentations requirements to bidders.
   
   b. Requestor:
      • Coordinates with Campus 508 Officer to ensure that accessibility requirements are included in the specifications.
   
   c. ATI Coordinator
      • Person designated to coordinate the campus efforts in regards to the Accessible Technology Initiative (ATI).
   
   d. Campus 508 Compliance Officer:
      • Reviews and Approves all E&IT purchases for compliance with accessibility requirements
      • Provides written justification for all exceptions and waivers to accessibility requirements
- Develops evaluation criteria for accessibility requirements.
- Performs evaluation of proposals and products for compliance with accessibility requirements against evaluation criteria.
- In the event that there is not a 508 Compliance Officer available, please refer below, “e. Campus 508 Evaluation Committee.

**e. Campus 508 Evaluation Committee:**
- In the event that the Campus 508 Compliance Officer is not available, or one is not on staff at the time this procedure is put in place, then the following personnel shall work together to evaluate campus E&IT procurements for Section 508 compliance:
  1. ATI Coordinator (Designated by the Provost)
  2. Assistant Vice President of Information Technology
  3. Director of Disability Services
  4. Director of Procurement and Contract Services
- **These individuals will forward their recommendations to the ATI Executive Sponsors** (Provost and VPSA) who will make the final decisions regarding procurements.

**6. Forms & Appendices:**
- E&IT Procurement Checklist (attached)
- E&IT Special Exceptions Documentation (attached)
- CSUB VPAT Guideline
- Memorandum, dated 8/28/2008, Campus Notice: Update Regarding CSU Accessible Technology Initiative (ATI) (attached)

**7. Authority & References:**
- California Government Code Sec. 11135
- CSU Executive Order 926
- CSU Policy Manual for Contracting and Procurement
- Section 508 of the Rehabilitation Act of 1973
- California Senate Bill 105, Stats.2002, c. 1002
- California Senate Bill 302, Stats.2003, c. 783