

MISSOURI STATE INFORMATION COMMUNICATION TECHNOLOGY STANDARDS

From the Missouri Assistive Technology
Inclusive Web Working Group

Version: 2.00
Effective Date: 12/08/2017

Purpose

These standards are intended to advise Missouri agencies on the procedures necessary to ensure compliance with the provisions of RSMo 161.935 regarding development, procurement, maintenance or use of Information and Communication Technology (ICT), or when administering contracts or grants that include the procurement, development, or upgrading of Information and Communication Technology (ICT).

Scope

Each State agency shall work diligently to assure compliance with the provisions of RSMo 161.935 through statewide implementation of ICT accessibility standard. These provisions will include the use of universal design or technology that results in greater accessibility & usability by individuals with disabilities. All impacted State information systems, tools and information content (Such as any PDF or Word document, image, sound or multimedia, etc.), shall comply with the following, adopted as of the effective date of this directive: Web Content Accessibility Guidelines (WCAG) 2.0 level A, AA compliance and Section 508.

Background

RSMo 161-900 to 161-945 and 161-935 requires that the Missouri Assistive Technology Council work with the Information Technology Services Division to adopt accessibility standards to be used by each State department or agency in the procurement of ICT, and in the development and implementation of custom-designed ICT systems, web sites and other emerging ICT systems. When developing, procuring, maintaining or using ICT, or when administering contracts or grants that include the procurement development, or upgrading of ICT, each State department or agency shall ensure, unless an undue burden would be imposed on the department or agency, that the ICT allows employees, program participants and members of the general public with disabilities to have access to and use of information and data that is comparable to the access by individuals without disabilities.

Standard Statement

All impacted State information systems, tools and information content shall comply with the following, subparts of the ICT standards:

- Web Content Accessibility Guidelines (WCAG) 2.0 level AA. Level AAA compliance is encouraged.
- Section 508 Update, as qualified, below.

Standard, Amplified

WCAG 2.0

The Web Content Accessibility Guidelines (WCAG) have been developed by the Web Accessibility Initiative (WAI) of the Worldwide Web Consortium (WC3), which develops strategies, guidelines and resources to help make the Web accessible to people with disabilities. WCAG 2.0 covers a wide range of recommendations for making Web content more accessible. Following these guidelines will make content accessible to a wider range of people with disabilities, including blindness and low vision, deafness and hearing loss, learning disabilities, cognitive limitations, limited movement, speech disabilities, photosensitivity and combinations of these. Following these guidelines will also often make your Web content more usable to users in general. All impacted State information systems, tools and information content shall comply with the following:

- WCAG 2.0
 - Level A and AA compliance is required.
 - You may include Level AAA components in areas that increase access to information. More information is available at www.at.mo.gov

There are situations where applying Level AAA will result in greater accessibility & usability by individuals with disabilities over a Level AA. Agency judgment is recommended to determine what is best to meet the needs of access to your Web content.

- Any and all Electronic content that is public facing and not public facing shall conform to the WCAG 2.0 accessibility guidelines of P.O.U.R.:

Perceivable

- Provide text alternatives for non-text content.
- Provide captions and other alternatives for multimedia.
- Create content that can be presented in different ways, including by assistive technologies, without losing meaning.
- Make it easier for users to see and hear content.

Operable

- Make all functionality available from a keyboard.
- Give users enough time to read and use content.
- Do not use content that causes seizures.

- Help users navigate and find content.
- Understandable
- Make text readable and understandable.
 - Make content appear and operate in predictable ways.
 - Help users avoid and correct mistakes.
- Robust
- Maximize compatibility with current and future user tools.

Information Communication Technology Standards

In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. Inaccessible technology interferes with an ability to obtain and use information quickly and easily. Section 508 was enacted to eliminate barriers in information technology, open new opportunities for people with disabilities and encourage development of technologies that will help achieve these goals. All impacted State information systems, tools and information content shall comply with the following Subparts of the ICT Standards:

- Section 508 and 255 Subparts:
 - Appendix A to Part 1194 – Section 508 of the Rehabilitation Act: Application and Scoping Requirements**
 - Appendix B to Part 1194 – Section 255 of the Communications Act: Application and Scoping Requirements**
 - Appendix C to Part 1194 – Functional Performance Criteria and Technical Requirements**
- The following sections in the text have corresponding charts that illustrate which provisions correspond to which Success Criteria and also which of the Revised 508 provisions apply to each of the areas below: https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/final-regulatory-impact-analysis#_Toc471376905
 - A.1. WCAG 2.0 Level A and Level AA Success Criteria
 - A.2. Additional Final Rule Requirements for Software and Applications
 - A.3. Final Rule Requirements for Hardware and Telecommunications Equipment
- Should Section 508 be updated, the Missouri Standard automatically updates to the current Section 508.
 - https://www.w3.org/WAI/WCAG20/quickref/?currentsidebar=%23col_overview#top
 - <https://github.com/mgjifford/section508-to-wcag2aa>
- Should WCAG 2.0 be updated, we encourage adoption to all agency ICT procedures.

Compliance

Where a State information system, tool, app, or information content is not able to be brought into compliance, the agency is responsible for substantially equivalent ease of use or similar. This can

include reasonable accommodations as necessary to address the disability-related access needs of employees and the public respectively.

The standard applies to all information technology acquired, procured, developed, or substantially modified or substantially enhanced after the effective date of this standard, including software available without cost.

Any existing ICT that complies with an earlier standard issued pursuant to Section 508 of the Rehabilitation Act of 1973 as amended (as republished in Appendix D), and that has not been altered on or after January 18, 2018, shall not be required to be modified to conform to this standard. Previous 508 Standard: <https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards/section-508-standards>

This standard does not apply to external web pages outside of the editorial control of the State of Missouri. Links to external websites should be clearly marked in such a way that it is clear before clicking the link that the destination is not maintained by the State of Missouri.

Equivalent Facilitation

Nothing in these standards is intended to prevent the use of designs or technologies as alternatives to those prescribed in these standards provided they result in substantially equivalent or greater access to and use of a product for people with disabilities.

Agencies may accept ICT offered by vendors, which uses designs or technologies that do not meet the applicable technical provisions, but provide substantially equivalent or greater access to and use of a product for people with disabilities. This is referred to as "equivalent facilitation."

Equivalent facilitation is not an exception or variance from the requirement to provide comparable access. Rather, it is recognition that technologies may be developed or used in ways not envisioned by the technical provisions of this document but still result in the same or better functional access. Functional outcome – not form – is the key to evaluating whether a technology results in "substantially equivalent or greater access."

Agencies shall ensure that all functionality of ICT is accessible to and usable by individuals with disabilities, either directly or by supporting the use of assistive technology. In providing access to all functionality of ICT, agencies ensure that any individual with a disability who is seeking information or data from a State department or agency have access to and use of information and data that is comparable to that provided that are not individuals with disabilities.

Enforcement

Effective six months after the effective date of the Missouri information communication technology standards, any individual with a disability may file a complaint alleging that state department or agency fails to comply with RSMo 161.935. Each state department or agency shall identify a person, office, or

entity to process complaints and shall make that information publicly available. The complaint process shall minimally include an investigation of the allegation, an attempt to resolve the complaint, and written communication regarding the findings and final decision or disposition of the complaint. If any actions were taken or will be taken to resolve the complaint, the written communication coming from the agency Director shall describe and provide a specific time line for such actions. State departments and agencies are encouraged to establish an internal complaint process that gives divisions and units the opportunity to directly address the complaint first and also provides for a second appeal to another unit independent of the agency in question. Agencies are encouraged to develop and implement complaint processes that voluntarily resolve disputes over accessibility. If further assistance is required to consider all possible resolutions, contact the state agency ADA coordinator <https://oa.mo.gov/ada-information>

Exceptions

ICT shall be exempt from the standards as specified at the following website: <https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/final-rule/text-of-the-standards-and-guidelines#E202-general-exceptions>

The following is an abbreviated list of exceptions that may be referenced in the exception request.

Reference Number	Exception Topic	Brief Overview
E202.1	General	ICT shall be exempt from compliance with the Revised 508 Standards to the extent specified by E202.
E202.2	Legacy ICT or Safe Harbor Clause	Existing ICT, including content, that meets the original 508 Standards does not have to be upgraded to meet the refreshed standards unless it is altered.
E202.3	National Security Systems	ICT operated by agencies as part of a national security system, as defined by 40 U.S.C. 11103(a).
E202.4	Federal Contracts	ICT acquired by a contractor incidental to a contract.
E202.5	ICT Functions Located in Maintenance or Monitoring Spaces	Where status indicators and operable parts for ICT functions are located in spaces that are frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment.
E202.6	Undue Burden or Fundamental Alteration	Where an agency determines in accordance with E202.5 that conformance to requirements in the Revised 508 Standards would impose an undue burden or would result in a fundamental alteration in the nature of the ICT.
E202.6.1	Basis for a Determination	In determining whether conformance to requirements in the Revised 508 Standards would impose an undue burden on the agency.

	of Undue Burden	
E202.6.2	Undue Burden - Required Documentation	The responsible Agency Director shall document in writing the basis for determining that conformance to requirements in the Revised 508 Standards constitute an undue burden on the agency, or would result in a fundamental alteration in the nature of the ICT.
E202.6.3	Undue Burden - Alternative Means	Where conformance to one or more requirements in the Revised 508 Standards imposes an undue burden or a fundamental alteration in the nature of the ICT.
E202.7	Best Meets	Where ICT conforming to one or more requirements in the Revised 508 Standards is not commercially available.
E202.7.1	Best Meets - Required Documentation	The responsible Agency Director required documentation in writing.
E202.7.2	Best Meets - Alternative Means	The Agency shall provide individuals with disabilities access to and use of information and data by an alternative means that meets identified needs.

5.0 Revision History

Date	Description of Change
01/29/2003	Original Standard Published - Version 1.0
11/07/2003	Removed Appendix A - Version 2.0
01/04/2008	Revisions were made within Technical Standards in the areas of: <ul style="list-style-type: none"> • Web-based Internet, Internet Information and Applications • Video and Multimedia Products
1/18/2017	Final Rule to Update the Section 508 Standards and Section 255 Guidelines
10/2017	Updated ICT Missouri Standard, working document created with an Inclusive Web Working Group between ITSD, MO Dept of Conservation and Missouri Assistive Technology Council.

12/08/2017	Updated ICT Missouri Standard unanimously approved by the Missouri Assistive Technology Council
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Related Information

- United States Access Board - <https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/final-rule/text-of-the-standards-and-guidelines>
- WCAG 2.0 https://www.w3.org/WAI/WCAG20/quickref/?currentsidebar=%23col_overview#top

Inquiries

Direct inquiries about these standards to:

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