

DFPS Uniform Accessibility Requirements

For purposes of this document, references to Vendor (Vendor Contracts and Agreements) also apply to Grantees (Grant Contract and Agreements) and Performing Agencies (Interagency or Interlocal Contracts and Agreements).

The Texas Department of Family Protective Services (DFPS) adheres to Section 508 of the Rehabilitation Act, Texas Administrative Code (TAC), and the Web Content Accessibility Guidelines (WCAG) 2.0 to ensure accessibility compliance in all Information and Communication Technology (ICT)/Electronic Information Resources (EIR), which are herein referred to interchangeably.

Section 508 of the Rehabilitation Act, as amended by the Workforce Investment Act of 1998 (P.L. 105-220) requires that when federal agencies develop, procure, maintain, or use ICT or EIR, it will be accessible to people with disabilities. DFPS employees and members of the public who have disabilities must have access to, and use of, information and data that is comparable to people without disabilities.

1. Products, platforms, and services delivered as part of this work statement that are ICT, or contain ICT, must conform to the Revised 508 Standards, which are located at 36 C.F.R. § 1194.1 & Apps. A, C & D, and available at <https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/final-rule/text-of-the-standards-and-guidelines>.
2. Products, platforms and services delivered as part of this work statement that are ICT, or contain ICT, must conform to WCAG 2.0AA criteria available at <https://www.w3.org/TR/WCAG20/>.
3. Products, platforms and services delivered as part of this work statement that are ICT, or contain ICT, must conform to Section 508 Listing of ICT Accessibility Requirements available at <https://www.section508.gov/ict-accessibility/>.

As provided for in 1 TAC §213.18 (3), unless an exception is approved by a DFPS head pursuant to Texas Government Code (TGC) §2054.460 and 1 TAC §213.17, or unless an exemption is approved by DFPS, pursuant to TGC §2054.460, and 1 TAC §213.17, all EIR products developed, procured, or materially changed through a procured services contract, and all electronic and information resource services provided through hosted or managed services contracts, will comply with the provisions of TAC Chapters 206 and Chapter 213 of this title, as applicable.

I. Applicable Functional Performance Criteria:

All functional performance criteria apply when using an alternative design or technology that achieves substantially equivalent or greater accessibility and usability by individuals with disabilities, than would be provided by conformance to one or more of the requirements in Chapters 4-6 of the Revised 508 Standards, or

when Chapters 4-6 do not address one or more functions of ICT.

II. Applicable requirements for software features and components:

All WCAG 2.0 Level AA Success Criteria, 502 Interoperability with Assistive Technology, 503 Application.

Section 508 Listing of ICT Software Accessibility Requirements at https://www.section508.gov/ict-accessibility/#e207_1.

Products, platforms, and services delivered as part of this work statement should be user agent agnostic by design and at a minimum support DFPS standardized user agents MS Edge browser, Google Chrome browser, and JAWS 2021 screen reading assistive technology.

III. Applicable requirements for hardware features and components:

Section 508 Listing of ICT hardware Accessibility Requirements are available at https://www.section508.gov/ict-accessibility/#e206_1.

IV. Applicable support services and documentation:

All requirements apply.

V. Instructions to Vendors:

1. Provide an Accessibility Conformance Report (ACR) for each commercially available Information and Communication Technology (ICT) item offered through this contract. Create the ACR using the Voluntary Product Accessibility Template (VPAT) Version 2.0 or later, located at <https://www.itic.org/policy/accessibility/vpat>. Complete each ACR in accordance with the instructions provided in the VPAT template. Each ACR must address the applicable Section 508 and/or WCAG 2.0 AA requirements referenced in the Statement of Work (SOW). Each ACR will state exactly how the ICT meets the applicable standards in the remarks/explanations column, or through additional narrative. All "Not Applicable" (N/A) responses must be explained in the remarks or explanations column or through additional narrative. Address each standard individually and with specificity and clarify whether conformance is achieved throughout the entire ICT Item (for example - user functionality, administrator functionality, and reporting), or only in limited areas of the ICT Item. Provide a description of the evaluation methods and software used to support Section 508 and/or WCAG 2.0 AA conformance claims. Provide accessibility testing or evaluation reports used to support Section 508 and/or WCAG 2.0 AA conformance claims. DFPS reserves the right, prior to making an award decision, to perform testing on some or all the Vendor's proposed ICT items to validate Section 508 and/or WCAG 2.0 AA conformance claims made in the ACR.
2. For third-party COTS products, the Vendor must obtain and submit VPATS or links to them from the third party as part of the Solicitation Response.
3. For Vendor custom developed software services ICT/EIR: The Vendor must submit a [TX DIR VADSIR \(Vendor Accessibility Development Services\)](#)

[Information Request](#)).

4. Describe your approach to incorporating universal design principles to ensure ICT products or services are designed to support disabled users.
5. Describe plans for features that do not fully conform to the Section 508 Standards and/or WCAG 2.0 AA.
6. Describe "typical" user scenarios and tasks, including individuals with disabilities, to ensure fair and accurate accessibility testing of the ICT product or service being offered.

VI. DFPS Acceptance Criteria

Prior to acceptance and final payment, DFPS reserves the right to perform testing on required ICT items to validate the Vendor's Section 508 and/or WCAG 2.0 conformance claims. If DFPS determines that Section 508 and/or WCAG 2.0 conformance claims provided by the Vendor represent a higher level of conformance than what is actually provided to DFPS, DFPS will, at its option, require the Vendor to remediate the item to align with the Vendor's original Section 508 and/or WCAG 2.0 conformance claims prior to acceptance and final payment.

VII. Provisions and Clauses

A. Custom ICT Development Services

When the Vendor provides custom ICT development services pursuant to this contract, the Vendor will ensure the ICT fully conforms to the applicable Revised 508 Standards and/or WCAG 2.0 prior to delivery and before acceptance and final payment.

Vendor must submit a [TX DIR VADSIR \(Vendor Accessibility Development Services Information Request\)](#).

B. Installation, Configuration & Integration Services

When the Vendor provides installation, configuration or integration services for equipment and software pursuant to this contract, the Vendor will not install, configure, or integrate the equipment and software in a way that reduces the level of conformance with the applicable Revised 508 Standards and/or WCAG 2.0.

C. Maintenance Upgrades & Replacements

The Vendor will ensure maintenance upgrades, substitutions, and replacements to equipment and software pursuant to this contract do not reduce the original level of conformance with the applicable Revised 508 Standards and/or WCAG 2.0 at the time of contract award.

D. Service Personnel

The Vendor will ensure the personnel providing the labor hours possess the knowledge, skills, and ability necessary to address the applicable Revised 508 Standards and/or WCAG 2.0 defined in this contract and will provide supporting documentation upon request by DFPS.

E. Hosting Services

When providing hosting services for electronic content provided by DFPS, the Vendor will not implement the hosting services in a manner that reduces the existing level of conformance of the electronic content with applicable Revised 508 Standards and/or WCAG 2.0. Throughout the contract term, DFPS reserves the right to perform testing on a Vendor's hosted solution to verify conformance with this requirement.

F. Validation for ICT Items

The Vendor will test and validate the ICT solution for conformance to the Revised 508 Standards, in accordance with the required testing methods.

1. For web and software, WCAG Level A and AA Conformance test results must be based on the [Harmonized Testing Process for Section 508 Compliance: Baseline Tests for Software and Web Accessibility](#).
2. For Microsoft Office and PDF documents, WCAG Level A and AA Conformance test results must be based on the Harmonized Testing Guidance from the [AED ACOP](#).

G. Documentation

The Vendor will maintain and retain full documentation of the measures taken to ensure compliance with the applicable requirements, including records of any testing or demonstrations conducted.

H. Conformance Reporting

Before acceptance and final payment by DFPS, the Vendor will provide an Accessibility Conformance Report (ACR) for each ICT item that is developed, updated, configured for DFPS, and when product substitutions are offered. The ACR should be based on the latest version of the [Voluntary Product Accessibility Template \(VPAT™\)](#) provided by the [Industry Technology Industry Council \(ITIC\)](#). To be considered for award, a VPAT must be submitted for each ICT Item, and must be completed according to the instructions provided by ITIC.

Before acceptance and final payment, when the Vendor is required to perform testing to validate conformance to DFPS's accessibility requirements, the Vendor will provide a Supplemental Accessibility Conformance Report (SAR) that contains the following information:

- Accessibility test results based on the required test methods.
- Documentation of features provided to help achieve accessibility and usability for people with disabilities.
- Documentation of core functions that cannot be accessed by persons with disabilities.

- Documentation on how to configure and install the ICT item to support accessibility.
- When an ICT item is an authoring tool that generates content (e.g., documents, reports, videos, multimedia productions, web content) provide information on how the ICT item enables the creation of accessible electronic content that conforms to the Revised 508 Standards and/or WCAG 2.0, including the range of accessible user interface elements the tool can create.
- Before acceptance and final payment by DFPS, the Vendor will provide a fully working demonstration of the completed ICT Item to demonstrate conformance to DFPS's accessibility requirements. The demonstration will determine where such conformance is and is not achieved.
- Before acceptance and final payment by DFPS, DFPS reserves the right to perform independent testing to validate that the ICT solution provided by the Vendor conforms to the applicable Revised 508 Standards and/or WCAG 2.0.

I. Non-Compliance

Before acceptance of any ICT item, including updates and replacements, if the Vendor claims its products or services satisfy the applicable Revised 508 Accessibility Standards specified in the DFPS solicitation or contract documents, and DFPS determines that any furnished ICT item is not in compliance with such requirements, DFPS will promptly inform the Vendor in writing of the non-compliance.

The Vendor will, at no cost to DFPS, repair, remediate, or replace the non-compliant products or services within the period specified by DFPS.

DFPS, at its sole discretion, will determine whether the non-compliance has been resolved. However, DFPS may decide not to make any further payments until the non-compliance is resolved and accepted by DFPS.

VIII. Information Sources

- U.S. General Services Administration (GSA) Section 508:
<https://www.section508.gov>
- Section 508 - Listing of ICT Accessibility Requirements Statements:
<https://www.section508.gov/ict-accessibility/>
- Web Content Accessibility Guidelines (WCAG):
<https://www.w3.org/TR/WCAG20/>
- ITI Accessibility – VPAT Templates:
<http://www.itic.org/policy/accessibility>

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