

Accessibility of Information and Communication Technology Standard

Introduction

Oklahoma's approach to Information and Communication Technology accessibility is guided by state and federal laws, regulations and rules to ensure that digital systems and services are useable by all individuals, including those with disabilities. By integrating accessibility into the design, development and procurement of ICT, the state aims to comply with applicable laws, regulations and rules while improving access to public services. This effort supports equitable digital engagement, enhances user experience for all citizens and ensures that state agencies deliver inclusive and effective services.

Purpose

This standard is intended to advise agencies on the procedures necessary to ensure compliance with federal and state laws, regulations and rules requiring information and communication technology accessibility and related standards. The purpose of the law indicates that state agencies shall ensure that ICT allows employees, program participants and members of the general public with disabilities access to and use of information and data. This standard applies when developing, procuring, maintaining or using ICT or when administering contracts or grants that include the procurement, development, upgrading or replacement of information and communication technology. This standard applies to both paid and free third-party products and services.

The Americans with Disabilities Act requires that this standard requires compliance with [Federal Section 508 Electronic and Information Technology Accessibility Standards](#), and Title II of the Americans with Disabilities Act under the U.S. Department of Justice's 2024 Web Accessibility Rule [Title II ADA New Rule](#) and guidance, as outlined in the fact sheet published on March 8, 2024, at [Title II ADA Rule Fact Sheet](#), as applicable.

This standard also incorporates applicable provisions of the ADA, Title 62 O.S. § 34.28 and the Oklahoma Administrative Code, specifically 260:15-1-1 through 260:15-1-9 and 260:115-7-54.

Definitions

ICT – Information and Communication Technology.

ADA – Americans with Disabilities Act.

Accessibility – the practice of designing ICT so that individuals with disabilities can perceive, understand, navigate, interact and contribute effectively.

Information and Communication Technology – any electronic system or system-related service used to create, store, retrieve and disseminate information and data.

State agency – any office, officer, bureau, board, counsel court, commission, institution, unit or division, body or house of the executive or judicial branches of the state government, whether elected or appointed, excluding political subdivisions of the state. State agency shall include the Oklahoma State Regents for Higher Education and the State Board of Career Technology Education and Technology Center school districts.

VPAT – voluntary product accessibility template; a standardized document used by vendors to describe how their product or service meets recognized accessibility standards.

WCAG 2.1 AA – Web Content Accessibility Guidelines and success criteria published by the World Wide Web Consortium (W3C) to ensure web accessibility.

Standard

Applicability.

This standard applies to all ICT procured, developed, maintained or used by state agencies, including but not limited to:

- Websites, web-based applications and digital platforms;
- Documents on public facing websites, including, but not limited to, .docx, .pdf and .xlsx;
- Software and operating systems;
- Any other ICT products or services that facilitate communication or information exchange;
- Custom designed information technology systems; and Emerging Information Technology Systems.

Each state agency shall ensure its ICT acquisitions fully comply with this standard and must integrate accessibility compliance checks into its procurement process.

Accessibility requirements.

When developing, procuring, maintaining or using information technology, or when administering contracts or grants that include the procurement, development, upgrading or replacement of information technology, each state agency shall ensure, unless an undue burden would be imposed on that agency, that the information technology allows employees, program participants and members of the general public access the use of information and data that is comparable to the access of individuals without disabilities, and at minimum, must conform to WCAG 2.1 AA or the most current standards required by the Department of Justice Accessibility Standards, subject to any applicable statutory or regulatory exceptions.

Procurement and contract provisions.

State agencies shall include accessibility requirements in all ICT acquisition documents, contracts or purchase agreements, reflecting their obligation to meet or exceed the requirements of Section 508 or Title II of the ADA, in addition to 62 O.S. § 34.28. The following contract clause shall be included in any ICT acquisition by a state agency:

State procurement of information technology is subject to certain federal and State laws, rules, and regulations related to information technology accessibility, including but not limited to Oklahoma Information Technology Accessibility Standard (“Standard”) located at: [CIO Policy & Standards](#), and, as applicable, the Americans with Disabilities Act (ADA) Title II Regulations Subpart H. These require that information and communications technology is accessible to and usable by individuals with disabilities. The ADA Title II Regulations Subpart H fact sheet is available at <https://www.ada.gov/resources/>.

Unless an exception applies, all products and services provided or developed as part of fulfilling this Contract, including (a) the primary Acquisition as well as any electronic training material, user documentation, reference material or other communications materials intended for public or internal use related to the work completed under this Contract; and (b) any updates, new releases, versions, upgrades, improvements, bug fixes, patches, customizations, or other modifications to the above-shall conform to the Standards, which at minimum must

meet the requirements of the Web Content Accessibility Guidelines 2.1 AA ("WCAG"). The WCAG 2 Overview is available at <https://www.w3.org/WAI/standards-guidelines/wcag/>.

Affirmation of Conformance. The Supplier shall provide a description of conformance with the above-mentioned requirements by means of a completed Voluntary Product Accessibility Template (VPAT®) or other comparable document. (VPAT information is available at <https://www.itic.org/policy/accessibility/vpat/>.) For off-the-shelf products, the Supplier shall provide a completed VPAT conformance report at the time of contract execution. For custom Acquisitions, the Supplier shall provide a completed VPAT demonstrating conformance to applicable standards upon delivery. The conformance claim in the VPAT provided shall constitute a material contractual term between the Supplier and the Customer.

If products require development or customization, additional requirements and documentation may be required and compliance shall be necessary by Supplier. Such requirements may be stated in appropriate documents including but not limited to a statement of work, riders, agreement, purchase order or Amendment.

Testing and verification.

Agencies must ensure that ICT acquisitions are verified for compliance with applicable laws, rules and regulations.

Acceptable testing methods include, but are not limited to:

1. Automated accessibility scanning;
2. Manual code review by subject matter experts;
3. In-house testing;
4. Consultation with accessibility experts;
5. Testing by a third-party supplier; and
6. User testing by individuals with disabilities.

For custom acquisitions, state agencies shall require the supplier to provide a completed VPAT demonstrating conformance to applicable standards upon delivery.

Compliant Process

State agencies shall designate an Accessibility Compliance Representative(s) responsible for ensuring compliance with federal and state laws, rules and regulations for electronic and information technology accessibility and the related information and communication technology accessibility standards.

Any individual may file a complaint alleging that a state agency fails to comply with Oklahoma law and the related information and communications technology accessibility standards pursuant to the provisions set forth in OAC 260:15-1-1 et seq.

Remediation

Any ICT determined to be noncompliant with this standard shall be remediated within a reasonable timeframe, as specified by applicable state and federal laws, regulations and rules. State agencies must maintain records of identified accessibility issues and track remediation efforts in accordance with OAC 260:15-1-1.

Compliance

This standard shall take effect upon publication and is made pursuant to Title 62 O.S. §§ 34.11.1 and 34.12 and Title 62 O.S. § 35.8. OMES IS may amend and publish the amended standards policies and standards at any time. Compliance is expected with all published policies and standards, and any published amendments thereof. Employees found in violation of this standard may be subject to disciplinary action, up to and including termination.

Rationale

To coordinate and require central approval of state agency information technology purchases and projects to enable the chief information officer to assess the needs and capabilities of state agencies as well as streamline and consolidate systems to ensure that the state delivers essential public services to its citizens in the most efficient manner at the lowest possible cost to taxpayers.

References

- [Department of Justice New Title II ADA Rule Fact Sheet.](#)
- [ADA Web Rules.](#)
- [Federal Section 508 Electronic and Information Technology Accessibility Standards.](#)
- [ADA Resources webpage.](#)
- [W3 Standard Guidelines.](#)
- [VPAT Policy.](#)

Revision history

This standard is subject to periodic review to ensure relevancy.

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Approved by: Dan Cronin, Chief Information Officer	