

# Accessibility in Technology Procurement and Use



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# Introductions



- Who are you?
- Organization, if you'd like
- What do you hope to get from today's workshop?

# Logistics

- Ask questions any time
  - I will pause periodically to check in
- Breaks at about the top of each hour

# Context

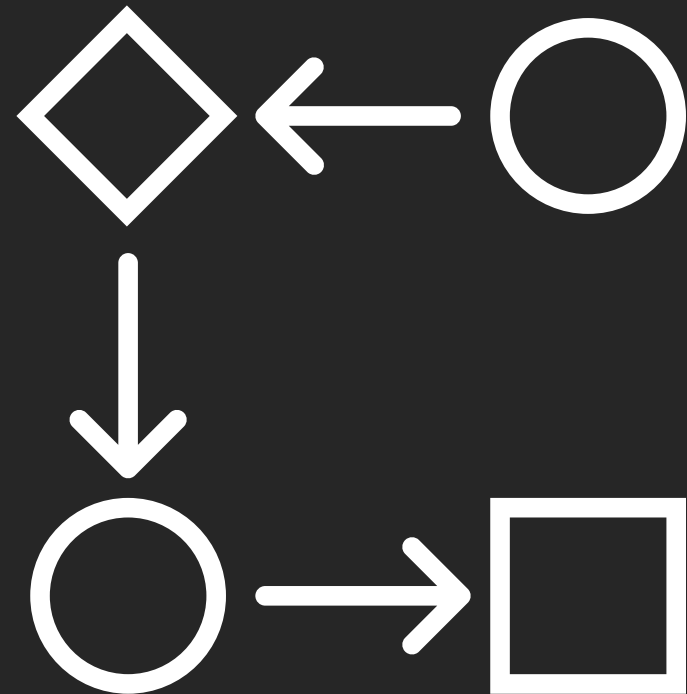
- Buying over building
- Bought or made doesn't matter to your audience
- Internal and external audience
- Civil rights issue
- Accessibility is a business need

# Legal and Policy

- Civil Rights
  - Americans with Disabilities Act
  - Sections 503 and 504 of the US Rehabilitation Act
- Procurement policy
  - Section 508 of the US Rehabilitation Act
  - State policy or statute

# Tools and Processes

- Must have both
- Process is critical
- Goals
  - Gather needed information
  - Protection



# Balance

- Effort collecting information
- Value of the information
- Considering
  - People
  - Tools
  - Knowledge



# Acceptable Slowing Down?

**New tech stack or CMS**



**Implementing accessibility**





# Procurement Documentation

- Request for Information
- Request for Proposal
- Scoring Matrix
- Contract



# Evaluation and Assessment

- Demonstrations
- Accessibility Conformance Report
- Direct Testing



Early Introduction

# **REQUESTS FOR INFORMATION/PROPOSAL**

# Goal

- Emphasize accessibility as a fundamental requirement
  - In writing
  - In meetings
  - In correspondence
- Reinforce with vendors and internally
- Specify what vendors must provide

# Request for Information



- Conformance to the technical standard of reference

- Insight into vendor's accessibility practice

# Accessibility in Vendor Practice

- Policy Driven Adoption of Accessibility
- Can scale this to fit
- Generally
  - How does the vendor address accessibility in its work/organization?
- Ideally: integrated into org, product lifecycle, etc.

# Standard

- Web Content Accessibility Guidelines (WCAG)
  - Version (2.0, 2.1, 2.2)
  - Level (A, AA, AAA)
- Section 508
  - Scoping
  - Functional Performance Criteria
  - Agency Official Communication
- State or local

# Americans with Disabilities Act Changes

- Specific to Title II
  - State and local government
- Requires WCAG 2.1 AA
- Includes products and content from a third party
  - Where there is “a contractual, licensing, or other arrangement...”



# Section 504 Under Health and Human Services

- Aligns with Title II
  - Recipients of HHS funding
- Requires WCAG 2.1 AA
- Includes products and content from a third party
  - Where there is “a contractual, licensing, or other arrangement...”

# Standards Considerations

- Vendors may still aim for WCAG 2.0
  - Will they self-select out if you refer to 2.2?
  - Should you consider them at all?
- Scoring should settle discrepancies in versions

# Request for Proposal



- Product level
  - Good to ask about vendor level if no RFI issued
- Set high expectations
- Explain your vetting process

# Require Specifics

- Accessibility demonstration
- Documentation about accessibility
- Expectations for documentation (current, complete, accurate, thorough)
- Direct testing requirements

# Other RFI/P Considerations

- No response about accessibility?
  - Early indicator of **organizational will**
  - What do you do if a vendor doesn't send another piece of required information?
  - May be different for niche products
- Is all functionality addressed?
- Are response materials accessible?

# Less Formal Documents

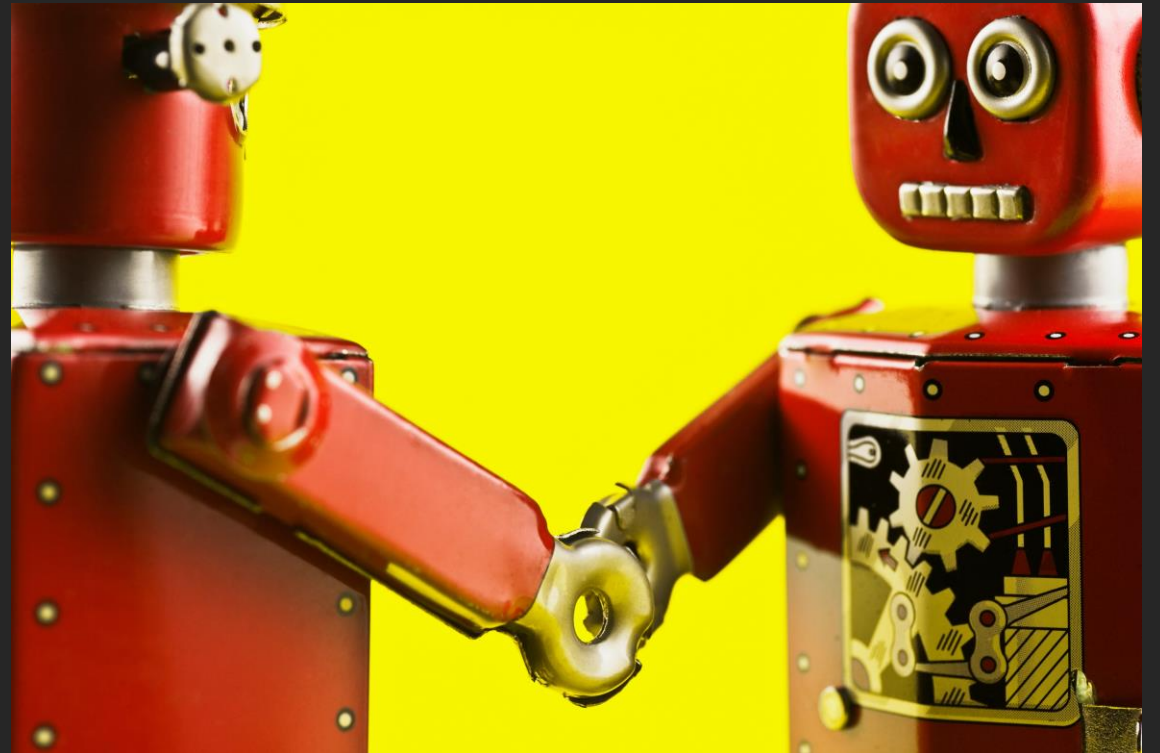
- Scope of Work
- Requirements Documentation

Hold Vendors Accountable

**CONTRACTS**

# Goals

- Protect the purchasing organization
  - Invalid vendor claims
  - Incurring additional costs
  - Path for recourse
- Cautionary tales are common





# Contract Language

- Codify what was in your RFP, etc.
  - Standards and such
- Detail what happens if barriers are discovered
  - Require roadmap for fixes
  - Detail timeline or who in your organization sets it
- How are fixes validated?
  - Third party? In-house?
- Terms to cancel contract (**organizational will** is key)

# Something is Not Accessible

- How do you handle this with, say, information security?
- What is the risk of the barrier(s) identified?
- What is the risk tolerance overall?
- Fixed at no cost to the purchaser
- [PEAT Works suggested language](#)

# Similar Tool

- Memorandum of Understanding

Observe and Report

# **PRODUCT DEMONSTRATIONS**

# Structure



- Part of overall demo
- Have separate demo and Q and A
- Not either/or
- Accessibility-only is likely to gain more information
  - Recommended approach

# Accessibility Demo Participants

- Purchaser
  - Likely, subset of overall team
  - Accessibility specialist, IT/web, product owner, etc.
- Vendor
  - Accessibility specialist, sales, UX design, web developer
- Make goals clear
- May require patience

# Questions to Consider

- Vendor demos drag and drop
  - How can someone perform that action from the keyboard only?
- Can you tab to and through the navigation menu?
- How are those form fields and labels associated with each other?

# Scoring a Demo

- Aim for consistency
- Put accessibility along side other scripted tasks
- Weigh meaningfully





# Scoring a Question

- How are those form fields and labels associated with each other?
  - They aren't: 0 points
  - Incorrectly: 0 points
  - Using HTML "for" and "id", "aria-labelledby", "aria-label", or implicit labeling: 5 points

The Details

# **VOLUNTARY PRODUCT ACCESSIBILITY TEMPLATE AND ACCESSIBILITY CONFORMANCE REPORT**

# Voluntary Product Accessibility Template

- Or, [VPAT](#)
- Template for vendors to self-disclose accessibility
- Based on different standards
- Tool that we can use more effectively
- [Making VPATs and ACRs More Effective](#)

# Accessibility Conformance Report

- [Or, ACR](#)
- A completed VPAT
  - What you require
- Current
- Complete
- Accurate
- Thorough
- Let's look at an ACR

# Vetting the ACR: General Information

- Information before technical conformance is critical
  - Product Information
  - Applicable Standards

# Product Information

- Version
- Date
- Contact
  - Ask to specify role; nice to see an accessibility address or role
- Notes
  - Ask to include overview of vendor accessibility program
- Evaluation Methods Used
  - Ask for details, including if done by third party

# Applicable Standards

- Does not show overall conformance
- Specifies which standards vendor uses

# Vetting the ACR: Technical Information

- Technical conformance
  - Team with accessibility specialist, IT, etc.
  - Nitpick
    - Supports: ask specifically how
    - Partially supports: ask for specific locations where not supported, timeline for fixes
    - Does not support: ask for timeline for fixes



# Supports: Example

- Supports: Product uses ARIA and alt attributes to provide images with text alternatives.
  - Possible Questions
    - How do you validate that these text alternatives convey intended meaning?
    - (Bigger picture): what guidance do you provide designers, developers, or content authors on writing text alternatives?

# Supports: Example 2

- Form elements are programmatically associated with labels.
  - Possible questions
    - What technique(s) are used to make this association?
    - How do you validate this throughout the website?

# Supports: Example 3

- Form elements are programmatically associated with labels using “for” and the “id” on the form elements.
  - Possible question
    - How do you validate this throughout the website?

# Partially Supports

- Most structure and relationship information is provided through object information
  - Possible questions
    - Specifically, where is this not supported?
    - What techniques does the product use to implement this where it is supported?
    - What is the timeline for full support?

# Does Not Support

- When will it?
- How is this part of the product roadmap overall?

# Exercise

- [Read ACR](#)
- Discuss and document
  - Observations overall
  - Questions you would ask

Considerations and Thoughts

# **DIRECT TESTING**

# Necessary or Unnecessary?

- Free products, such as plugins
  - Higher likelihood: necessary
  - Many, such as in WordPress, will have documentation
- Paid products, with vetted accessibility documentation
  - Lower likelihood: necessary
  - If your vetting process, contract language, etc. is tip-top
- Why?
  - Have information to compare relatively



# Perform Testing: How Much?

- Representative sample of pages or workflows
  - Most critical for people's user journeys
  - May have to ask for examples from live sites
    - Common with design projects
- Aim for consistency across products
  - Date picker in one, date picker in all
- Can get granular in RFP

# Performing Tests



- WAVE or similar automated tool on representative sample
- Consider scaled back manual checks

# Possible Manual Checks

- Accuracy of the web page's defined language
- Appropriateness of image alternative text
- Impact of empty links and buttons, if present
- Impact of labeled or unlabeled form inputs
- Impact of low contrast content
- Appropriateness of page title
- Presence and prevalence of animation and movement
- Presence of keyboard focus indicators
- Impact of other keyboard accessibility issues
- Page support for reflow and responsive design

# Flexibility

- Track document vetting and direct testing to compare scores
- If they track consistently the same, may lessen testing
- Consider testing only some possible products
  - Larger audience
  - Specific audience
  - Business considerations
    - Program for people with disabilities, healthcare, finance, etc.
    - Internal audience, too

# Share Results? Some Concerns

- Wrong message to vendors
- Internalization of costs by purchaser
- Sustain a market imbalance



Reducing Subjectivity

# SCORING MATRIX

# Due Diligence

- Document a thorough best effort
- Less subjectivity = less chance of accessibility disappearing
- (Hopefully) less likely that you'll need to demonstrate due diligence
- Be sure to review tools and processes regularly

# Overall

- Consistently weigh accessibility
- Reinforce accessibility internally
- **Organizational will**





# Scoring: The ACR

- Prioritize impact of items on ACR and set score, EG:
  - Critical, 0 points
  - Bad, 1 point
  - Moderate, 2 points
  - Recommended, 3 points
  - No issue, 4 points
- Similar approach to rate non-technical items
- An example from the [State of Minnesota](#), [University of Michigan](#)

# Scoring Other Material

- Direct testing results
  - Like how you would rate technical ACR elements
- Vendor program maturity
  - Some in non-technical ACR elements
  - Policy Driven Adoption of Accessibility

# Weighing Accessibility

- **Organizational will**
- Another internal reinforcer
- Is the organization OK if someone asks about it?
- Heavily enough to rule out product with bad accessibility
- Anyone willing to share if already done?



# Planning for Inaccessibility

- Equally Effective Alternate Access Plan (EEAAP)
  - Proactively plan for accommodations

We Already Use That

**LEGACY PRODUCTS**

# It's Not Too Late

- A different conversation
- Introduce vendors to your work
  - Discuss the “why”
  - Discuss the ask(s)
- Good relationships are key
- Messaging
  - Internally
  - Vendors



# Internally



- Inventory third-party products
- Anticipate questions
  - Why?
  - Why now?
  - Why not before?
  - Do we have to?
  - Who says?
- **Organizational will**

# Empathy

- Tone is key
- Focus on impact on audience
- Avoid “it’s accessibility’s fault”
- Understand
  - Some products are very familiar
  - Change is very difficult
  - Part of broader cultural change



# Externally: Use Tools and Processes

- VPAT/ACR
- Contract, statement of work, etc.
- Conversations
- Meetings

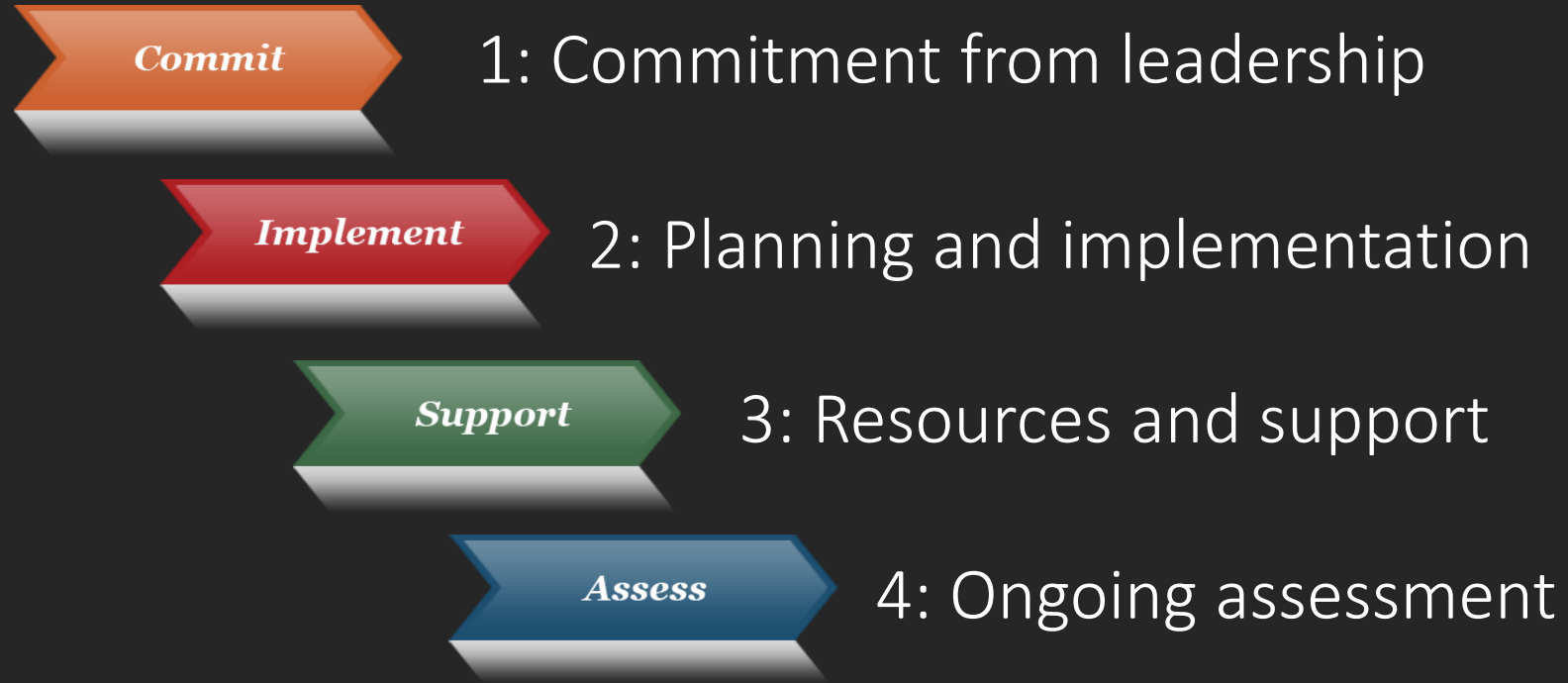
# Put Into Context for Vendors

- Focus on impact on audience
- You need their help to meet your goals
- Introduce at contract renewal or review period
  - Will vary based on relationship

Ideas to Action

**HOW DO WE DO THIS?**

# Strategic Accessibility



# Leadership: Engage

- **Organizational will**
  - Create policy, governance
  - Take the steps to build processes and adopt tools
  - Follow through on contract language
  - Allocate resources
  - Change culture

# Multi-disciplinary Team

- Influencers and interested parties
  - Owners of procurement docs and processes
  - Accessibility specialist
  - Influencers
    - IT
    - Large product owners
    - Legal
    - Accessibility Services
    - Policy experts



# Continuous Improvement

- Organizations are on a maturity matrix
- The first step is the hardest
- Step 128 can also be hard
- A growth mindset is actually a useful thing
- Start where you can

# Thank You!

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