

**Business Services**

1 **AP 6365 CONTRACTS – ACCESSIBILITY OF INFORMATION**  
2 **TECHNOLOGY**

3 **References:**

- 4 Section 508 of the Rehabilitation Act of 1973 (29 U.S. Code, Section 794d);
- 5 36 CFR, Sections 1194.1 et seq.;
- 6 Government Code, Section 11135;
- 7 Title 5, Sections 59300 et seq.

8 The President/Superintendent delegates the authority to the Vice President of Business  
9 Services to ensure that all information technology-related contracts address accessibility  
10 requirements per 29 U.S. Code, Section 794d.

11 Whenever the District enters into a contract for the purchase, development, procurement,  
12 maintenance, or use of any electronic or information technology, the vendor shall certify  
13 that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 (29  
14 U.S. Code, Section 794d) and its related regulations. This requirement shall apply to  
15 software applications, operating systems, web-based intranet and internet information  
16 and applications, telecommunications products, video or multimedia products, self  
17 contained closed products such as copiers, and desktop and portable computers.

18 Each contract with such a vendor shall contain the following provision:

19 "The vendor hereby warrants that the products or services to be provided  
20 under this agreement comply with the accessibility requirements of Section  
21 508 of the Rehabilitation Act of 1973, as amended, and its implementing  
22 regulations. Vendor agrees to respond promptly to and resolve any  
23 complaints regarding accessibility of its products or services that are  
24 brought to its attention. Vendor further agrees to indemnify and hold  
25 harmless the District from and against any claim arising out of its failure to  
26 comply with these requirements. Failure to comply with these requirements  
27 shall constitute a breach and be grounds for termination of this agreement  
28 and/or action for damages."

29 Office of Primary Responsibility: Vice President, Business Services

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**Date Approved: March 26, 2007**  
**Date Reviewed: March 20, 2019**