
Business and Fiscal Affairs

AP 6365 CONTRACTS – ACCESSIBILITY OF INFORMATION TECHNOLOGY

References:

Government Code Sections 7405 and 11135;
Section 508 of the Rehabilitation Act of 1973 (29 U.S. Code Section 794 subdivision d);
36 Code of Federal Regulations Sections 1194.1 et seq.; Title
5 Sections 59300 et seq.

Whenever the District enters into a contract for the purchase, development, procurement, maintenance, or use of any electronic or information technology, the vendor shall conform and comply with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations as amended. This requirement shall apply to software applications, operating systems, web and cloud-based subscriptions, telecommunications, video and multimedia products, self-contained closed products, computers, portable devices, and mobile devices.

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

"The vendor hereby warrants that the products or services to be provided under this agreement comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. The vendor agrees to provide or make ready a Voluntary Product Accessibility Template (VPAT) to assist in determining if the deliverables provided meet the accessibility requirements set forth by the Marin Community College District. The vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. The vendor further agrees to indemnify and hold harmless the Marin Community College District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement."

Office of Primary Responsibility: Administrative Services

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