



National Center on AEM at CAST; 40 Harvard Mills Square, Suite 3; Wakefield, MA 01880-3233
Voice: (781) 245-2212 TTY: (781) 245-9320 Fax: (781) 245-5212 Web: <http://aem.cast.org>

Guidance for Purchasers

This guidance document will help you begin to factor accessibility into your purchasing decisions. Generally, materials are considered accessible if they give students with disabilities the opportunity to learn the same information, engage in the same interactions, and enjoy the same services as students without disabilities.

When materials are accessible for students with disabilities, the same materials benefit a much wider range of students including English language learners, students who are struggling, and students who are excelling. In other words, fully accessible materials are materials that are usable by *all* students.

Steps you can take

Below are 3 steps you can take to help ensure you are purchasing accessible learning materials from the start.



1. When purchasing instructional materials from publishers/developers, require that all materials—

- Are aligned with accessibility standards
 - WCAG 2.0 (minimum level AA compliance)
 - Section 508 (or Section 508 Refresh once approved)
- Are created using best practices
- Are tested for accessibility, including by users with disabilities

2. Incorporate accessibility into your purchasing policies and practices. Ensure your policies—

- Establish accessibility criteria that all materials are required to meet (if not, see step 1)
- Require vendors to provide accessible digital materials that meet specific access requirements to the maximum extent possible (if not, see step 1)
- Bring special education and assistive technology professionals into discussions about the purchase and adoption of instructional materials

3. If you are entering into contracts, include language about accessibility. A draft of example language includes the following:

For digital materials (applies to commercial and open education resources [OER]):

Vendor represents that the digital instructional materials delivered under this contract or purchase order conform to, at a minimum, the standards for accessibility as set forth in—

- Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d), and its implementing regulations (36 C.F.R. § 1194), or
- Web Content Accessibility Guidelines (WCAG) 2.0 (minimum of Level AA conformance).

Should any portion of the materials not conform to the aforementioned standards of accessibility, vendor agrees to provide a written explanation of the reason for non-conformance and grants permission to create accessible versions for students who meet the appropriate copyright criteria.

For print materials (applies to textbooks and related core instructional materials):

By agreeing to deliver the materials marked with "NIMAS" on this contract or purchase order, the publisher agrees to prepare and submit, on or before ___/___/_____ a NIMAS file set to the NIMAC that complies with the terms and procedures set forth by the NIMAC. The publisher also agrees to mark up materials eligible for NIMAS submission that contain mathematical and scientific instructional content by using the MathML3 (refer to latest applicable version) module of the DAISY/NIMAS Structure Guidelines as posted and maintained at the DAISY Consortium web site (<http://www.daisy.org/z3986/structure/SG-DAISY3/index.html>).

Should the vendor be a distributor of the materials and not the publisher, the distributor agrees to immediately notify the publisher of its obligation to submit NIMAS file sets of the purchased materials to the NIMAC. The files will be used for the production of alternate formats as permitted under the law for students with print disabilities. (IDEA Title I, Part B, Sec. 612(a))

For additional information about NIMAS, please refer to <http://aem.cast.org>.

For additional information about the NIMAC, please refer to <http://nimac.us>.

What if accessibility information is not readily available?

It is expected that accessibility information is made available from publishers/developers and that their representatives are aware of and can explain it. When accessibility information is not easily found—

- Do an initial scan of the material using best practices and accessibility checkers when possible (e.g., <http://www.w3.org/WAI/eval/Overview.html>)
- Contact the publisher/developer, and ask the following questions:
 - Is the material compliant with accessibility standards such as WCAG 2.0 (minimum level AA compliance) or Section 508 (Section 508 Refresh once approved)?

- In what ways is it compliant/not compliant?
- Was the material created using best practices in accessibility?
- Was the material tested for accessibility, including by users with a variety of disabilities?
- What types of disabilities were considered in testing?
- What specific tests were conducted?
- What individual should be the primary contact for accessibility questions?
- Consider other materials for purchase

Learn more about the PALM Initiative at: <http://aem.cast.org/navigating/palm.html>

Updated: May 2015