

AP 6365 Accessibility of Information Technology

References:

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794d); 36 CFR 1194.1 et seq.; Government Code Section 11135; Title 5 Section 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 certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations. This requirement shall apply to software applications, operating systems, web-based intranet and internet information and applications, telecommunications products, video or multimedia products, self contained closed products such as copiers, and desktop and portable computers.

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

“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. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. Vendor further agrees to indemnify and hold harmless the 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.”

AP 6360 Contracts – Electronic Systems and Materials

References:

Education Code Sections 81641 et seq., and 81651; Public Contracts Code Section 20651 et seq.

The district may contract with any vendor who has submitted one of the three lowest responsible competitive proposals or competitive bids for the purchase or maintenance of electronic data-processing systems and equipment, electronic telecommunication equipment, supporting software, and related material, goods and services.

Except as otherwise stated here, bids shall be solicited and contracts shall be awarded in accordance with AP 6340.

Criteria to determine what constitutes a responsive bid shall be established by the Vice President of Administrative Services.

Supplemental instructional software packages may be purchased without taking estimates or advertising bids.

Sale and leaseback of data-processing equipment or another major item of equipment is permissible if the purchaser agrees to lease the item back to the district for use by the district following the sale. The governing board shall first adopt a resolution finding that the sale or leaseback is the most economical means for providing electronic data-processing equipment or other major items of equipment to the district.

Approved by the Board of Trustees: April 9, 2002
Amended by the Board of Trustees: November 10, 2009
Amended by the Board of Trustees: December 8, 2009