

Technology Access Clause

State of Nebraska

Nebraska Technology Access Standards

LB 352 (2000) requires the Commission for the Blind and Visually Impaired, Nebraska Information Technology Commission, and the Chief Information Officer, in consultation with other state agencies and after at least one public hearing, to develop a technology access clause to be included in all contracts entered into by state agencies on and after January 1, 2001. The following technology access standards are in response to this legislation.

The intent and purpose of these standards is to ensure that the needs of Nebraskans with disabilities are met through reasonable accommodation of the information technology products and services of the state. Future information technology products, systems, and services including data, voice, and video technologies, as well as information dissemination methods, will comply with the following standards to the greatest degree possible.

1. Effective, interactive control and use of the technology including, but not limited to, the operating system, applications programs, and format of the data presented must be readily achievable by individuals with disabilities.

The intent is to make sure that all newly procured information technology equipment; software and services can be upgraded, replaced or augmented to accommodate individuals with disabilities.

2. Information technology made accessible for individuals with disabilities must be compatible with technology used by other individuals with whom the individual with a disability must interact.
3. Information technology made accessible for individuals with disabilities must be able to be integrated into networks used to share communications among employees, program participants, and the public.
4. Information technology made accessible for individuals with disabilities must have the capability of providing equivalent access to telecommunications or other interconnected network services used by the general population.
5. These provisions do not prohibit the purchase or use of an information technology product that does not meet these standards provided that:
 - a. there is no available means by which the product can be made accessible and there is no alternate product that is or can be made accessible; or

- b. the information manipulated or presented by the product is inherently unalterable in nature (i.e., its meaning cannot be preserved if it is conveyed in an alternative manner).
- c. The product is used in conjunction with an existing information technology system, and modifying the existing system to become accessible would create an undue burden.
- d. The information technology product is intended only for users who have no disability requirements. The agency must be able to modify or replace the information technology product with one that will accommodate the needs of individuals with disabilities.

When development, procurement, maintenance, or use of electronic and information technology does not meet these standards, individuals with disabilities will be provided with the information and data involved by an alternative means of access that allows the individual to use the information and data.

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