

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Technology Purchases and Accessibility

NUMBER: 7.6

A. PURPOSE

To document the necessary accessibility standards and approval processes for technology purchases.

B. DEFINITIONS

1. **BOR or Institutional Information Technology Resources (ITR):** Information Technology purchased, developed, deployed, or used for BOR or its governed Institutions' Business and, in the case of web-based applications and websites, is hosted on BOR or Institution owned, controlled, or affiliated domain.
2. **Institution:** BOR Central Office, Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, University of South Dakota, South Dakota Services for the Deaf and South Dakota School for the Blind and Visually Impaired.
3. **Information Technology:** includes but is not limited to software; server-based, personal computer, mobile device, and web-based applications and websites; website hosting and design services; development, hosting, maintenance, and archiving services; cloud-based applications and information processing or storage services; digital hardware interfaces; hardware; and digital database configurations and interfaces.
4. **Digital Content:** consists of any information or communication accessed or displayed in a digital format or medium, such as text, image, audio, or video created, posted, distributed, or published for the BOR or Institution Business.
5. **BOR or Institutional Business:** activities carried out by BOR or Institutional faculty, staff, and their agents in furtherance of BOR or Institution's, but do not include activities organized or conducted by students or registered student organizations acting in independent capacities not otherwise subject to accessibility laws and regulations.

C. POLICY

1. System Standards

In order to ensure compliance with Information Technology standards adopted by the Board of Regents and to take advantage of the opportunity for cost savings and operational efficiencies through system standards and system-wide purchases, technology purchases of equipment and software must adhere to established standards.

2. Technology Standards

- 2.1. The system will identify appropriate standards where necessary working with the appropriate councils to review options and adopt standards. Institutions are required to adhere to the established standards when implementing and purchasing technology systems, equipment, services, or software.
- 2.2. The system and individual institutions shall develop and maintain policies, procedures, and guidelines that include, but are not limited to, the following standards, at a minimum:
 - 2.2.1. Policies, procedures, or guidelines for purchasing and acquisition, design and development, management, maintenance, and use of accessible Information Technology; including required prior reviews of the Information Technology accessibility, compliance standards, and purchasing contract required accessibility terms and conditions.
 - 2.2.2. Establishment and application of required technical digital accessibility standards for BOR and institutional ITR that are legally compliant for all Information Technology and Digital Content in accordance with Section 504 of the Rehabilitation Act of 1976, the Americans with Disabilities Act, and BOR or institution's mission, Web Content Accessibility Guidelines (WCAG) 2.1 A and AA success criteria, and Section 508 standards, as amended, or successor standards.
 - 2.2.3. Guidelines must include compliant use of captioning for live-streamed events and all documents and media formats.
 - 2.2.4. Designation of responsible offices and positions for development, management, maintenance, auditing, use, and accountability for accessible information technology resources.
 - 2.2.5. Requirements for BOR and institutional ITR and information technology digital accessibility standards awareness, training, and support services.
 - 2.2.6. Protocols concerning accommodation requests, complaints, resolution, and lawful exception procedures for ITR accessibility issues.
- 2.3. Newly acquired, purchased, licensed, or developed instances of ITR and all digital content after April 1, 2026, are expected to conform to the fullest extent possible at the point of rollout or implementation.
 - 2.3.1. Where such conformance with digital accessibility standards is not technically feasible or may require extraordinary measures due to the nature or purpose of the ITR or digital content, a request for exception may be submitted for review to the appropriately designated BOR or institutional official for consideration.
 - 2.3.2. Existing BOR and institutional ITR and digital content will be reviewed by the designated responsible offices and a prioritization plan for improving digital accessibility will be established and implemented. Priority shall be given to IT and digital content that provides the most essential functions to

and are most broadly and regularly used by BOR or institution employees and students.

3. Networking Equipment and Software

- 3.1. Purchases related to networking and security system purchases which have been adopted as standards for the system may be purchased according to normal purchase policies.
- 3.2. Where a standard has not been established for networking equipment or related software, the institutions may proceed with purchases as long as the cost is less than \$50,000 per item.

4. Administrative Software Purchases

- 4.1. All administrative software purchases that supplement or enhance the functions of the standardized systems, including but not limited to the student or finance systems, must be reviewed by the appropriate councils and the technology council before a purchase can be made.
- 4.2. Administrative software systems that cost more than \$50,000 per annum should be reviewed by the appropriate councils and the technology council before a purchase can be made.

5. Instructional Software Purchases

- 5.1. All software purchases that supplement or enhance the functions of the standardized systems, including the student learning system, must be reviewed by the appropriate councils and the technology council before a purchase can be made.
- 5.2. Software purchases for individual departments or faculty should be reviewed and approved by the campus CIO.

6. Instructional Equipment

- 6.1. Classroom equipment must be compatible with the established technology and network standards and equipment and is the responsibility of the local CIO.

7. Research Technology

- 7.1. Researchers, research offices, and campus Chief Information Officers must strive for open communications in proposing and implementing new research technology and software on the campuses.
- 7.2. Research technology and or software bought through grants or through sponsored research must follow local purchasing approvals and be reviewed by the campus CIO to determine if the items are compatible with the technology infrastructure and standards.
- 7.3. When grant proposals require new technologies or equipment that is not compatible with the current technology infrastructure or standards, the CIO and researcher will agree on how the research and technology will be supported, and if necessary, how the costs will be covered by the grant.

7.4. The institutions may require final approval of all research technology equipment included in grant proposals, and the final authority is the president or his/her designee.

8. Purchase Approvals

- 8.1. An exception can be made to this policy if a purchase is approved by the system networking and security administrator, the BOR chief information officer, or the system vice president of finance and administration.
9. Failure to adhere to the requirements of this policy may result in action under applicable policies and procedures.
10. The requirements of this policy are subject to the requirements of all other applicable BOR policies. Nothing in this policy is intended to abrogate the requirements of any other BOR policy or applicable laws and regulations.

FORMS / APPENDICES:

None

SOURCE:

BOR December 2010; December 2018; October 2023 (Clerical); BOR December 2025.