



2.28 Digital Content Accessibility Policy

Category: Administration

Name of Responsible Office: Diversity, Equity, and Belonging

Title of Responsible Executive: Vice President, Diversity-Equity-Belonging and Executive Director, MCC Downtown Campus

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Policy Statement

Monroe Community College (MCC) is committed to ensuring that all digital content is accessible to individuals with disabilities in accordance with the Americans with Disabilities Act (ADA) and the new regulations set forth by the Department of Justice (DOJ) on April 24, 2024. Our mission is to create a welcoming and inclusive environment for all students, faculty, staff, and visitors. This policy outlines our commitment to digital accessibility, ensuring that our websites, applications, and digital resources are accessible by everyone, regardless of ability.

Policy

The purpose of this policy is to establish guidelines for making all digital content accessible to individuals with disabilities. This includes all online platforms, applications, and digital documents associated with MCC. The policy applies to all employees, students, and third-party vendors involved in creating, maintaining, or providing digital content for MCC.

This policy will ensure that:

- All digital content is readily accessible and usable by individuals with disabilities.
- Digital content meets or exceeds WCAG 2.1 or higher, Level AA standards by the compliance deadline of April 24, 2027.
- Continuous improvement of accessibility practices is prioritized within the college's digital infrastructure.

Significant Changes in Compliance Requirements

- MCC recognizes several key changes in compliance requirements under the new regulations, which includes but are not limited to:
- Digital content must be accessible from the beginning, rather than relying on accommodations after the fact.
- The adoption of WCAG 2.2 standards align with MCC's existing Minimum Digital Accessibility Standards, ensuring a strong foundation for compliance.
- MCC is responsible for ensuring that third-party digital content is accessible, even if it is hosted by external vendors.

- Providing alternate versions of content is only acceptable when the original cannot be made accessible due to specific technical or legal reasons.

Limited Exceptions to the Requirement for Accessibility and Compliance with WCAG 2.1 or higher AA Standards

The recently established Title II regulations acknowledge specific, narrow exceptions where achieving compliance may be impractical or not required. In these limited scenarios, where all conditions for a particular exception are satisfied, the content in question does not need to be readily accessible or conform to WCAG 2.1 or higher standards. Below are the regulatory exceptions, their corresponding requirements, and a few examples:

1. **Archived Documents Exception:**

- **Regulatory Requirements:** Archived documents include digital content that:
 - Was created before April 24, 2027, or reproduces a paper document created before April 24, 2027, or reproduces the content of other physical media (e.g. VHS tapes) created before April 24, 2027.
 - Is kept exclusively for reference, research, or recordkeeping.
 - Is not altered or updated after the date of archiving; AND must be organized and stored in a dedicated area or areas clearly identified as being archived. However, if a person with a disability requests access, the College must provide that content accessibility is consistent with the requirements of Title II of the American with Disabilities Act Regulations.
- **Important clarifications:** The definition of “archived content” in the Digital Content Accessibility Policy does not impact the availability of this exception.
- **Examples:**
 - Administrative documents from a prior MCC President’s term (2010 or earlier) stored in digital archives do not need to be accessible or comply with WCAG 2.1 or higher under this exception. Similarly, older newsletters or Board minutes created before April 24, 2027, kept solely for reference and displayed on a webpage or section labeled “Archived Newsletters,” also qualify.
 - In 2029, the College Library creates an online archive featuring early MCC history, including an audio recording of the 1982 commencement address from a reel-to-reel tape. Although the website was established after April 24, 2027, the original audio, intended for research and reference, qualifies for this exception, while the website itself does not.

2. **Pre-existing Conventional Electronic Documents Exception:**

- **Regulatory Requirements:** Conventional electronic documents are web content that are:
 - Produced in one of the following file formats:
 - a. Portable document formats (“PDF”),
 - b. Word processor file formats (e.g., Microsoft Word),
 - c. Presentation file formats (e.g., PowerPoint), and
 - d. Spreadsheet file formats (e.g., Excel);
 - Available as part of the public entity’s digital content before April 24, 2027; and
 - Not currently used to:

- a. apply for,
- b. gain access to, or
- c. participate in the public entity's services, programs, or activities.
- **Additional Clarifications:** No other document formats qualify. Conventional electronic documents that are created, updated, or changed after April 24, 2027, do not meet the exception requirements and must be accessible.
- **Examples:**
 - Faculty members store course syllabi in Microsoft Word format from previous semesters on a shared drive. If the syllabi were created before April 24, 2027, and not actively used, they can remain inaccessible. However, any syllabus that is updated or changed or if the faculty decides to use one in a course, it must be made accessible.
 - Student Financial Aid office hosts an appeal form, created in July 2019, on their website as a PDF. Since this form is used to access College programs, it does not qualify for the exception and must be made accessible.

3. Third-Party Content Exception:

- **Regulatory Requirements:** For this exception to apply, the content must be:
 - Posted by a third party, and
 - Truly unaffiliated with the College (not posted by the third party based on a contractual, licensing, or other arrangement with the College).
- **Additional Clarification:** This exception does not apply to third-party content posted by the College itself, such as on social media or video hosting sites, or third-party content posted in Brightspace or Banner for courses. It also does not apply to tools or platforms the College uses to facilitate posting of third-party content (e.g., Brightspace, Content Management Systems like WordPress, or video hosting platforms). Additionally, it does not apply to third-party content embedded on MCC websites (e.g., Google Calendar, Instagram embedded posts) or posted under contractual, licensing, or other arrangements with MCC.
- **Examples:**
 - A College department created a Facebook post that encourages alumni to share memories of their experiences at MCC. Public comments on the post include photos and videos. The public comments do not need to be made accessible.
 - The College licenses a third-party service for event ticket sales. Tickets can be ordered via a website and mobile application. Even though the College does not manage the third-party service, since it is being licensed to gain access to MCC activities, the website and mobile application must be accessible.

4. Individualized, Password-Protected, or Otherwise Secured Conventional Electronic Documents Exception:

- **Regulatory Requirements:** This exception applies to conventional electronic documents that are:
 - in one of the following file formats:
 - a. Portable document formats ("PDF"),
 - b. Word processor file formats (e.g., Microsoft Word),
 - c. Presentation file formats (e.g., PowerPoint), and

- d. Spreadsheet file formats (e.g., Excel);
- about a specific individual, their property, or their account; and
- password-protected or otherwise secured.
- **Examples:**
 - Human Resources (HR) stores confidential employee performance review PDF documents in a secure, internal system. These reviews are password-protected and intended only for the individual employees and relevant supervisors. The generated documents do not need to be accessible unless an employee with a disability cannot access their review, then HR must provide an accessible format to that employee.
 - A secure online system, which requires a password and is intended for individual students and alumni, generates student transcripts for download as PDFs. The generated documents only need to be accessible if a student or alum requests an accessible format.

5. Preexisting Social Media Posts:

- **Regulatory Requirements:** This exception applies to preexisting social media posts posted before April 24, 2027.
- **Example:**
 - A post made on the College's Community Relation page posted before April 24, 2027, meets this exception, but one posted on April 25, 2027, would not.

Background

On April 24, 2024, the DOJ published new regulations addressing digital accessibility under Title II of the ADA. These regulations represent a significant expansion of accessibility requirements for public institutions like MCC. The revised regulations mandate that all digital content must be accessible to individuals with disabilities and fully conform to WCAG 2.1 by April 24, 2027. Additionally, the State of New York updated NYS-P08-005 on August 19, 2024, to require compliance with WCAG Version 2.2. Since WCAG Version 2.1 is fully subsumed within WCAG Version 2.2, the College will be required to comply with WCAG Version 2.2, Level AA to fully meet both Federal and State requirements.

The new rules apply to all aspects of MCC's operations, including academic, administrative, and community-facing functions. This policy is designed to help MCC meet these requirements while fostering a culture of inclusivity and accessibility.

Applicability

This policy applies to all MCC employees, units, and functions, including academic, administrative, athletic, student services etc. It covers all digital content created or provided by the college, as well as third-party content that is accessed through the college's platforms. This includes, but is not limited to:

- Websites and web applications: All College websites, departmental sites, faculty pages, online portals, and learning management systems.
- Mobile applications Any apps developed or provided by MCC for campus services, course materials, or notifications.
- Digital documents and materials: PDFs, Word documents, presentations, e-books, and newsletters used for educational or informational purposes.

- Multimedia content: Videos, audio recordings, live-streamed events, and instructional materials.
- E-learning and online courses: All online course-related content and platforms.

Which documents and digital content have to be accessible?

The new ADA Title II digital accessibility rules, public universities must ensure that the following documents and digital content are accessible:

- Course Materials & Academic Content including but not limited to:
 - Syllabi, lecture slides, PDFs, and readings
 - Online quizzes, exams, and assignments
 - Digital textbooks and learning management system (LMS) content (e.g., Brightspace, Banner, etc.)
 - Student generated content shared with peers on digital platforms (e.g., group projects, peer review submissions, discussion boards, or shared files within the LMS) must meet required accessibility standards.
- Administrative & Student Services Documents, including but not limited to:
 - Registration and enrollment forms
 - Financial aid documents
 - Tuition and fee payment portals
 - Housing applications
 - Disability services forms
- Employment and HR documents, including but not limited to:
 - Job postings, hiring applications, and onboarding materials
 - Employee handbooks and workplace policies
 - Benefits enrollment and payroll documents
- Public-Facing Websites and Documents, including but not limited to:
 - College website content (e.g., policies, handbooks, event flyers)
 - Press releases, board minutes and agendas, newsletters, and announcements
 - PDF reports, brochures, and marketing materials

What does it mean to make content accessible?

Under the new ADA Title II digital accessibility rules, public colleges and universities must ensure that the following documents and digital content are accessible and meet WCAG 2.2, Level AA standards. Below are high-level examples of what it means to make content accessible. This list is not comprehensive and is only intended to serve as a reference.

- Screen-reader compatibility
 - All text must be selectable and structured properly.
 - Use headings (H1, H2, H3, etc.) for organization, rather than bolding or increasing font size.
 - Ensure documents have a logical reading order for screen readers.
 - Tables should be formatted with headers and clear labels, not just for visual appearance.

- Alternative (alt) text
 - Every image, chart, or graphic must include meaningful alt text that describes its purpose.
- Captions & Transcripts
 - Videos must have closed captions that are synchronized and accurate.
 - Audio content (e.g., podcasts, recorded lectures) must have full transcripts available.
 - Videos must include descriptive audio (or equivalent text alternatives) for visual elements that are essential to understanding the instructional content.
- Properly formatted PDFs
 - PDFs must be tagged for proper reading order and include headings, lists, and tables.
 - Use real text, not embedded images of text.
 - Ensure form fields in PDFs are fillable and navigable without requiring a mouse.

NOTE: The campus community can consult the College Digital Accessibility Procedure, which outlines clear steps for all employees, including administrators, faculty, and staff, to follow. These steps will help identify any digital accessibility issues that may occur. The procedure also offers guidance on how to report these issues and effectively address them.

Additionally, it provides information on whom within the campus community to contact for further assistance. Questions or requests for help can be directed to the designated contacts mentioned in the procedure.

Definitions

Digital Content - Any content delivered electronically through a web browser or mobile application, including websites, PDFs, Word documents, PowerPoint presentations, and multimedia files like videos and audio recordings.

Accessibility - The design of products, devices, services, or environments to be usable by people with disabilities. In this context, accessibility refers to the ability of individuals with disabilities to access and use MCC's digital content.

Web Content Accessibility Guidelines (WCAG) 2.2 - A set of international guidelines created to ensure that web content is accessible to people with disabilities. Compliance with Level AA of WCAG 2.2 is required by this policy.

Public-Facing Content - Any digital content that is accessible to the public, including prospective students, applicants, and community members.

Employee-Facing Content - Digital content intended for employees, including internal communications, HR documents, and training materials.

Third-Party Digital Content - Digital materials provided by external vendors or partners, including software applications, online services, and hosted content.

Conforming Alternate Version - A separate, accessible version of digital content that provides the same information and functionality as the original content. This version is only permissible when the original content cannot be made accessible due to technical or legal limitations.

Archived Documents - Digital content created before April 24, 2027, that is preserved for reference, research, or recordkeeping and is not altered or updated.