# Letter of Understanding

July 22, 2021

To: ExamSoft

Subject: Product non-compliance for accessibility standards and pilot

Whatcom Community College (WCC) is interested in using your Examsoft Platform. This software was chosen for its capabilities and while it does not specifically meet the WCAG2.1 AA requirements the company is close to releasing a new version that is, and they are very committed to accessibility and have shared their accessibility roadmap.

WCC would like to pursue purchasing and utilizing this product(s), however, this product(s) does not currently meet the accessibility requirements for:

* Section 508 of the Rehabilitation Act of 1973
  + <http://www.section508.gov/>
* Washington State Board of Community and Technical Colleges (SBCTC) Policy 30.20.30B
  + <http://www.sbctc.edu/colleges-staff/policies-rules/policy-manual/chapter-3.aspx>
* Washington Office of the Chief Information Officer (OCIO) Policy 188

Per WCC Policy 496 <http://whatcom.edu/home/showdocument?id=5463>, and the above listed requirements, WCC cannot pursue this purchase at this time.

However, if ExamSoft intention is to pursue making this product accessible and a roadmap can be provided for this work, the College would like to move forward with its purchase on a time-restricted pilot of one year. This would allow the College to use the product and make sure it will meet the institution’s long term needs. Further, a pilot phase allows ExamSoft the time needed to make accessibility improvements. WCC’s intention is to work with ExamSoft collaboratively, including beta testing, accessibility testing using adaptive technologies, and providing feedback and reports on successful improvements and issues found within reason.

This pilot would last a maximum of one year from the date of acceptance. At the completion of the pilot, an accessibility audit based on the above listed requirements would be completed. If the product meets those requirements, and there is still a desire to use the product by the College, then a new contract can be implemented with the requirement of a termination clause pertaining to meeting WA OCIO Policy 188 standards. In the case that at the end of the pilot the product does not meet the accessibility requirements or has not demonstrated significant progress towards meeting these requirements; the college would be unable to continue use of the product, and must cease all contracts with ExamSoft.

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IT Accessibility Coordinator

Whatcom Community College