

User-Centered Design and ADA Compliance for Websites and Digital Systems

Sarah J. Swierenga, Director

Graham L. Pierce, Assistant Director

MSU Usability/Accessibility Research and Consulting
University Outreach and Engagement
Michigan State University

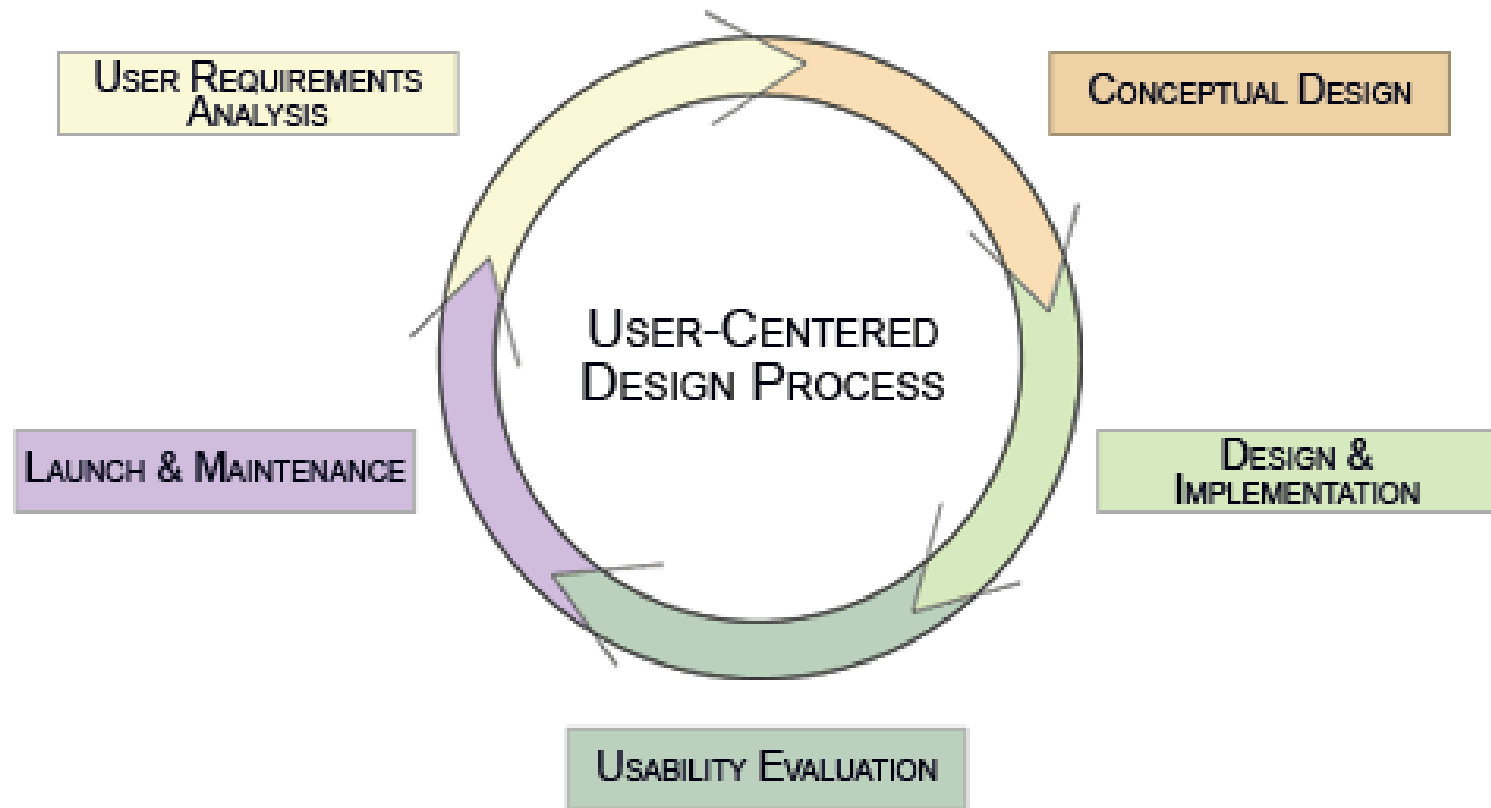
Michigan Municipal Executives 2018 Winter Institute
February 1, 2018

Importance of Your Digital Presence

- Websites are a critical communication tool used for many purposes
- First impression of your website forms within 50 milliseconds



Design as a User-Centered Process



Usability – What is it? Why does it matter?

- Usability is focused on making your website and content as user-friendly and easy to navigate as possible.



Understanding Citizens as Website Users

- Feedback from citizens
 - Focus groups
 - Discover user needs
 - Explore design concepts
 - One-on-one testing
 - Website organization



Michigan DHHS – One-on-One Testing



Michigan Dept. of Treasury – Taxes (Before)

The screenshot displays the Michigan Department of Treasury website. At the top, a navigation bar includes links for Taxes Home, FAQs, Treasury Home, Forms, Online Services, Contact Treasury, and MI gov. The main header features the Michigan Department of Treasury logo and a search bar. A left sidebar lists various tax categories: Income Tax, Preguntas mas Frecuentes en Español, Michigan Business Tax, Business Information, Sales and Use Tax, Withholding Tax, Single Business Tax, Property Tax, Fuel and Tobacco Taxes, Tax Practitioners, Corporate Income Tax, Reference, and Treasury. The main content area is titled 'Highlights' and lists several news items, including Michigan's grant extensions for storm victims, a notice regarding identity protection, and updates on 2013 new developments. A prominent banner asks if the user received a letter regarding Michigan Treasury Online. The right sidebar contains social media icons, a 'MI Business One Stop' link, and sections for 'Departments/Agencies', 'Online Services', 'Surveys', 'RSS Feeds', and 'Quick Links'.

Taxes Home FAQs Treasury Home Forms Online Services Contact Treasury MI gov

Michigan Taxes
Michigan Department of Treasury

Search

Income Tax
Preguntas mas Frecuentes en Español
Michigan Business Tax
Business Information
Sales and Use Tax
Withholding Tax
Single Business Tax
Property Tax
Fuel and Tobacco Taxes
Tax Practitioners
Corporate Income Tax
Reference
Treasury

Highlights

Highlights

Michigan to Grant Extensions to Severe Storm and Flooding Victims
Offer-In-Compromise

Did you receive a letter regarding Michigan Treasury Online? [Get Started Here.](#)

Taxpayer's Guide to Identity Protection **PDF**
2013 New Developments
Personal Property Tax Exemptions – Recent Legislative Changes
Notice to Taxpayers: Same-Sex Couples Filing Joint Federal Income Tax Returns Must File Michigan Income Tax Returns as Single Filers **PDF**
Notice to Taxpayers Regarding Revised and Rescinded Sales and Use Tax Rules **PDF**
New Prepaid Sales Tax Collection and Reporting Requirements **PDF**
Notice of New Prepaid Sales Tax Collection and Reporting Requirements following the Enactment of Public Act 509 of 2012 and Public Act 1 of 2013
Use Tax Required on Internet Purchases
2013 Emergency 911 Program Changes
Homestead Property Tax Credit Information

where's My Refund?
Notice for Those Operating Cigarette Making Machines **PDF**

MI Business One Stop
Departments/Agencies
Online Services
Surveys
RSS Feeds

Quick Links
• Collections

HEALTHY MICHIGAN

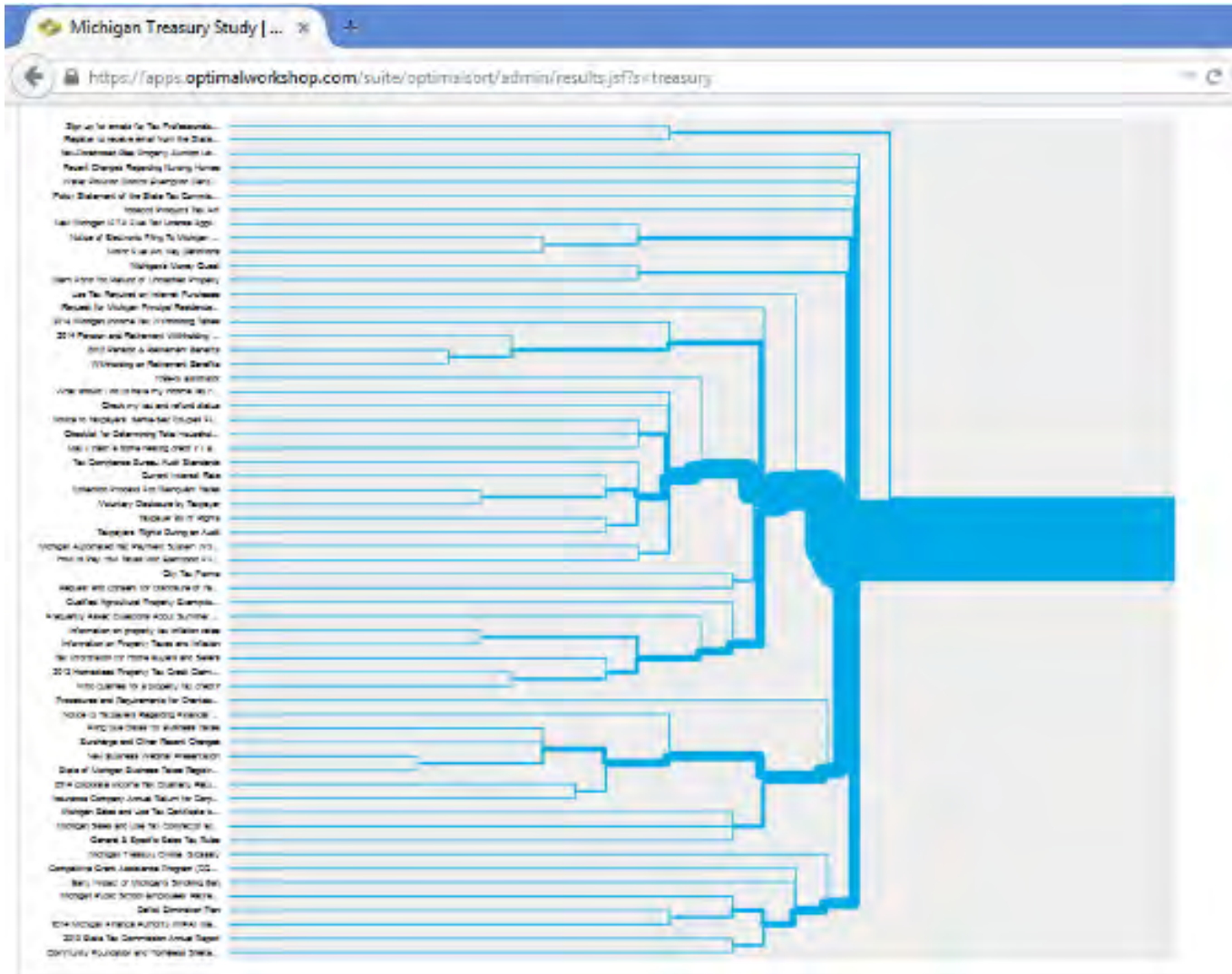
Search for Forms

Tax Website Focus Groups

- Focus groups
 - General taxpayers
 - Tax professionals
- Concerns
 - Navigation
 - Searching for forms
 - Terminology
 - Layout



Organizing Tax Website Content (Online)



Tax Website Validation Task (Online)



■ Direct Success	16	53%
■ Indirect Success	8	27%
■ Failure	6	20%
■ Skip	0	0%

 [View the Pietree for this task](#)



Michigan Dept. of Treasury – Taxes (After)

The screenshot displays the Michigan Department of Treasury website's 'Michigan Taxes' page. At the top, there is a dark blue navigation bar with a 'MENU' icon on the left and links for 'Home', 'Contact Us', 'Forms', 'FAQs', and 'Treasury Home' on the right. A search bar is also present in the top right corner. Below the navigation bar, the 'Michigan Taxes' title is prominently displayed next to a map of Michigan. A secondary search bar is located below the title, with the text 'Search Forms' and 'Search by keyword for Forms...' and a 'Submit' button. The main content area features a grid of colorful icons representing different tax categories: Individual Income Tax (blue), Business Taxes (yellow), Property Taxes (green), and City Tax (orange). Below these icons are four dark blue buttons labeled 'Forms & Instructions', 'New Business Registration', 'Collections, Audits & Appeals', and 'Tax Professionals'. At the bottom, there are three columns of links under the headings 'News and Information', 'Popular Resources & Services', and 'Popular Forms'.

MENU Home Contact Us Forms FAQs Treasury Home MI.gov

Michigan Taxes
Michigan Department of Treasury

Search

Where's My Refund? Search Forms Search by keyword for Forms... Submit Advanced Search

Individual Income Tax **Business Taxes** **Property Taxes** **City Tax**

Forms & Instructions **New Business Registration** **Collections, Audits & Appeals** **Tax Professionals**

News and Information

- Notice to Taxpayers Regarding Alternate Dispute Resolution
- New Developments for Tax Year 2017
- Notice to 2016 MI-1040CR-7 Home Heating Credit Claim Recipients
- State Treasury Department Providing Individuals, Businesses Tax Relief due to Natural Disasters
- Notice to Taxpayers Regarding the Conclusion of Multistate Tax Compact

Popular Resources & Services

- My Income Tax Refund Status
- Treasury Outreach Events
- Individual Income Tax e-Payments
- Homestead Property Tax Credit Information
- Michigan Treasury Online
- Hearings Information

Popular Forms

- Index of all Forms
- Search for all Forms
- Application for State Real Estate Transfer Tax (SRETT) Refund
- Latest Sales and Use Tax Forms
- Latest Withholding Tax Forms
- Business Tax Forms & Instructions

Design Best Practices

- User needs → User requirements
- Perform high-level website reviews
- Web Content Accessibility Guidelines 2.0 AA



Accessibility – What is it? Why important?



Document Accessibility

- Documents within websites and/or sent out electronically must be accessible, too
- Publications, Press Releases, etc.
- Tutorials
 - <http://webaccess.msu.edu>

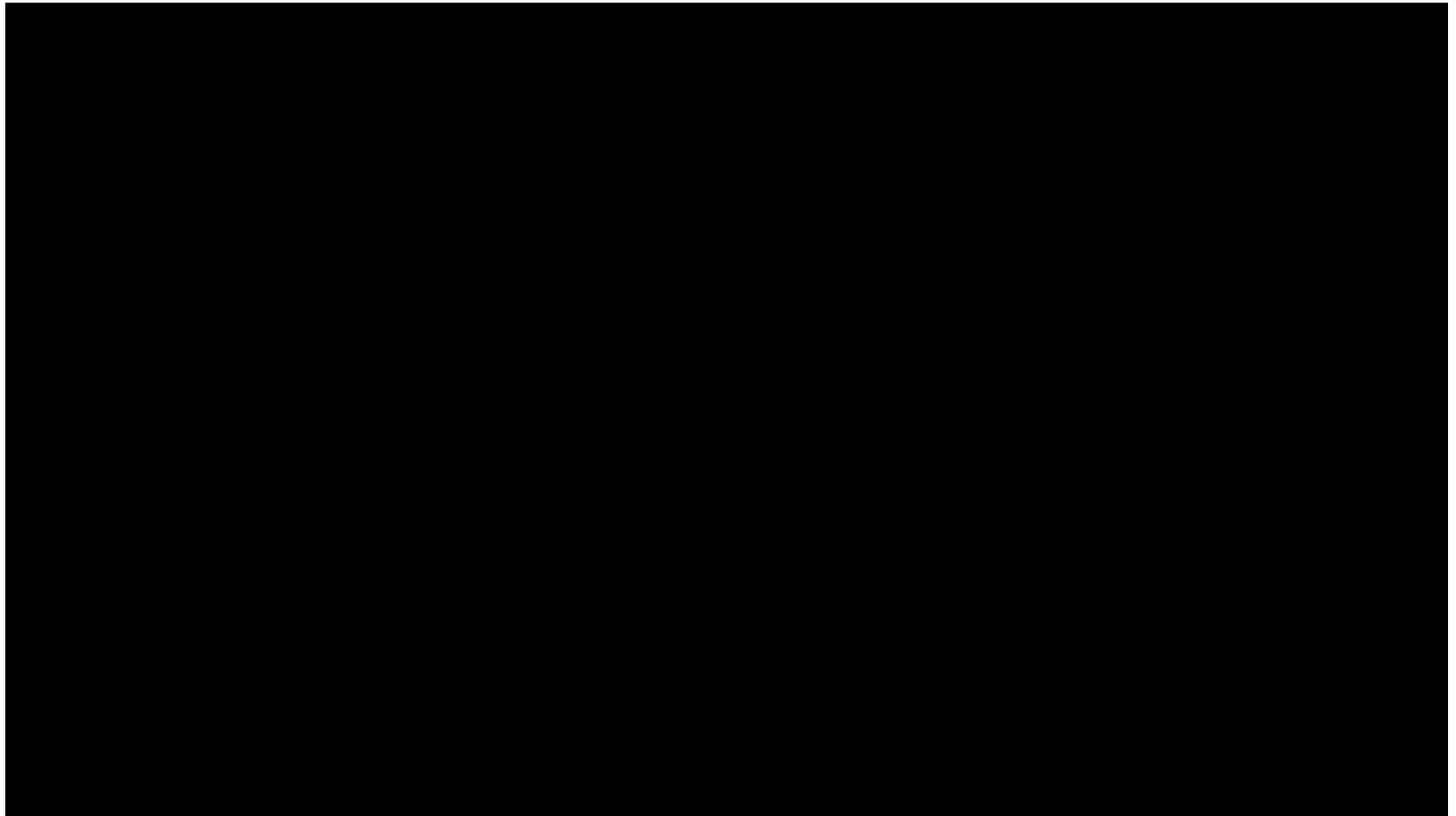


Closed Captions

A video player interface showing a close-up of a man with glasses and a beard speaking. The video has closed captions. The player controls at the bottom include a play button, a volume icon, a progress bar showing 1:40 / 1:55, a Creative Commons logo, a settings gear icon, a full screen icon, and a close icon. A small logo of a person's head is visible in the bottom right corner of the video frame.

I know my partners and I will solve this problem.

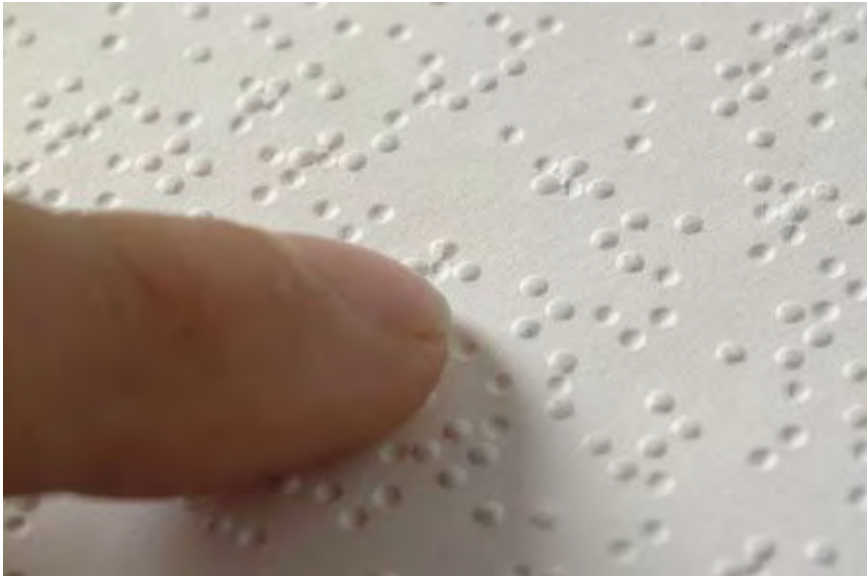
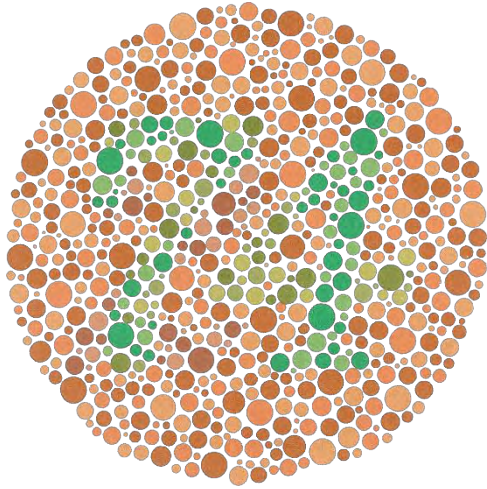
Screen Readers



<https://youtu.be/c0nvdiRdehw?t=53s>

© The Tommy Edison Experience

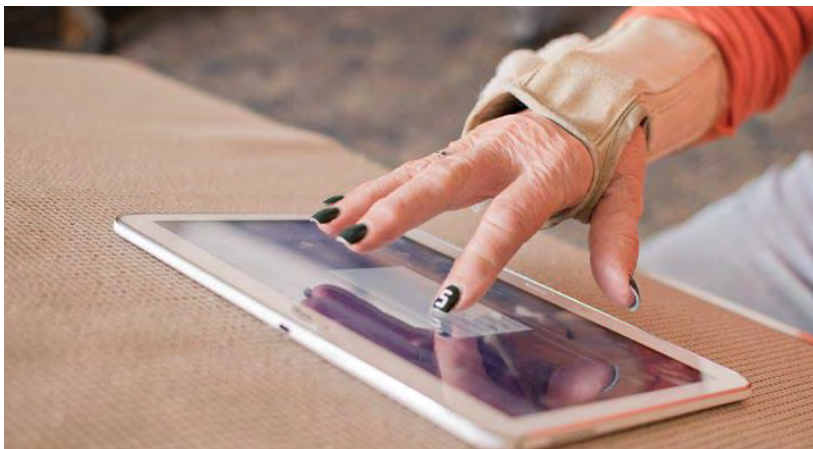
Visual Impairments



Hearing Impairments



Physical Impairments



Cognitive and Reading Impairments



teapot tapot
təpot təpot
teapot teapot
təbot teapot
tədot tɛadot

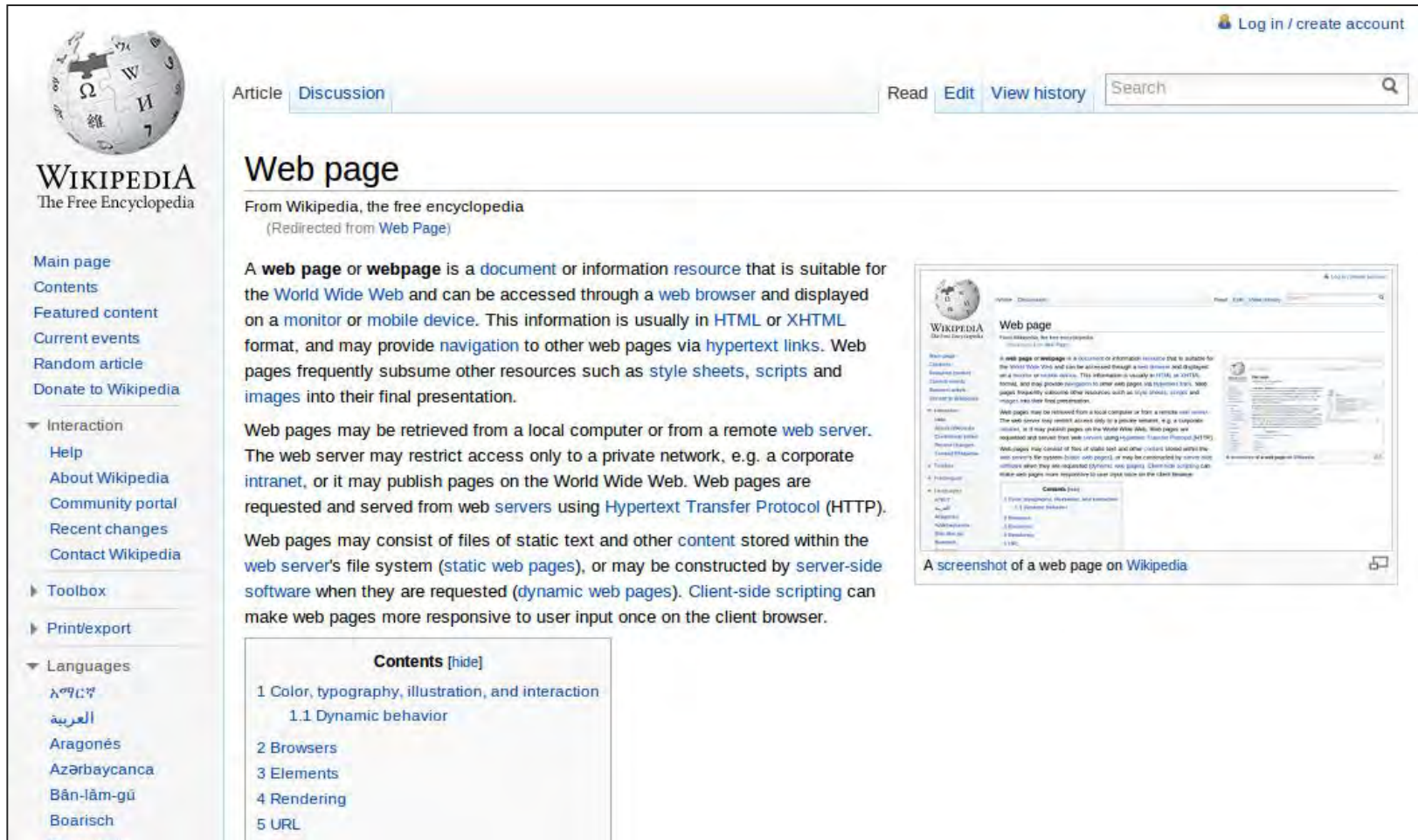


ENGLISH AS A SECOND LANGUAGE



What Needs to Be Made Accessible

Websites



The image shows a screenshot of the Wikipedia article titled "Web page". The page is in English and is a redirect from the article "Web Page". The main content explains that a web page or webpage is a document or information resource suitable for the World Wide Web, accessed via a web browser. It discusses how web pages are rendered, often using static files or server-side software, and how they can be made responsive to user input through client-side scripting. The page includes a table of contents with sections like "Color, typography, illustration, and interaction" and "Browsers". The interface shows the standard Wikipedia layout with a search bar, navigation tabs (Article, Discussion), and a sidebar with various tools and language options.

WIKIPEDIA
The Free Encyclopedia

Log in / create account

Article Discussion Read Edit View history Search

Web page

From Wikipedia, the free encyclopedia
(Redirected from [Web Page](#))

A **web page** or **webpage** is a **document** or **information resource** that is suitable for the **World Wide Web** and can be accessed through a **web browser** and displayed on a **monitor** or **mobile device**. This information is usually in **HTML** or **XHTML** format, and may provide **navigation** to other web pages via **hypertext links**. Web pages frequently subsume other resources such as **style sheets**, **scripts** and **images** into their final presentation.

Web pages may be retrieved from a local computer or from a remote **web server**. The web server may restrict access only to a private network, e.g. a corporate **intranet**, or it may publish pages on the **World Wide Web**. Web pages are requested and served from **web servers** using **Hypertext Transfer Protocol (HTTP)**.

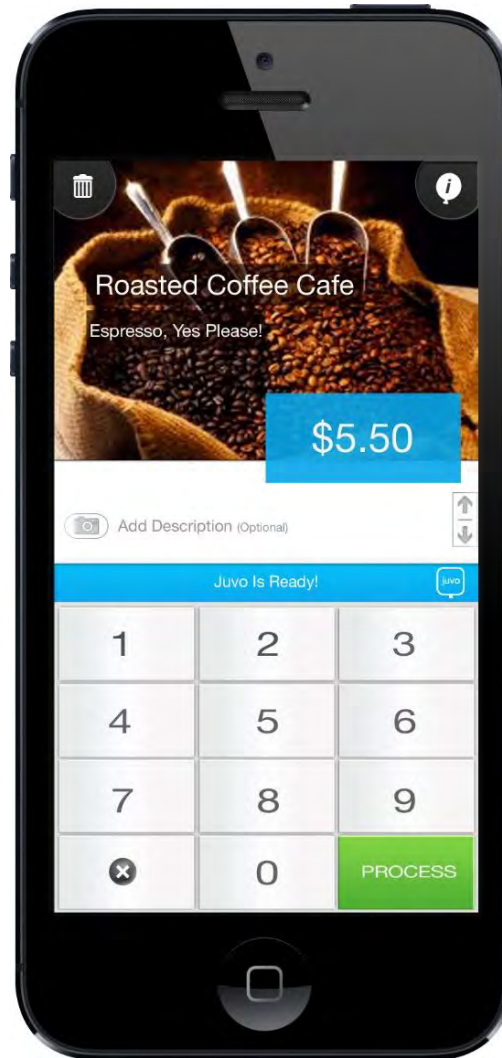
Web pages may consist of files of static text and other **content** stored within the **web server's** file system (**static web pages**), or may be constructed by **server-side software** when they are requested (**dynamic web pages**). **Client-side scripting** can make web pages more responsive to user input once on the client browser.

Contents [hide]

- Color, typography, illustration, and interaction
 - Dynamic behavior
- Browsers
- Elements
- Rendering
- URL

A screenshot of a web page on Wikipedia

Mobile Apps



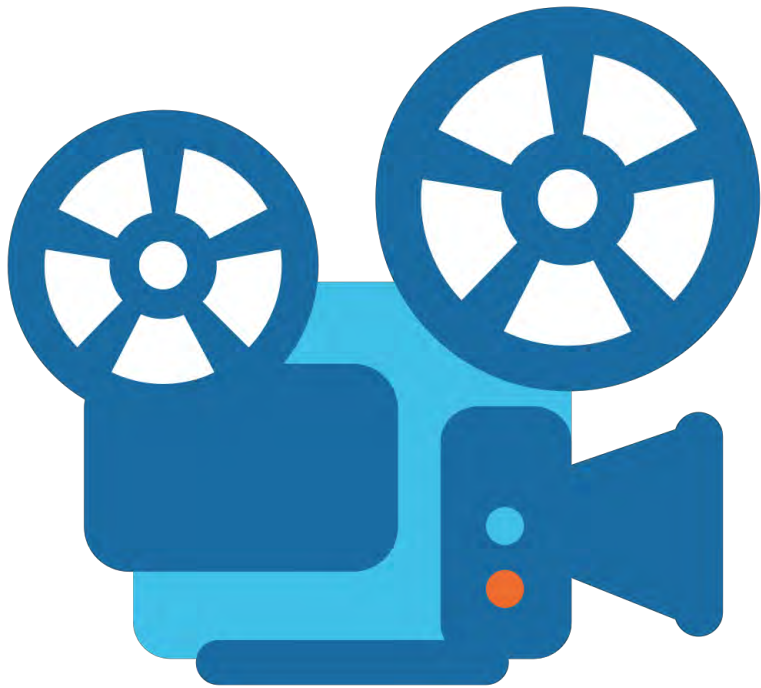
Software

```
0001100100011001
1011001001101010
1011101110100110
0001100100011001
1011001001101010
1011101110100110
0001100100011001
1011001001101010
1011101110100110
0001100100011001
1011001001101010
1011101110100110
```

Documents



Videos



Digital Signs and Kiosks



Voting Systems



Laws, Rules, and Standards

Americans with Disabilities Act (1990)



Global Standards



[\[contents\]](#)



Web Content Accessibility Guidelines (WCAG) 2.0

W3C Recommendation 11 December 2008

This version:

<http://www.w3.org/TR/2008/REC-WCAG20-20081211/>

Latest version:

<http://www.w3.org/TR/WCAG20/>

Previous version:

<http://www.w3.org/TR/2008/PR-WCAG20-20081103/>

Editors:

Ben Caldwell, Trace R&D Center, University of Wisconsin-Madison
Michael Cooper, W3C
Loretta Guarino Reid, Google, Inc.
Gregg Vanderheiden, Trace R&D Center, University of Wisconsin-Madison

Previous Editors:

Wendy Chisholm (until July 2006 while at W3C)
John Slatin (until June 2006 while at Accessibility Institute, University of Texas at Austin)
Jason White (until June 2005 while at University of Melbourne)

Please refer to the [errata](#) for this document, which may include normative corrections.

See also [translations](#).

This document is also available in non-normative formats, available from [Alternate Versions of Web Content Accessibility Guidelines 2.0](#).

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Abstract

Web Content Accessibility Guidelines (WCAG) 2.0 covers a wide range of recommendations

Section 508 (Revised)



US Department of Justice



Courts



Recent Legal Settlements

Government

- Cedar Rapids, Iowa (2015)
- Chaves County, New Mexico (2015)
- Champaign County, Illinois (2015)
- DeKalb, Illinois, (2015)
- Fallon, Nevada (2015)
- Galveston County, Texas (2015)
- Humboldt County, California (2016)
- Isle of Palms, South Carolina (2015)
- Lumpkin County, Georgia (2015)
- Madison County, New York (2015)
- McLennan County, Texas (2015)
- Merced County, California (2015)
- Milwaukee, Wisconsin (2016)
- Nueces County, Texas (2015)
- Orange County Clerk of Courts (2014)
- Pennington County, South Dakota (2015)
- Parowan, Utah (2015)
- Robeson County, North Carolina (2015)
- Ruidoso, New Mexico (2015)
- Vero Beach, Florida (2015)
- Yakima County, Washington (2015)

Education

- Atlantic Cape Community College (2015)
- Argyle Independent School District (2015)

- Bellingham School District (2016)
- Chandler Unified School District (2014)
- Davidson Academy of Nevada (2016)
- Eduprize Charter School (2015)
- edX (2015)
- Florida State University (2014)
- Granite School District (2016)
- Guam Department of Education (2016)
- Higley Unified School District (2015)
- Juneau Alaska School District (2016)
- Law School Admission Council (2011)
- Louisiana Tech University (2013)
- Montana School for the Deaf and Blind (2016)
- Nevada Department of Education (2016)
- Oregon Department of Education (2016)
- Penn State University (2010)
- Seattle School District Consent Decree (2015)
- Santa Fe Public Schools (2016)
- University of Cincinnati (2014)
- University of Montana (2012)
- University of Phoenix (2015)
- Youngstown State University (2014)
- Washington Office of Superintendent of Public Instruction Superintendent (2016)
- Washoe County School District (2016)

Nonprofit

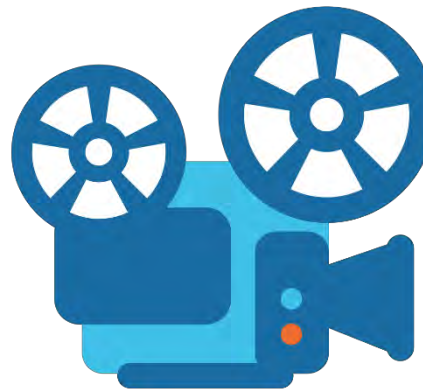
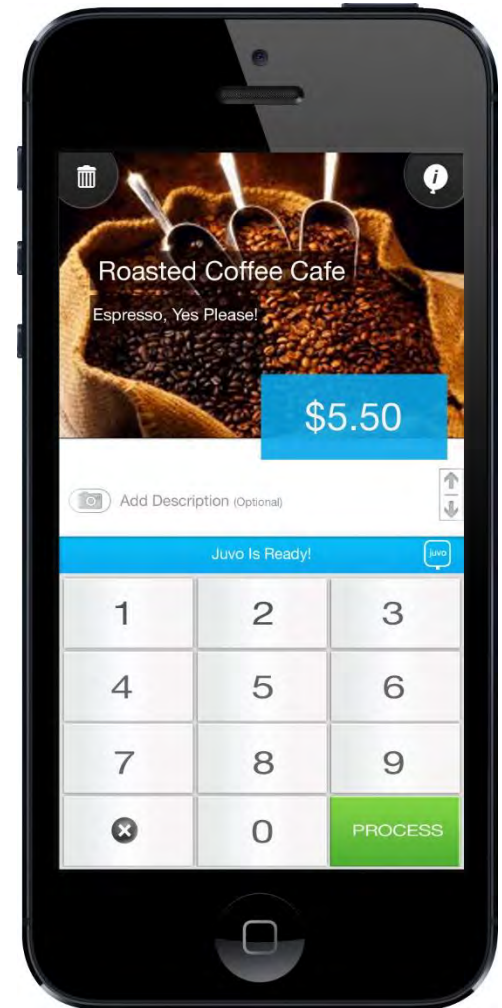
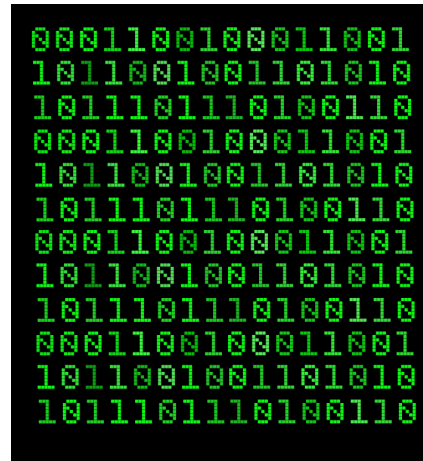
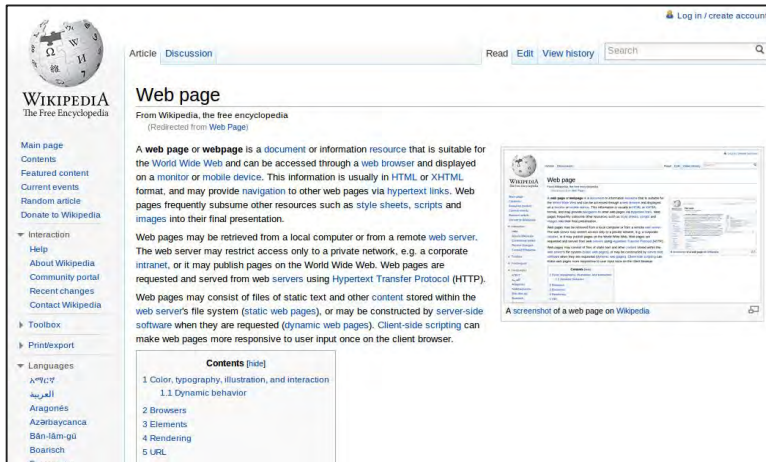
- American Cancer Society (2011)
- Massachusetts Eye and Ear Infirmary (2017)
- National Museum of Crime and Punishment (2015)
- San Francisco Federal Credit Union (2016)

Corporate

- Bank of America (2015)
- Carnival Corporation (2015)
- Charles Schwab (2012)
- Colorado Bag & Baggage - 2017
- E*Trade (2016)
- Greyhound Lines, Inc. (2016)
- H&R Block Consent Decree (2014)
- Hilton Consent Decree (2010)
- Major League Baseball (2012)
- Motley Fool, LLC - 2017
- Peapod (2014)
- Rite Aid (2008)
- Safeway Web Accessibility (2013)
- Scribd (2015)
- Sweetgreen (2017)
- Weight Watchers (2013)
- Winn-Dixie (2017)

<http://www.d.umn.edu/~lcarlson/wcagwg/settlements/>

WCAG 2.0 / Section 508



WCAG 2.0 / Section 508 & ADA



Help America Vote Act (2002) & Voluntary Voting System Guidelines



WCAG 2.0 / Section 508

Document Structure

- Heading 1
 - Heading 2
 - Heading 2
 - Heading 3
 - Heading 2

Keyboard Support



Navigation




Forms and Data Submission

Registration

First Name *	<input type="text" value="Graham"/>	Last Name *	<input type="text" value="Pierce"/>
Title *	<input type="text" value="Assistant Director"/>	Department *	<input type="text" value="Usability/Accessibility Research and Consulting"/>
Government Agency *	<input type="text" value="Michigan State University"/>	Agency Type *	<input type="text" value=""/>
		<i>Please enter your agency type</i>	
Address 1 *	<input type="text" value=""/>	Address 2	<input type="text" value=""/>
	<i>Please enter your address including street name and apartment number if applicable</i>	City *	<input type="text" value="East Lansing"/>
Phone *	<input type="text" value=""/>	State / Territory *	<input type="text" value="Michigan"/>
	<i>Please enter your work phone</i>	Zip *	<input type="text" value="48824"/>
		Email *	<input type="text" value="gjpierce@msu.edu"/>

This field is required.
By checking this box, you verify that you work for a certified government agency, including State, County, Municipality, Court, School, etc., within the United States and that you are not a private vendor or citizen.

Enter all of the words or numbers you see



[Privacy & Terms](#)

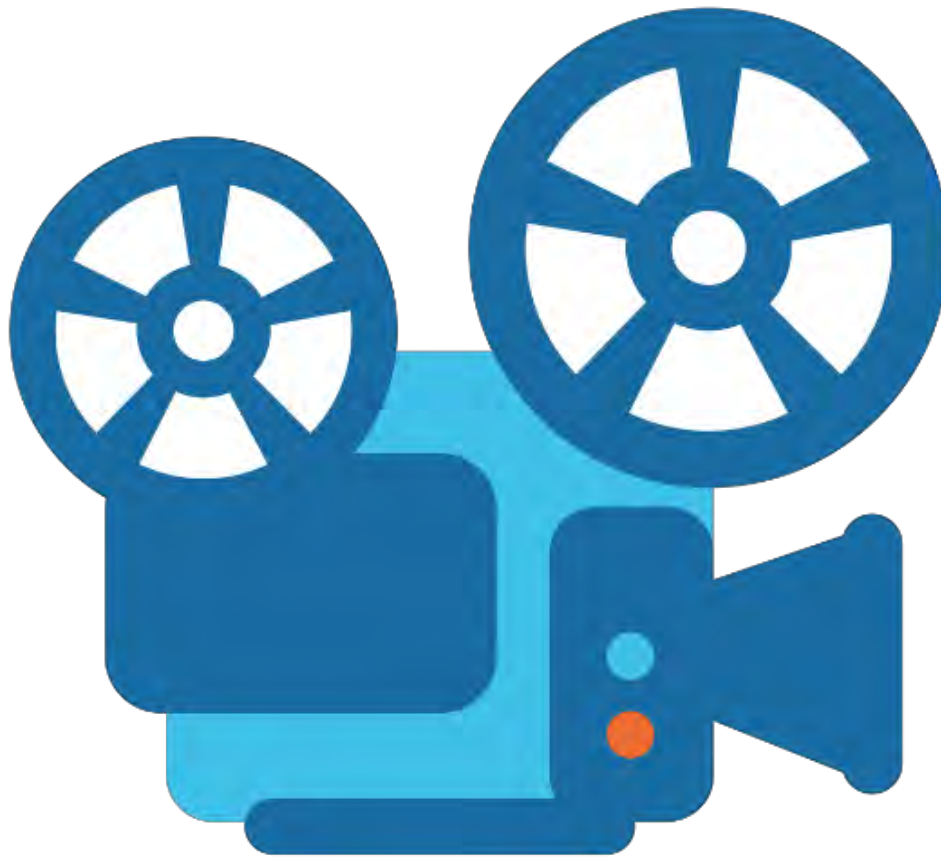
Images



"logo.png"

"Big Ten Network"

Audio and Video Media



Color and Visual Characteristics

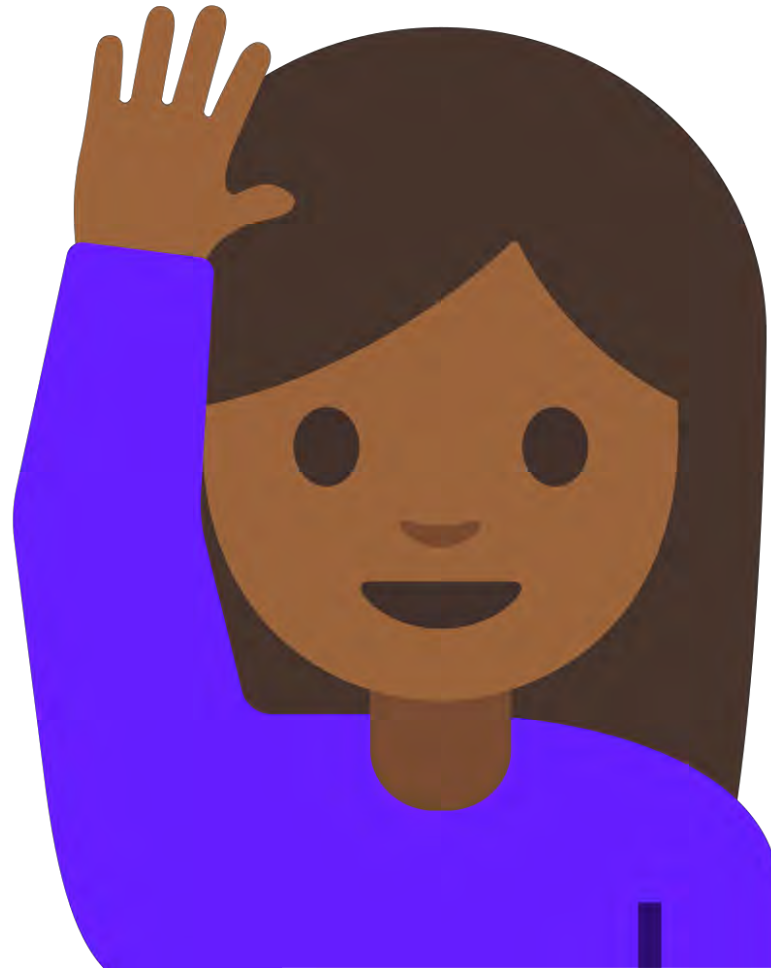
 

Custom Elements and Dynamic Content



Evaluating Accessibility

The Question



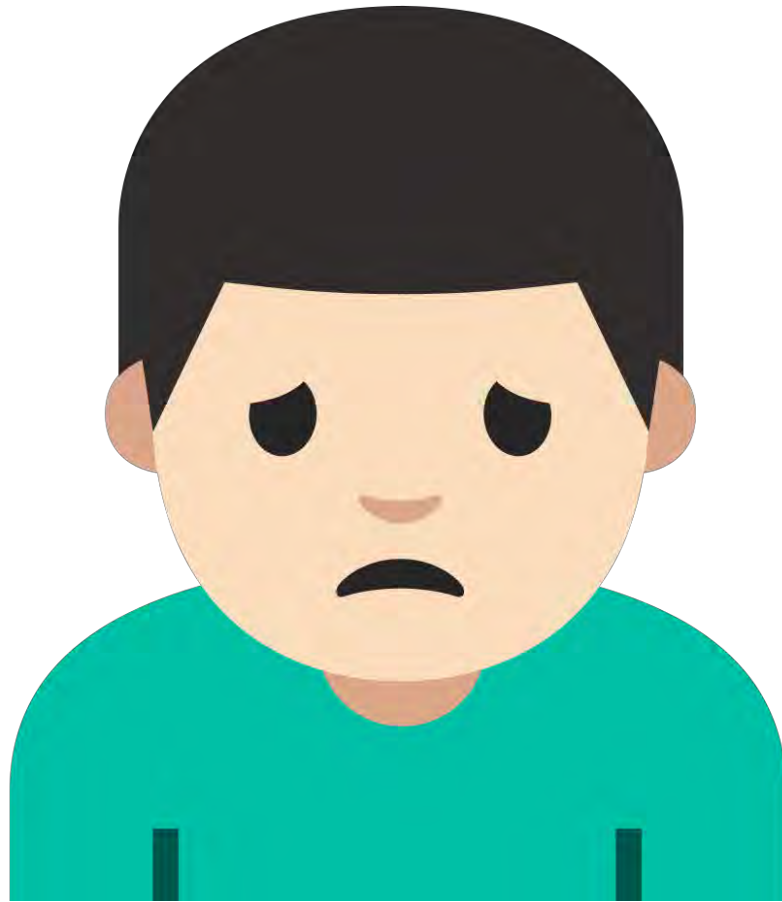
What About Automated Scanners?



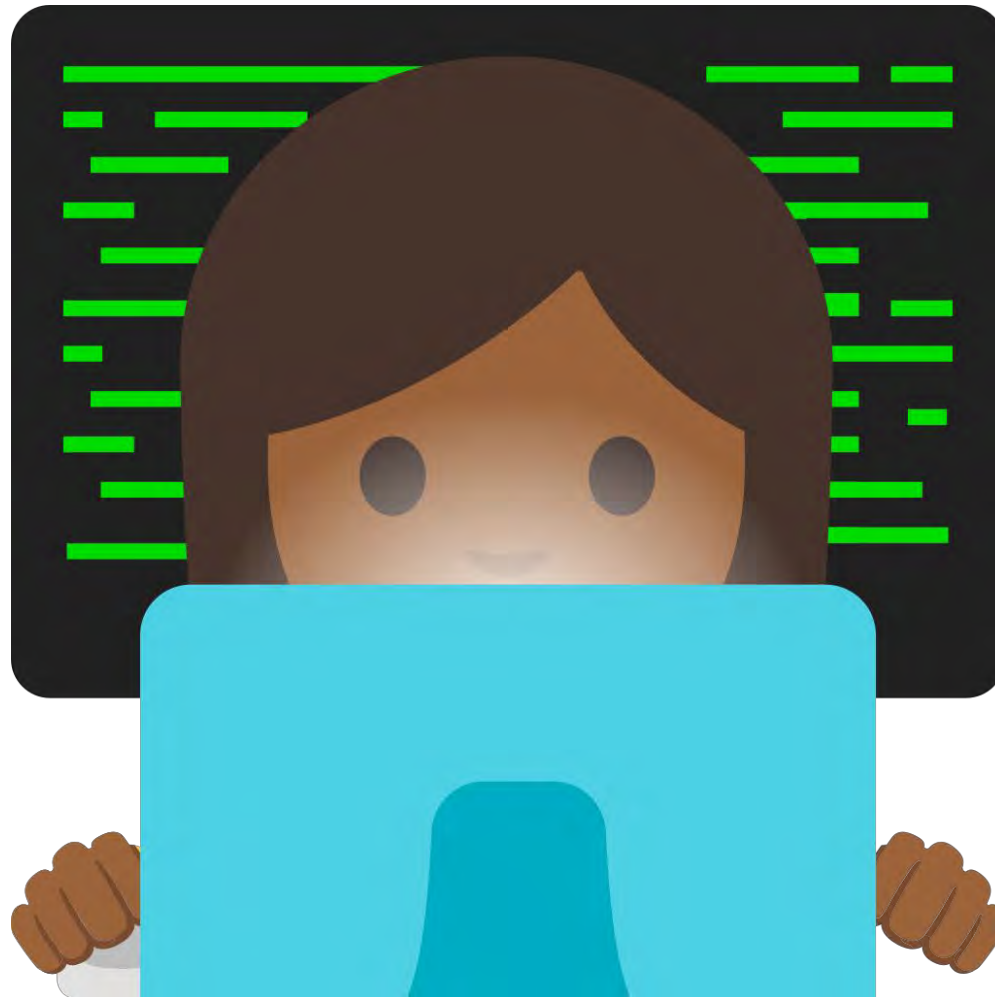
No!



Sorry!



Not Just Code



Human Investigator



Human Judgment



WCAG 2.0 AA Requirements

43

Human Judgment Necessary

42

What Can Automated Tools Do?

Warn you when
some things
might be wrong

What Else Can They Do?

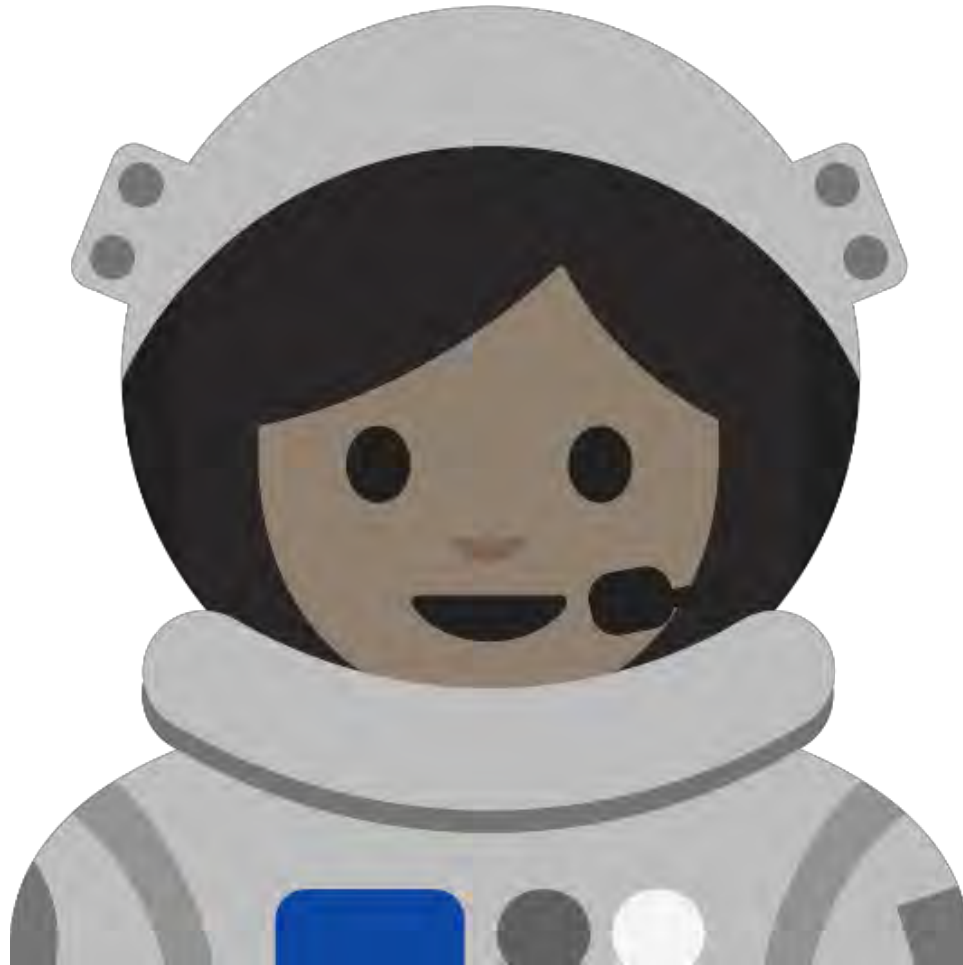
Process Management

What Can't They Do?

Tell you that
anything is correct
(other than Parsing)

Manual Evaluation

Expert Reviewers



Keyboard



Screen Readers



Color Contrast

The screenshot shows the 'Colour Contrast Analyser' application window. The foreground color is set to red (#FF0000) and the background color is set to green (#00FF00). The results section shows that the contrast ratio is 2.9:1, which fails both AA and AAA standards. The application also provides results for color blindness, showing contrast ratios for Normal (2.9:1), Protanopia (4.3:1), Deuteranopia (1.7:1), and Tritanopia (2.5:1). A 'Copy results' button is visible at the bottom right.

Options **Image** **Help**

Foreground

Colour select: █ Hex: #FF0000

Background

Colour select: █ Hex: #00FF00

Result - luminosity

Text

- Fail (AA)
- Fail (AAA)

Large text

- Fail (AA)
- Fail (AAA)

Results for color blindness

- Normal**
The contrast ratio is: 2.9:1
- Protanopia**
The contrast ratio is: 4.3:1
- Deuteranopia**
The contrast ratio is: 1.7:1
- Tritanopia**
The contrast ratio is: 2.5:1

Show contrast result for colour blindness

Copy results

Code Inspection

The screenshot shows a web browser window displaying the Oakland County website. The browser's address bar shows the URL `https://www.oakgov.com/Pages/home.aspx`. The website's navigation menu includes links for "Oakland County, MI", "Info A-to-Z", "Careers", "Departments", "Services", "News & Media", and a shopping cart icon. A tooltip over the "Departments" link indicates its bounding box as `span | 75.88 x 40`.

The browser's developer tools are open, showing the "Elements" panel on the left and the "Styles" panel on the right. The "Elements" panel displays the following HTML structure:

```
<div id="oc-fednav-items">
  <div class="oc-fednav-center">
    <ul class="g2g-u-clearfix">
      ::before
      <li class="g2g-u-clearfix">...</li>
      <li id="bd1f7c00-2f2b-4d62-9e8c-74a92ec15b2d" class="g2g-u-clearfix">...</li>
      <li id="09ba20a4-a4fd-480d-b902-fe6950bfe18e" class="g2g-u-clearfix">...</li>
      <li id="91659711-3cbd-4d1c-b50d-c696107c0f7e" class="g2g-u-clearfix">
        <a class="oc-fednav-item" href="https://www.oakgov.com:443/hr/">
          <span class="oc-fednav-arrowbefore">...</span>
          <span>Careers</span>
          <span class="oc-fednav-arrowafter">...</span>
        </a>
      </li>
      <li id="1a288e82-022c-4b7a-b36b-7cf4c66e6cf9" class="g2g-u-clearfix">
        <a class="oc-fednav-item" href="https://www.oakgov.com:443/directory">
          <span class="oc-fednav-arrowbefore">...</span>
          <span>Departments</span>
          <span class="oc-fednav-arrowafter">...</span>
        </a>
      </li>
    </ul>
  </div>
</div>
```

The "Styles" panel shows the following CSS rules:

```
Filter: :hov .cls +
element.style {
}
#oc-fednav-items li, #oc-fednav-items li span {
  float: left;
}
* {
  margin: 0;
  padding: 0;
}
Inherited from a.oc-fednav-item
#oc-fednav-items li a.oc-fednav-item, #oc-fednav-flyouts li a.oc-fednav-item, #oc-fednav-items li span.oc-fednav-item {
  font-family: "TeXGyreAdventorRegular", "century gothic", "open sans", "helvetica"
```


Mobile Testing



MSU Evaluation Protocol

Introduction

This tiered protocol for evaluating Web Content Accessibility Guidelines (WCAG) 2.0 AA was developed by Michigan State University [Usability/Accessibility Research and Consulting](#) (MSU UARC). This document is intended to provide a simple and standardized accessibility evaluation protocol for faculty, staff, and students at MSU to use on websites and digital content, but is not a substitute for an accessibility evaluation by trained experts or for the official WCAG 2.0 language from the World Wide Web Consortium (W3C). Following this protocol does not guarantee or certify accessibility, nor fulfillment of WCAG 2.0 AA specifications, which can be consulted in their entirety at <http://www.w3.org/TR/WCAG20/>. While developed for MSU, this document may be equally effective for other institutions and organizations, as it does not rely on any MSU-specific resources or requirements.

This evaluation protocol is designed to be easily used by individuals with limited time and limited knowledge of accessibility, and is not intended to be complete or comprehensive. Reviewers should always start with Tier 1 and move through tiers in order, until they run out of time or reach the limits of their abilities. Tiers should always be completed in full (e.g., do not conduct only half of the tests in a given tier).

The MSU IT Services Digital Content & Accessibility Team (webaccess@msu.edu) is available to provide free assistance in using this document to MSU faculty, staff, and students. MSU UARC (uarc@msu.edu) is available to provide assistance and to conduct high-level and full accessibility evaluations for individuals and organizations inside and outside of MSU (for a cost).

Online Resources

- Michigan State University (MSU) Web Accessibility: <http://webaccess.msu.edu/>
- MSU Usability/Accessibility Research and Consulting (UARC): <http://usability.msu.edu/>
- World Wide Web Consortium (W3C): <http://www.w3.org/>
 - Web Accessibility Initiative (WAI): <http://www.w3.org/WAI/>
 - Web Content Accessibility Guidelines (WCAG) 2.0: <http://www.w3.org/TR/WCAG20/>
 - Accessible Rich Internet Applications (WAI-ARIA) 1.0: <https://www.w3.org/TR/wai-aria/>
- NVDA Screen Reader: <https://www.nvaccess.org/>
- Colour Contrast Analyser: <https://www.paciellogroup.com/resources/contrastanalyser/>
- Web Accessibility In Mind (WebAIM): <http://webaim.org/>
 - Using NVDA to Evaluate Web Accessibility: <http://webaim.org/articles/nvda/>
 - Testing with the NVDA Screen Reader: <http://webaim.org/blog/testing-with-the-nvda-screen-reader/>
 - Using VoiceOver to Evaluate Web Accessibility: <http://webaim.org/articles/voiceover/>

Tier 1

Tier 1

Always complete tiers in full (i.e., do not skip any tests). If pages do not contain any audio/video content, mark "N/A" as appropriate.

Test	Protocol	Pass	Fail	N/A	Notes	WCAG 2.0 SC
1. Keyboard Focus Visibility	Use the tab key on the keyboard to move through the page, and make sure there is always a clearly visible way to tell where focus is.					2.4.7
2. Keyboard Focus Order	Use the tab key on the keyboard to move through the page, and make sure the order that elements receive focus in makes sense. Make sure inactive/disabled parts of pages aren't reached by keyboard.					2.4.3
3. Keyboard Access	Make sure everything on a page works with a keyboard (i.e., everything that can be done with a mouse/touchscreen also can be done without one).					2.1.1
4. Keyboard Traps	Make sure keyboard focus can't be stuck anywhere (i.e., you can get out of everything you can get into with a keyboard, without needing to use a mouse or touchscreen).					2.1.3
5. Heading Levels	Go to http://wave.webaim.org/ and enter the site address. Click on the bottom tab on the left side of the page (L) to bring up the Outline view. Make sure there is only one "h1" in the list, that no levels are skipped (e.g., it doesn't jump from "h1" to "h3"), and that all headings are nested properly (i.e., the overall structure makes sense).					1.3.1
6. Color Contrast (Visual)	Look for text and icons (not including logos) that are hard to read against the background due to the colors used (e.g., light grey text on white or green text on blue).					1.4.3
7. Video Captions	Make sure all prerecorded videos have captions. Make sure captions are accurate.					1.2.2
8. Live Video Captions	Make sure all live videos (livestreams) have captions. Make sure captions are accurate.					1.2.4
9. Audio Controls	If there is any audio (including audio in a video) that plays automatically and lasts for more than 3 seconds, make sure that there is a way to stop the audio on the page. Make sure the controls work with the keyboard.					1.4.2
10. Video/Animation Controls	If there is any moving, blinking, or scrolling content (including banner rotators and videos) that start automatically and last for more than 5 seconds, make sure that there is a way to stop them on the page. Make sure the controls work with the keyboard.					2.2.2

Policies

Policy



Training



Procurement



Auditing



Exceptions



Complaints



Timeline



Fixing After Development,
Purchase, or Deployment

Why Not Wait and Fix Things Later?



Time



Money



Document Issues



Determine Causes



Attempt to Fix



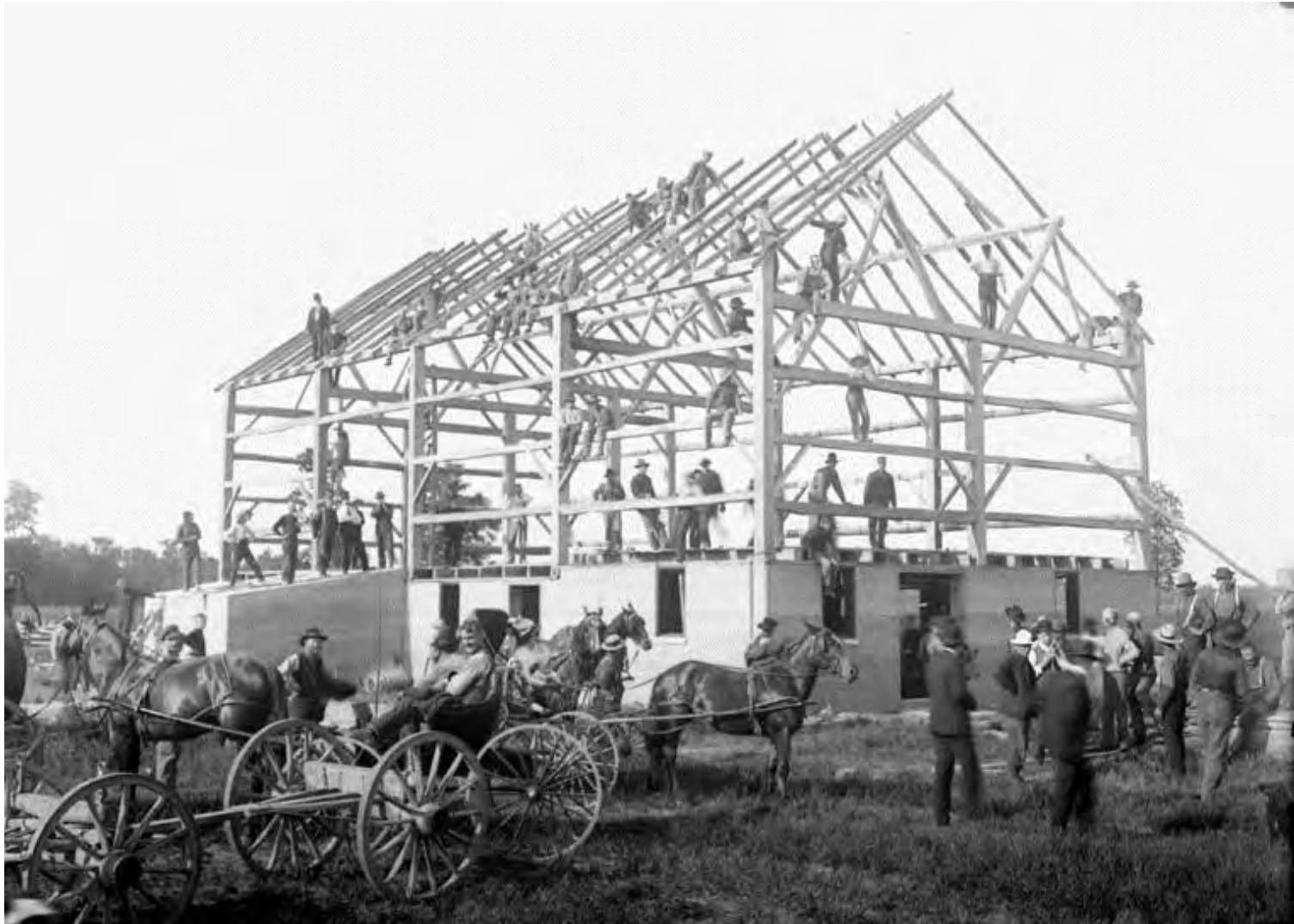
Total Loss



Research Alternatives



Start from Scratch



Expensive!



"Easy" Fixes?



Overwhelming



Worst-Case Scenario



Working with External Vendors

Budgeting



Evaluation Timeline



Contracts

SERVICES AGREEMENT WITH UNIVERSITY OUTREACH AND ENGAGEMENT AT MICHIGAN STATE UNIVERSITY

Thank you for your request for services from Usability/Accessibility Research and Consulting (UARC), a division of University Outreach and Engagement (UOE) at Michigan State University.

- Purpose.** The University, through UARC will perform the services and provide the deliverables described in Exhibit A.
- Payment.** You agree to pay, when you receive an invoice, the sum of money specified on Exhibit A.
- Confidentiality.** "Confidential information" means any material, written information, and data marked "confidential" that you provide. If you provide material verbally that you want treated as confidential, you must write down that information, mark it as Confidential, and forward it to UOE within 30 days of first sharing the information. Confidential information does not include information in the public domain or independently known or obtained by the University. The University agrees to treat your Confidential information with the same degree of care that it uses to protect its own confidential information, and, to the extent allowed by law, keep the confidential information confidential for a period of three (3) years from the termination date of this agreement.
- Intellectual Property.** Any intellectual property you provide to UARC will remain your intellectual property. Any intellectual property that UARC provides to the project will remain the intellectual property of the University. Any copyrighted deliverable provided to you under this agreement will be considered Works for Hire and become your property upon payment in full.
- Export Control.** You may not provide any export controlled data or materials to the University without the University agreeing in writing in advance.
- Termination.** Either you or the University may terminate this agreement by giving 30 days written notice to the other. You will pay all reasonable costs and non-cancelable obligations incurred by the University at the time of the termination. At your request and expense, the University will return to you or destroy all unused material provided by you.
- Independent Contractor.** The University is an independent contractor providing services to you. You and the University do not have the relationship of partners, joint venturers, principals or agents.
- Liability.** IN NO EVENT WILL THE UNIVERSITY BE RESPONSIBLE FOR ANY DAMAGES OR PENALTIES RESULTING FROM THE UNIVERSITY'S FAILURE TO PROVIDE, OR DELAY IN PROVIDING, THE SERVICES OR DELIVERABLES. IF A SERVICE OR DELIVERABLE IS FOUND, WITHIN SIX MONTHS OF INVOICE, TO BE SUBSTANTIALLY DEFECTIVE, THE UNIVERSITY WILL CORRECT THE DEFECTIVE PORTION OF THE SERVICE OR DELIVERABLE AT NO COST TO YOU. THIS IS YOUR SOLE AND EXCLUSIVE REMEDY UNDER THIS AGREEMENT. THE SERVICES AND DELIVERABLES ARE PROVIDED "AS IS" AND UNIVERSITY EXPRESSLY DISCLAIMS ANY WARRANTIES EXISTING BY OPERATION OF LAW, INCLUDING, BUT NOT LIMITED TO, THOSE WHICH ARE EXPRESS OR IMPLIED, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT WILL THE UNIVERSITY BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES WHATSOEVER, NOR WILL THE UNIVERSITY'S AGGREGATE LIABILITY TO YOU EVER EXCEED THE AMOUNT PAID BY YOU UNDER THIS AGREEMENT.
- Conditions Beyond Control.** You and/or the University will be excused from the obligations of the agreement if the performance is delayed or prevented by circumstances (except financial) reasonably beyond control, including, but not limited to, by fire, lack of water, labor or materials, storm, flood, war, rebellion, insurrection, riot, strike, difference with workmen, failure of carriers to transport or furnish facilities for transportation, as a result of some order, regulation or necessity of government, mechanical breakdown, plant shut down, and unavailability of raw materials.
- General.** This agreement is non-negotiable and non-transferable. The State of Michigan's laws apply to this agreement, including its choice of law provisions. This agreement, with its Exhibit A, is the entire agreement between the parties and can only be modified in a written change signed by both you and the University.

[Signature blocks removed]

RFP Development



Contact Information

Sarah J. Swierenga and Graham L. Pierce

Usability/Accessibility Research and Consulting
University Outreach and Engagement
Michigan State University

219 S. Harrison Road, Room 93
East Lansing, MI 48824

(517) 353-8977

sswieren@msu.edu

glpierce@msu.edu

usability.msu.edu

MICHIGAN STATE
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