

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE  
Revised

Senate Bill 360

(Senator Conway, *et al.*)

Education, Health, and Environmental Affairs

Appropriations

---

Higher Education Institutions - Blind Individuals - Access to Technology

---

This bill requires the governing board of each public institution of higher education to develop a nonvisual access clause for use in the procurement of computer-based instructional technology by January 1, 2007. The clause must be consistent with the standards developed by the Department of Budget and Management (DBM) for use by State agencies.

---

Fiscal Summary

**State Effect:** Higher education expenditures for the purchase of technology equipment with equivalent nonvisual access could increase significantly beginning in FY 2007. Revenues would not be affected.

**Local Effect:** Community college expenditures for the purchase of technology with equivalent nonvisual access could increase significantly beginning in FY 2007. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Meaningful. Small businesses that specialize in nonvisual access technologies could benefit from the requirements established in the bill.

---

Analysis

**Current Law:** Under State procurement laws and the State Information Technology Plan, a nonvisual access clause must be included in invitations for bids, requests for proposals, procurement contracts, and modifications of procurement contracts related to the purchase of new or upgraded information technology and information technology services. The clause does not have to be included if the technology is not available with

nonvisual access because the essential elements of the technology are visual, or the cost of modifying the technology for nonvisual access increases the price by more than 5%.

Public institutions of higher education are exempt from most of the State's procurement laws but are required to develop policies that are compatible with the State Information Technology Plan and consistent with the purposes of State procurement laws.

**Background:** Technology equipment with nonvisual supports allows blind and visually-impaired individuals to access the same information that individuals without visual impairments can view. Nonvisual access technologies include computer screen readers, nonpointing computer navigation devices, verbal tags for web-based graphics, and multimedia products with a second audio track describing the visual elements and actions.

**State Expenditures:** St. Mary's College of Maryland, a small school relative to Maryland's other public four-year institutions, advises that it is spending approximately \$300,000 in fiscal 2005 for computer-based instructional technology. The inclusion of a nonvisual access clause in procurement contracts could increase costs for the technology by up to 5% or approximately \$15,000 annually. This averages to \$8 per full-time equivalent (FTE) student at the school. It is unlikely, however, that this level of expenditure increase would be incurred in any one year. Colleges and universities would only be required to purchase nonvisual access instructional technology when it is available and costs less than 5% more than technology without nonvisual access. Many instructional technology procurements, therefore, would not require additional expenditures.

Using the same \$8 per FTE student cost for other State institutions, annual higher education expenditures could increase by up to an estimated \$641,100 at University System of Maryland, \$47,200 at Morgan State University, and \$40,100 at Baltimore City Community College. As with St. Mary's College, these amounts represent an estimated maximum expenditure increase. The actual expenditure increases cannot be reliably estimated but would be significantly lower than the maximum amounts.

**Local Expenditures:** Community colleges would be subject to the same requirements as the public four-year universities. Assuming a maximum expenditure increase of \$8 per FTE student, procurement costs at community colleges could increase by up to \$604,100 annually. The actual increase cannot be reliably estimated but would most likely be well below this level.

## Additional Information

**Prior Introductions:** None. However, SB 372/HB 358 of 2001 would have required local school systems to include a nonvisual access clause in their technology procurements. SB 372 passed in the Senate, but neither bill was reported out of the House Committee on Ways and Means.

**Cross File:** HB 1142 (Delegate Heller, *et al.*) – Appropriations.

**Information Source(s):** St. Mary's College, Department of Disabilities, University System of Maryland, Maryland Higher Education Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - February 21, 2005  
mp/rhh Revised - Senate Third Reader - April 5, 2005

---

Analysis by: Mark W. Collins

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510