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R2-18-101. Definitions

Unless the context requires otherwise, the following definitions apply:

“Accessibility Compliance Representative” is the budget unit’s designated representative for Section 508 compliance matters to receive, investigate and process complaints that allege the budget unit’s failure to comply with accessibility standards.

“Accessibility Standards” means the statewide accessibility standards adopted by the Department to address compliance with Section 508 in developing, procuring, maintaining or using electronic or information technology.

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“Appeal” means a written request filed with the Information Technology Authorization Committee (ITAC) by a budget unit challenging a decision by the Arizona Department of Administration to reject the budget unit’s proposed IT Plan or project.

“Comparable Access” means alternative means of access that allows the individual to use the information and data in accordance with applicable state and federal laws such as Title I and Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

“Critical information technology project,” as used in A.R.S. Title 18, Chapter 1, means an IT project having total costs greater than \$25,000 and requires monitoring, with monitoring frequency and duration left to the sole discretion of the Department.

“Department” means the Arizona Department of Administration.

“Disapprove” means reject.

“Expenditure and Activity Report” means a standard project status summary that is used by a budget unit to report progress and costs on IT projects.

“Information technology plan” or “IT Plan”, as used in A.R.S. Title 18, Chapter 1, means a documented strategy for information technology resources and practices to support business direction over a specific period of time.

“Information technology project or “IT Project,” as used in A.R.S. Title 18, Chapter 1, means a series of activities, events, and investments to develop and implement a new or enhanced IT over a prescribed period of time.

“ITAC” means Information Technology Authorization Committee, which is established under A.R.S. §18-121.

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“Major information technology project,” as used in A.R.S. Title 18, Chapter 1, means an IT project that has total costs greater than \$1 million.

“PIJ” means project investment justification.

“PIJ template” means a standard set of forms and reporting formats to be prepared by a budget unit and submitted to the Department to describe an IT project and to identify resources, technologies, benefits, costs, goals, risks, financials, and other key factors to establish a specific milestones for development and implementation of the project.

“Quality assurance,” as used in A.R.S. Title 18, Chapter 1, means a budget unit’s process of evaluating IT goals, objectives, and activities to promote successful implementation.

“Section 508” means Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended

“Standards” as used in A.R.S. Title 18, Chapter 1 means requirements associated with development, maintenance, use, and access to IT based on generalized industry benchmarks and best practices.

“Telecommunications,” as used in A.R.S. § 18-101(6), does not include land mobile radio services.

“Temporarily suspend the expenditure of monies,” as used in A.R.S. Title 18, Chapter 1, means an order from the Department to a budget unit to immediately cease expenditures of monies and related project activities.

“Total project costs” or “total costs,” as used in A.R.S. Title 18, Chapter 1, means the IT development and implementation costs associated with an information technology project.

ARTICLE 2. INFORMATION TECHNOLOGY PROJECTS

R2-18-201. Information Technology Project Justification and Monitoring

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- A. If an IT project requires Department or ITAC approval, under A.R.S. Title 41, Chapter 23 and Title 18 Chapter 1, a budget unit shall not commit or spend funds on the project and shall not enter into a project specific contract or vendor agreement until the budget unit receives written Department or ITAC approval or unless the contract or vendor agreement is contingent upon receipt of such approval.
1. A budget unit shall submit a PIJ describing the value to the public and the state for the IT project, consistent with the approved budget unit IT Plan submitted to the Department under R2-18-301. The budget unit shall use the current PIJ template and submit the completed PIJ to the Department.
 2. If the PIJ is incomplete, the Department shall identify deficiencies and either request additional information or return the PIJ to the budget unit for completion and resubmission.
 3. The Department or ITAC shall use the following general criteria to review each completed PIJ within its authority:
 - a. Whether the proposed solution addresses the stated problem or situation;
 - b. Whether the budget unit is competent to carry out the project successfully;
 - c. Whether sufficient sponsorship and support by budget unit leadership exists;
 - d. Whether cost estimates provided are accurate;
 - e. Whether the proposed project aligns with the budget unit's Strategic IT Plan; and
 - f. Whether the proposed solution complies with statewide IT standards.
 4. Based on the review the Department or ITAC shall take one of the following actions
 - a. Approve
 - b. Conditionally approve
 - c. Disapprove.
 5. The Department shall inform the budget unit of the review decision in writing.
 6. If the Department or ITAC conditionally approves the IT project, it shall identify the conditions the budget unit shall satisfy to proceed with the project. Unless otherwise stated in the Department's communication to the budget unit, the budget unit may begin the IT project, with Department monitoring, while the identified conditions are in the process of being satisfied by the budget unit.

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7. If the Department or ITAC disapproves the IT project, the budget unit shall not begin the IT project, nor commit or spend any funds nor enter into any project-specific contract or vendor agreement.

B. If the Department determines that an IT project is at risk of failing to achieve its intended results or does not comply with A.R.S. Title 18, Chapter 1, the Department shall:

temporarily suspend the expenditure of monies and related activities for the IT project, or, recommend to ITAC that ITAC temporarily suspend the expenditure of monies and related activities for the IT project.

C. Any temporary suspension under subsection (B) shall only be lifted by the Department or ITAC, as applicable, once the cause for the suspension has been adequately rectified as determined in the sole discretion of the Department or ITAC.

ARTICLE 3. INFORMATION TECHNOLOGY PLANNING

R2-18-301. Information Technology Planning

A. Under A.R.S. Title 18, Chapter 1, each budget unit shall annually develop and submit to the Department an IT Plan containing goals, challenges, and plans, on or before September 1 of each year.

B. The Department shall review the proposed; budget unit IT Plan to determine whether:

1. Outcomes are measurable,
2. Quality assurance plan is included,
3. Disaster recovery plan is included,
4. IT goals align with statewide IT standards.

C. The Department shall either approve or disapprove the IT Plan and shall notify the budget unit of its decision. An approved budget unit IT Plan remains in effect until the end of the fiscal year for which it is submitted.

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ARTICLE 4. APPEALS OF DECISIONS

R2-18-401. Appeals to ITAC

- A. A budget unit, which appeals a decision by the Department regarding the disapproval of a budget unit IT Plan or a budget unit IT project, shall file a written appeal with ITAC within 30 days from receipt of notice of the Department decision being appealed.
- B. An appeal shall include:
 - 1. The decision being appealed,
 - 2. The specific facts on which the appeal is based,
 - 3. The associated errors in the Department's decision, and
 - 4. The action requested of ITAC.
- C. An appealed decision shall remain in effect during the appeal. An appealing budget unit shall not resume or initiate any project activity or expense unless instructed otherwise by the Director of the Department. ITAC shall inform a Budget Unit regarding its decision on any appeal within 90 days of receipt of the appeal and if ITAC does not do so, the appeal will be considered denied.

ARTICLE 5. ALTERNATIVE ACCESS TO ELECTRONIC OR INFORMATION TECHNOLOGY

R2-18-501. Accessibility Standards

- A. The Department shall prescribe electronic or information technology accessibility standards as authorized by A.R.S. § 18-104 and § 18-105. Electronic or information technology products covered by these standards shall comply with all applicable provisions. The Arizona Strategic Enterprise Technology (ASET) Office of the Department shall maintain the accessibility standards and make them available to the public.
- B. Each budget unit shall designate an Accessibility Compliance Representative and ensure that their products comply with accessibility standards, unless an undue burden would be imposed on the budget unit. When a budget unit determines compliance with these standards imposes an undue burden, budget units shall provide individuals with disabilities the information and data involved that allows the individual comparable access.

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- C. Each budget unit shall evaluate the accessibility of any proposed electronic or information technology system prior to the expenditure of State funds. The budget unit shall include the results of the accessibility evaluation in a written report maintained with the solution documentation. If applicable, the report shall include a declaration that the budget unit has determined that an undue burden or exception exists along with an explanation of the undue burden and how it was determined.

R2-18-502. Complaints

- A. Any individual may file a complaint alleging that a budget unit does not comply with accessibility standards in regard to its electronic or information technology with the Accessibility Compliance Representative of the budget unit. The written complaint must:
 - 1. State the name and contact information for the complainant;
 - 2. Identify the electronic or information technology in question; and,
 - 3. Describe the non-conformance with the accessibility standards in sufficient detail as to enable a review.
- B. Upon receipt of a complaint, the Accessibility Compliance Representative will review the complaint to respond to and make a good faith effort to resolve any complaint by determining whether the electronic or information technology listed in the complaint is subject to accessibility standards. The representative will conduct a review within sixty (60) days from receipt of the written complaint.
- C. Upon completion of the review, the budget unit shall provide written notice of the results of the review to the complainant and Department of Administration, which shall include at least one of the following:
 - 1. Documentation that the technology conforms to all applicable accessibility standards;
 - 2. A documented explanation that any non-conformance with accessibility standards was exempted due to an undue burden; or
 - 3. An agreement in part or in whole with the written complaint that includes a plan with reasonable timelines for conforming to applicable accessibility standards.

R2-18-503. Complaint Review Process

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- A. If a complainant is not satisfied with the complaint response issued by a budget unit, the complaint and the budget unit response can be filed within thirty (30) days of issuance with the Director of the Department.
- B. The Director of the Department's representative(s) shall evaluate the complaint and budget unit response and may gather additional information as necessary to render an independent decision within sixty (60) days of receipt of the complaint.
 1. If it is determined the technology does not comply with accessibility standards, a written notice shall be sent to the budget unit, with a copy to complainant, of such findings and a requirement for a plan of resolution to be sent within sixty (60) days to the Department and the complainant.
 2. If it is determined the technology does comply with accessibility standards or that an undue burden does exist and is therefore exempt from compliance, a written notice shall be sent to complainant, with a copy to the budget unit, of such findings.