



ACCESS CURRENTS

Volume 15 No. 2

March/ April 2009

Accessibility will be a Required Part of Recovery Act Projects

The recent stimulus bill, also known as the “American Recovery and Reinvestment Act,” funds a wide array of projects and programs to jump start the economy and create jobs. The \$787 billion measure provides aid to cities and states, supports tax cuts, and funds initiatives to improve infrastructure, transportation, energy efficiency, education, and health care. Various Federal agencies are responsible for spending and distributing stimulus funds. It is important that these agencies and funding recipients comply with all applicable laws, including those protecting the rights of people with disabilities.



Information on the
Recovery Act is available
at www.recovery.gov

Relevant laws include the Architectural Barriers Act (ABA) and the Rehabilitation Act which make accessibility a condition of federal funding. The ABA requires access to facilities designed, built, altered or leased with federal funds. The Rehabilitation Act covers access to federally funded programs, federal employment, and electronic and information technology in the federal sector. In addition, the Americans with Disabilities Act (ADA), which is modeled in part on these earlier laws, applies similar requirements to the state and local government sector and private sector entities whether or not federal funding is involved. The ADA bans discrimination on the basis of disability in employment, programs and services, transportation, and the built environment.

Standards issued under these laws include ADA standards for facilities and transportation vehicles, ABA standards for federally funded facilities, and standards for electronic and information technology issued under the Rehabilitation Act (Section 508). The Access Board, which leads the development and upkeep of these standards and provides technical assistance and training on them to the public, is available to provide further guidance on their use in Recovery Act projects. The Board also offers supplementary resources that address how access can be achieved in certain areas, such as streetscapes and outdoor sites. The nature and scope of projects and the funding involved determine which standards and available references to follow.

Facility Construction and Renovation

The Recovery Act funds the construction and renovation of federal buildings, including U.S. courthouses, customs and border protection facilities, and other facilities operated by federal agencies. These and most other construction or renovation projects undertaken with federal dollars must meet the ABA accessibility standards. State and local government facilities, as well as places of public accommodation and commercial facilities, must comply with ADA standards in new construction and alterations (whether or not federal funds are used).

Transportation Systems

The Recovery Act supports projects to improve and expand public transportation throughout the nation. The ADA comprehensively covers access to public transportation. New and altered facilities, including rail stations, bus stops, and airports, are subject to ADA standards for transportation facilities. New or remanufactured buses, vans, rail cars, and other modes of public transit must meet ADA standards for transportation vehicles. Compliance with the ADA transportation standards will also help entities fulfill obligations of the Rehabilitation Act (Section 504) that apply to transportation systems receiving federal funds. *(continued next page)*

(continued from page 1)

Streetscapes, Outdoor Sites, and Recreation Facilities

It is important that accessibility is integrated into Recovery Act projects involving public streets and sidewalks, parks and other outdoor sites, and recreation facilities. The Board is currently developing new guidelines for public rights-of-ways, which focus on access to sidewalks and streets, and guidelines for outdoor developed areas that cover trails, camp sites, picnic areas, and beach access routes. Both guidelines will ultimately supplement ADA and ABA standards by providing further detail on achieving access in these areas. Draft or proposed versions of the guidelines released by the Board can be used at this time as an interim resource until guidelines are finalized. In addition, final guidelines for play areas and other recreation facilities are available and included in updated versions of the ABA and ADA standards.

Information Technology

It is likely that Recovery Act money will be used to acquire or upgrade IT systems and infrastructure. Electronic and information technologies procured by federal agencies must be accessible under section 508 of the Rehabilitation Act and meet the Board's 508 standards. These standards cover computer hardware and software, websites, phone systems, videos, copiers, and similar technologies. Non-federal entities can follow these standards voluntarily to make sure acquired technology is accessible.

For further information on accessibility and Recovery Act projects, including links to standards and resources, visit the Board's website at www.access-board.gov/recovery. Technical assistance and training on the standards and accessible design is available from the Board through its toll-free help line at (800) 872-2253 (voice) or (800) 993-2822 (TTY), or by email at ta@access-board.gov (technical assistance) or training@access-board.gov (training).



Douglas Anderson

Douglas Anderson Elected Chair of the Access Board

Douglas Anderson, Associate AIA, of Wheaton, Illinois, was elected Chair of the Access Board at a meeting of the Board in March. Anderson was first appointed to the Board by President Bush in 2003 and was reappointed to a second term in 2007. He is a Partner at LCM Architects in Chicago who assists both public and private entities in complying with the ADA. "It is a privilege and honor to be asked to serve as Chair of the Board," Anderson noted in remarks to the Board following the vote. "I am confident that the Board will draw upon its considerable strengths to meet its strategic goals and to continue to serve as a leading resource on accessible design."

The Board elected as its Vice Chair Loretta King who represents the U.S. Department of Justice on the Board as the Acting Assistant Attorney General for Civil Rights. Board officers serve for a term of one year.

Board to Hold Town Hall Meeting in Boston in May

The Board travels to a different city each year to hold a town hall meeting and open dialogue with the public on accessibility and the work of the Board. These events enable members of the public and interested parties to learn more about Board programs and initiatives and to share issues or questions concerning access to the built environment, transportation, communication, and information technology. This year's meeting will take place in Boston on May 28th at the Fairmont Copley Hotel. The meeting will provide a forum for general discussion and feature panel discussions on various topics, including promoting accessibility in design education, the work of the Massachusetts Architectural Access Board, and museum exhibit design. For further information, contact Kathy Johnson at johnson@access-board.gov, (202) 272-0041 (v), or (202) 272-0082 (TTY).

<p>Boston Town Meeting May 28th Fairmont Copley Plaza State Suite 138 St. James Avenue</p> <p>9:00 – 12:00</p> <ul style="list-style-type: none">• Open Forum• Design Education <p>2:00 – 5:00</p> <ul style="list-style-type: none">• Open Forum• Massachusetts AAB• Exhibit Access

Board Outreach Promotes Airport Accessibility

The Board is conducting an outreach campaign on access to airports, a common source of complaints by travelers with disabilities. As part of this effort, the Board is exploring in depth leading access issues to gather information for its use in raising awareness, promoting effective design, and improving compliance. To date, the Board has collected information and received briefings from invited experts on a range of topics, including self-service ticketing kiosks, security checkpoints and screening procedures, boarding bridges and devices, signage and communication systems, and telecommunications. The Board continues to collect resources that will inform and improve the design of airport terminals.

As part of this initiative, the Board also seeks a greater dialogue with airport designers and operators to share and collect information and to improve accessibility. Recently, the Board met with the design team for a terminal replacement project at an international airport in Minnesota to provide training on access standards and to discuss accessibility issues. Such outreach supports a two-way flow of information that is beneficial to the Board by broadening its understanding of design issues and constraints and identifying sources of confusion or challenges where additional guidance or research is needed. The Board is interested in meeting with additional design teams, airport operators, and other stakeholders for further outreach related to this effort. For more information, contact Bill Botten at airports@access-board.gov, (202) 272-0014 (v), or (202) 272-0082 (TTY).

Standard Available for Improved Acoustics in Classrooms

The acoustical performance of many educational environments is compromised by common design practices and factors, including building and finishing materials and HVAC systems, among others. A growing body of research indicates that acoustical quality significantly impacts the learning ability of children in both obvious and subtle ways. The effects are especially pronounced on young children, and those who are hard of hearing, have learning disabilities, or whose native language is different than English.

The Board, in partnership with the Acoustical Society of America (ASA), has been active in the development and implementation of design standards for improved acoustics in classrooms. Developed by the ASA's S12 Committee on Noise, which is accredited by the American National Standards Institute (ANSI), these standards provide acoustical performance criteria and design guidelines for classrooms and other learning spaces. A number of states, school districts, and other jurisdictions have adopted or implemented these standards (ANSI/ASA S12.60-2002, Acoustical Performance Criteria, Design Requirements and Guidelines for Schools) which are available free through ASA's website at <http://asa.aip.org/classroom.html>.

The Board, long active in the work of the ASA's S12 Committee, recently became an official member. The committee includes representation from consumers, subject experts, industry, professional organizations, and other government agencies. Currently, the Board is working to promote adoption of the standard by model code organizations. The committee plans to revise the structure and format of the current standard to facilitate its incorporation into model building codes as a referenced standard. The committee also is developing acoustical standards for relocatable classrooms. For further information, visit the Board's website at www.access-board.gov/acoustic/ or contact Lois Thibault at thibault@access-board.gov, (202) 272-0023 (v), or (202) 272-0082 (TTY).

'Complete Streets' Bills Introduced in Congress

A more integrated approach to the design of roadways, increasingly referred to as the "Complete Streets" movement, is gaining currency in the country. This design paradigm calls for a broader focus beyond vehicle traffic that encompasses the needs and safety of all users, including pedestrians, people with disabilities, bicyclists, riders of public transportation, motorists, and others. Legislation introduced in Congress in March would advance this approach by making it integral to street design. "The Complete Streets Act of 2009," as introduced in both the House and the Senate, requires state and local jurisdictions to adopt laws and policies applying "complete streets" principles to the design of new roadways. The introduced bills stipulate the scope, coverage, and content of policies and also authorize the Board to develop accessibility standards for new or altered streets covered by the act. The bills were referred to committees in each house. Further information on the status of the House bill (H.R. 1443) and Senate bill (S. 584) is available on the Library of Congress website at <http://thomas.loc.gov/>. Information on the "complete streets" movement is available at www.completestreets.org/.

Board Representatives Meet with Lead White House Adviser on Disability

In April, Board representatives met with the Kareem Dale, Special Assistant to the President for Disability Policy, to brief him on Board initiatives and strategic goals. Dale, who coordinates disability policy for the White House and serves as the President's top advisory on disability issues, provided information on administration priorities to advance disability rights that are pertinent to the Board's mission. Participants included (l-r) Board member Nancy Starnes, Kareem Dale, Board Chair Douglas Anderson, General Counsel James Raggio, and Executive Director David Capozzi.



Access Currents is a free newsletter issued by the Access Board every other month by mail and e-mail. Send questions or comments to news@access-board.gov or call (800) 872-2253 ext. 0026 (voice) or (800) 993-2822 (TTY). Mailing address: 1331 F Street, N.W., Suite 1000; Washington, D.C. 20004-1111.

Volume 15 No. 2 March/ April 2009

Page 4



UNITED STATES ACCESS BOARD

A FEDERAL AGENCY COMMITTED TO ACCESSIBLE DESIGN

1331 F Street, NW Suite 1000 Washington, DC 20004-1111

Presorted First Class Mail
US Postage Paid
Merrifield VA
Permit No. 184