



CURRENT NEWS FROM THE UNITED STATES ACCESS BOARD

# ACCESS CURRENTS

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## David Capozzi Named Executive Director of the Access Board

David M. Capozzi was named the Access Board's new Executive Director at a recent meeting of the Board. Members of the Board approved the selection in a unanimous vote. Capozzi, Director of the Board's Office of Technical and Information Services for over 16 years, succeeds Lawrence W. Roffee who retired in August. Capozzi had served as Acting Executive Director in the interim.

"I am honored to be your Executive Director and will work hard to meet and exceed your expectations," Capozzi said in remarks to the Board following its vote. "While we can be proud of all that the Board has accomplished over the years, there is much left to be done," he continued. "I have a vision of a higher performing agency that will grow to meet the demands of our complex society, and I look forward to working with all of you to tackle some important issues in the coming years." Prior to joining the Board in 1992, Capozzi worked at Easter Seals as vice president of advocacy and director of Project ACTION. He also served as national advocacy director at the Paralyzed Veterans of America.

## Revised Draft of Updated Guidelines for Buses and Vans Released

The Board has released a revised draft of updated guidelines for buses and vans as part of a refresh of its guidelines for transportation vehicles covered by the Americans with Disabilities Act. The document is available for public comment until January 20, 2009.

An earlier draft was released for comment last year. In response, the Board received almost 90 comments, including feedback from vehicle manufacturers, transit operators, trade associations, consumers, disability groups, and others. The new draft includes revisions made in response to this input. Changes and additions address level boarding access, automated stop announcement systems, boarding devices, wheelchair spaces, headrests, accessible routes, and provisions for bus stations contained in the Board's facility guidelines. In addition, the Board has added provisions specific to over-the-road buses, included new figures, and revised the structure and format of the document for consistency with the Board's facility guidelines. A comparison is available between the draft updated guidelines and the original vehicle guidelines which were published in 1991.

Through release of the new draft, the Board is seeking input on these revisions and is requesting additional information on automated stop announcements. Comments can be submitted through an input form on the Board's website. A notice published by the Board provides additional information, including alternative ways to submit comment. Comments submitted through the Board's website will be posted as they are received. The Board will draft revisions to other sections of its vehicles guidelines at a future date. These guidelines cover a range of vehicles in addition to buses and vans, including various types of rail cars, trams, and other modes of public transportation. The draft guidelines and related information are available on the Board's website at [www.access-board.gov/transit/](http://www.access-board.gov/transit/).

## Committee on Emergency Transportable Housing Presents Report

The Board's Advisory Committee on Emergency Transportable Housing presented its report at a meeting of the Board on November 18th. The Board organized this committee in 2007 to develop recommendations on access to temporary emergency housing provided in response to natural disasters and emergencies. Housing made available by FEMA in response to Hurricanes Katrina and Rita exposed significant accessibility issues.

The committee, which included representatives from disability groups, industry and code groups, and government agencies, reviewed the Board's ADA and ABA Accessibility Guidelines and assessed the impact of site constraints and other limitations on units, particularly those located on private property. Since they are designed and manufactured for transport over roadways, these housing units have a smaller footprint than other types of housing. The committee examined design factors that pose challenges to accessibility, including size and space limitations, and identified relevant provisions in the Board's facility guidelines that should be revised for specific application to emergency transportable housing. The committee's report provides recommendations on how potential conflicts can be mediated and how access to units can be improved.

The submitted recommendations, which the committee adopted by consensus, offer specific revisions to the guidelines for the Board's consideration. The committee's report defines the type of units covered and offers guidance on the proportion that should be accessible. The committee also addressed ramp access to units and recommends that certain ramp specifications be modified to facilitate compliance where site constraints exist. Recommendations on floor surfaces, kitchen elements and spaces, bedroom clearances and light controls, and bathing facilities are intended to improve unit accessibility. The report also addresses operable parts, door pulls and thresholds, smoke alarm systems, slide-outs, and weather alert systems.

The committee's report and related information are available on the Board's website at [www.access-board.gov/eth/](http://www.access-board.gov/eth/). For further information on the work of the committee, contact Marsha Mazz at [mazz@access-board.gov](mailto:mazz@access-board.gov), (202) 272-0020 (v), or (202) 272-0082 (TTY).

*Emergency Transportable Housing Advisory Committee*

- Advocacy Center
- Coalition for Citizens with Disabilities
- Department of Housing and Urban Development
- Department of Justice
- Federal Emergency Management Agency
- Manufactured Housing Association for Regulatory Reform
- Manufactured Housing Institute
- National Center for Environmental Health Strategies
- National Council on Independent Living
- National Fire Protection Association
- Recreational Park Trailer Industry Association
- Recreational Vehicle Industry Association
- United Spinal Association

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### **Justice Department Submits Revised ADA Regulations to OMB**

The Department of Justice (DOJ) recently completed a major step in the update of its ADA regulations by submitting final rules to the Office of Management and Budget (OMB) for review and clearance. The rules include updated regulations for state and local governments covered by title II and revised regulations for places of public accommodation and commercial facilities subject to title III. DOJ finalized the rules according to public comment it received on proposed versions published last June. The new rules would update enforceable standards for title II and title III facilities according to the Board's revised ADA guidelines. OMB must approve the rules before DOJ can proceed to publish them in the Federal Register. Information on the status of OMB's review is available online at [www.reginfo.gov](http://www.reginfo.gov). Further updates on this rulemaking will be posted on the Board's website. For more information, contact DOJ at 800-514-0301 (v) or

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### **Department of Defense Adopts New ABA Standards**

The Department of Defense (DOD) recently adopted new accessibility standards under the Architectural Barriers Act (ABA), which requires access to federally funded facilities. The standards apply to military and other facilities under DOD's jurisdiction. According to a department memorandum issued on October 31, 2008, the new standards take effect immediately for projects and leasing actions, though projects before FY 2010 are required to comply to the maximum extent feasible. The memorandum details which facilities are covered by the policy, addresses exclusions and requests for modifications, and provides supplementary information on certain requirements in the standards.

DOD is the third agency to refresh its ABA standards based on updated guidelines issued by the Board. The General Services Administration and the U.S. Postal Service previously adopted similar standards. As a result, updated standards are now in place for all federally funded facilities covered by the ABA except housing. Updated ABA standards for housing from the Department of Housing and Urban Development are expected at a future date. The new ABA standards, which replace the Uniform Federal Accessibility Standards, are highly consistent with those being adopted under the ADA for non-federal facilities. Additional information on the DOD standards and other ABA or ADA standards is available on the Board's website at [www.access-board.gov/ada-aba/guide.htm](http://www.access-board.gov/ada-aba/guide.htm).

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### **Board Holds Roundtable on Classroom Acoustics**

On November 21st the Board convened a stakeholders' roundtable to explore ways of improving acoustics in classrooms. Participants included members of the Board, acoustical and code consultants, congressional staff, representatives from the Acoustical Society of America, the U.S. Department of Education, including the National Institute on Disability and Rehabilitation Research, the American Speech-Language-Hearing Association, and the Rehabilitation Engineering Research Center on Hearing Enhancement. The event featured presentations on acoustics standards developed to date and discussion focused on efforts that can be undertaken to promote classroom acoustical design and use of the standards through research, coordination with model building code groups and other stakeholders, and congressional or rulemaking initiatives.

The Board's work on this issue began over a decade ago when it received a petition to do rulemaking on acoustics from the parents of a child with a hearing loss. Poor classroom acoustics impact learning for all children, but the effects are pronounced for those with permanent or temporary hearing loss, speech or learning impairments, those who use cochlear implants, and those who learned English as a second language. In lieu of its own rulemaking, the Board chose to support the Acoustical Society of America's development of a voluntary standard, Acoustical Performance Criteria, Design Requirements and Guidelines for Schools (ANSI/ ASA S12.60-2002). The Board helped broaden stakeholder participation in the development of this standard. By itself, the standard is voluntary unless referenced by a State code, ordinance, or regulation. A growing number of states, local jurisdictions, and boards of education have adopted the standard or implemented their own requirements or directives with similar criteria.

The Board has examined data demonstrating the benefits of quiet classrooms and cost-effective strategies for integrating proper acoustical design into school construction. Case studies show that good acoustical design can be achieved within standard school construction budgets. At its town meeting and visit to St. Louis last May, the Board toured new classrooms at the Central Institute for the Deaf to hear firsthand the benefits of optimum acoustics. While these classrooms exceed criteria of the ANSI/ ASA standard, they were constructed within a standard construction budget.

The recent roundtable provided an opportunity for stakeholders to explore ways to build on the progress made to date and to further promote quiet classrooms through education and outreach efforts, coordination with the codes and building industry, research, and potential legislative or regulatory initiatives. For further information on the Board's work in this area, contact Lois Thibault, the Board's Research Coordinator, at [thibault@access-board.gov](mailto:thibault@access-board.gov),

(202) 272-0023 (v), or (202) 272-0082 (TTY).

**In Memoriam: Judith C. Gilliom, Head of DOD Disability Program**

Judith C. Gilliom, who headed the first department-level disability program at the Department of Defense (DOD) for 25 years, died October 15 from the effects of a stroke. As DOD's Disability Program Manager, Gilliom played a lead role in crafting disability policies covering architectural access, affirmative action in hiring and advancement, and employee accommodations. She served as DOD's liaison to the Access Board during most of her tenure and in that capacity assisted in the development of the Board's accessibility guidelines and helped coordinate government-wide accessibility policies. Before joining DOD in 1983, Gilliom worked at the former U.S. Civil Service Commission and the Equal Employment Opportunity Commission where she authored documents that helped form the basis of federal affirmative action programs for people with disabilities.

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