



CURRENT NEWS FROM THE UNITED STATES ACCESS BOARD

ACCESS CURRENTS

Volume 15 No.5

September/ October 2009

Subscribe

- [Board Teams with Regional ADA Centers to Conduct Webinar Series](#)
- [Board Offers Enhanced Options for News Subscriptions](#)
- [Board Releases Draft Final Guidelines for Federal Outdoor Sites](#)
- [Board Seeks Director for Its Office of Technical and Information Services](#)
- [Study Surveys State Code Enforcement Practices](#)
- [California State to Undertake Accessible Technology Initiative](#)
- [EEOC Proposes Changes to its ADA Regulations](#)

Board Teams with Regional ADA Centers to Conduct Webinar Series

The Access Board will conduct a series of webinars and audio conferences on different topics of accessibility over the coming year in cooperation with the national network of regional ADA Centers, also known as the Disability and Business Technical Assistance Centers (DBTACs). The series will cover a variety of topics on accessibility pertaining to the built environment, information and communication technologies, and transportation. Sessions are planned on Board guidelines and standards, including the updated ADA and ABA Accessibility Guidelines and the Section 508 Standards, as well as the subjects of Board rulemaking, such as accessible outdoor developed areas and public rights-of-ways. In addition, the Board will devote some webinars to subject areas where guidance is often requested or compliance is problematic, such as toilet and bathing facilities and accessible routes, and to current topics of interest, including guidance on achieving accessibility in stimulus projects funded by the "Recovery Act." The sessions will be conducted on a monthly basis with most scheduled for 90 minutes.

"The Board is eager to use the web to expand its training services and to reach a wider audience," noted Peggy Greenwell, the Board's training coordinator. "Webinars and audio conferences provide an exceptionally cost-effective and convenient alternative to on-site training, and the Board is pleased to partner with the network of regional ADA Centers, including the Great Lakes ADA Center, a leader in ADA distance learning, to make the series possible." The Great Lakes regional DBTAC at the University of Illinois in Chicago, one of ten regional information centers on the ADA supported with Federal grants, will host the webinars and audio conferences and provide administrative and logistical support. The Board regularly provides training to various audiences at different conferences and events across the country, and the upcoming webinars will greatly supplement its current program.

The first webinar, to be held December 3rd from 2:30 to 4:00 (ET), will cover draft final guidelines for outdoor developed areas, including trails, picnic and camping facilities, and beach access routes. The next webinar will provide an overview of the work of the Board and is scheduled for January 7th. Webinar attendees will be able to earn continuing education credits. General attendance is free, but a \$25 fee will be charged for processing continuing education credits. The subjects and schedule for subsequent webinars have not been finalized. The Board welcomes suggestions from the public for desired webinar topics. Further details, including registration instructions, are posted on the Board's website at www.access-board.gov/webinars.htm. Questions or requested webinar subjects should be directed to Peggy Greenwell at training@access-board.gov, (202) 272-0017 (v), or (202) 272-0082 (TTY).

Access Board Webinars

Outdoor Developed Areas
December 3rd 2:30 – 4:00 (ET)

About the Access Board

January 7th 2:30 – 4:00 (ET)

Tentative Future Topics:

- the ADA and ABA guidelines
- public rights-of-way
- toilet and bathing facilities
- accessible routes
- compliance in Recovery Act projects
- information and communications technology
- transportation vehicles

Board Offers Enhanced Options for News Subscriptions

The Board has upgraded its news distribution services to provide enhanced features and options for email subscribers. Implemented through GovDelivery, a firm specializing in email subscription services for government entities, the new system offers more choices in receiving news updates on Board initiatives and activities. In addition to its email newsletter, Access Currents, subscribers can sign-up to receive instant news updates. Subscription lists also are available for updates specific to Board rulemaking initiatives. Those interested in the Board's development of a particular guideline or standard can subscribe to a dedicated list to be kept apprised of progress on that rulemaking. Other enhancements include implementation of an RSS feed to syndicate Board news posted online.

The GovDelivery system makes it easier for users to independently update or revise their subscription. Existing subscribers will continue to receive the Board's newsletter by email. To subscribe to other news lists or to change your email address, visit the Board's website at www.access-board.gov/news.htm. Other subscription options, such as email delivery preferences, can be selected through subscriber profile settings.

Subscription Options

- Newsletter
- News Updates

Rulemaking Update Lists

- Emergency Housing
- Information & Communication Technology (\$508 Refresh)
- Outdoor Developed Areas
- Public Rights-of-Way
- Transportation Vehicles
- Vessels

Board Releases Draft Final Guidelines for Federal Outdoor Sites

On October 19th the Board released for public review a draft of final guidelines covering access to outdoor sites managed by the Federal government, including national parks and recreation areas. These guidelines address new or altered trails, beach routes, and picnic and camping facilities and take into account challenges and constraints posed by terrain, the degree of development, and other factors. The guidelines will apply to sites developed or altered by Federal land management agencies, including the U.S. Forest Service, the National Park Service, the Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, and the Army Corps of Engineers. They will also apply to non-federal entities that construct or alter facilities on Federal lands on behalf of the Federal government.

The released draft includes changes made in response to public comments received on a proposed version of the guidelines published in 2007. The Board revised the guidelines to clarify various provisions and exceptions. It also restructured the guidelines, which were originally proposed as a stand-alone document, for integration into the Board's existing guidelines for facilities covered by the Architectural Barriers Act (ABA). The ABA guidelines cover a variety of elements and spaces

that are often part of outdoor developed areas, including parking, restrooms, drinking fountains, and recreation facilities. Through release of the new draft, the Board is providing interested parties the opportunity to comment on the revised format before the guidelines are finalized.

The draft guidelines and related information, including instructions for submitting comments, are posted on the Board's website at www.access-board.gov/outdoor/. The guidelines also can be viewed and comments submitted through the www.regulations.gov website which includes features to facilitate comment postings. The deadline for comments is December 18, 2009. For further information, contact Bill Botten at the Board at botten@access-board.gov, (202) 272-0014 (v), or (202) 272-0082 (TTY).

Board Seeks Director for Its Office of Technical and Information Services

The Board is accepting applications for the Director of its Office of Technical and Information Services (OTIS). Responsibilities of this position include managing OTIS programs and services, including the development of accessibility guidelines, standards, and guidance materials, provision of technical assistance and training to the public, and research. The Director supervises a technically diverse and experienced staff. The position description and instructions for applying are posted on the USAJobs website at www.usajobs.gov. The application deadline is January 5, 2010. Questions about this posting should be directed to Tanya Johnston of the Access Board at (202) 272-0004 (voice), (202) 272-0082 (TTY), (202) 272-0081 (fax), or johnston@access-board.gov (e-mail).

Study Surveys State Code Enforcement Practices

Most states regulate and enforce accessibility in the built environment through the adoption of model building codes or the implementation of their own access code. State access requirements apply independently from those issued nationally, including the ADA standards. The Access Board has sponsored a study to explore innovative practices used by various states in implementing and enforcing their access codes. Conducted by Meeting the Challenge, Inc. in cooperation with the Disability and Business Technical Assistance Centers, a national network of information centers on the ADA, the project featured consultations with building code and other officials in nine states to identify practices and recommendations for improving compliance and enforcement. Through interviews and surveys, the project team collected information on accessibility requirements in each state and how they are enforced. Researchers also reviewed websites and other resources providing information on state access requirements.

The results of the survey indicate that state accessibility requirements and their application vary considerably by state. In most states, administration of the state building code is a shared responsibility between the state and local jurisdictions, and procedures to ensure compliance vary widely. Practices that were identified to promote compliance and enforcement include greater oversight at the state level, use of fines and other measures in response to code violations, and expanded opportunities for training and technical assistance. The study also highlights the benefits of having a state code certified by the U.S. Department of Justice under the ADA. As indicated by several states in the study with ADA-certified codes, certification provides reassurance that meeting the state code satisfies compliance with the ADA standards. Whereas most ADA violations are discovered after construction through complaints or lawsuits, certified state codes, depending on how they are enforced, enable violations to be identified and remedied before construction so that costly retrofits can be avoided. These and other findings are contained in the project report, "Innovation in Implementation and Enforcement of State Accessibility Codes," which is available on the Board's website at www.access-board.gov/research/state-codes.htm.

California State to Undertake Accessible Technology Initiative

The California State University (CSU) system is implementing an initiative to achieve system-wide

accessibility to information and electronic technology throughout its 23 campuses. With over 450,000 students and 47,000 staff, CSU is the largest state university system in the nation. Access Board staff recently met with CSU representatives for a briefing on the Accessible Technology Initiative which focuses on CSU websites, instructional materials, and IT procurement. As part of this initiative, CSU plans to partner with industry leaders to establish a Real-Time Accessibility Center at one of its universities. The Center will focus on identifying, evaluating, and promoting technologies and tools for ensuring the accessibility of documents at the authoring stage for use by educational, governmental, and commercial entities. Further information is available on CSU's website at www.calstate.edu/accessibility.

EEOC Proposes Changes to its ADA Regulations

The Equal Employment Opportunity Commission (EEOC) is proposing changes to its regulations under the Americans with Disabilities Act (ADA) to clarify who is covered by the law's protections against discrimination in employment and hiring practices. These revisions are based on amendments to the law passed by Congress last year. The "ADA Amendments Act of 2008," which became effective on January 1st, was passed to simplify and broaden the law's coverage.

Consistent with the Amendments Act, EEOC's proposed changes revise or interpret terms defining what constitutes a "disability" under the law. These revisions are intended to make it easier for those seeking protection to establish that they have a disability and qualify under the law. In addition, the proposed changes stipulate that mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapies and supplies (other than eyeglasses and contact lenses), have no bearing in determining whether a disability qualifies under the law. The revisions also clarify coverage of impairments that are episodic or in remission that substantially limit a major life activity when active, such as epilepsy or post traumatic stress disorder. The proposed rule is available for public comment until November 23, 2009. During the comment period, EEOC and the Department of Justice's Civil Rights Division will hold town hall meetings in Oakland, Philadelphia, Chicago, and New Orleans to share information and to gather comments. For further information, visit EEOC's website at www.eeoc.gov/ada/amendments_notice.html. EEOC's proposed rule as published in the Federal Register is available online at <http://edocket.access.gpo.gov/2009/E9-22840.htm>.

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.
