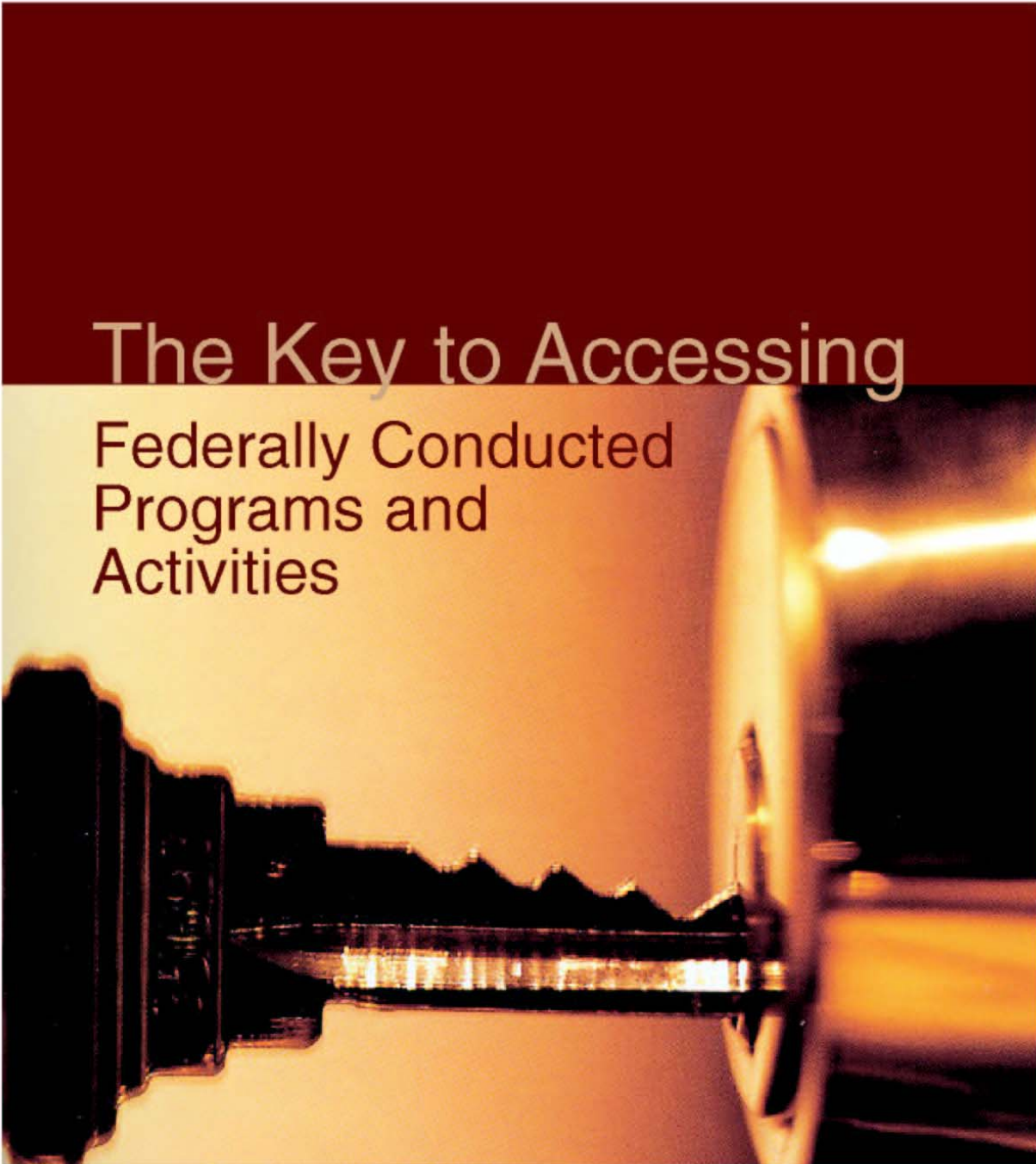


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Office of Civil Rights  
U.S. General Services Administration





This is an interim handbook to assist program managers throughout GSA in providing meaningful access for individuals with disabilities and Limited English Proficiency.

To obtain this handbook in an alternative format (large print, electronically, audiotape, Braille), contact the Office of Civil Rights at 202-501-0767 (voice); 1-888-267-7660 (TDD); Federal Relay at 1-800-877-8339; or email [OCR@gsa.gov](mailto:OCR@gsa.gov).

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The General Services Administration (GSA) is committed to providing meaningful access for individuals with disabilities and individuals with Limited English Proficiency (LEP) to GSA's programs and activities. As one of the primary guardians of the public trust for the government's management of federal buildings, technology solutions, supplies and governmentwide policy, GSA is in a unique position to promote and facilitate a culture of inclusiveness.

Federal laws require that federally conducted programs and activities provide meaningful access to individuals with disabilities. Executive Order 13166 requires all Federal agencies to take reasonable steps to provide meaningful access to their programs and activities for individuals with LEP. Additionally, Executive Order 13160 prohibits discrimination in federally conducted training and education programs on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, and status as a parent.

#### **A. What is a federally conducted program or activity?**

A federally conducted program or activity is anything a Federal agency does. Aside from employment<sup>1</sup>, there are two major categories of federally conducted programs or activities covered: (1) those involving general public contact as part of ongoing agency operations and (2) those administered for program beneficiaries and participants.

#### **B. What are some examples of federally conducted programs and activities?**

Some examples of GSA's federally conducted programs and activities include, but are not limited to:

1. Communication with the public (i.e., telephone contacts with the public or customer agencies, office walk-ins, emails and websites);
2. Public's use of GSA's facilities or equipment (i.e., auditorium, meeting rooms, vending areas, kiosks, common use areas);
3. Public events (i.e., building dedication ceremonies, public hearings, auctions, expos, conferences, training, outreach activities);
4. Other programs/activities, such as shuttle service/transportation of individuals, and building management/security (i.e., common areas, access to GSA-controlled facilities/property).

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<sup>1</sup> This handbook addresses meaningful access in regard to *non-employment* programs and activities. For information regarding GSA's Equal Employment Opportunity program, visit GSA's Office of Civil Rights website at <http://www.gsa.gov/civilrights>, and click on "Equal Employment Opportunity" link.

### **C. What is the purpose of this handbook?**

The purpose of this handbook is to: (1) show the interrelationship among the different organizations within GSA that have played and continue to play key roles with regard to program accessibility; (2) bring together one ready reference tool with information and resources for program managers to use; and (3) facilitate compliance with applicable laws and Executive orders that apply to GSA's federally conducted programs and activities.

### **D. What are the applicable laws, regulations and guidance that apply to federally conducted programs and activities?**

1. Federal Statutes that Apply to Federally Conducted Programs and Activities:
  - a. [Section 504 of the Rehabilitation Act of 1973, as amended](#): requires Federal agencies to make their programs and activities accessible to people with disabilities.
  - b. [Section 508 of the Rehabilitation Act of 1973, as amended](#): requires Federal agencies to ensure that electronic information technology (EIT) is accessible to people with disabilities.
2. Regulations that Apply to Federally Conducted Programs and Activities:
  - a. 41 CFR 105-8 is GSA's implementing regulation for Section 504 of the Rehabilitation Act of 1973, as amended: The regulation addresses Agency requirements and general prohibitions of discrimination, establishes a complaint process, requires GSA to conduct self-evaluations of all programs and to develop transition plans to address structural modifications required to make GSA's programs accessible to individuals with disabilities.
  - b. 36 CFR 1194 is the [standards for Section 508](#) of the Rehabilitation Act of 1973, as amended, issued by the U. S. Architectural and Transportation Barriers Compliance Board (i.e., hereinafter referred to as the Access Board).
  - c. [48 CFR Parts 2, 7, 10, 11, 12 and 39](#) are the sections of the Federal Acquisition Regulation, regarding the procurement of Electronic Information Technology, which incorporate the Section 508 standards issued by the Access Board to ensure compliance with Section 508 of the Rehabilitation Act of 1973, as amended.

3. Executive Orders that Apply to Federally Conducted Programs and Activities:
  - a. [Executive Order 13160](#): requires that no person, on the basis of his/her race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in a federally conducted education or training program or activity.
  - b. [Executive Order 13166](#): requires all Federal agencies to take reasonable steps to provide meaningful access to their programs and activities for individuals who, because of their national origin, are limited English proficient.
  
4. Other Guidance, Information and References:
  - a. The Uniform Facility Accessibility Standards ([UFAS](#)), applicable to Federal buildings.<sup>2</sup>
  - b. [GSA Interim Complaint Procedures for 508 Complaints](#).
  - c. [Section 508 website](#).
  - d. [Disability Info website](#).
  - e. [Section 508 Information Technology Accessibility Program and Technical Guides](#).
  - f. [U. S. Department of Justice's \(DOJ\) guidance](#) regarding implementation of Executive Order 13160.
  - g. [DOJ's guidance](#) regarding implementation of Executive Order 13166.
  - h. [Limited English Proficiency website](#).
  - i. [The Access Board website](#).
  - j. [A Planning Guide: Accessible Temporary Events](#), produced by The Center for Universal Design, College of Design, North Carolina State University (1998).<sup>3</sup>
  - k. [GSA Language Services Schedule](#) provides access to vendors that provide interpretive/translation services, Braille, LEP services, etc.

#### Other Guidance, Information and References (continued)

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<sup>2</sup> GSA is committed to complying with accessibility standards developed pursuant to the [Americans with Disabilities Act of 1990](#), (i.e., where those standards are stricter than UFAS.)

<sup>3</sup> Guide may be obtained through North Carolina State University.

- I. [Usability.gov](https://www.usability.gov) website, offers training to improve the usability of Federal websites and other communication technologies.

## **E. Who are the key players at GSA that work to ensure that GSA's programs are accessible?**

All of GSA's associates and program managers play a critical role of ensuring that GSA's programs and activities are accessible to the public that we serve and to our customer agencies. Also, the following organizations within GSA play key roles in making GSA's programs and activities accessible.

1. The Public Buildings Service (PBS), [Office of Chief Architect \(OCA\)](#) ensures access to Federal facilities for persons with disabilities by designing and building them in compliance with Federal laws.<sup>4</sup> The National Accessibility Officer within OCA ensures that buildings occupied by Federal tenants or receiving Federal funds are accessible under applicable laws and guidelines. He or she also responds to complaints of inaccessibility regarding GSA's buildings and those under GSA's authority. Regional Accessibility Officers investigate the complaints and report to the National Accessibility Officer.
2. The Office of Governmentwide Policy (OGP), Center for IT Accommodation sponsors the [Assistive Technology Showcase](#), which displays state-of-the-art assistive technologies and ergonomic solutions, and supports government managers, supervisors, employees, and the public with a wide range of assistive technology and ergonomic equipment. The Showcase provides worksite assessments for disability and ergonomic needs, in addition to providing product information for individuals outside the Washington, DC area.
3. The Office of the Chief Information Officer, [Information Technology Planning Division](#) coordinates GSA's Section 508 compliance and ensures GSA's website is Section 508 compliant. The Office published 508 accessibility program and technical guides, which provides information and resources regarding 508 compliance.

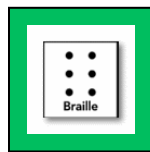
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<sup>4</sup>UFAS is mandatory on all GSA projects. Current GSA policy also encourages compliance with the requirements of the Americans with Disabilities Act Accessibility Guide ([ADAAG](#)) where those requirements are stricter than UFAS. Additionally, GSA determines whether there are local accessibility requirements. If they exist, the most stringent will prevail between local codes and UFAS/ADAAG.

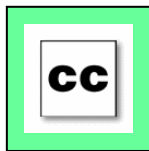
#### Key Players at GSA (continued)

4. [Citizen Services and Communications](#) developed and manages FirstGov en Español, [www.espanol.gov](http://www.espanol.gov), a Spanish-language website to meet the needs and preferences of the estimated 28.1 million Spanish-speaking residents in the United States. Their services also include telephonic information in Spanish.
5. [The Federal Telecommunications Service](#) manages the [Federal Relay Service \(FRS\)](#). The FRS was established under Public Law 100-542, the Telecommunications Accessibility Act of 1988. FRS provides Communication Assistants (CAs) who act as intermediaries for telecommunications between hearing individuals and individuals who are deaf, hard-of-hearing, deaf-blind, and/or have speech disabilities. FRS is also available for Spanish-speaking individuals who are deaf, hard-of-hearing, deaf-blind and/or have speech disabilities. Additional offerings include the Federal CapTel (Captioned Telephone); Federal Video Relay Service; Federal Relay Conference Captioning; and Federal Relay Service Online.
6. [The Office of Civil Rights'](#) responsibilities include the following:
  - (a) ensures compliance with Sections 504 and 508 of the Rehabilitation Act of 1973, as amended, Executive Order 13166 and Executive Order 13160;
  - (b) provides technical assistance to GSA's program managers and responds to questions from the general public and customer agencies regarding meaningful access to GSA's programs and activities;
  - (c) processes complaints of non-compliance with applicable laws, Executive Orders, regulations and guidance that apply to GSA's programs and activities; and
  - (d) develops regulations, policies and procedures with respect to civil rights compliance and enforcement.





## II. SECTION 504 ACCESS



Disabilities affect us all at some point in our lives—either as a person with a disability or as a person with a family member or friend with a disability. The Census Bureau reports that there are 49.7 million people with some type of long lasting condition or disability. This represents 19.3 percent of the 257.2 million people 5 years of age or older, and does not count the institutionalized population.<sup>5</sup> This number represents roughly 1 in 5 people who have one or more disabilities. The Census report showed the number of individuals with disabilities increasing with age. Generally, the types of disabilities include sensory, cognitive, physical and speech.

Pursuant to Section 504 of the Rehabilitation Act of 1973, as amended, Federal agencies are prohibited from discriminating on the basis of disability in their programs and activities. GSA's implementing regulation for Section 504, 41 CFR 105-8, was published in March 1991, and applies to ALL programs or activities conducted by GSA. The Associate Administrator of Civil Rights is the designated responsible official for ensuring compliance with the regulation.

#### **A. Who is an individual with a disability for purposes of Section 504?**

A person with a disability is defined as one who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

#### **B. What does GSA's 504 implementing regulation, 41 CFR 105-8, require?**

1. Requires that each program or activity, when viewed in its entirety, be readily accessible to and usable by individuals with disabilities (i.e., meaningful access). This includes programs and activities offered by GSA through contracts or other arrangements. Agreements between GSA and other entities for the provision of programs or activities should be carefully written to ensure that access for people with disabilities is explicitly required in the statement of work.
2. Requires GSA to conduct a self-evaluation of all programs and activities to identify both physical and non-physical barriers to access for individuals with disabilities.
3. Requires GSA to develop transition plans to address structural barriers that limit or exclude program access to individuals with disabilities.
4. Requires GSA to provide notice to the public apprising them of their rights and protections afforded by Section 504.

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<sup>5</sup> U.S. Department of Commerce, U. S. Census Bureau's report, [Disability Status: 2000](#), issued March 2003.

What does GSA's 504 implementing regulation, 41 CFR 105-8, require? (continued)

5. Requires GSA to take appropriate steps to ensure effective communication with personnel of other Federal entities and members of the public.
6. Requires GSA to administer its programs and activities in the most integrated setting appropriate to the needs of individuals with disabilities.
7. Makes GSA jointly responsible with a tenant agency for resolving a complaint that alleges a tenant agency's program is inaccessible because of a facility under GSA's control being inaccessible.
8. Establishes a complaint process, which includes an investigation and hearing, if the complaint cannot be resolved informally.

**C. What makes a program "readily accessible and usable by individuals with disabilities"?**

In order for individuals with disabilities to access one of GSA's programs or activities, there are, in essence, two different types of access to address:

1. Structural access: Each building or part of a building that is constructed or altered for the use of GSA is required to be designed, constructed, or altered so as to be readily accessible to and usable by individuals with disabilities. (See 41 CFR 105-8.151) New construction or alteration of buildings must follow the Uniform Facilities Accessibility Standards (UFAS), established by the Access Board.<sup>6</sup> PBS is responsible for ensuring that buildings comply with applicable standards.<sup>7</sup> For the purpose of the remainder of this handbook, it is assumed that the physical structure of the building is readily accessible to and usable by individuals with disabilities. Any areas of concern related to the accessibility of physical structures should be referred to your Regional Accessibility Officer located within PBS.
2. Non-structural access: The program manager should assess the nature of the programs or activities within his/her control and evaluate the different ways in which individuals access the program/activity. For instance, individuals may access a GSA program physically, electronically--via GSA's website, by email/regular mail, or by telephone. Therefore, program managers must ensure that (a) an accessible route of travel is available at all times for individuals with disabilities, and that (b) policies, procedures and practices are established and

<sup>6</sup> Uniform Accessibility Facilities Standards (UFAS).

<sup>7</sup> The UFAS is mandatory on all GSA projects. Current GSA policy also encourages compliance with the requirements of the Americans with Disabilities Act Accessibility Guide (ADAAG) where those requirements are stricter than UFAS. Additionally, GSA determines whether there are local accessibility requirements. If they exist, the most stringent will prevail between local codes and UFAS/ADAAG.

What makes a program readily accessible to and usable by individuals with disabilities? (continued)

implemented to ensure effective communication and access to programs and activities.

**D. What are some ways to comply with the requirements of program accessibility?**

GSA may comply with the requirement of program accessibility through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries/customers, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, allowing individuals with disabilities to use service animals, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with disabilities.

41 CFR 105-8.150.2 provides that GSA is not required to make structural changes in existing facilities (prior to July 31, 1984) where other methods are effective in achieving accessibility.

**E. What is meant by “accessible route of travel”?**

Accessible route of travel refers to the physical path that an individual must travel to access the location inside a building or other location where the program or activity is located. Generally, the program manager’s area of responsibility (with respect to route of travel) begins at the point of entry to the program office--where an individual leaves the common space of a building or other location (i.e., hallway, elevators, etc.) and arrives at the “front door” of a specific program (i.e., the door or entry point from the hallway leading into the program’s space). It continues to the point(s) where individuals normally go in order to access the program, including reception areas, waiting areas/meeting rooms and passageways (i.e., aisle leading to a particular program).

Example: A program is being conducted within a larger suite of offices on the fifth floor of a building in Room 5127. Once an individual gains entry through the main entrance of the building, (s)he must access the program by taking the elevator (or stairs) to the fifth floor, and walking down a long, wide hallway having several doors, one of which is marked “Room 5127”. This door opens into the program office. (S)he opens the door marked “5127” and is greeted at the program office’s reception desk and then taken to a waiting area. A staff member later meets her/him in the waiting area, where (s)he is then led down a 30-foot passageway to a meeting room.

## What is meant by “accessible route of travel”? (continued)

Question: What is the program manager’s area of responsibility in regard to the “route of travel” in this example?

Answer: The program manager’s area of responsibility begins at the program’s entry point (i.e., door marked “5127”—front door to the program office), and continues through the doorway, to the reception area, waiting area and ultimately down the passageway leading into the meeting room.

### **F. What are some considerations regarding accessible route of travel?**

[Section 504 of the Rehabilitation Act of 1973, as amended](#), and the UFAS require that the route of travel be physically accessible. In the event that the route of travel cannot be physically changed to be made accessible (i.e., historic preservation exception, fundamental alteration, undue burden, etc.), the program manager must either (1) relocate the program or (2) establish alternative means of providing program access to individuals with disabilities. An alternative means might include providing program information to an individual with a disability at an accessible location within the building.

The questions to consider in determining whether the route of travel is accessible include:

1. Can the door be easily opened by an individual with a physical impairment? Round doorknobs are not accessible. Doors should be equipped with an automatic door opener or lever handles. If possible, have the door hardware modified for accessibility. Otherwise, an alternative measure might be to simply prop the door open to allow ease of passage for individuals with mobility impairments who would otherwise not be able to open the door. [UFAS 4.13](#).
2. Is there a sign/plaque beside the door identifying the room number and/or offices? If interior signage is provided, they must comply with UFAS sections with regard to the width/height ratio and color contrast of characters used on signage, [UFAS 4.30.1](#), [4.30.2](#) and [4.30.3](#). In addition, permanent signage that identifies rooms and spaces shall also comply with [UFAS 4.30.4](#) and [4.30.6](#) by using raised characters and international symbols of accessibility. Interior signage must be located alongside the door on the latch side and mounted at a height of between 54 and 66 inches above the finished floor.
3. Is the doorway entrance wide enough to accommodate a wheelchair? Most wheelchair users need a 30-inch width clear opening for doorways, gates, and the like—unless there is a passageway—which must be a minimum of 36 inches wide. [UFAS 4.13](#). If the doorway entrance and/or passageway do not comply, an alternative accessible route must be established. Additionally, UFAS requires 32 inches for the minimum clear width for single wheelchair passage. However, passageways that exceed 2 feet of travel require 36 inches minimum width.

## Considerations regarding accessible route of travel (continued)

This can be accomplished by widening the doorway or passageway. [UFAS Appendix A4.2.1](#).

If widening the doorway or passageway cannot be readily achieved, the program or activity should be either (a) re-located to an accessible location or (b) procedures should be established and communicated clearly to the staff, wherein the staff knows to use an alternative location/meeting room that is accessible when providing program information or assistance to individuals with disabilities in wheelchairs.

4. Is the reception desk/counter accessible? If a program has a reception desk or counter, is it low enough to accommodate an individual in a wheelchair (i.e., can they see the receptionist and make use of the counter space)? If not accessible, the reception desk/counter should be lowered and made accessible, or alternative procedures established. For instance, the receptionist could move around the counter to better assist and communicate with individuals in wheelchairs.
5. Is there adequate space in the waiting area for the individual in a wheelchair to maneuver and wait? The space required for a wheelchair to make a 180- degree turn is a clear space of 60 inches. [UFAS 4.2.3](#).
6. Is the carpet pile low enough to allow maneuverability of wheelchairs? The maximum pile height shall be 1/2 inch. Ground and floor surfaces along accessible routes and in accessible rooms and spaces, including floors, walks, ramps, stairs, and curb ramps must be stable, firm, and slip-resistant, in compliance with [UFAS 4.5.3](#).
7. Are protruding objects over the path of travel or objects obstructing the path of travel? Protruding objects (i.e., wall light fixtures) over the route of travel must be located no less than 80 inches high to ensure a safe, barrier-free route of travel for persons with visual impairments who use canes. Boxes, file cabinets, and office equipment that are obstructing the passageway of travel must be moved and kept clear of the path of travel. [UFAS 4.4](#).
8. Are there steps leading up or down located within the route of travel? If so, a UFAS-compliant ramp ([UFAS 4.5](#)) must be installed. An alternative measure could be either relocating the program, or providing program access at another accessible location when the ramp prevents access for persons with disabilities.

## **G. Are there any exceptions to program accessibility?**

1. With regard to new construction or major alterations (i.e., after July 31, 1984) must comply with the UFAS—there are no exceptions.<sup>8</sup>
2. 41 CFR 105-8.154 provides that for existing facilities GSA is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity, or result in undue financial or administrative burdens.
3. In historic preservation programs, GSA is not required to take any action that would result in a substantial impairment of significant historic features of an historic property. See 41 CFR 105-8.150-1(b).

However, these exceptions do not relieve GSA of all obligations to individuals with disabilities. Although GSA is not required to take actions that would result in a fundamental alteration in the nature of a program or activity, or in undue financial and administrative burdens, it nevertheless must take any other steps necessary to ensure that individuals with disabilities receive the benefits and services of the federally conducted program or activity. The decision that compliance would result in such alteration or burdens must be made by the Administrator of General Services Administration or his/her designee, and must be accompanied by a written statement of the reasons for reaching that conclusion.

## **H. What are the first steps that a program manager should take in determining program accessibility?**

1. Conduct a Self-evaluation: Program managers must conduct a self-evaluation of all programs and activities under their control to ensure accessibility for individuals with disabilities, pursuant to 41 CFR 105-8.110. A self-evaluation checklist is located at Appendix A of this guidebook. Where structural changes are required, a transition plan should be developed, setting forth the steps necessary to complete such changes.
2. Develop a Transition Plan: The plan should identify physical obstacles in the facilities that limit accessibility to the program/activity for individuals with disabilities; describe in detail the methods that will be used to make the facilities accessible; specify the schedule for taking the steps necessary to achieve compliance; and designate the official responsible for implementation of the transition plan. (See 41 CFR 105-8.150-4).

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<sup>8</sup> There were applicable standards prior to the UFAS, but is not relevant for further discussion in this handbook. Further information can be obtained regarding pre-UFAS standards at the [Access Board website](#).

What are the first steps that a program manager should take in determining program accessibility? (continued)

3. Re-evaluate periodically: Program managers should periodically re-evaluate the accessibility of a program or activity whenever the nature of the program has changed or the location of the program has changed.

**I. What is required to ensure effective communication with individuals with disabilities?**

41 CFR 105-8.160 requires GSA to take appropriate steps to ensure effective communication with individuals with disabilities. These steps include procedures for determining when auxiliary aids are necessary to afford an individual with disabilities an equal opportunity to participate in and enjoy the benefits of a program or activity.

Effective communications include the following:

1. Procedures that provide an opportunity for individuals with disabilities to request an auxiliary aid.<sup>9</sup>
2. Primary consideration is given to the auxiliary aid requested by the individual, unless it can be shown that either another effective means of communication exists or that use of the means chosen would result in a fundamental alteration in the nature of a program or activity, or in undue financial and administrative burdens.
3. Where it is established that a fundamental alteration or undue burden exists, alternative assistance must be provided. The program must still ensure, to the maximum extent possible, individuals with disabilities receive the benefits and services of the program or activity.
4. Where the Agency communicates with individuals by telephone, a telecommunication device for deaf persons (TDD), sometimes referred to as the TTY machine, must be used to communicate. An equally effective system might be the Federal Relay Service (FRS).
5. Ensure that wherever voice telephone numbers are on documents, either the TDD/TTY or FRS toll free number is included, along with the program's email address. If an individual uses assistive technology, it may be easier for them to communicate via email.

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<sup>9</sup> The Agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.



## **J. What are some examples of auxiliary aids/assistive technology that facilitate effective communication?**

Auxiliary aids are services or devices (to include assistive technology) that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs or activities conducted by GSA. Examples include, but are not limited to, auxiliary aids useful for persons with impaired vision (i.e., readers, materials in Braille, audio recordings); auxiliary aids for persons with impaired hearing (telephone handset amplifiers, telephones compatible with hearing aids, telecommunications devices –TDD/TTY, interpreters, notetakers, written materials).

Examples and Suggestions:

1. In some instances, a note pad and written materials may be sufficient to permit effective communication with a person with hearing impairments for short periods of time. Whereas, encounters for more than a few minutes may require a hearing interpreter to ensure effective communication.
2. Generally, people who are deaf or hard of hearing request assistive listening devices, captioning, CART (Communication Access Realtime Translation – similar to captioning but confined to a laptop or projection screen), or sign language interpreters. Captioning, CART, and sign language interpreters are services that are frequently contracted from outside vendors. Become aware of the availability of these services in your local service area since it is not unusual for such services to be in high demand, thereby limiting availability. Assume that as much advance notice as possible is needed to assure that appropriate services can be acquired. [See GSA Language Services Schedule.](#)

## **K. What are some effective communication tips?**

1. When developing forms, publications, press releases, or disseminating tools and processes, be sure to consider the accessibility of both the content and the medium you elect to use.
2. Choose a font style and size that is easy to read. There are no hard and fast rules guiding the selection of font styles and sizes. In fact, publication manuals and guidelines vary dramatically in their rules and preferences. There is, however, some general agreement on the following principles:
  - a. For print documents, serif fonts are easier to read. Serif fonts have little “feet” attached to each letter; Times New Roman is an example of a serif font.

## What are some effective communication tips? (continued)

- b. For electronic displays, sans serif fonts are easier to read. Sans serif fonts lack the little “feet” attached to each letter; Arial is an example of a sans serif font.
  - c. For large print, the size of type required will vary with the needs of the reader. For generically produced large print, a font size of 16 to 18 is preferred.
  - d. Use high contrast colors when possible. It may be difficult for people with low vision to see information that is presented in colors that do not contrast strongly.
3. Remember that some people are colorblind. For many people, the colors red and green look essentially alike. Keep this in mind when designing color documents.
  4. Remember to include a statement similar to the following in any documents you disseminate:

To request materials in alternative formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to \_\_\_\_\_ or contact \_\_\_\_\_ at (insert voice tel #; TTY # or Federal Relay Toll Free #).

5. The severity and type of a speech disability can vary dramatically as can the communication modes individuals choose to use. Some people with speech disabilities choose to speak for themselves while others opt for using an interpreter or assistive technology to help them in being understood.
6. Regardless of the severity of disability or the method of communication, patience and careful listening are of paramount importance. When talking with people who have speech disabilities, do not pretend to understand what they are saying. Allow people to complete their thoughts; do not presume to end sentences for them. If you do not understand what has been said, admit it and ask for a repetition. If you are unsure, but think you understand part of what has been said, repeat what you thought you heard and ask for confirmation.
7. People may have disabilities or combinations of disabilities that you are not familiar with. In those situations, remember to focus on the **person** first, not his or her disability. Use courtesy and common sense and ask the person with a disability for his or her advice on how to proceed.

What are some effective communication tips? (continued)

8. Do not assume that all people with similar disabilities will want identical accommodations. If you are unsure of what to do, ask the person with a disability for guidance.

**L. What should program managers know with regard to building security, emergencies/building evacuations?**

1. Remember that individuals with hearing impairments may not be able to hear instructions by security personnel or broadcasts over the public address system. If you know of someone in your area who is deaf or hard of hearing, make sure that you pass along information about emergency situations.
2. Before attempting to help people who are blind, introduce yourself and ask them if they would like assistance. If they accept your offer of help, allow them to take your arm; do not push or drag them along with you. If you are uncertain about what to do, ask the person how they would like to proceed.
3. When giving directions in emergency or high stress situations, do not assume that people who are non-responsive are being uncooperative. People with hearing impairments may be unable to hear spoken instructions. Even people who have substantial residual hearing may have difficulty hearing instructions coming from behind them or orders given in areas with background noise such as fire alarms or the chatter from crowds of people.
4. Some individuals with disabilities have assistive devices that are not easily removed. Some devices, such as cochlear implants to improve hearing or metal rods to strengthen bones are surgically implanted and cannot be taken off or detached. Be aware that such devices may set off metal detectors and be prepared to use courtesy and good judgment in dealing with such situations.
5. When expecting individuals with disabilities, notify security so that they can be prepared to respond appropriately. This allows security officers to prepare themselves for alternative communication modes and reminds them to expect visitors with assistive devices that may require special handling when going through metal detectors.

**M. When are service animals, such as guide dogs, allowed in federally conducted programs and activities?**

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform for themselves. For example, "seeing eye dogs" are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar. However, there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include

When are service animals, such as guide dogs, allowed in federally conducted programs and activities? (continued)

alerting persons with hearing impairments to sounds; pulling wheelchairs or carrying and picking up things for persons with mobility impairments; and assisting persons with mobility impairments with balance.

Thus, the service animal must be permitted to accompany the individual with a disability to all areas of the facility where people are normally allowed to go. An individual with a service animal may not be segregated from other customers.<sup>10</sup>

Program managers should ensure that all staff is aware that service animals are allowed in Federal buildings.

**N. How do you distinguish between a service animal and a pet?**

Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers. If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal required because of a disability. However, the individual may not have documentation with them. Therefore, such documentation generally may not be required as a condition for providing service to an individual accompanied by a service animal. Although a number of states have programs to certify service animals, you may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.

**O. Who is responsible for the animal during the time it is on GSA property?**

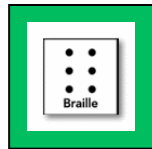
The care or supervision of a service animal is solely the responsibility of his or her owner. You are not required to provide care or food or a special location for the animal.

**P. What if a service animal barks or growls at other people, or otherwise acts out of control?**

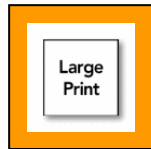
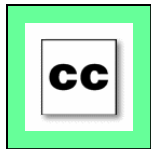
You may exclude any animal, including a service animal, from your facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards others may be excluded. You may not make assumptions, however, about how a particular animal is likely to behave based on your past experience with other animals. Although the Agency may exclude any service animal that is out of control, we must give the individual with a disability who uses the service animal the option of continuing to participate in the GSA program/ activity without having the service animal on the premises. You can only exclude the service animal in this situation, not its owner.

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<sup>10</sup> Also see 41 CFR 102-74.425.



# III. SECTION 508



## A. What is Section 508?

[Section 508](#) refers to a statutory section in the Rehabilitation Act of 1973 (found at 29 U.S.C. 794d). Congress significantly strengthened Section 508 in the Workforce Investment Act of 1998. Its primary purpose is to provide access to and use of Federal executive agencies' electronic and information technology (EIT) by individuals with disabilities.

Section 508 requirements are separate from, but complimentary to, requirements in [Sections 501 and 504](#) of the Rehabilitation Act that require, among other things, that agencies provide reasonable accommodations for employees with disabilities, provide program access to members of the public with disabilities, and take other actions necessary to prevent discrimination on the basis of disability in their programs.

## B. What does Section 508 require with regard to the public?

Accessibility to EIT for individuals with disabilities. Members of the public who have disabilities and are seeking information or services from the Federal Government must have access to and use of information and data that are comparable to that provided to members of the public who do not have disabilities.

These requirements must be met unless GSA can prove that it would experience an "undue burden" attempting to meet the law's requirement. However, the program is still responsible for finding alternative strategies to make information accessible to those with disabilities.

## C. Are there regulations implementing Section 508?

Yes, there are two regulations addressing the requirements of Section 508.

1. [Access Board Standards](#). The first regulation implementing Section 508 was issued by the Architectural and Transportation Barriers Compliance Board (the "Access Board"), an independent Federal agency, whose primary mission is to promote accessibility for individuals with disabilities. This regulation is referred to as the Access Board's "standards." The standards are codified at [36 CFR Part 1194](#).
2. [FAR Rule](#). The second regulation issued to implement Section 508 amends the Federal Acquisition Regulation (FAR) to ensure that agency acquisitions of EIT comply with the Access Board's standards. Section 508 affects *what* agencies acquire (i.e., the requirements development process), generally not *how* they acquire it (i.e., source selection). See FAR 7.103(o) (addressing acquisition planning), FAR 10.001(a)(3)(vii) (addressing market research), FAR 11.002(f) (addressing needs descriptions), FAR 12.202(d) (addressing requirements

documents for commercial item acquisitions), and FAR Subpart 39.2 (addressing the acquisition of EIT).

#### **D. What is EIT?**

EIT is information technology, as defined at FAR 2.101, and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion or duplication of data or information. In addition to IT, EIT includes:

telecommunication products, such as telephones; information kiosks; transaction machines; websites; multimedia (including videotapes); and office equipment, such as copiers and fax machines.

#### **E. How is Section 508 enforced?**

Congress provided that persons may file an administrative complaint with the Federal agency alleged to be in non-compliance with Section 508. Congress further provided that Section 508 complaints will be processed using Section 504 complaint processing guidelines. GSA's Interim 508 Complaint Processing Procedures are posted on the [Office of Civil Rights website](#).

#### **F. Where can I learn more about Section 508's requirements?**

Visit the Section 508 website at <http://www.section508.gov>.

## **IV. LIMITED ENGLISH PROFICIENCY (LEP)**



### **A. What does Executive Order 13166 require?**

Executive Order 13166 requires all Federal agencies to take reasonable steps to provide meaningful access to their programs and activities (i.e., federally conducted programs and activities) for individuals with Limited English Proficiency (LEP).

### **B. Who is an individual with LEP?**

An individual with LEP is one who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English because of his/her national origin.

### **C. Does Executive Order 13166 apply to Federal procurement procedures?**

The removal of language barriers is not required in those programs where English is an essential aspect of the program or a substantial legitimate justification exists. Thus, current contracting procedures under the Federal Acquisition Regulation (FAR) will not be altered by Executive Order 13166 due to the large volume of Federal contracts that require English as an essential part of the contracting process.

Therefore, based on GSA's assessment, procurement procedures will not be modified due to the need to conduct contracting activities in the English language, and the negligible number or proportion of contracting entities who are LEP and are themselves attempting to find and respond to announcements of contracts.

### **D. What steps should program managers take to determine whether LEP assistance is required in a particular program/activity?**

Federal agencies are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors. This framework was established by the U. S. Department of Justice (DOJ) pursuant to Executive Order 13166 to guide Federal agencies on the implementation of and compliance with the Order. DOJ's guidance and other information/resources can be accessed at <http://www.lep.gov>.

**Factor 1.** The number or proportion of eligible LEP persons. The number or proportion of eligible LEP persons who will be excluded from the federally conducted program or activity absent efforts to remove language barriers is the first factor to consider. The key here is to focus on persons eligible to use or access the particular program or activity within the serviced area. This will narrow the scope to the appropriate pool of eligible LEP persons.

What steps should program managers take to determine whether LEP assistance is required in a particular program/activity? (continued)

Various resources are available to assist in determining the number or proportion of eligible LEP persons in a given location. For example, a program or activity that has contact with the general public may find the local census data helpful in determining the LEP population. The local Yellow Pages may assist in identifying organizations in the community that represent ethnic populations in the area. These organizations may be able to provide information regarding the English proficiency of their represented communities. Other sources of information in estimating the LEP population of a particular location include local and State government offices, such as schools, Mayor's office, elected officials, and the State's refugee resettlement office. Health clinics, health care providers and hospitals may also be able to provide LEP data, as they are required by law to provide language services.

An example of a more narrow and targeted population is an outreach program with small and disadvantaged businesses. The targeted group in this example is the small and disadvantaged businesses in the area. Thus, the local Small Business Administration (SBA) may be a good source of information regarding LEP population(s) in this group.

**Factor 2.** Frequency of contact. The frequency of contact between the program or activity and eligible LEP persons is another factor to be weighed. For example, if LEP persons access the program or activity on a daily basis, there may be a greater responsibility to provide more immediate LEP assistance through on-site bilingual staff, than when such contact is unpredictable or infrequent. When contact is unpredictable or infrequent, setting up a contract with a language line service may be adequate, in lieu of having bilingual staff available.

Although past experience may be helpful in determining the frequency of contact, it should not be used as the exclusive criteria because the lack of prior notice regarding the availability of LEP assistance may have contributed to such minimal or non-existent contact.

**Factor 3.** Nature and importance of the program or activity. The nature and importance of a particular program or activity to the serviced population will affect the determination of the types of LEP assistance provided. More affirmative steps are required in those programs where the denial or delay of access may have health, safety or welfare implications than in programs that are not as crucial to one's day-to-day existence. For example, the nature and importance of access to a Federal building that houses agencies such as the Departments of Health and Human Services or Immigration and Naturalization Service differs from access to an auction of used vehicles or a tour of a building.

Program officials must also consider both the short and long-term effects, if any, of not providing LEP assistance to the eligible LEP population.

What steps should program managers take to determine whether LEP assistance is required in a particular program/activity? (continued)

**Factor 4:** Availability of resources. Generally, the availability of resources may have an impact on the types of LEP assistance to be provided and the nature of the steps to be taken. For instance, the availability of resources may affect the kinds of LEP assistance provided where the total costs of providing language assistance is relatively high and/or where the program is not crucial to an individual's day-to-day existence. However, where there is an LEP responsibility, the lack of financial resources will be difficult to justify by a Federal agency program, in light of the budgeting process.

**E. What are the next steps if the four-factor analysis indicates that some form of LEP assistance is required?**

1. Develop tailored procedures to address LEP responsibilities, based on both oral and written communications used in the program. These procedures need not be intricate where the number or frequency of contact is small in number, and may be as simple as being prepared to use one of the commercially available language lines to obtain interpreter services within a reasonable period of time. However, more affirmative steps may be appropriate where there are a larger number of LEP persons, the frequency of contact with LEP persons is more often, and/or the importance of the program or activity affects the day-to-day safety/existence of the serviced population.
2. Train the program staff. Such procedures will be effective only if the staff understands the reason for LEP procedures and how to use them. A very important part of implementation is to ensure that program staff is knowledgeable of the Agency's LEP responsibilities and the specific program procedures established to provide LEP assistance. The LEP responsibilities and procedures should also be included as part of any new associate orientation.
3. Notify the LEP population that you serve. Written notice should be provided to the LEP population(s) regarding the availability of LEP assistance at no cost to the LEP person. This may be done through the use of a brochure or poster in the relevant language(s), placed in a conspicuous place to ensure that LEP persons will see it. It may also include posting such notice on websites applicable to the specific program or activity. Written postings should be placed in waiting rooms, reception areas or initial points of entry. Sample language that may be used as an appropriate notice is as follows: "Language assistance is available upon request if you cannot speak or write English very well."
4. Monitor effectiveness of LEP procedures on a periodic basis. LEP assistance requirements may change over a period of time. It is recommended to monitor on an annual basis, which should include an evaluation of current LEP population in the service area, and a review of LEP policies, procedures and practices with the program staff. Feedback from the LEP population will also be useful.

## F. What are some examples in applying the four-factor analysis?

The following examples are provided to discuss application of the four factors to specific fact situations:

**Example 1:** A regional Office of Enterprise Development (OED) conducts four informational presentations per year about contracting opportunities available to small and disadvantaged businesses throughout its region. On an occasional basis, LEP persons are encountered, all of which have been in need of Spanish language assistance. Local SBA data reflects that there is three small businesses in the area are LEP and speak Spanish. OED has provided timely translation assistance through the use of bilingual GSA associates in the past. Informational program brochures are also translated in Spanish. No problems have been reported in the past regarding LEP assistance.

### **Application of the four factors to Example 1:**

**Factor 1:** The number of small businesses (OED's targeted audience) with LEP needs is few, and past experience reflects an occasional request for language assistance. Current population information for eligible small and disadvantaged businesses in the targeted area shows no significant change in the LEP population;

**Factor 2:** The informational presentations occur four times per year, with past experience showing an occasional LEP contact;

**Factor 3:** OED's presentations provide the targeted audience with information pertaining to contracting opportunities with the Federal Government, eligibility criteria and information about the procurement process. Failure to provide appropriate LEP assistance may prevent or limit access to the program that is related to livelihood;

**Factor 4:** Generally, where there is an LEP responsibility, the lack of financial resources will be difficult to justify by a Federal agency program, in light of the budgeting process. However, in this scenario, OED has an arrangement with the local Hispanic organization that has offered to provide language assistance, and the regional GSA office has three bilingual employees that speak fluent Spanish and are considered competent interpreters. OED will probably be viewed as being in compliance with Executive Order 13166.

**Example 2.** A private contractor provides security for one of GSA's buildings in a large metropolitan area where the surrounding population has 12,500 Spanish-speaking only and 3000 Chinese-speaking only persons. Federal agency tenants in the buildings consist of the Immigration and Naturalization Service, the Internal Revenue Service, and the Social Security Administration. The contractor has six (6) bilingual security guards that speak Spanish, where at least two (2)

## What are some examples in applying the four-factor analysis? (continued)

of them are on duty at any given time. A local Chinese immigrant organization has volunteered to provide language assistance in the community. No complaints of inadequate LEP assistance have been made in the past.

### **Application of the four factors to Example 2:**

Factor 1: The number or proportion of persons who may be excluded (i.e., denied access to important Federal services in the building) absent efforts to offer translation assistance is relatively significant;

Factor 2: The possibility exists for both Spanish and Chinese-speaking persons to seek entrance into the building on a daily basis;

Factor 3: The importance of the federally conducted programs/activities inside the building relate to a person's day-to-day existence (i.e., immigration, social security, and taxes) and is significant considering the nature of the tenants' operations;

Factor 4. GSA should make appropriate arrangements to ensure both Spanish and Chinese-speaking persons (who are LEP) have meaningful access. This may be accomplished by posting signs in Spanish and Chinese, explaining the procedure for checking bags and going through the metal detector, along with vital documents translated and placed in plain view for easy access. Another option to consider in this scenario could be making arrangements with tenant agencies for the use of their language assistance services and a standing contract with a language line service as backup.

Note: Once the LEP person accesses one of the tenant agencies' programs, GSA's LEP responsibilities end and the tenant agencies' LEP responsibilities begin.

## **G. What are some considerations in providing language assistance?**

If after completing the four-factor analysis, you determine that language assistance is required, you need to look to what mix of written and oral language assistance is required to provide meaningful access to your program.

1. Oral interpretation. Depending on the need, options for providing oral interpretation range from hiring bilingual staff or on-staff interpreters, contracting for interpreter services as needed, engaging community volunteers, or contracting with telephone interpreter services (i.e., language line). Oral communication between program staff and the serviced population often is a necessary part of the exchange of information. Proper analysis should include identifying the kind of communication (oral or written) that is normally provided to an English speaking person in order to fully communicate the program to them.

What are some considerations in providing language assistance? (continued)

2. Written Translation. In determining what written information or documents should be translated, vital documents and non-vital documents should be identified.
  - a. Vital documents must be translated when a significant number or percentage of the eligible population needs information or assistance in a language other than English in order to communicate effectively. A document or information will be considered vital if it contains information that is critical for accessing the agency's program(s) and/or activities, or is required by law. Thus, vital documents include, for example, applications; consent forms; letters and notices pertaining to the reduction, denial or termination of access to a program; and letters or notices that require a response from the individual seeking access. Non-vital documents need not be translated.
  - b. For many larger documents (i.e., regulations, handbooks) translation of only the vital information within the document is appropriate (i.e., a translated summary), as opposed to translating the entire document. It may be difficult to distinguish between vital and non-vital documents especially when considering outreach or awareness documents. Although meaningful access to a program requires an awareness of the program's existence, translating every piece of outreach material into every language may not be practical or cost-effective. Thus, it is important to continually assess the needs of the program population to determine whether certain critical outreach materials should be translated into other languages.
  - c. The same analysis is to be used in determining the translation of website information, forms, etc. The decision to place an agency's information on the Internet will not affect whether the document must be translated. For example, placement on the website should not change the agency's original assessment regarding the number or proportion of LEP persons that comprise the intended audience for that document or information. Generally, entire website need not be translated.
  - d. Where the frequency of contact is unpredictable and minimal, or the number or proportion of eligible LEP persons is small, oral translation of vital documents may be used in lieu of written translation. Oral translation assistance must also be provided to those persons who are LEP whose language does not exist in written form. This oral translation assistance will explain the contents of vital documents.

## **H. How do I ensure reliability of translation and interpretive services?**

In order to provide effective services to LEP persons, it is important to ensure the use of competent interpreters and translators. Although it is not a requirement, membership in or accreditation by the American Translators Association (ATA) is one indicator regarding the reliability and professionalism of language assistance vendors. However, competency does not necessarily mean formal certification as an interpreter, although certification is helpful.

Competency refers to more than being bilingual. It refers to demonstrated proficiency in both English and the other language, orientation and training that includes the skills and ethics of interpreting (i.e., issues of confidentiality), fundamental knowledge in both languages of terms or concepts peculiar to the program or activity, and sensitivity to the LEP person's culture.

It is also important to note that in some circumstances verbatim translation of materials may not accurately and appropriately convey the substance of what is contained in the written language. An effective way to address this concern is to reach out to community-based organizations to review translated materials to ensure that the translation is accurate and easily understood by LEP persons.

To ensure the reliability of translated documents of a highly technical or complex nature, it is recommended that a different contractor conduct a second review of the document, as translated. Another recommendation is to have the document translated back into English to determine if the source document lost important meaning due to the foreign translation.

## **I. Can I require the LEP individual to provide his/her own interpreter?**

It is not good practice to require the LEP person to provide his/her own translation services (i.e., interpreter). Requiring an eligible LEP person to provide his/her interpreter may sometimes leave the LEP person no choice but to ask a friend, relative or stranger to translate program information. This may put the LEP person in an uncomfortable situation where the interpreter may not have formal training or an obligation to observe confidentiality. Such an interpreter may not possess adequate language and comprehension skills, and his/her presence may actually obstruct the flow of critical program information. The LEP person may also be naturally reluctant to be forthcoming with personal information where the interpreter is his/her child or other relative, friend/neighbor or a stranger. Therefore, it is not good practice to require the LEP person to provide his/her own translation services, unless the LEP person is the one that requests the use of his/her own interpreter. In the instance where the LEP person requests use of his/her own interpreter, the program official may consider having an agency interpreter present if the subject relates to a legal or technical matter.

#### **J. Is there a list of language assistance vendors available?**

Yes, [GSA Language Services Schedule](#) provides program officials with the ability to acquire multilingual translation services in native languages to include, but not limited to, the translation of business, legal, medical, technical documents, software, manuals, web sites, Intranet, video and audio in written, graphic, electronic, multi-media and various other forms of communication. It also provides multilingual interpretation services in native languages for meetings, conferences, seminars, litigation proceedings, briefings, training, escort and various other forums of voice communications.

Translated documents should include the following statement on the front page both in English and in the language of translation: "This is a translation of an English-language document provided as a courtesy to those not fluent in English. If differences or any misunderstandings occur, the document of record shall be the related English-language document. English is the only language of official record."

#### **K. Must documents requested through FOIA or Privacy Act be translated?**

Executive Order 13166 has little impact on the processing of requests under the FOIA or Privacy Act laws. For instance, neither FOIA nor the Privacy Act requires an agency to create a document that does not currently exist. When, for instance, a requested document is illegible due to poor copy quality, a copy of the document is provided, indicating that it is the best available copy. When poor handwriting makes a document difficult to read, an agency is not required to try and reconstruct or "translate" that handwriting. When a document is in a foreign language, it is not required to translate the document for the requester (although an internal translation may be necessary in order to assure that the record does not contain sensitive material).

#### **L. What are some other LEP Resources?**

1. <http://www.lep.gov> website.
2. The [GSA Language Services Schedule](#), Federal Supply Schedule 738 II, provides contract support for translation, interpretation, and language training and/or educational materials.
3. **"I Speak" card**: The U. S. Department of Commerce has made available to all Federal agencies the "I Speak" language card, which was used by the Census Bureau during the 2000 Census. Program managers are encouraged to use the card to assist them in identifying the language spoken by a "walk-in" that does not speak English.



# V. EXECUTIVE ORDER 13160

**A. What does Executive Order 13160 require?**

Executive Order 13160 requires Federal agencies to ensure equal opportunity in federally conducted training and education programs on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent.

**B. What are the types of GSA programs and activities covered by Executive Order 13160?**

Executive Order 13160 covers education and training programs or activities that are conducted by GSA.

**C. What are some examples of covered education and training programs at GSA?**

Programs and activities that fall within the scope of the Executive Order include, but are not limited to, school partnership agreements, student internships, scholarships, executive training programs, workshops for small businesses, PBS Academy, and temporary student employment activities.

**D. How will complaints under Executive Order 13160 be processed?**

Executive Order 13160 provides for filing of complaints by any individual who believes he or she has been discriminated against in violation of the nondiscrimination provisions of the Executive Order. To this effect, GSA is obligated to investigate complaints that allege a violation of the Executive Order, if the complaint cannot be resolved through alternative dispute resolution.

Complaints filed by GSA employees or applicants for employment will generally be processed according to the Equal Employment Opportunity Commission discrimination complaint procedures, located at 29 CFR 1614.

Complaints filed by members of the public or employees of another Federal agency will be processed by the Office of Civil Rights. For more information, contact the Office of Civil Rights at [OCR@gsa.gov](mailto:OCR@gsa.gov).

**E. Is there any guidance that further explains the Order?**

Yes, the U. S. Department of Justice (DOJ) issued detailed [guidance](#) to assist Federal agencies in complying with the Order.

# APPENDIX A

## **Program Access: Structural Checklist**

The following checklists were prepared to assist program managers at GSA in conducting a self-evaluation of the physical aspects of his/her program and/or activity:

1. Physical Accessibility: Rooms and Spaces
2. Physical Accessibility: Assembly Rooms
3. Physical Accessibility: Doors and Gates
4. Physical Accessibility: Signage
5. Physical Accessibility: Seating, Tables and Work Surfaces

The checklists are for the use of program managers whose programs and/or activities occupy space within a larger facility.

Generally, program managers are only required to conduct a self-evaluation of the space that is physically occupied by his/her programs/activities—where such programs and/or activities are located within a larger Federal facility. Therefore, this handout omits checklists related to other elements of structural accessibility—i.e., parking, the accessible route of travel from the street/sidewalk, main entrance, elevators, restrooms and common areas of buildings.

Those managers whose program areas include the main entrance to the facility, elevator(s), restroom(s), public telephone, drinking fountains, and/or common areas of buildings should refer to the [UFAS](#) and the [UFAS checklist](#). They may be viewed on the U. S. Architectural and Transportation Standards Board's (i.e., Access Board) website at <http://www.access-board.gov>.

Remember, the primary goal is to provide meaningful access to individuals with disabilities.

### **Areas of a building within a program manager(s) space:**

Each program manager is responsible for evaluating the area of space that is occupied by his/her program or activity, if open to the public. Where access is not readily achievable and the structure requires modification(s) to make it readily accessible to and usable by individuals with disabilities, the program manager must:

1. Develop a transition plan, identifying the defect(s) and the steps that will be required to make the feature accessible and implement;
2. Relocate the program or activity; or
3. Develop alternative means to ensure meaningful access for individuals with disabilities.

### Areas of a building not within a program manager(s) space:

1. Lack of physical access due to a structural barrier: Where a program manager has been advised of or has personally identified an area outside of his /her program's space as inaccessible (i.e., parking, elevators, main entrance into the building, sidewalk outside of building), (s)he should report it immediately to his/her regional accessibility officer.
2. Lack of physical access due to a non-structural barrier: Where a program manager becomes aware of an area outside of his/her program's space—but still within the same facility--as being inaccessible due to a non-structural, physical barrier (such as boxes, furniture, slippery floors, etc.), (s)he should report it immediately to the building manager.

### Definitions:

1. Accessible: Describes a site, building, facility, or portion thereof that complies with these standards and that can be approached, entered, and used by individuals with disabilities.
2. Accessible Route: A continuous unobstructed path connecting all accessible elements and spaces in a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, walks, ramps, and lifts.
3. Access Aisle: An accessible pedestrian space between elements, such as, parking spaces, seating, and desks, that provide clearances appropriate for use of the elements.
4. Assembly Area: A room or space accommodating fifty or more individuals for religious, recreational, educational, political, social, or amusement purposes, or for the consumption of food and drink, including all connected rooms or spaces with a common means of egress and ingress. Such areas as conference rooms would have to be accessible in accordance with other parts of the UFAS, but would not have to meet all of the criteria associated with assembly areas.
5. Common Use: Refers to those interior and exterior rooms, spaces, or elements that are made available for the use of a restricted group of people (for example, residents of an apartment building, the occupants of an office building, or the guests of such residents or occupants).
6. Element: An architectural or mechanical component of a building, facility, space, or site, e.g., telephone, curb ramp, door, drinking fountain, seating, water closet.
7. Entrance: Any access point to a building or portion of building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical

access leading to the entrance platform, the entrance platform itself, vestibules if provided, the entry door(s) or gate(s), and the hardware of the entry door(s) or gate(s). The principal entrance of a building or facility is the main door through which most people enter.

**Physical Accessibility**

**Survey Form: Rooms and Spaces**

**Name of Program/Activity:** \_\_\_\_\_

**Room or Space Location:** \_\_\_\_\_

**City/State:** \_\_\_\_\_

**Name of Person Conducting Evaluation:** \_\_\_\_\_

Question	UFAS Reference	Yes or No N/A	Comment
1. Do the doors comply with 4.13? (Use Survey Form 9: Doors and Gates to determine compliance)	4.13		
2a. Are aisles at least 36 inches wide except at doors	4.3.3		
2b. Where the accessible pathway makes a U-turn around an obstacle which is less than 48 inches wide, does the pathway width increase to at least 42 inches on the approach and 48 inches in the turn?	4.3.3		
3. If the aisles are less than 60 inches wide, are there passing spaces at least 60 inches wide and 60 inches long within reasonable intervals not exceeding 200 feet?	4.3.4		
4a. Is there at least 80 inches clear head room in the accessible space?	4.3.5		
4b. If head room in part of an accessible space is less than 80 inches, is there a cane detectable barrier within 27 inches of the floor?			
5a. If objects mounted to the wall have bottom edges between 27 and 80 inches from the floor, do they project less than 4 inches into the space? (Wall mounted objects with bottom edges below 27 inches may project any amount so long as they do not reduce the required clear width of an accessible route of travel.)	4.4.1		
5b. Do free standing objects mounted on posts with bottom edges between 27 and 80 inches high project less than 12 inches into the route of travel?			
5c. Is there an accessible path of at least 36 inches clear alongside the protruding object?			

Page 2  
 Physical Accessibility  
 Survey Form: Rooms and Spaces

Question	UFAS Reference	Yes or No N/A	Comment
6. Are the floors in all accessible rooms and spaces stable, firm, and slip-resistant?	4.5.1		
7a. Is any level change greater than 1/2 inch ramped?	4.3.8; 4.5.2		
7b. When floor materials change, does the vertical difference between them meet these provisions?			
7c. If carpet or carpet tile is used on the floor, is it securely attached?			
7d. Is it a low pile type of carpet with a firm pad or no pad underneath it?			



**Physical Accessibility**

**Survey Form: Doors and Gates**

Name of Program/Activity: \_\_\_\_\_

Room or Space Location: \_\_\_\_\_

City/State: \_\_\_\_\_

Name of Person Conducting Evaluation: \_\_\_\_\_

Question	UFAS Reference	Yes or No N/A	Comment
1. If a revolving door or turnstile is used on an accessible route, is an accessible door or gate provided to facilitate the same use pattern?	4.13.2		
2. Do all gates including ticket gates meet all the applicable specifications for doors?	4.13.3		
3. If the doorway has two independently operated door leaves, does at least one active leaf provide a 32 inch clear opening width & maneuvering space as shown in Figure 25 of UFAS?	4.13.4 Also see Fig. 25		
4a. When a door is open 90 degrees, is there a clear opening at least 32 inches measured between the face of the door and the door stop on the latch side?	4.13.5		
4b. If the door does not require full user passage, such as a shallow closet, is the clear opening at least 20 inches?			
5a. If the door is not automatic or power assisted, does it have maneuvering space relative to the direction of approach as shown in Figure 25?	4.13.6		
5b.. Is the floor level and clear within the required maneuvering space?			
6a. If there are two doors in series, is the clear space between the walls at either end of the vestibule at least 48 inches plus the width of the door?	4.13.7		
6b. Do the doors in the series swing in the same direction? OR			
6c. Do they swing away from the space between them?			

Page 2  
 Physical Accessibility  
 Survey Form: Doors and Gates

Question	UFAS Reference	Yes or No N/A	Comment
7a. If there is a raised threshold, is it beveled at 1:2 or less?	4.13.8		
7b. Is the threshold no higher than 1/2 inch? (Exception: An exterior sliding door can have a 3/4 inch threshold.)			
8a. Are all handles, locks, and latches operable with one hand? Are they operable without tight pinching, tight grasping or twisting of the wrist?	4.13.9		
8b. If there are sliding doors, is the operating hardware exposed and usable from both sides when the doors are fully open?			
8c. Is the hardware mounted no higher than 48 inches above floor level?			
9. If the door has a closer, does it take at least three seconds to move from 70 degrees open to a point 3 inches from the latch?	4.13.10		
10. Do interior doors have an opening force of 5 lbs or less?	4.13.11		
11. Are doors to hazardous areas identifiable to the touch by a textured surface on the door handle, knob, pull, or other operating hardware?	4.13.9; 4.29.3		

**Physical Accessibility Survey**

Survey Form: Signage

Name of Program/Activity: \_\_\_\_\_

Room or Space Location: \_\_\_\_\_

City/State: \_\_\_\_\_

Name of Person Conducting Evaluation: \_\_\_\_\_

Question	UFAS Reference	Yes or No N/A	Comment
1a. On room signs, do the letters and numbers have a width to height ratio between 3:5 and 1:1, and a stroke width-to-height ratio between 1:5 and 1:10?	4.1.1(7); 4.30.2		
1b. Does the color of the characters and symbols contrast with the color of the background?			
2. Does the color of the characters and symbols contrast with the color of the background?	4.30.3		
3a. Do signs providing permanent identification of rooms and spaces have raised letters?	4.1.2(15); 4.30.4		
3b. Are they mounted on the wall at the latch side of the door between 54 and 66 inches above the floor?			
3c. Are the characters sans serif?			
3d. Are the characters and symbols on signs raised 1/32 inch?			
3e. Are the raised characters or symbols between 5/8 inch and 2 inches tall?			

**Physical Accessibility Survey**

**Survey Form: Seating, Tables and Work Surfaces**

Name of Program/Activity: \_\_\_\_\_

Room or Space Location: \_\_\_\_\_

City/State: \_\_\_\_\_

Name of Person Conducting Evaluation: \_\_\_\_\_

Question	UFAS Reference	Yes or No N/A	Comment
1. Do 5% (but not less than one) of the built-in or fixed seating tables and work surfaces meet the following requirements?	4.1.2(17)		
2a. Do the seating spaces which are provided for people in wheelchairs have a 30 x 48 inch clear space which overlaps an accessible route?	4.32.2; 4.2.4		
2b. Is no more than 19 inches of the 30 x 48 inch clear space measured under the table?			
3. Is the knee space at least 27 inches high, 30 inches wide, and 19 inches deep?	4.32.3		
4. Is the top of the table or work surface between 28 and 34 inches from the floor?	4.32.4		
5 Are the aisles between tables at least 36 inches wide?	4.3.3		

**Physical Accessibility Survey**

**Survey Form: Assembly Rooms (Use in conjunction with "Rooms and Spaces")**

**Name of Program/Activity:** \_\_\_\_\_

**Room or Space Location:** \_\_\_\_\_

**City/State:** \_\_\_\_\_

**Name of Person Conducting Evaluation:** \_\_\_\_\_

Question	UFAS Reference	Yes or No N/A	Comment
1. Is the required number of wheelchair locations in assembly spaces provided?	4.33.1; 4.1.2(18)		
2a. Is the space for 2 wheelchairs 66 inches wide? (Please note: There is no requirement that wheelchair spaces must be paired.)	4.33.2		
2b. If people must wheel into the space from the side, are the spaces at least 60 inches deep?			
3. If people can wheel into the space from in front or behind the space, are the spaces 48 inches deep?	4.33.3		
4. Are they dispersed throughout the seating area? (Exception: Accessible viewing positions may be clustered for bleachers, balconies, and other areas having sight lines which require slopes greater than 5%.)			
5. Do they adjoin an accessible route that also serves as a means of egress in an emergency?			
6. Are the sightlines from these seating areas comparable to those for all viewing areas?			
7a. Are the floor surfaces at and around these seating areas level, stable, firm, and slip-resistant?	4.33.4; 4.5		
7b. Are level changes greater than 1/2 inch ramped?			
7c. Are level changes between 1/4 and 1/2 inch beveled with a maximum slope of 1:2?			
7d. If carpet is used in the area, is it a low pile type with firm padding or no padding underneath it?			

Physical Accessibility Survey

Survey Form: Assembly Rooms (Use in conjunction with “Rooms and Spaces”)

Question	UFAS Reference	Yes or No N/A	Comment
7e. Where floor materials change, is the vertical difference between them less than 1/4 inch?			
7f. If the vertical difference is between 1/4 and 1/2 inch, is it beveled with a slope of 1:2 or less?			
8. Is there an accessible route connecting wheelchair seating locations and performance areas including stages, arena floors, dressing rooms, locker rooms, and other spaces used by performers?	4.33.5		
9a. If the assembly area has an audio-amplification system, is there a listening system for persons with severe hearing loss?	4.1.2 (18)		
9b. If the area is used primarily as meeting or conference space or has no amplification system, is there a permanently installed or portable listening system?			
10a. If the listening system serves individual fixed seats, are these seats located within a 50 foot viewing distance of the stage or playing area?	4.33.6		
10b. Do these seats have a complete view of the stage or playing area?			

### Program Access: Non-Structural Evaluation Checklist

The following checklists are provided to assist program managers at GSA in evaluating non-structural program access for individuals with disabilities.

#### Non-structural Accessibility: General Obligations

Question	Reference	Yes or No N/A	Comment
1. Has the program staff that deals with the public received disability awareness training?	Recommended by OCR		
2. Are there any policies or procedures that would limit the participation of or deny access to individuals with disabilities?	41 CFR 105-8		
3. Are there any policies or practices that would result in an individual with disabilities receiving lesser or different benefit/service than a person without a disability?	41 CFR 105-8		
4. Is program staff required to request supervisory approval prior to declining a request for assistance from an individual with disabilities?	OCR recommends only supervisory staff should make decision to decline a request for assistance.		
5. Is the staff aware of their responsibility to make reasonable modifications to policies and/or provide alternative assistance?			
6. Has the staff been trained or instructed under what conditions or situations that modifications and/or assistance may be required in order to provide meaningful access to individuals with disabilities?			

Non-structural Accessibility: General Obligations

Question	Reference	Yes or No N/A	Comment
7. Are there any instances when members of the public with disabilities are provided services/assistance separate from others? <sup>11</sup> (i.e., segregated)			
8. Has your program notified contractors of services to the public that they are obligated to comply with your level of responsibility under Section 504 of the Rehabilitation Act of 1973, as amended?			
9. Has the program staff received instruction on the requirement to allow individuals with disabilities with service animals in the same areas that those without disabilities are allowed?			
10. Has the program staff been instructed to keep the route of travel clear of obstructions and to report any loose flooring/carpeting immediately to buildings management?			
11. Does the program hold off-site meetings, conferences or other temporary events?			
12. If so, does the staff ensure that the location and site is accessible for individuals with disabilities?			

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<sup>11</sup>Services must be provided to people with disabilities in the most integrated setting appropriate.



Effective communications refer to the way information is received and transmitted. Section 504 and 41 CFR 105-8 require the provision of auxiliary aids and services to facilitate meaningful access by individuals with disabilities. These are devices that can accommodate a person with a communication disability, such as a hearing impairment, a visual impairment, or a speech/language problem.

Auxiliary aids and services include qualified sign language interpreters and communication devices for persons who are deaf or hard of hearing; qualified readers, taped texts, Braille or other devices for persons who are blind or with visual impairments; adaptive equipment or similar services and activities for people with other communication disabilities.

Preference should be given to the individual's preferred method of auxiliary aid or service. However, in the event the preferred method is unavailable or cannot be provided, program managers must ensure that the selected method provided is effective. GSA Language Services Schedule may be helpful in locating a vendor to provide an auxiliary aid or service.

Non-structural Accessibility: Effective Communications

Question	Reference	Yes or No N/A	Comment
1. Can information that is communicated visually (brochures, enrollment forms, handbooks, videotapes, flip charts, slides, posters, printed directional signs, and so forth) be provided in an alternate format, if requested?	41 CFR 105-8		
2. Can information that is communicated verbally be provided in alternate format, if requested?			
3. Does the program inform participants/members of the public with disabilities that auxiliary aids and services are provided upon request?			
4. Is there a procedure established for staff to refer to obtain/arrange for auxiliary aids and services in a timely manner?			

Non-structural Accessibility: Effective Communications

Question	Reference	Yes or No N/A	Comment
5. Can an individual with a hearing or speech impairment access a TTY/TDD phone system at your program site? <sup>12</sup>			
6. If so, have staff members been trained on how to use the equipment?			
7. If your program does not have TTY/TDD, does your staff know how to use the Federal Relay Service and the telephone number?			
8. Is there a mechanism for ensuring that people who are deaf or hearing impaired are aware of an activated fire or smoke alarm?			
9. Does your program have it's own web page?			
10. If so, is it accessible?			
11. Does your program use videos in outreach activities, meetings or events dealing with the public?			
12. If so, are they closed captioned?			

<sup>12</sup> A TTY/TDD (text telephone) is a device that allows individuals with hearing or speech impairments to communicate over the telephone. The abbreviation TTY is preferred by most users of these devices.

### Program Access: Limited English Proficiency

Executive Order 13166 requires Federal executive agencies to take reasonable steps to provide meaningful access to federally conducted programs and activities for individuals with Limited English Proficiency (LEP).

Question	Reference	Yes or No N/A	Comment
1. Has the four-factor analysis been conducted to determine whether some form(s) of LEP assistance is required in order to provide meaningful access to LEP individuals?	Executive Order 13160 & “The Key to Accessing Federally Conducted Programs and Activities” Handbook <sup>13</sup>		
2. Did the four-factor analysis conclude a finding that some form(s) of LEP assistance is required?			
3. If yes, have the necessary processes, procedures and practices been put in place?			
4. If yes, has the staff been trained or instructed on the LEP procedures			
5. Are procedures in place to monitor the effectiveness of LEP assistance to determine whether adjustments need to be made?			

<sup>13</sup> The handbook may be obtained by contacting the Office of Civil Rights, 202-501-0767.