

# The Basics of Section 508

(It's simpler than you think)


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This presentation covers “3 W’s and the H” of Section 508: what it is, why you should apply it, when it applies, and how to begin applying it in your office. By the end the presentation I hope you will agree that becoming 508 compliant is simpler than you think.

Please write down any questions. We should have time for discussion at the end.



## Key terms to know


- **Electronic and Information Technology (EIT)**
  1. Software
  2. Internet/Intranet
  3. Telecom products
  4. Multimedia
  5. "Closed" Products
  6. Hardware
- **Access Board** – federal agency that created the compliance standards for each type of EIT above.
- **Federal Acquisition Regulation (FAR)** – basic rules governing 508 procurement.

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The 508 law itself (<http://www.access-board.gov/sec508/guide/act.htm>) doesn't require anything specific. It says what to do, but it doesn't say how to do it. The authors of the law left that up to the Access Board ([www.access-board.gov](http://www.access-board.gov)) and the FAR (<http://www.section508.gov/index.cfm?FuseAction=Content&ID=13>) to determine. These are the only two federally sanctioned rulings concerning section 508. The rulings submitted by these two entities must be followed in order to be in compliance with section 508.

508 applies only to Electronic and Information Technology (EIT). For 508 purposes, the Access Board defined six types of EIT and wrote the standards for compliance with each type. The standards can be found here: <http://www.access-board.gov/sec508/standards.htm>. For example, if you are developing software, then in order to be in compliance with 508 you must comply with the 12 standards set out for software applications by the Access Board (<http://www.access-board.gov/sec508/guide/1194.21.htm>).

When procuring any of the six types of EIT, you must follow the basic 508 procurement rules established by the FAR. More on the procurement process is discussed later in this presentation.




## What is 508?

- A law requiring each federal executive-branch agency to ensure comparable access to its EIT systems for its employees and members of the public with disabilities.
- This is accomplished by adhering to the Access Board standards when developing EIT and the FAR when procuring EIT.

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“Employees” includes any disabled employees agencies might hire in the future, as well as current non-disabled employees that become disabled in the future. Section 508 addresses disabilities related to: blindness/low vision, deafness/low hearing, speech, and fine motor control.



## What 508 is NOT

508 does not require agencies to:


- create web-pages or software without color, animation, or other advanced GUI features;
- procure EIT they don't want or can't use just because it is 508 compliant;
- purchase any assistive technologies;
- change their hiring practices;
- or make case-by-case special accommodations for persons with disabilities.

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The Access Board standards ([www.access-board.gov/508.htm](http://www.access-board.gov/508.htm)) are not meant to impede creative software or web-page design. The standards can be thought of as a set of “best practices” that enhance the user experience for persons with disabilities.

508 never requires agencies to procure EIT they can not use just because it is 508 compliant.

508 is pro-active, as opposed to other disability laws, such as the ADA, which can be re-active. Instead of instructing agencies to make case-by-case accommodations for disabled employees and members of the public, 508 requires that agencies pro-actively develop and procure accessible EIT systems so that they are available to persons with disabilities whenever and wherever accessibility is needed, now or in the future. **Again, the way to accomplish this is to comply with the Access Board standards during EIT development and to follow the 508 FAR ruling during EIT procurement.**



## Why comply with 508?

- 508 guards against unintentional discrimination by allowing the government to hire qualified disabled applicants.
- 508 prepares you for the unexpected.
- 508 allows disabled members of the public to interact with your agency.
- Accessible technology benefits non-disabled persons too.

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Complying with 508 provides equal opportunity to those who need it most—persons with disabilities. It means a government supervisor will never have to tell an applicant: “You’re qualified for this position, but because of your disability you can’t use our IT systems, so I’m sorry, we can’t hire you.”

Employees who suddenly become disabled, either because of a stroke, car accident, sports injury, or sudden loss of hearing or vision, etc, will be better equipped to perform their jobs if they can return to work in an environment with 508 compliant EIT. The more 508 compliant your EIT systems are, the quicker employees can resume their normal duties when they return to the office.

When your public interface EIT systems (such as your public website) are 508 compliant, disabled members of the public can more easily and efficiently interact with your agency.

Accessible EIT also benefits employees without disabilities, just as curb cuts in the sidewalk also assist parents pushing strollers; closed captioning helps everyone watch TV in a crowded or noisy place; and automated doors help people carrying packages or groceries.



## When doesn't 508 apply?


- 508 only covers EIT
- General exceptions, including:
  - national security systems
  - "back office" exception
- Undue burden

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508 only covers electronic forms of data dissemination (EIT), therefore 508 does not apply to hard copies such as the printout of the slideshow you are reading now. It is also important to note that EIT does NOT include documents (MS Word documents, PDFs, etc) or email **unless they are posted to a webpage.**

There are a couple of general exceptions when 508 does not apply during the development or procurement of EIT. These exceptions occur infrequently. When a general exception is declared for a particular procurement or development effort, agencies should document and explain the exception in writing. For more on general exceptions, see: <http://www.access-board.gov/sec508/standards.htm#Contents>.

Undue burden is what I call a "specific" exception, as opposed to the general exceptions noted above. It can be declared by an agency if complying with the 508 law for a specific development or procurement action would create a "significant difficulty or expense". **However**, when an agency declares an undue burden, it must by law do two things. First, it must still provide the information and data involved to disabled persons by an alternative means of access. Doing so is often more arduous and expensive that it would have been to make the EIT in question 508 compliant in the first place. For example, if for some reason it is not possible to provide certain data on your public website in compliance with 508, your agency must make that information available in another way. One way to do this might be to allow disabled members of the public to call a toll free phone number and have the information read to them over the phone. Second, when agencies elect undue burden, they must also provide documentation in writing explaining why, and to what extent, the undue burden exists.



## The 508 development process

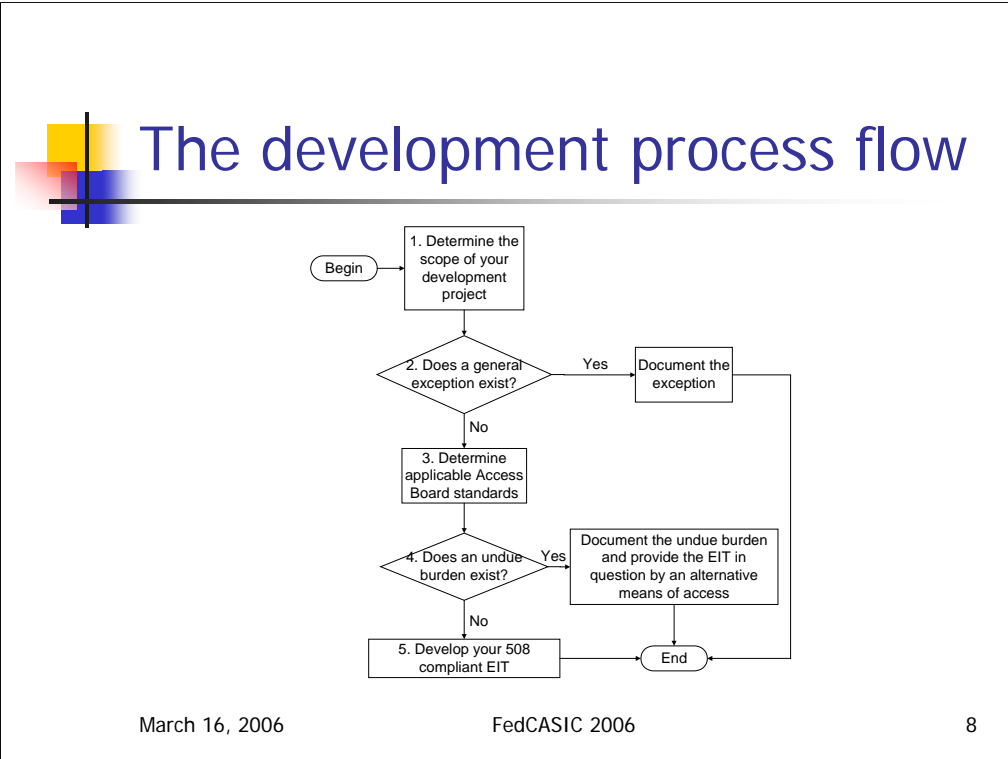
- Determine project scope and applicable Access Board standards.
- Use the Access Board guidelines and the Quick Reference Guide to understand the standards.
- Build, test, deploy, and document your 508 compliant EIT.

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What type of system are you building? Is it software? Web-based? Does it contain multimedia properties? Are you building computer hardware? The first steps are to determine the scope of your project and which Access Board standards apply to it. If your system falls into two or more categories of EIT, the standards from each category apply.

Make sure your system analysts, design teams, developers, and testers all have a good understanding of the standards that apply to your system. The two resources that can best assist you in interpreting and understanding the Access Board standards are the Access Board's own guidelines to the standards (<http://www.access-board.gov/sec508/guide/index.htm>) and the Accessibility Forum's Quick Reference Guide ([http://www.accessibilityforum.org/paper\\_tool.html](http://www.accessibilityforum.org/paper_tool.html)). You can also email the Access Board directly with questions about the standards at [508@access-board.gov](mailto:508@access-board.gov).

Once the necessary personnel have a solid understanding of the Access Board standards that apply to the system you are building, you are ready to build 508 compliant EIT. Comply with as many of the applicable standards as possible even if, for whatever reason, you are unable to comply with all of them. Make sure to consider the standards early in the analysis and design phases of your project as opposed to waiting until development begins. It is also a good idea to document the 508 compliancy of your developed EIT as a reference point for future releases.







## The 508 procurement process

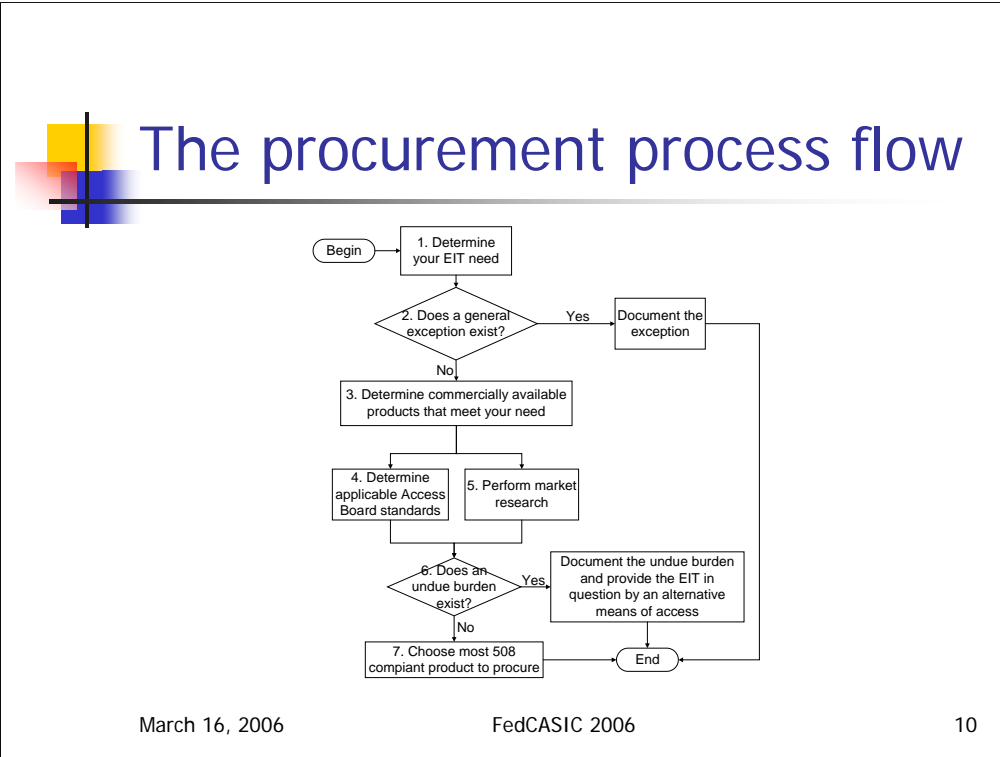
- Determine your EIT need and all available products that meet it.
- Determine which Access Board standards apply and perform market research.
- Procure the most 508-compliant product that meets your need.


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Section 508 requires agencies to procure the “most 508 compliant” product that meets their need. The first steps are to determine what your EIT need is and what products or services are commercially available to meet that need.

Next, you have to perform market research to determine which of the available products you identified is the most 508 compliant product. Different agencies have different guidelines for what they consider to be adequate market research. At a minimum, you should contact the vendor of each available product you identified and inquire about the product’s level of 508 compliance. Vendors often volunteer this information on their websites in the form of a Voluntary Product Assessment Template (VPAT). If the information you seek is unavailable online, you may need to contact the vendor directly. For an example of a well-constructed, detailed VPAT, visit HP’s webpage here and choose one of their products:  
<http://vgwh3pro.cce.hp.com/508/>

Finally, after you have performed your market research, procure the most 508-compliant product available.





## Conclusion

- 508 is a federal law that provides accessible government EIT to persons with disabilities.
- The Access Board standards and the FAR set out the specific requirements of the 508 law.
- 508 does not require agencies to fundamentally alter their existing development or procurement processes.
- There are basic 508 development and procurement processes that agencies can follow to comply with the 508 law.

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## Resources

- Actual 508 Law: <http://www.access-board.gov/sec508/guide/act.htm>
- The government's official 508 website: [www.section508.gov](http://www.section508.gov)
- Access Board Standards: <http://www.access-board.gov/sec508/standards.htm>
- Accessibility Forum's Quick Reference Guide: [http://www.accessibilityforum.org/paper\\_tool.html](http://www.accessibilityforum.org/paper_tool.html)
- 508 and the FAR: <http://www.section508.gov/index.cfm?FuseAction=Content&ID=13>
- 508 on the BLS intranet: <http://italk.bls.gov/teamhome.php?GrpN=508Team>

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# Discussion

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