

ACCESSIBLE INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)

- 1. REASON FOR ISSUE:** This directive revises policy and assigns administrative responsibility to the Assistant Secretary for Information and Technology (CIO) to ensure that VA's information and communications technology (ICT) is accessible by VA employees and members of the public with disabilities. This directive implements Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended by the Workforce Investment Act of 1998, Public Law 105-220.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This directive is being reissued to set forth, in more detail, the responsibilities for implementing and managing the Department-wide Section 508 Program.
- 2. RESPONSIBLE OFFICE:** The Office of the Assistant Secretary for Information and Technology (005), Enterprise Project Management Office (EPMO), Application Management Division, Software Testing and 508, Section 508 Office is responsible for the material contained in this directive.
- 3. RELATED HANDBOOK:** VA Handbook 6221, Accessible Electronic Information and Technology.
- 4. RESCISSION:** VA Directive 6221, Accessible Electronic and Information Technology, dated December 1, 2008.

CERTIFIED BY:

/s/
Dat P. Tran
Acting Assistant Secretary for
Office of Enterprise Integration

**BY DIRECTION OF THE
SECRETARY OF VETERANS
AFFAIRS:**

/s/
ROB C. THOMAS, II
Acting Assistant Secretary for
OI&T
Chief Information Officer

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ACCESSIBLE INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)

1. PURPOSE AND SCOPE

a. This directive provides VA-wide policy to ensure that VA employees and members of the general public with disabilities have access to and use of VA's information and communications technology (ICT) comparable to that provided to non-disabled persons. This is in compliance with Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended by the Workforce Investment Act of 1998 (Public Law 105-220).

b. Section 508 of the Rehabilitation Act of 1973, as amended, requires that all ICT developed, procured, maintained or used by Federal agencies on or after June 21, 2001, must meet ICT accessibility standards developed by the United States Access Board (Access Board), as set forth at 36 CFR Part 1194. The law also requires Federal agencies to ensure that individuals with disabilities who are Federal employees or members of the public seeking information or services from a Federal agency, have access to and use of information and data comparable to that provided to Federal employees or members of the public who are not individuals with disabilities, unless an undue burden would be imposed on the agency.

c. This policy supports MyVA Objectives: Improving the Veteran Experience and Improving the Employee Experience.

2. POLICY

a. VA shall implement the Department-wide Section 508 Program through the VA 508 Office within the Office of Information and Technology (OI&T).

b. VA will ensure that all employees and members of the public with disabilities have access to and use of information and data consistent with requirements of Section 508 of the Rehabilitation Act, as amended.

c. VA will meet ICT accessibility standards developed by the Access Board.

3. RESPONSIBILITIES:

a. **The Secretary of Veterans Affairs.** The Secretary has designated the Assistant Secretary for Information and Technology, and Chief Information Officer (CIO), as the senior agency official responsible for VA's information technology (IT) programs.

b. **The Assistant Secretary for Information and Technology.** The Assistant Secretary for Information and Technology, as the VA CIO, has established a Section 508 Office within OI&T, with its assigned duties including but not limited to:

- (1) Establish the Department's Section 508 Office responsible for managing the Section 508 Program for VA, to ensure that requirements of this directive are complied with and that Section 508 conformance is incorporated into ICT system development and ICT procurements.
- (2) Measure and track conformance to Section 508 by ICT resources, data and computer support to employees with disabilities.
- (3) Ensure the One-VA Enterprise Architecture Framework encompasses a process for testing and evaluating VA systems and applications to ensure they meet the Access Board's accessibility standards and conform to legislative requirements of Section 508.
- (4) Review and evaluate ICT requests for deployment recommendations, to ensure conformance with Section 508 and Office of Management and Budget's (OMB) Exhibit 300 legislative requirements.
- (5) Help ensure existing automated ICT is applied to practical utilizations for employees and veterans with disabilities and keep abreast of sophisticated technologies useful to individuals with disabilities.
- (6) Ensure technical support and assistance is provided to employees with disabilities, their managers and computer support personnel; and ensure assistance in interfacing accommodations with VA's Enterprise Architecture infrastructure. Refer any general access concerns (including how to obtain a reasonable accommodation) to the Deputy Assistant Secretary for Diversity and Inclusion, who has responsibility for administering the Department's reasonable accommodations process.

- (7) Ensure assistance is provided for managers of employees with disabilities in acquiring guidance on appropriate agency ICT resources, computer accommodations, and adaptive and non-adaptive systems training.
- (8) Ensure VA Directive 6221, related handbooks and/or associated documents are kept current.
- (9) Ensure all VA requests for exceptions to Section 508 requirements are evaluated and approved/disapproved.
- (10) Assist the Assistant Secretary for Information and Technology in responding to the Department of Justice Attorney General's biennial report to the President on the Section 508 survey regarding accessibility of Federal ICT.
- (11) Ensure Section 508 Awareness Training is provided.
- (12) Ensure this directive is provided in accessible formats.
- (13) Designate the Department's Section 508 Coordinator within OI&T.
- (14) Develop, review, and coordinate accessibility policy with all VA administrations and staff offices.
- (15) Establish Department-wide processes to ensure, monitor, and report on conformance with laws, regulations, and guidance.
- (16) Attend General Services Administration's (GSA) interagency meetings, Section 508 workgroup meetings, and other related conferences and forums on IT accessibility.
- (17) Collaborate with the Office of Diversity and Inclusion (ODI) to ensure that VA employees who require adaptive technology as a form of accommodation receive appropriate guidance.
- (18) Make recommendations and develop policies and procedures to implement requirements of the Rehabilitation Act, as amended.
- (19) Provide recommendations on how to fully integrate Section 508 accessibility requirements into VA's Strategic and IT Investment Management Plans and acquisition processes.
- (20) Provide recommendations, support, and training regarding Section 508 requirements.
- (21) Identify current needs in response to accessibility issues and make recommendations on solutions to ICT deficiencies that impact persons with disabilities.

c. Principle Executive Director, Office of Acquisition, Logistics, and Construction.

The Principle Executive Director, Office of Acquisition, Logistics, and Construction shall designate the Deputy Assistant Secretary for Acquisition and Logistics responsible for developing policy and procedures that ensure VA's ICT procurements comply with Section 508 requirements by obtaining input from VA's Section 508 Office.

d. The Assistant Secretary for Human Resources and Administration. The Assistant Secretary for Human Resources and Administration shall designate the Deputy Assistant Secretary for Diversity and Inclusion to work with the Assistant Secretary for Information and Technology to ensure there is continuity between the two offices responsible for the Department's compliance with sections 504 and 508 of the Rehabilitation Act of 1973.

e. Under Secretaries, Assistant Secretaries, Program Managers, and Other Key Officials will:

- (1) Procure ICT that best meets accessibility standards developed by the Access Board.
- (2) Include funds in their IT budgets (OMB Exhibit 300) to support procurement, development, and maintenance of ICT in conformance with Section 508 requirements.
- (3) Ensure that all systems and applications developed, procured, maintained or used by VA have been analyzed, tested and evaluated in coordination with the Department's Section 508 Office for conformance with the legislative requirements of Section 508.
- (4) Adhere to established enterprise-wide Section 508 policies and procedures.
- (5) Coordinate 508 initiatives with the Department's Section 508 Office.
- (6) Submit all requests for exceptions to Department's 508 Office for review/approval.
- (7) Provide in all solicitations appropriate VA contract language that supports the implementation of Section 508 standards in ICT procurements.
- (8) Work with employees with disabilities in consultation with the Office of Diversity and Inclusion and the Section 508 Office to ensure that the affected employee receives an appropriate reasonable accommodation.
- (9)

4. REFERENCES

- a. Clinger-Cohen Act of 1996.
- b. Federal Acquisition Regulation – Final FAR Ruling 48 CFR Parts 2, 7, 10, 11, 12, and 39 (FAC 97-27; FAR Case 1999-607).
- c. Public Law 105-220, Workforce Investment Act of 1998, Amendment to Section 508 of the Rehabilitation Act (29 USC 794d).
- d. Public Law 106-246, Amendment to Section 508 of the Rehabilitation Act (FY 2001 Appropriation for Military Construction).
- e. 36 CFR Part 1194, Information and Communication Technology Standards and Guidelines.
- f. Section 504 of the Rehabilitation Act of 1973, as amended.
- g. 29 CFR Part 32, Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance.
- h. VA Directive 5975, Diversity and Inclusion.
- i. VA Directive 5975.1, Processing Requests for Reasonable Accommodation by Employees and Applicants with Disabilities.

5. DEFINITIONS

a. **Computer Accommodation.** Computer accommodation is a specific category of reasonable accommodation which relates to the acquisition or modification of workstations, software, or electronic office equipment to accommodate the known physical or cognitive limitations of employees with disabilities, through the provision of VA ICT resources, unless VA demonstrates that the requested accommodation would impose an undue hardship on the operation of the program.

b. **Reasonable Accommodation.** An adjustment to job duties or to the work environment that assists a qualified individual with a disability in performing the essential duties of his or her position; or a modification of or adjustment to the job application process that enables a qualified person with a disability to be considered for the position sought. Reasonable accommodations may include but are not limited to:

- (1) Making facilities readily accessible to, and usable by, individuals with disabilities;

- (2) Job restructuring;
- (3) Allowing a part-time or modified work schedule;
- (4) Obtaining or modifying equipment or devices;
- (5) Appropriately adjusting or modifying examinations and training materials;
- (6) Providing readers, interpreters, and other auxiliary aids;
- (7) Ensuring that all contracts for use of external facilities reflect the obligation that such facilities are accessible to qualified individuals with disabilities; and,
- (8) Reassignment to another position.

c. Information and Communications Technology (ICT). This includes, but is not limited to, telecommunications products (such as telephones); information kiosks and transaction machines; Web sites; multimedia products; office equipment such as copiers and fax machines; computers; ancillary equipment; software; firmware; and similar products, services (including support services), and related resources.

d. Employee with Disabilities. A person who has a physical or cognitive impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. In general, this includes individuals with significant vision, hearing, dexterity, cognitive, or mobility impairment.