



May 27, 2015

Timothy Creagan  
Office of Technical and Information Services  
Access Board  
1331 F Street NW, Suite 1000  
Washington, DC 20004

Re: Docket No. ATBCB–2015–0002

Dear Mr. Creagan:

On behalf of the 1 in 5 students with learning and attention issues and their families, the National Center for Learning Disabilities (NCLD) appreciates the opportunity to comment on the proposed changes to Section 508 of the Rehabilitation Act of 1973, and its guidelines for telecommunications equipment and customer premises equipment covered by Section 255 of the Communications Act of 1934. Technology is critical to allowing individuals with disabilities full access to written materials. It is equally important that regulations keep up with ever-changing technology so that individuals with disabilities can fully access materials and participate in society. **Therefore, we encourage the Access Board revisit these proposed changes to ensure that individuals with learning disabilities – such as dyslexia (a disability in reading) or dysgraphia (a disability in writing) – are fully considered and included in the regulations and will receive full access to content covered under these regulations.**

Overall, NCLD supports changes that will improve interoperability among technology and increase access for all individuals with disabilities. We are pleased that the proposed changes would set uniform accessibility standards and align the regulations with the most widely-used and up-to-date technical specifications. However, we are concerned that the proposed changes to the regulations do not adequately include and address the needs of individuals with learning disabilities, including disabilities in reading and writing (such as dyslexia and dysgraphia).

The existing regulations are written in an inclusive way, ensuring full access for individuals with learning disabilities. Specifically, under §1193.33 and §1194.41 of the existing regulations, alternate formats must be provided to any “end user” who requires an alternate format to access the materials. This allows for any person with a disability to request and be provided with material in an alternate format that is fully accessible, such as audio format. However, the proposed regulations are much more exclusive. In the proposed regulations, Section 602.4 of the NPRM discusses alternate formats and, as written, would provide alternate formats to only two categories of individuals with disabilities: individuals who are blind or have low vision. By deliberately excluding other types of disabilities, those individuals who require an alternate format, such as audio, may be denied access to materials in the format accessible to them.

It is certainly our hope that the Access Board does not intend to limit access to only one or two subpopulations of individuals with disabilities. To mitigate any misinterpretation of the new regulations, NCLD urges the Access Board to clarify in the final regulations that any individual with a disability should have access to alternate formats, as discussed in section 602.4.

Technology is a critical tool for individuals with learning disabilities. Individuals with learning disabilities, such as dyslexia and dysgraphia, often rely on text-to-speech and speech recognition technology to allow them to fully access written materials. It is critical that alternate formats (like audio) are available to these individuals in order to fully access the content. Therefore, these regulations must be revised to fully consider and address the needs of individuals with learning disabilities.

We appreciate the opportunity to comment on the proposed changes to Section 508 of the Rehabilitation Act of 1973, and its guidelines for telecommunications equipment and customer premises equipment covered by Section 255 of the Communications Act of 1934. We look forward to seeing individuals with learning disabilities more comprehensively included in these regulations so that they may utilize technology to fully access all covered content.

Sincerely,

A handwritten signature in blue ink, appearing to read "LEJ", is positioned below the word "Sincerely,".

Lindsay E. Jones, Esq.  
Director, Public Policy & Advocacy  
National Center for Learning Disabilities