

Telecommunications Access for People with Disabilities

FCC rules under Section 255 of the Communications Act require telecommunications equipment manufacturers and service providers to make their products and services accessible to people with disabilities, if such access is readily achievable. Where access is not readily achievable, manufacturers and service providers must make their devices and services compatible with peripheral devices and specialized customer premises equipment that are commonly used by people with disabilities, if such compatibility is readily achievable.

Products and services covered under Section 255

FCC rules cover all hardware and software telephone network equipment and telecommunications equipment used in the home or office. Such equipment includes telephones, wireless handsets, fax machines, answering machines and pagers.

FCC rules cover basic and special telecommunications services, including regular telephone calls, call waiting, speed dialing, call forwarding, computer-provided directory assistance, call monitoring, caller identification, call tracing and repeat dialing, as well as voice mail and interactive voice response systems that provide callers with menus of choices.

Definitions

Accessible: A product or service is deemed accessible if it provides accessible input, control and mechanical functions, as well as accessible output, display and control functions. For example, a pager that has both audio and visual controls for inputting information, as well as both audio and visual methods for retrieving messages, would be accessible to a person who is blind or deaf.

Usable: For a product or service to be usable, people with disabilities must be able to learn about and operate the product's or service's features effectively. This requirement includes providing access to information and documentation for the product or service, including instructions and user guides. In addition, companies must provide functionally equivalent access to support services, such as technical support hotlines and databases, call centers, service centers, repair services and billing services.

Compatible: The FCC requires that, where accessibility is not readily achievable, a product or service must be made compatible with peripheral devices or specialized equipment, if compatibility is readily achievable. Peripheral devices are devices that help make telecommunications products and services accessible to individuals with disabilities. Examples are teletypewriters (TTYs), visual signaling devices and amplifiers. To achieve compatibility, the FCC rules require:

- external electronic access to all information and control mechanisms
- a connection point for external audio processing devices
- the ability to connect with TTYs
- the ability to use TTY signals

Identifying access needs

Companies should engage in a number of activities to identify barriers to accessibility and usability. For example:

- When conducting market research, product design, testing, pilot demonstrations and product trials, companies should include individuals with disabilities in target groups for such activities.
- Companies should work cooperatively with disability-related organizations.
- Companies should undertake reasonable efforts to test access solutions with people with disabilities.

When must manufacturers and service providers evaluate access needs?

Manufacturers and service providers must evaluate the accessibility, usability and compatibility of their equipment and services as early and consistently as possible throughout their design, development and manufacture. In addition, companies must review their products for accessibility at every "natural opportunity," including when they re-design products, upgrade services, or significantly change the way they group together product and service packages. Cosmetic changes that do not change the product's actual design may not trigger the need to reevaluate access.

Do companies need to review all their products and services for accessibility and usability?

Yes. Accessibility and usability must be assessed for individual products and services. Accessibility features that can be incorporated into the design of products or services with very little or no difficulty or expense must be put in each and every product or service.

How will the FCC determine which actions are readily achievable?

The "readily achievable" standard requires companies to incorporate access features that are easily accomplishable without much difficulty or expense. In determining what is readily achievable, companies must balance the costs and nature of the access required with their available resources. Companies that have great resources will need to do more to achieve access than companies with smaller budgets.

The FCC will make readily achievable determinations on a case-by-case basis.

Is network architecture covered by the FCC's Section 255 rules?

In addition to covering equipment and services, the FCC's rules require network architecture to be designed in a way that does not hinder access by people with disabilities. Network architecture covers the public switched telephone network, and includes hardware or software databases associated with routing telecommunications services.

How can I contact manufacturers and service providers about access concerns?

Although not required to do so, you may want to contact a manufacturer or service provider before filing a complaint with the FCC. Telecommunications service providers and equipment manufacturers must provide the FCC with the name and contact information of the person (or persons) in their companies who are authorized to resolve accessibility complaints. The FCC makes this information available to consumers who want to contact the company's customer care representative directly about accessibility questions, concerns, or complaints. You can find this contact information on the FCC's website at <http://apps.fcc.gov/rccci-search/>, by sending an email to dro@fcc.gov, or by calling 202-418-2517 (voice) or 202-418-2922 (TTY).

Filing a complaint with the FCC

To implement the Twenty-First Century Communications and Video Accessibility Act, the FCC changed the way it handles complaints about access to telecommunications services and equipment.

Before an informal complaint can be filed, consumers with disabilities (or their representatives) must request assistance from the FCC Disability Rights Office. The Disability Rights Office will work with the consumer and the company for at least 30 days to try to resolve the accessibility problem.



The best way to provide the information that the Disability Rights Office needs to assist you, is to complete the Request for Dispute Assistance (RDA Form) online at <https://esupport.fcc.gov/ccmsforms/RDAformEnglish>. You may also download or print the RDA Form at <http://transition.fcc.gov/cgb/consumerfacts/FormRDA.pdf>. If you use the latter method, complete and submit your downloaded/printed request and any supporting documentation to the Disability Rights Office by email to dro@fcc.gov, by fax to 202-418-0037, or by mail to:

Federal Communications Commission
Consumer and Governmental Affairs Bureau
Disability Rights Office
445 12th Street, SW
Washington, D.C. 20554

If you are unable to obtain or use an RDA Form, your request for assistance should include the following:

- your name, address, telephone number, and email address
- if communication by telephone or email is not accessible to you, your preferred method of communication
- the name of the manufacturer or service provider
- the type of device, model number, and any software involved
- when you purchased, acquired, or used (or tried to purchase, acquire, or use) the service or equipment
- when you became aware of the accessibility problem
- the way the service or equipment is not accessible to or usable by you
- if you contacted the company about your accessibility problem, how the company responded
- what you want the company to do to resolve your accessibility problem
- any other information or documentation you think may help describe or resolve your accessibility problem

Your Request for Dispute Assistance will be assigned a case number. If your accessibility problem is not resolved in 30 days, you have two choices:

- you may request an additional 30 days for assistance to try to resolve your accessibility problem; or
- you may file an informal complaint about the accessibility problem with the FCC Enforcement Bureau.

To request an additional 30 days or file an informal complaint, contact the Disability Rights Office at 202-418-2517 (voice) or 202-418-2922 (TTY), by email to dro@fcc.gov, by fax to 202-418-0037, or by mail to the address above. You will need to provide your last name, zip code, and your Request for Dispute Assistance case number. If you take no action for 60 days after the 30-day time period ends, your case will be closed.

Accessible formats

To request this article in an accessible format - braille, large print, Word or text document or audio - write or call us at the address or phone number above, or send an email to fcc504@fcc.gov.

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