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Term Paper

ANSI A117.1 :
Cornerstone of U.S. Accessibility Standards Development

By

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1. Introduction

The Americans with Disabilities Act of 1990 (ADA) is a landmark civil rights law that both identifies and prohibits discrimination on the basis of disability. The Act prohibits discrimination in employment, telecommunications, transportation, access to facilities and programs provided by State and local government entities, and access to the goods and services provided by places of public accommodation such as lodging, health, and recreation facilities. People who design and construct buildings and facilities are responsible under the ADA to make them accessible to and usable by people with disabilities. Although the ADA is the most comprehensive Federal law protecting the rights of people with disabilities, several important pieces of legislation and accessible design standards helped pave the way for passage of the ADA. This research paper serves to inform the reader of the history, influence and development of American National Standard ANSI A117.1, the cornerstone of U.S accessibility standards development.

2. Disability Rights Movement

The Civil Rights Movement of the 1960's gave rise to other civil rights movements, most notably the Women's Rights Movement and the Disability Rights Movement. While minorities and women were protected by civil rights legislation passed by the United States Congress during the 1960's, the rights of people with disabilities were not protected by federal legislation until much later.

Accessibility standards grew out of the Civil Rights Movement of the 1960's. During that decade, three major pieces of civil rights legislation were passed by the United States Congress. These three major pieces of civil rights legislation are the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Civil Rights Act of 1968 which covers fair housing for minorities. The Civil Rights Act of 1964 was broad in scope and covered those receiving federal funds, employers, places of public accommodation such as bus stations restrooms and lunch counters. It prohibited discrimination on the basis of race, religion and national origin. However, the Civil Rights Act of 1964 did not protect people with disabilities.

Discrimination against people with disabilities would not be addressed until

1973 when Section 504 of the Rehabilitation Act of 1973 became law and later still in 1990 when the Americans with Disability Act was passed. The Voting Rights Act of 1965 protects the rights of minorities to vote in elections. The Civil Rights Act of 1968 includes Title VIII which prohibits discrimination on the basis of race, religion, national origin and sex in the sale and rental of housing. In this legislation, women have been recognized as a covered class, but the Fair Housing Act, like the Civil Rights Act of 1965, did not protect people with disabilities. In 1988, the Fair Housing Act was amended to add two new classes, people with disabilities and families with children. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of a disability towards otherwise qualified people with disabilities by recipients of federal financial assistance. But Section 504 did not protect people with disabilities from discrimination by employers, by public accommodations in the private sector, by publicly funded programs and by those providing federal financial assistance. It took the ADA to address these areas not covered by Section 504. The Individuals with Disabilities Education Act (IDEA), formerly the Education for all Handicapped Children Act, requires that all children with disabilities receive a free, appropriate public education in the least restrictive environment. Public schools have obligations to students with

disabilities under IDEA and the ADA. Public schools are local government agencies and under the ADA, they have obligations to students with disabilities who qualify for services under IDEA and also to other students with disabilities, employees, parents and members of the public who have disabilities.

3 History of ANSI A117.1

In 1959, the President's Committee on Employment of the Physically Handicapped and the National Society for Crippled Children co-sponsored the development of ANSI A117.1, the first national standard for accessibility (PLAE, Inc., 1993). ANSI standards are developed through a consensus process involving all directly and materially affected interests. Compliance with ANSI Standards is voluntary (ANSI A117.1, Council of American Building Officials, 1992). The technical provisions of ANSI A117.1 are intended for "the design and construction of new buildings and facilities," as well as the "remodeling, alteration, and rehabilitation of existing conditions" (ANSI A117.1, Council of American Building Officials, 1992). Technical provisions delineate how features should be designed and installed. Technical information in ANSI A117.1 is largely based on anthropometric, ergonomic, and human performance data. ANSI A117.1 does not include

scoping provisions, which describe where accessibility is appropriate; when it is required; and what features of a building, facility, or site must be accessible. With the Easter Seals Society and President's Committee on Employment of People with Disabilities as its Secretariat, ANSI A117.1 was first published in 1961. There were minimal sets of requirements, minimal scoping of applications and primary concern was with wheelchair access. ANSI A117.1 was reaffirmed without changes in 1971. In 1980, a completely new and more comprehensive version of ANSI A117.1 was published that dramatically expanded the scope of the original standard. It was a new format with housing being introduced for the first time, criteria being based on systematic research, adaptability concepts introduced and new emphasis made on accommodating disabilities beyond wheelchair use. Later editions were published in 1986 that initially attempted to remove scoping criteria and proposed minimal changes to technical criteria. Editions were later published in 1992, and 1998.

4 The Influence of ANSI A117.1

Although ANSI A117.1 is a voluntary standard, it has been adopted as an enforceable code by many State and local agencies that regulate the design and construction of built facilities. The technical requirements in

ANSI A117.1 are also referenced in the model building codes established by regional organizations such as the following:

- Building Officials and Code Administrators International (BOCA)
- International Conference of Building Officials (ICBO)
- Southern Building Code Congress International (SBCCI)

Agencies and organizations that reference ANSI A117.1 must establish scoping specifications because the ANSI guidelines contain only technical requirements. ANSI A117.1 has served as the basis for most of the accessibility standards subsequently adopted by Federal and State governments.

5 ANSI A117.1 Development Procedures

In 1987, the Council of American Building Officials(CABO), the umbrella organization for BOCA, ICBO and SBCCI, assumed Secretariat for the ANSI Accredited Standards Committee to develop standards more compatible with building code format and language. The CABO/ANSI A117.1 standard is developed through a process that is consistent with procedures developed by ANSI for all voluntary standards. These development procedures follow the Accredited Committee Model, whereby any person, organization, company or government agency with a “direct material interest” in a standard has the right to participate.

Participation includes:

1. Expressing a position on its basis
2. Having the position considered
3. Appealing if adversely affected

ANSI due process requirements insure:

1. Openness
2. Balance of Interest Categories
3. Written Procedures
4. Appeals
5. Notification
6. Consideration of Views and Objection

Although the process used in the formulation of the revisions is open and democratic, having one's voice heard requires commitment to make proposals in writing.

6 Accessibility Legislation in the U.S.

The Vocational Rehabilitation Amendment Act of 1965 (P.L. 89 –333) was passed by Congress to encourage public facilities to comply with ANSI A117.1. The Act established the National Commission on Architectural Barriers to Rehabilitation of the Handicapped to study how and to what extent architectural barriers impeded access to or use of facilities in buildings, and what, if anything was being done to eliminate barriers. The Commission concluded that the public was largely ignorant of disability access problems and that little was being done to provide access. The

passage of the Architectural Barriers Act (ABA) in 1968, legislated the requirement that that buildings and facilities designed, constructed, or altered with Federal funds, or leased by a Federal agency, must comply with standards for physical accessibility. The ABA signaled the first time physical access to buildings was required by Federal law. Initially referencing ANSI A117.1 of 1961 and 1971, the ABA required the U.S. Department of Defense, the U.S. Department of Housing and Urban Development, the U.S. General Services Administration and the U.S. Postal Service to develop accessibility standards for all buildings and facilities covered by the ABA. A profound shift in Federal policy for people with disabilities was introduced with the Rehabilitation Act (P.L. 93-112) as it required non-discrimination in the employment practices of Federal agencies of the executive branch in Section 501 and Federal contractors in Section 503. Section 502 of the Rehabilitation Act established the U.S. Architectural and Transportation Barriers Compliance Board (U.S. Access Board or U.S. ATBCB) as an independent regulatory agency with authority to enforce the ABA. The hallmark of accessibility legislation, Americans with Disabilities Act (42 U.S.C. 12181) is eventually passed by Congress in 1990 prohibiting discrimination on the basis of disability by public accommodations and requires places of public accommodation and

commercial facilities to be designed, constructed, and altered to allow access to persons with disabilities.

7 DOJ Code of Federal Regulations : Title III

In 1991, the Department of Justice Code of Federal Regulations : Title III (28 CFR Part 36, revised July 1, 1994) is derived to administer the Americans with Disabilities Act of 1990 in specific reference to the accessibility standards for Public Accommodations and Commercial Facilities. Parts of DOJ CFR : Title III technical specifications 4.2 through 4.35 are the same as those of the American National Standard Institute's document A117.1-1980. However, sections 4.1.1 through 4.1.7 and sections 5 through 10 are different from ANSI A117.1 in their entirety.

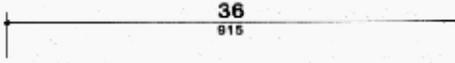
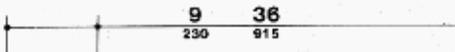
Convention	Description
	Typical dimension line showing (U.S. customary units (in inches) above the line and SI units (in millimeters) below
	Dimensions for short distances indicated on extended line
	Dimension line showing alternate dimensions required
	Direction of approach
max	Maximum
min	Minimum
	Boundary of clear floor area
	Centerline

Fig 1 : Graphic Conventions used in DOJ CFR : Title III

8 ICC and ANSI A117.1

The International Code Council (ICC) was established in 1994 by BOCA, ICBO and SBCCI as a nonprofit organization dedicated to developing a single set of comprehensive and coordinated national model construction codes. The ICC has since taken over from CABO as Secretariat for the ANSI Accredited Standards Committee, issuing the ICC ANSI A117.1 in 1998 and 2003. Last year, the International Code Council (ICC) launched the three-year cycle to develop the 2008 edition of ICC ANSI A117.1, Standard for Accessible and Usable Buildings and Facilities. Positions on the proposed changes will be developed by the AIA Codes and Standards Committee to assist AIA representatives to the ANSI committee in their efforts. ICC ANSI A117.1-2008's first committee meeting is being held in Washington, D.C., July 24-28, 2006.

9 Conclusion

Through openness and due process, ANSI standards development has been the backbone of accessibility standards development in the U.S.

There is no doubt that the initial establishment of American National Standard ANSI A117.1 in 1961 and its further development by agencies and organizations like CABO and ICC has had an overwhelming effect on the passage of other accessibility standards and legislation, the pinnacle of which being the Americans with Disability Act in 1990. However, in evaluating ANSI A117.1 development process, it is important to note that it is due to Congress's recognizing the ineffectiveness of voluntary compliance that resulted in the passing of accessibility legislations that we see today in the United States.

10 References

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5. Legislation : U.S. Congress (July 1990). Americans with Disability Act (42 U.S.C. 12181) (USC)

6. Federal Regulation : U.S. Department of Justice (1991). DOJ Code of Federal Regulations : Title III (28CFR Part 36) (DOJ)