

**Election Assistance Commission Public Meeting -- October 8, 2009  
Panel on Voting Accessibility for the Disabled Community  
Remarks by David Baquis, U.S. Access Board**

Thank you Commissioners for the invitation to address you on matters related to accessibility for persons with disabilities. My name is David Baquis and I work as an Accessibility Specialist at the U.S. Access Board. The Access Board is an independent Federal agency devoted exclusively to issues of accessible design. We are perhaps best known for writing the Americans with Disabilities Act Accessibility Guidelines and Section 508 Standards. I specialize in areas that pertain specifically to information and communication technology (ICT) access.

I wish to recognize Ron Gardner from Utah and Phill Jenkins from Texas, who are Presidentially-appointed Access Board members that serve on both the EAC Board of Advisors and Technical Guidelines Development Committee. I would also like to acknowledge David Capozzi, Executive Director of the Access Board, who is present today in the audience.

I would like to begin with a statement of appreciation. The EAC has, from the start, generously devoted time to accessibility in its advisory meetings and added a substantial number of accessibility provisions to the Voluntary Voting Systems Guidelines. However, recently, it has undertaken an impressive accessibility initiative that includes, but is not limited to: a video on accessibility; a portion of its website devoted to accessibility; and plans to develop a Quick Start Guide on accessibility and a new chapter in the Election Management Guide on accessibility. Of course, it is exciting that the EAC was authorized to fund research on accessibility. I think EAC is on the right track by convening public information meetings to gather input on the technical assistance materials as well as recommendations on use of the grant money. At the Access Board, we call this an open and inclusive process.

I was asked to comment on the *Rutgers Study on Disability and Voter Turnout in the 2008 Elections*. The Access Board is interested in identifying and removing barriers to full participation. One of the most fascinating statistics, recently noted by Jim Dickson of the American Association of People with Disabilities, is that 41% of people with disabilities (who voted) voted by absentee ballot. Use of polling places must remain a high priority and it would be interesting to learn whether those voters were concerned about the accessibility of the polling place or voting system. In addition, accessibility of absentee voting is an issue worth considering for research.

Since the intent of today's panel is to serve as a prelude to the upcoming EAC Roundtable on Accessibility and Research, I would like to note some other issues that may be considered for research. You may wish to approach the Rehabilitation Engineering Research Center on Technology Transfer (<http://t2rerc.buffalo.edu/>) and the Interagency Committee on Disability Research (<http://www.icdr.us/>) for their input.

### Accessible Verification

Above all else, I believe that the disability community will tell you that they would like a portion of the grant money used to fund research on accessible verification. This need not be limited to paper verification. However, where paper verification is considered, such research should consider the needs of people who are blind who can't read print on paper, people with low vision who want to read what is on the paper but may need larger font size or other features, and people with manual dexterity or motion disabilities who cannot handle paper.

### Development of Training Curricula

This could be divided into separate training modules for voters with disabilities, poll workers and election officials. Poll workers could learn about disability etiquette, ADA regulations, accessibility features of voting systems and best practices in providing technical assistance about accessibility to voters. The module for training voters could include an overview of polling place and voting machine accessibility as well as where to go to for assistance. Election officials could receive information on training trainers, as well as tips for communicating with the public about disability issues, convening a disability advisory group, and including people with disabilities as trainers. The recently convened EAC Accessibility Working Group to provide recommendations for written technical assistance specifically recommended the development of a training video, which could be specified in the contract as a deliverable. In addition, an interactive training course provided online could readily be shared by jurisdictions throughout the country.

### Interoperability between voting systems and assistive technology

The recent resolution by the Board of Advisors that recommended edits to the VVSG to support connection of user-provided switches is revolutionary. The voting machine could now be thought of as an open system (though limited), no longer a closed system. However, manufacturers of switches have raised a number of questions about requirements for supporting interoperability of switches and voting systems. Discussions with these companies could help inform research focus areas. Related to this is the possibility of new voting systems guidelines for UOCAVA that may allow attachment of assistive technologies to computer based voting systems. Guidance is also needed to provide promising practices regarding set-up and placement of accessible voting stations (e.g., consider privacy and glare).

### Usability of Accessibility

Usability and accessibility are generally considered separately, although some accessibility provisions, such as large font, also improve usability and are thus required of all voting systems, not just on accessible voting systems. One issue that was not fully addressed by the TGDC, however, is the fact that a design feature that is fully conformant with an accessibility requirement may have poor usability. If it is taking people with disabilities close to an hour, in some cases, to vote at an accessible voting station, then we need usability research to understand where the problems are and to propose possible solutions to making voting easier. We don't want to discourage them

from coming back to vote again in person! That includes usability research on voting through the use of assistive technology.

### Cognitive Disability

The TGDC felt that a number of provisions in the VVSG could provide secondary benefits to people with cognitive disabilities. For example, some people with reading disabilities could benefit by simultaneously hearing and seeing text to help them understand. However, it was felt that research was needed to help identify the needs of people with cognitive disabilities and to recommend possible design solutions. The issue of using icons on the ballot has been discussed, but the scope of research should be broader than that. One challenge is that the umbrella term “cognitive” encompasses a variety of people including those with intellectual disabilities, attention deficit disorder, psychiatric disabilities and learning disabilities. This kind of research could also help inform the Access Board’s current refresh of the ICT Standards and Guidelines.

### Personal Assistant Services (PAS)

Research may be needed to define requirements to support use of personal assistants. This may include a professional personal assistant hired by a person with a disability or a volunteer friend or family member of a voter who is providing requested help. There may be metrics that can be defined to serve as a basis for additional VVSG space requirements to support two people inside of a voting booth. There may also be promising practices to recommend for how to interact with both parties throughout their experience from entrance to exit. People with developmental disabilities, in particular, have reported incidents where personal assistants were not allowed into voting areas.

### Acoustics

This is the elephant sitting in the room. Polling places can get incredibly loud. This is stressful for everyone trying to communicate at check-in and concentrate while voting, but may pose a particular barrier to people with disabilities trying to hear an audio ballot. In addition, the average age of poll workers is 72 and statistically older people have a higher rate of hearing loss. Therefore, an environment that promotes hearing access will probably improve poll worker performance, make their experience more pleasant and encourage them to volunteer again. Poor acoustics can be due to a number of variables including: people talking, announcements on speaker systems, and the design of the room. The Access Board convened a roundtable on classroom acoustics and published a progress report on its website (<http://www.access-board.gov/acoustic/>). This might help inform polling places. An EAC-commissioned report might include considerations for selecting a polling place with better acoustics and tips for mitigating noise.

In closing, the Access Board is grateful for our long-standing relationship with EAC staff, which extends back eight years to when Brian Hancock, then with the FEC, approached us for assistance in developing the first accessibility requirements for voting systems. Those 2002 FEC Voting System Standards for accessibility were based, in part, on the Section 508 Standards promulgated by the Access Board. We look forward to continuing our close and effective partnership.