



# USAID Policy on Standards for Accessibility for the Disabled in USAID-Financed Construction

## I. Introduction

This guidance provides standards for any new or renovation construction project funded by USAID to allow access by people with disabilities (PWDs). The use of these standards is required in all USAID acquisition and assistance for construction and alteration. This guidance includes a provision for a waiver of the application of standards in certain circumstances.

The Agency recognizes the World Health Organization (WHO) estimates that at least 10 percent of the people in the world live with a disability. An estimated 80 percent of these people live in developing countries. Accordingly, USAID seeks to make its development, stability, and humanitarian assistance efforts accessible to all.

This guidance builds upon the Agency's policy on disability, found in [USAID Disability Policy Paper](#) dated September 12, 1997. The guidance extends the principles of the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) to USAID-financed assistance.

Within the USAID, the Bureau for Policy and Program Coordination (PPC) and the Agency's Disability Team have responsibility for Agency disability policy and guidelines.

## II. Policy

**A. Universal Design** - This guidance promotes universal design over accessible design. Accessible design means products and buildings that are accessible and usable by people with disabilities. Universal design means products and buildings that are accessible and usable by everyone, including people with disabilities. The Agency believes that accessible design has a tendency to lead to separate facilities for people with disabilities, diminishing the effectiveness of its efforts. Universal design, on the other hand, provides one solution that can accommodate people with disabilities as well as the rest of the population.

**B. Applicability Directives** - This guidance is applicable to all USAID-financed construction activities, including construction produced by contractors and subcontractors, grantees or subgrantees, or other U.S. Government agencies supported through inter-agency obligating agreements, e.g. 632 (b) agreements. Grants awarded to Public International Organizations (PIO) or 632(a) transfers or allocations should follow the relevant guidance in USAID's Automated Directives System (ADS). The Agency recognizes that it does not have specific expertise in universal/accessible design. Therefore, the [U.S. Access Board](#), an independent Federal agency devoted to accessibility for people with disabilities, is USAID's consultative partner in developing and maintaining accessibility requirements and providing technical assistance and training on guidelines and standards. The Access Board and the list of resources included in this document provide additional technical information.

**C. Accessibility Standards** - In order to stimulate sustainable, developmentally sound attention to the needs of people with disabilities in host countries, the first preference is to use host country or regional standards for universal access in construction if they exist. These standards must result in at least substantially equivalent accessibility and usability as the standard provided in the [ADA and Architectural Barriers Act \(ABA\) Accessibility Guidelines](#). In the absence of a host country or regional standard that meets the ADA/ABA threshold, the standard prescribed in the ADA and ABA Accessibility Guidelines must be used.

**D. Applying the Standards** - It is acceptable, and strongly encouraged, to provide for alternative accommodation for PWD where infeasible to apply accessibility standards (see Waiver section below). In circumstances in which USAID financing contributes to a construction project including more than one agency or donor, USAID should assure that the proposed standard for access for PWDs meets or exceeds the applicable standard. If it does not, USAID must seek a waiver or it may not commit funds.

For multiple elements or spaces within facilities, such as housing, the percentage of elements or spaces made accessible should proportionately reflect the disability population. If these data are not available, WHO's estimate of at least 10 percent should be used.

Agency operating units must apply the guidance as follows:

(1) New construction - all new construction activities that include USAID financing will incorporate universal or accessible design in accordance with the standards stated above.

(2) Alterations - changes to an existing structure that affects, or could affect the usability of the structure shall adhere to the standards, unless these alterations are technically infeasible and/or constitute an undue burden to the grantee or contractor. As a general rule, the principle of "if touched, it should be accessible" shall apply.

- ▶ Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements.
- ▶ Undue Burden, i.e. entails significant difficulty or expense. In determining whether an action would result in an undue burden, an agency/organization shall consider all resources available to the program or component for which the product is being developed, procured, maintained, or used.

(3) Exceptions -

- ▶ normal maintenance, re-roofing, painting or wallpapering, or changes to mechanical or electrical systems are not alterations and, therefore, the standards do not apply unless they affect the accessibility of the building or facility.
- ▶ emergency construction that is temporary in nature (though the needs of people with disabilities should be included in the overall program). When the emergency situation normalizes, however, more permanent structures will follow the guidance on standards in this document.

Further discussion on Exceptions can be found in [Section 203 of the ADA](#).

**E. Waiver** - When it can be demonstrated that adherence to these standards is not possible, USAID may authorize a waiver to these guidelines. Assistant Administrators, Mission Directors and other officials have authority to approve waivers under the delegated implementing authorities in ADS 103.3.5 and 103.3.8.2.

The following guidance should be applied to waiver requests:

(1) The request for a waiver must identify the specific requirements and procedures of these guidelines from which a waiver is sought and provide a detailed explanation, including appropriate information or documentation, as to why a waiver should be granted. A statement(s) that, where feasible, persons with disabilities will be accommodated and how such accommodations will allow access to all programs and services needed should accompany requests.

(2) Grounds for a waiver include, but are not limited to:

- a. Lack of technical feasibility
- b. Undue burden
- c. Restricted or limited use (e.g. a fuel storage tank with ladder access is unlikely to be used by a broad cross-section of the general population)

(3) Waivers should generally not be applied to a project or program but should be granted on a case-by-case basis with reference to elements of a specific structure or a set of similar structures.

(4) The official approving the waiver must furnish a copy of the waiver by email to the Agency Disability Team at least 45 days prior to the start date for the applicable project/activity to be posted on the Agency's external web site.

## Resources

[The U.S. Access Board](#) A comprehensive website providing accessibility guidelines and standards, technical assistance, training, and research links, downloadable publications - including guidelines and standards, and links categorized through an annotated list of resources. [APRODDIS](#) (Asociación pro Desarrollo de la Persona con Discapacidad, Peru, in Spanish and English) *Manual de Diseño de Lugares Accesibles\** (an illustrated manual on accessible design, in Spanish)

[CEPAM \(Centro de Estudos e Pesquisas de Administração Municipal\)](#) Contact CEPAM for a copy of *Município Acessível ao Cidadão*, in Portuguese, with a special focus on access to transport and pedestrian infrastructure.

[Instituto Uruguayo de Normas Técnicas](#) Developing access norms for Latin America region. *Curso básico sobre Accesibilidad al Medio Físico* (Spanish).

[United Nations Division for Social Policy and Development](#) *A Design Manual for a Barrier Free Environment\** (English).

[United Nations Economic and Social Commission for the Asia Pacific Region \(Thailand\)](#). Among several relevant publications: "Promotion of Non-Handicapping Physical Environment for Disabled Persons: Guidelines".

[World Bank](#) Go to "disability," then "documents on line".

[National Center on Accessibility](#) - provides services such as research, technical assistance and education, focusing on universal design and practical accessibility solutions for people of all abilities.

[International Building Code \(IBC\)](#) - incorporates the most important, and most universally agreed upon, provisions of the ADA.

["Building Codes Illustrated - A Guide to Understanding the International Building Code"](#) by Ching & Winkel, published by Wiley - ISBN 0-471-09980-5.