



U.S. Department
of Transportation
Federal Aviation
Administration

Office of Civil Rights

800 Independence Avenue, SW
Washington, DC 20591

DEC 19 2019

Dear Airport Sponsor:

The Federal Aviation Administration (FAA) Office of Civil Rights developed a best practices document for airport sponsors regarding the importance of addressing the needs of persons with disabilities and limited English proficiency during airport emergency evacuations. Title 14 CFR Part 139 (Part 139) mandates that commercial service airports must have an airport operating certificate that includes an airport certification manual. Part 139 requires that the manual include an Airport Emergency Plan (AEP).

The impetus for this document is the discovery, during numerous airport compliance reviews that most airports did not consider the needs of persons with disabilities and limited English proficiency in their emergency evacuation plans. There are currently no specific regulatory requirements for an AEP to include procedures for these groups of individuals. The FAA focused on practicality and the balance of emerging technology use, communication, response mechanisms, community outreach, and the significance of continued improvement regarding airport emergency evacuation protocols. This document encourages airports to enhance the traveler's experience by ensuring that all travelers and airport personnel are able to safely evacuate if there is an airport emergency event.

I am confident that the enclosed best practices document will assist you in the development and enhancement of your airport emergency evacuation plans and the overall improvement of the traveler's time spent in your airport. This document is posted on our web site at: http://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/national_airport_policy_compliance/. If you have any questions, please contact your regional FAA Disability and Limited English Proficiency Equal Opportunity Program Specialist (see https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/disability_compliance/).

Sincerely,

A handwritten signature in blue ink, appearing to read "Courtney L. Wilkerson".

Courtney L. Wilkerson
Acting Assistant Administrator for Civil Rights

Enclosure



SUBJ: Best Practices for Enhancing Traveler Experience: Addressing the Needs of Persons with Disabilities and Individuals with Limited English Proficiency in Airport Emergency Evacuation Plans

Purpose

During airport emergency evacuations, the needs of persons with disabilities and those with limited English proficiency may provide challenges. Most airport sponsors already adequately address these issues. There are some instances, however, where the Federal Aviation Administration (FAA), Office of Civil Rights believes that more attention is necessary to address the needs of persons with disabilities and individuals with limited English proficiency during airport emergency evacuation planning.

In order to assist airport sponsors in improving the travel experience of persons with disabilities and individuals with limited English proficiency, this document provides helpful information (including examples of public use technology, community engagement initiatives, resources, and response mechanisms) for ensuring the safety of all individuals in the event of an airport emergency.

This guidance will provide specificity regarding best practices for emergency evacuation planning. As with any community, there exists a wide range of needs related to ensuring access to facilities and information. In particular, this document can be used to fill in gaps with regards to emergency evacuation communications.

These best practices create no new legal mandates and are not legally binding in their own right. These best practices will not be relied upon as a separate basis for affirmative enforcement action or other administrative penalty. Conformance with these best practices is voluntary. The FAA Airport Disability Compliance Program staff is available to provide technical assistance on airport disability accessibility-related topics, including but not limited to the information provided in this document. Similarly, FAA's Airport Nondiscrimination Compliance Program staff can assist with limited English proficiency issues. The General Counsel of the Department of Transportation has reviewed this document and has approved as consistent with the language and intent of 49 CFR Parts 27, 37, 38 and 39 as applicable.

Public Use Technology

Airport sponsors should think proactively about accessibility when using, procuring, and deploying public use technology.

Typically, public notification systems and other technology tools are employed to increase passenger convenience and enhance the passenger experience at airports. These public use technology tools include airport websites, notification systems, social media presence, business centers, airport maps, and interactive informational kiosks. Regulations for the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended, addresses the inclusion of equally effective communication for persons with disabilities.

- 49 CFR § 27.7(c) states that recipients shall take appropriate steps to ensure that communications with their applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.
- 28 CFR § 35.160(a) requires a public entity to take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

Accordingly, in order to provide all passengers access to public notification systems and other technology tools, airport sponsors need to ensure accessibility and language assistance features are incorporated into their design and use of technology.

In the best scenarios, airport sponsors evaluate public accessibility features and technologies before deployment at airports. Evaluations of all existing airport facilities, programs, and services are required as part of periodic self-evaluations for accessibility to people with disabilities under 49 CFR § 27.11(c)(2). Proper evaluations will assist airport sponsors in determining the best mode of deployment for disability access (e.g., audio or visual mode or a combination of both). Airport personnel should analyze limited English proficiency language needs to ensure that resources will provide meaningful access to limited English-proficient individuals. Any technology deployed should be designed to be accessible in languages other than English. These technologies should incorporate universal design to relay information and may use symbols and pictograms to convey the information.

As airport sponsors are aware, many travelers use mobile (smartphone applications) and wearable assistive technologies (e.g. Apple watch, Galaxy, Be My Eyes, and AIRA) that enhance interaction with the environment both inside and outside the airport. Smart phones interface with beacon technology, a public use technology that uses small Bluetooth devices (accessible via an app) to deliver real-time location information to travelers and employees and improve operational efficiency. The following is a list of other examples of public use technology:

- Social media applications, e.g., airport website, internet sites, and mobile platforms.
- Public address/notification systems that duplicate visual and audio information, in multiple languages.
- Digital navigation and wayfinding systems (e.g., applications for blind/visually impaired individuals, including BlindSquare and RightHear applications, which are accessible and available in multiple languages.)
- Self-serve check-in via accessible self-service ticketing kiosks.
- Near-field communications using beacons or other Bluetooth devices and location based technology.
- Radio-frequency identification systems.
- Virtual reality displays including interactive airport layouts that provide passenger information about services available at the airport.

Emergency Evacuation Plan Considerations

Airport sponsors are encouraged to identify items that require immediate attention when establishing or updating Emergency Evacuation Plans, including those sections that cover community outreach, notification, response mechanisms, assessment, and after-event reviews.

Community Outreach

As a best practice, airport sponsors benefit from conducting community outreach, engaging the local community, and including advocacy groups when developing their Airport Emergency Plan. An Airport Emergency Plan is required under 14 CFR § 139.325¹. Airport community outreach can include discussions on how a community can participate in planning decisions of an airport. The benefits of community outreach include:

- Providing additional resources to airport personnel.
- Identifying emerging technologies or established technologies that are currently being used by limited English-proficient individuals or persons with disabilities.

¹ Under Title 14 CFR Part 139, commercial service airports must have an airport operating certificate that includes an airport certification manual. Part 139 requires that the manual includes an Airport Emergency Plan.

- Identifying language needs for communication in an emergency, including providing vital directions to ensure public safety during an emergency event and information about accessible vehicles for evacuation.
- Providing a better understanding of the needs of the communities.
- Providing information about availability of language interpreters and sign language interpreters.

Examples of other outreach activities include the formation of a local advisory committee that will focus on issues related to disabilities and limited English proficiency, conducting regular live exercises and inviting representatives from the disability and limited-English proficient communities to participate or observe. Through these activities, airport sponsors can more effectively analyze opportunities for information access improvements.

Communication and Notification

An effective communication and notification process provides information and guidance needed to carry out an effective airport response during an emergency event.

According to DOT's *Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons* (DOT LEP Guidance), 70 Federal Register 74087, 74093 (December 14, 2005), the quality and accuracy of language services as part of disaster relief programs, or in the provision of emergency supplies and services, should be "extraordinarily high."

Airport sponsors should review how they communicate policies and procedures to airport personnel, travelers, and the community. Written documentation can be especially important as it provides the instructions that airport personnel will use in the event of an emergency.

An effective communication and notification process should include:

- Information regarding where to go in an emergency (e.g., area of refuge, tornado shelters, evacuation route, etc.).
- Information that is available in alternative formats (e.g., large print, audio recording, and braille).
- Maps to help travelers orient themselves to the layout of terminals and concourses.
- Information that is universally available in multiple formats, e.g., a screen reader compatible map on the website, or the presence of airport personnel who can assist with wayfinding.

If maps are used or audio announcements are provided to convey information, the same information must be available in an accessible and effective format, per 28 CFR § 35.160(a), for people who cannot see the maps or hear the announcements.

As part of an airport sponsor's obligation to reduce language barriers that can preclude meaningful access by limited-English proficient persons to important government services, language assistance measures, including translation services, may be necessary. In order to determine this need, airport sponsors should initiate a four-factor analysis that is set forth in DOJ's revised LEP guidance, 67 Fed. Reg. 117 (June 18, 2002). The four factors are as follows:²

- Factor 1: Determine the number or proportion of limited English proficient persons served or likely to be encountered in the service area.
- Factor 2: Determine the frequency with which limited English proficient individuals come into contact with programs, activities, and services.
- Factor 3: Determine the importance of program activities and services to limited English proficient persons.
- Factor 4: Determine the resources available and costs.

Airport sponsors should identify "vital documents" for their emergency program when performing the four-factor analysis (e.g., consider in particular Factor 3, importance of the services). Airport sponsors should make vital documents available in languages other than English that meet the safe harbor³ threshold in their area, i.e., translation into languages other than just English or access to a language-line or an interpreter.

Airport sponsors have two main ways to provide language services: 1) written translation, or 2) oral interpretation performed either in person or via a telephone interpretation service.

Effective Response Mechanisms

In identifying needs as events develop, airport sponsors are encouraged to incorporate effective response mechanisms that will allow responders to quickly identify physical or communication needs of the people being evacuated. This includes information on quick access to necessary resources.

² Additional information on the four-factor analysis is available in the DOT LEP Guidance.

³ A "safe harbor" means that if an airport sponsor provides written translations, under these circumstances, the action will be considered evidence of compliance with the airport sponsor's written translation obligations under Title VI. (See DOT LEP Guidance, at 74095).

In many instances, access to communication tools can be achieved remotely without the need of an on-location translator. Options include telephonic language assistance lines.

Establishing a list of airport personnel trained in assisting travelers with disabilities or limited English proficiency (i.e., wheelchair service providers subcontracted by air carriers and bilingual airport employees) can facilitate the deployment of relevant resources.

Airport sponsors typically communicate with the public through their public address systems (audio format). When using the public address system approach, the following is recommended in regards to communicating passenger safety information and general information:

- Ensure there is a visual means to display directions, instructions, or other passenger-safety information for purposes of raising public awareness.
- Plan for equally effective communication methods in languages other than English. This can be accomplished by providing the communication simultaneously in multiple languages.
- Explore the use of assistive technologies that can be accessed by individuals with disabilities and that allows for multiple language translations, e.g., iTranslate.
- Provide paper handouts when individuals are checked-in at ticket counters and/or gate check-in.
- Use remote access to send notifications. For example, if the main communication center becomes unavailable, then the remote access facility would supply the notifications to individuals at the airport.
- Communicate with the public about an “all-clear” status using a format that is appropriate for people with disabilities and limited English proficient individuals. (This helps to ease fears related to remnants of the threat.)

After Event Review

Actions that take place after an emergency event are important because they provide an opportunity to evaluate and assess performance and identify areas for improvement. Listed below are useful actions for after-event focus:

- Debriefing with partners - A debrief with partners, such as wheelchair providers and first responders, will assist airport sponsors in learning how the response effort was implemented and where the gaps in services occurred. When such

gaps are identified, airport sponsors can plan for accessing the resources needed to fill that gap.

- **Highlighting Best Practices** - Identifying “what went well” is equally important to responders. Airport sponsors are encouraged to share with their partners’ lessons learned and best practices for addressing the needs of individuals with disabilities and limited English proficient individuals.
- **Revising Policies/Procedures** - Evaluating emergency evacuation plans and revising them based on the feedback from an emergency event response will allow airport sponsors to stay abreast of the needs of the community they serve.

Evacuation Assessment

Airport sponsors should evaluate their current services, policies, and practices, and the effects thereof, and make necessary modifications to comply.

Airport sponsors should consider routinely evaluating their current state of readiness and assessing the availability of resources to meet requirements. For meeting needs of people with disabilities and limited English proficient individuals, these evaluations are most useful if they:

- Are conducted at least once every 12 months.
- Detail the airport’s non-English speaking population, both transient and employee.
- Identify foreign language media or translation sources that could be used to communicate with these groups.
- Address potential barriers to safe evacuation.
- Establish positive relationships with individuals and organizations that represent special needs groups in the local community, such as wheelchair providers, local churches, and community advocacy groups.
- Seek input from bilingual employees within the airport for potential limited English proficiency contacts and to be able to draw upon with short notice.

Conclusion

The use of public use technology, community engagement, resources, and response mechanisms play a role in successful airport emergency evacuations. The information provided in this document is part of the technical assistance that the FAA provides, and is meant to serve as a best practices tool that airport sponsors can incorporate into their emergency evacuation plans. The desired outcome is to ensure equal opportunity and

access for all travelers and users of the airport. All airport emergency evacuation planning should address the needs of persons with disabilities and individuals with limited English proficiency.

Resources

Below are helpful resources to assist in enhancing the traveler experience:

- 14 CFR Part 139, §325, Airport Emergency Plan

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title14/14cfr139_main_02.tpl

- FAA Advisory Circular 150/5200-31C, Airport Emergency Plan; Chapter Six, Limited English Proficiency

https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentNumber/150_5200-31

- Title VI ToolKit

https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/media/TitleVIToolKit030805.pdf

- ACRP 170: Guidebook for Preparing Public Notification Programs

<http://www.trb.org/Publications/Blurbs/175904.aspx>

- Aviation Pro article, “Ways Beacon Technology Can Benefit Airports”

<http://www.aviationpros.com/article/12281771/4-ways-beacon-technology-can-benefit-airports-and-travelers>

- National Fire Protection Agency, Emergency Evacuation Planning Guide for People with Disabilities

<https://www.nfpa.org/Public-Education/Fire-causes-and-risks/Specific-groups-at-risk/People-with-disabilities>

- Limited English Proficiency – A Federal Interagency Website

<https://www.lep.gov/>

- DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons

<https://www.federalregister.gov/d/05-23972>

- ACRP Synthesis 72: Table Top and Full-scale Emergency Exercises for General Aviation, Non-hub and Small Hub Airports

<http://www.trb.org/main/blurbs/174692.aspx>

- ACRP Research Report 187: Transportation Emergency Response Application (TERA) Support Materials for Airport EOC Exercises

<http://www.trb.org/main/blurbs/178084.aspx>

- ACRP Synthesis 82: Uses of Social Media to Inform Operational Response and Recovery During an Airport Emergency

<http://www.trb.org/main/blurbs/176496.aspx>