



AudioEye™ Inc. & Section 508 of the Rehabilitation Act

Summary

AudioEye's company mission is to provide technology that facilitates information accessibility via the web, mobile phones, and other devices for all people, with a special emphasis on those that have physical, learning, or visual impairment, as well internet novices such as seniors, non-English readers, and children.

What does it mean to be "Accessible?"

Basically, technology is accessible if it can be used as effectively by people with disabilities as by those without.

What is Section 508 of the Rehabilitation Act?

The legislation referred to as "Section 508" is actually an amendment to the Workforce Rehabilitation Act of 1973. The amendment was signed into law by President Clinton on August 7, 1998. Section 508 requires that electronic and information technology that is developed or purchased by the Federal Government is accessible by people with disabilities.

Section 508 does not apply to the private sector or to agencies or establishments using federal funds. But because of the magnitude of federal purchasing power, it is believed that Section 508 will promote competition in the technology industry by clarifying the Federal market's requirement for accessibility in products intended for general use.

Section 508 presents accessible standards and performance-based requirements which focus on functional capabilities covered by technologies.

There are four parts to Section 508 regulations:

Subpart A: General description and purpose of the Act [1194.1 – 1194.5]

Subpart B: Accessibility Standards for various software and hardware applications and products [1194.21 – 1194.26]

Subpart C: Functional Performance Criteria [1194.31]

Subpart D: Information, Documentation, and Support [1194.41]

Where does AudioEye Fit? What are its Value-Add?

On its own, the AudioEye media player meets the standards and performance criteria for web delivered software detailed in the regulations of Section 508 and works with the major screen readers.

When used by our clients for distribution of web content or documents, our clients are delivering a product that meets the Accessibility standards [1194.21-1194.26; as well as allowing our clients to meet the Functional Performance Criteria [1194.31] and Information, Documentation, and Support [1194.41] requirements listed in Section 508.

AudioEye does not adjust a client's web site source code. AudioEye delivers content and documentation in compliant fashion. The adjustment of source code to meet Section 508 accessibility standards [Subpart B. 1194.22] is the responsibility of the client and AudioEye recommends that in all future web page development clients develop to these standards.

While AudioEye acknowledges the accessibility standards for web sites in Subpart B, 1194.22, our purpose is not to remediate source code on web sites, but to provide broad accessibility for web content and documents in a Section 508 compliant service. Two facts you need to be aware of:

1. There are over 8 million web sites and the remediation of these web sites to meet Section 508 accessibility standards [Subpart B, 1194.22] will take time and money..
2. Not all web site visitors (seniors, non-English readers, the poor, schools] have access to 'assistive technology' such as screen readers.

What this mean is that even if your web site meets the technical standards of Subpart B, 1194.22, your site may not meet the functional performance criteria and thousands of web visitors may not be able to access your site.

AudioEye is an 'alternative method' for the delivery of your web content an documents that enables compliance to Section 508 through Subpart C, Functional Performance Criteria, and Subpart D, Information, Documentation, and Support [1194.41]. As web site remediation takes time and money, think of AudioEye as an insurance policy until your site meets the accessibility standards.

As noted on the Access Board's web site there is only one way to comply with Section 508 - meeting the standards, but many ways to meet the standards (<http://www.access-board.gov/sec508/guide/1194.22.htm>). "...the tips and techniques discussed in the document for complying with particular sections are not necessarily the only ways of providing compliance with 508. In many cases, they are techniques developed by the Board, the Department of Education, and the Department of Justice that have been tested by users with a wide variety of screen reader software. *With the evolution of technology, other techniques may become available or even preferable.*" *AudioEye is a product that works with Screen Readers, but delivers broad accessibility for web content and documents.*

AudioEye was created to provide affordable navigation and access tools not just for the blind, but for the elderly, visually impaired, and disabled who are underserved and have not fully participated in the Internet experience due to the web's graphical nature.

Section 508 Compliance

AudioEye effectively meets the criteria of Section 508 and the needs of the disabled (physical, learning, or visually impaired), as well as the sighted (elderly, internet novices) through a web delivered service that converts and catalogs content into audio format that is navigated by simple keystroke or audio commands.

Please note that AudioEye recognizes that screen readers are a lifeline of communication for Blind Users. However screen reader technology, which is highly effective for every day uses like word processing, have not kept pace with the complexity of the Internet. They frequently "hang" on flash, animation and other graphics. They also do not work well on content-heavy sites or those with complicated navigational menus. Their use depends on the sophistication of the user.

AudioEye has a 'text-only' or screen reader mode that enhances the use of a screen reader on a web site. The AudioEye navigation capabilities can improve speed in search, production, and enjoyment for those utilizing screen readers. AudioEye is complimentary to screen readers and extends their capability and utility by offering website information in pre-indexed text only form.

How AudioEye Works

Our patent-pending technology allows users to navigate the Internet solely by listening to streaming audio prompts and performing simple keystroke

commands from any Internet enabled device or mobile phone. Our development of a unique capability, i.e. the capacity to keep the streaming connection “alert” and awaiting a keystroke command even after extended periods of inactivity, represents a significant breakthrough in streaming technology.

First generation Internet technology thought of the World Wide Web as a series of visual html pages connected by point and click browser technology. Streaming media then came along that enriched the web with a host of live or on-demand audio and video files. But these media files are isolated “outposts,” almost ad-hoc appendages, buried deep within the visual Internet.

AudioEye thinks of the web differently, recognizing its possibility to operate as a *spoken medium* by cataloging each section of a website into an audio “filing cabinet.” All the menu items and corresponding content on a given website can be easily converted to a series of audio files using our web-based media creation software. Site owners have the option of personalizing content by reading and recording specific sections via the human voice or relying on state-of-the-art computer generated voices. Then all the individual audio files are woven together and connected by AudioEye’s intuitive keystroke navigation system, allowing users to “*Surf By Sound*™.”

Since our solution is network-based, users can seamlessly utilize our AudioEye software across all their potential Internet points of entry - school, home, office, library or mobile device. This is a major advantage over local devices and provides portability and removes technical boundaries.

AudioEye is triggered by clicking on a hyperlink on a web page, or automatically upon accessing an AudioEye-enabled site. Screen readers read hyperlinks. The AudioEye Navigation Player will launch and allow users to listen to and see the page or web site. AudioEye is so intuitive that anyone, regardless of vision, age, or computer skill level, can fully experience the Internet by sound.

ADA Requirements

The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against people with disabilities. The ADA generally requires employers, state and local governments and places of public accommodation to offer reasonable services or tools to insure that people are not discriminated against on the basis of disability. The whole issue of the applicability of the ADA to the Web is whether or not the Web can be considered a "place of public

accommodation." The [Department of Justice](#) has ruled that it considers the Web just such a place.

The National Federation of the Blind sued AOL and Target in part based on the interpretation of the Web as a place of public accommodation and therefore subject to ADA. The law suit was not brought for monetary collection, but to raise awareness of web accessibility issues for Corporations not mandated by Section 508 standards.

Section 508 of the Rehabilitation Act Background

Section 508 of the Rehabilitation Act requires that electronic and information technology developed or purchased by the Federal Government is accessible by people with disabilities. Section 508 standards are technical specifications and performance-based requirements which focus on the functional capabilities covered by technologies.

Section 508 standards do not apply to the private sector or to agencies or establishments using federal funds. However because of the magnitude of federal purchasing power, it is believed that Section 508 will promote competition in the technology industry by clarifying the Federal market's requirement for accessibility in products intended for general use.

<http://www.access-board.gov/sec508/standards.htm>

Subpart A -- General

- 1194.1 Purpose.
- 1194.2 Application.
- 1194.3 General exceptions.
- 1194.4 Definitions.
- 1194.5 Equivalent facilitation.

Subpart B -- Technical Standards

- 1194.21 Software applications and operating systems.
- 1194.22 Web-based intranet and internet information and applications.
- 1194.23 Telecommunications products.
- 1194.24 Video and multimedia products.
- 1194.25 Self contained, closed products.
- 1194.26 Desktop and portable computers.

Subpart C -- Functional Performance Criteria

- 1194.31 Functional performance criteria.

Subpart D -- Information, Documentation, and Support

1194.41 Information, documentation, and support.

Authority: 29 U.S.C. 794d.

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