

## **61.980 Definitions for KRS 61.980 to 61.988.**

As used in KRS 61.980 to 61.988:

- (1) "Access" means the ability to receive, use, and manipulate data and operate controls included in information technology to be in compliance with nationally accepted accessibility and usability standards such as those established by Section 255 of the Federal Telecommunications Act of 1996 and Section 508 of the Federal Workforce Investment Act of 1998;
- (2) "Individual with a disability" means an individual who is considered to have a disability for the purpose of any federal or state law, and who is or would be able by information-access-assistive technology to maintain a level of functioning or to achieve a greater level of functioning in any major life activity;
- (3) "Blind or visually impaired individual" means an individual who:
  - (a) Has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision so that the widest diameter of the visual field subtends an angle no greater than twenty (20) degrees;
  - (b) Has a medically indicated expectation of visual deterioration; or
  - (c) Has a medically diagnosed limitation in visual functioning that restricts the individual's ability to read and write standard print at levels expected of individuals of comparable ability;
- (4) "Covered entity" means the state or any state-assisted organization;
- (5) "Deaf" or "hard of hearing" means persons who have hearing disorders and includes people who cannot hear and understand speech clearly through the ear alone, with or without hearing aids;
- (6) "Information technology" means all electronic information processing hardware and software, including but not limited to telecommunications and any electronic information equipment or interconnected system that is used in the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of audio, video, graphics, and text;
- (7) "Assistive technology" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, customized, fabricated, or is otherwise an alternative means that is used to increase, maintain, or improve functional capabilities of individuals with disabilities;
- (8) "Nonvisual" means output methods not requiring sight, including but not limited to synthesized speech and Braille;
- (9) "State" means the Commonwealth of Kentucky or any of its departments, agencies, public bodies, or other instrumentalities;
- (10) "State-assisted organization" means a college, university, nonprofit organization, person, political subdivision, school system, or other entity supported in whole or in part by state funds;
- (11) "Telecommunications" means the transmission of information, images, pictures, voice, or data by radio, video, or other electronic or impulse means; and

(12) "Undue burden" means significant difficulty or expense, including but not limited to a difficulty or expense associated with technical feasibility.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 536, sec. 32, effective July 14, 2000.