



# Departmental ADA Coordinators' Academy

**Session I – March 20, 2014**

**The Americans w/ Disabilities Act & You**

Presented by the

San Francisco Mayor's Office on **Disability**

# Welcome & Introductions



- MOD Training Team
- Introduce yourselves
  - Name
  - Department
  - Number of years being an ADA coordinator

# Let's see who is in the room...



## Hands up if you:

- Have had experience working with the ADA for more than 1 year? Less than a year?
- Just became the ADA coordinator and you are not exactly sure what that means or why you're here?
- Are an ADA coordinator handling **ONLY** personnel or employee disability accommodations?
- Handle disability issues related to **BOTH** employees **AND** the broader San Francisco public?
- Have received ADA training specific to your job responsibilities before?

# Session Training Objectives

- Introduction to the role of a Departmental ADA Coordinator.
- A brief review of the Disability Rights' history.
- An overview of the Americans with Disabilities Act (ADA) and basic concepts of Title II.



# The Mayor's Office on Disability (MOD)

- Mayor Willie Brown established the office in 1998 and designated MOD as the City's overall ADA Coordinator.
- Our mission is to ensure that every program, service, benefit, activity and facility operated or funded by the City and County of San Francisco ***is fully accessible to, and useable by, people with disabilities.***
- MOD has four primary programs:
  1. Architectural Access
  2. Programmatic Access
  3. Disaster Planning for People with Disabilities
  4. Supporting the Mayor's Disability Council

# *Why Does My Department Need an ADA Coordinator ?*



# *People with Disabilities Are Part of the Public We Serve!*

- Approximately 1 in 5 Americans age 5 and older have a disability according to the 2000 U.S. Census.
- 1 in 4 households have at least one family member with a disability.
- By 2030 approximately 25% of the US population will have a disability, and more than 15% have a severe disability.
- Approximately 20% of SF's population are people with disabilities. They include those who have visible disabilities such as mobility impairments AND invisible disabilities such as mental health, cognitive disabilities, etc.

# It's the Law!

*A little prevention goes a long way...*

- San Francisco International Airport
- Municipal Transportation Agency (formerly Department of Parking and Traffic)
- Department of Public Health
- Recreation & Park Department
- School District
- Department of Public Works





# *As YOUR Department's ADA Coordinator You Are Expected To:*

- Ensure overall ADA Compliance for the Department.
- **Be the department's ADA resource person.**
- Be proactive in ensuring compliance by providing education & training to staff, develop policies and materials.
- **Properly investigate and respond to ADA grievances & the public's requests for accommodations.**



**In other words...**



***You are the SPOKES in the  
wheel of disability access!***



**WHEELCHAIR  
ACCESS**



**DISABILITY  
SENSITIVITY**



**REAL TIME  
CAPTIONING**



**TTY  
MACHINES**



**ASSISTIVE  
LISTENING  
DEVICES**

**Would you like help with  
access to our services?  
Please let us know!**



**SIGN  
LANGUAGE**



**BRAILLE**



**INFORMATION  
AND HELP**



**LARGE PRINT**



**AMPLIFIED  
PHONES**

**Questions? Need more help?  
Contact John Dogooder at 555-1212 or [John.Dogooder@sfgov.org](mailto:John.Dogooder@sfgov.org)**

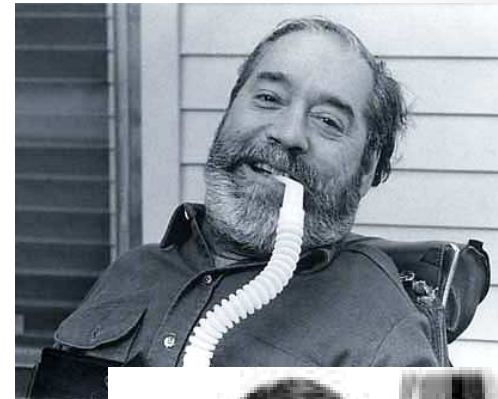


**"INJUSTICE ANYWHERE IS A THREAT  
TO JUSTICE EVERYWHERE."**  
*Martin Luther King, Jr.*

***A movement that changed the world...***

# A Brief Overview of the Disability Rights' Movement

- Ed Roberts & the UC Berkeley “Rolling Quads”.
- A new disability perspective and the early days of the Center for Independent Living (CIL).
- 504 Demonstrations and Occupation of the San Francisco Federal Building.
- 1988 and the movement toward a more comprehensive disability rights legislation.
- 1990 the passage of the ADA.



**The Disability Rights' Movement challenged the status quo & introduced the concept of disability as a social construct based on existing barriers.**

### **Medical Model**

- Disability is a deficiency or abnormality.
- Disability is an individual problem.
- The remedy for disability-related problems is cure or normalization of the individual.
- “Medical professionals” are the experts.

### **Social Model**

- Disability is a difference.
- Disability results from the interaction between the individual and society.
- The remedy for disability related problems is a social change in the environment.
- People with disabilities are the experts on their experience.



# Disability Appropriate Language

- When referring to a person with a disability, put the person first, followed by (only when relevant) a simple description of their disability. This is called ***“People First”*** language.



People w/  
disabilities



Deaf



Person with a  
mobility disability

# *Consider the Following Terms:*

## Negative/Offensive language

- Handicap / cripple
- Midget/dwarf
- Deaf and dumb
- Psycho/crazy/maniac
- Wheelchair-bound, or confined to a wheelchair.
- The disabled, the handicapped

## People-First Language

- Person with a disability
- Little person, or person of short stature
- Deaf
- Person with psychiatric disability
- Uses a wheelchair, wheelchair user
- People with disabilities, the disability community



"And now I sign legislation which takes a sledgehammer to another wall, one which has, for too many generations, separated Americans with disabilities from the freedom they could glimpse, but not grasp." Let the shameful wall of exclusion finally come tumbling down". *George W. Bush, July 26, 1990*



# ADA Basics

- A civil rights law that insures that all people regardless of disability have an equal opportunity to participate in all areas of life.
- Nothing more, nothing less (No Entitlements).
- Like all civil rights laws, the ADA has 3 standard expectations:
  - ✓ Prohibits denial of service, i.e. discrimination
  - ✓ Prohibits segregation
  - ✓ Prohibits retaliation or coercion

# *Disability Defined...*

- **Civil Rights Laws** define a person with a disability as an individual meeting ONE of the following three criteria:
  1. **Physical or Mental impairment** that *(substantially)\** limits one or more major life activities.
  2. **A record** of such an impairment.
  3. **Being perceived as** having a disability or (associated with someone with a disability)\*\* though no impairment exists.

\*Substantial does not apply in CA law

\*\*Association clause

## Additional (Affirmative) ADA Obligations:

- Unlike other civil rights statutes, the ADA goes one step further to create equal access by leveling the playing field. This means:
  1. We must change the way we do things and therefore we must provide a **Reasonable Accommodation / Reasonable Modification**.
  2. We must also provide auxiliary aids & services to ensure people with disabilities get the same access to information, i.e. **Effective Communication**.

# What is Covered under the ADA?

- The ADA has five basic titles that ensure equal treatment for people with disabilities. They are:
- Title I: Equal Access to Employment .
- **Title II: Equal Access to Programs & Services of State and Local Government.**
- Title III: Equal Access to Places of Public Accommodation.
- Title IV: Access to Telecommunications.
- Title V: Miscellaneous Provisions.

# Title I – Equal Access to Employment

- People with disabilities have an equal opportunity to apply, work and receive the same benefits from employment as workers without disabilities.
- A **qualified** individual with a disability has the right to ask for a **reasonable accommodation** in order to perform the essential functions of their job, if the accommodation is reasonable and it does not affect the job performance.
- Title I applies to all public and private employers with 15 or more employees (5 employees in CA).

# Title II – Equal Access to State & Local Government Programs

- Applies to all cities, counties, states, and state licensing bodies, including public transportation entities.
- Title II entities must provide **reasonable modifications, effective communication and architectural access**.
- Public entities must have a designated ADA Coordinator, Notice of Rights, Self-Evaluation, Transition Plan, and a Grievance Procedure. These are also called “**administrative requirements**”.

## *Reasonable Modifications such as...*

- Assisting people with disabilities (cognitive, mobility, visual) to fill out intake form.
- Granting extra time for public comment to a person with a speech impairment.
- A person with a severe anxiety disorder can apply for food stamp benefits by having a prearranged appointment in a private location or an in-home visit.