Serving Clients with Disabilities

A training for the Homeless Prenatal Program

Joanna Fraguli
City & County of San Francisco Mayor’s Office on Disability
Our agenda...

- What is MOD and What it Does
- Defining Disability
- Disability Rights Laws & their Applications
- How They Affect Your Agency
- Practical Tips
- Additional Resources
About the Mayor’s Office on Disability...

- Who We Are & What We Do
- Jurisdiction & Areas of Influence
- Mayor’s Disability Council

(415) 554.6789 Voice / (415) 554.6799 TTY
www.sfgov.org/mod
Disability Defined...

- Different laws define disability based on different criteria, such as income earning potential, specific diagnosis, etc. However:

- **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 limits one or more life activities.
  2. A record of such an impairment.
  3. Being perceived as having a disability though no impairment exists.
Approximately 20% of SF’s population are people with disabilities. This includes:

- over 8,000 children and youth
- 95,000 adults between the ages of 21 and 64
- over 46,000 adults 65 and older

The numbers include those who have visible disabilities such as mobility impairments AND invisible disabilities such as mental disabilities, cognitive impairments, etc.

2000 U.S. Census Data
Some Disability Rights Laws that Apply to People with Disabilities:

- Section 504 of the Rehabilitation Act
- Fair Housing Amendments Act
- Air Carriers’ Access Act
- Individuals with Disabilities Education Act (IDEA)

Americans with Disabilities Act:

1. **Title III** – Access to Public Accommodations such as social service agencies
2. **Title II** – Access to State & Local Government Agencies and their contractors
What is Disability Access?

- Services should be “accessible to and usable by people with disabilities”

- It includes:
  1. Reasonable modifications to policies & procedures
  2. Communication access
  3. Architectural access
Common Disability Barriers:

- "Please wait for the next available..." (Waiting in line)
- "I'm sorry. We do not allow pets..." (Prohibitions against service / support animals)
- "We'd like to offer you a ride, but..." (Inaccessible transportation)
- "We have a program, designed especially for...“ (Segregation)
- "I'm sorry, but it’s NOT safe ..." (Inappropriate application of safety standards)
The Americans with Disabilities Act of 1990: A Civil Rights Law, with Standard Expectations

- **Don’t Deny Participation or Service**
  If transportation subsidies provided by the agency did not include Para transit or wheelchair accessible options, it would exclude wheelchair users from the program.

- **Don’t Segregate**
  If all clients with physical disabilities were referred to a public health clinic for prenatal care instead of being served onsite, this would be an example of segregation based on disability.

- **Don’t Retaliate or Coerce**
  After she complains of access violations, a case manager writes up and refuses to work with a client with a mobility impairment based on minor rule violations that staff usually ignores.
Reasonable Modification to Policies, Practices & Procedures

- We have the obligation to modify our policies, practices and procedures when needed to provide equal access – this is called a *Reasonable Modification*

- **Examples:**
  1. Allow a client with an anxiety disorder to be accompanied by an emotional support cat while attending therapy onsite.
  2. Allow a person with dyslexia to take an oral exam instead of a written test at a job training program.
  3. Scheduling case management appointments ONLY in the afternoons for a client who is on psych medication that makes it too difficult to function first thing in the morning.
Communication Access

- People with disabilities MUST have the same opportunity as others to enjoy, receive and understand information from the agency.

- When the agency provides an auxiliary aid or service to ensure effective communication, we MUST give primary consideration to the aid or service the individual with a disability has requested.
People who are Deaf or Hard of Hearing Use...

- Sign Language or Oral Interpreter
- Assistive Listening Device (ALD)
- Open or Closed Captioning
- TTY phone
- Telephone Relay System (711)
- Computer-Aided Real-time Captioning (CART)

Know the difference and appropriate use for each!
People Who Are Blind or Low Vision Use...

- Audio Description
- Accessible Websites
- Computer Screen-reading software
- Braille
- Large Print
- Readers
- Tactile Materials
Communicating with People with Psychiatric, Cognitive or Developmental Disabilities

- Get to know the person’s communication method.
- Ask the individual to repeat if you do not understand their speech.
- Speak directly to the person instead of the interpreter or communication facilitator.
- Allow for plenty of time and frequent breaks.
- Choose a quiet, distraction-free site with adequate space so it lowers anxiety level.
Regarding Architectural Accessibility...

- As a private agency, you must also ensure \textit{readily achievable barrier removal} when you conduct facility alterations and renovations.

- You also have an obligation to maintain those accessible elements in good working order- This is called \textit{Maintenance of Accessible Features}:
  - Furniture Obstructions
  - Toilet Room Trash Cans
  - Elevator Out-of-service
  - Missing Signage
  - Broken Hardware
You Can Help!

Regardless of your technical expertise with accessibility standards you must ensure:

1. New construction or addition plans have gone through a reliable accessibility (CASp) review.
2. Accessible route is maintained free, clear and in working order from curb to your front door AND throughout your office.
**Next Steps for Full Disability Access...**

- Provide notice to your customers about disability access features & policies.
- Become familiar w/ available resources Citywide & locally to assist clients who need them.
- Develop policies in advance to handle disability related requests & educate your staff.
- When in doubt, consult with your funding department’s ADA coordinator or MOD.
MOD is Here to Help!

For a number of ADA Resources please visit our website:  www.sfgov.org/mod

- Citywide ADA Grievance Procedure:  

- Accessible Public Events Checklist:  

- Accessible Public Meeting Locations:  

- Resources for Programmatic & Communication Access:  