

MEMO

To: Adjutant General Tod Bunting

From: Anthony A. Fadale,  State ADA Coordinator

Date: April 24, 2008

Subject: Outline on ADA Guidance for Coop and during emergencies.

Enclosed please find an outline for our partners to use when starting to evaluate ADA compliance issues with their programs, services, and activities. The guidance is meant to address some common issues which are likely to arise.

Could you please distribute this guidance to our partners? I stand ready to assist our partners in implementing this guidance. Thank you for your efforts in ensuring the safety of all Kansans including those with disabilities.

If you have any questions please contact me at (785) 296-1389 or Anthony.Fadale@srs.ks.gov

Outline on Guidance for Agencies during Emergency Management/COOP

Introduction

In July 2007 the Department of Justice issued, as part of its technical assistance to States and local governments, guidance on how the Americans' with Disabilities Act should be applied during emergencies. In addition to the DOJ guidance, <http://www.ada.gov/pcatoolkit/toolkitmain.htm> (see chapter 7) FEMA is considering similar guidance to be included into emergency preparedness planning and procedures. As a result of this new guidance, the State of Kansas will comply with all appropriate and applicable regulations to ensure its programs, services, and activities are accessible to and usable by individuals with disabilities.

In issuing this guidance I am attempting to summarize the guidance in a realistic understandable fashion by outlining the minimum required standards.

Planning

All agencies shall undertake a review of their current or developing Emergency Operations Plan or Continuity of Operations Plans and ensure accessibility requirements are addressed. It is important to note that each agency's essential functions/programs, services and activities will be different; but they must all be accessible to and usable by individuals with disabilities when viewed in its entirety.

Agencies should include people with disabilities or related organizations in the process to assist in evaluating the realistic and practical effects of your plan. The State ADA Coordinator will work with the Agencies and review the plan(s) at appropriate points to ensure the compatibility. The most important point to remember is agencies must be honest about what their needs.

Communication

Agencies must effectively communicate with people with disabilities during emergencies. Effective communication can take many forms based on personal disability. For someone who is deaf effective one on one communication can include:

Writing on and exchanging a pad of paper and pen/pencil. This should be done one on one in relatively short questions and answer settings. We can also use flash or picture boards. For someone who is blind or low vision we can talk or write for them. We can also have large print or even Braille of commonly used numbers information.

You may also use interpreters or text messaging or email for in-depth, complex, or long communications with individuals. Captioning to issue broad announcements about instructions to a broader segment of the population can also be used.

The guidance recommends a mixture of efforts so that you can address multiple disabilities. Please remember what you do as an agency also depends on variable factors. Some of auxiliary aids you would use in Kansas City are different than Colby.

Transportation

We must be able to evacuate and transport people with disabilities and the elderly during emergency situations. All forms of accessible transportation should be used. The vehicles include lift equipped vans or buses. We should also ensure that nursing and group homes have effective operating transportation.

We may use portable ramps if people with disabilities can appropriately access the vehicle. Once inside the vehicle we must ensure that individuals are appropriately secured. Also remember that service animals are allowed to ride in the vehicle. There must also be effective communication as mentioned earlier. Remember, this communication can take many forms and one size does not fit all.

Facilities

The new guidance now makes it clear that shelters must be accessible. The guidance is over sixty pages. I would use this document if they had a very technical question about a particular item. Otherwise, there is a document that the state uses when evaluating lease facilities that I believe would be effective. Here are some general tips to remember when evaluating a facility.

If your going to designate a disabled parking space remember you need a total of 16 feet for a van accessible space. There is the standard 8 foot space for the vehicle plus an eight foot aisle. As an example, you can use orange cones to designate spaces. We could also use some tools that make voting accessible for the day during emergencies to make the Facility temporarily accessible while we developed more permanent solutions.

The doorway is accessible when a door has 32 inches (Just short of 3 feet) of clear space available when the door is open 90 degrees. If the doors are not already accessible an alternative is to either prop the door open so there is minimum 32 inches clearance. Another alternative is to have someone stand post and open the door. These alternatives can be used for a period of time while we consider more permanent ADAAG compliant solutions. The duration of time is based on the event. A door should also have lever handles and not round knobs.

An accessible route is 36 inches -or 3 feet minimum of clear space around the Facility. If it is a multistory facility, there must also be an vertical accessible route. A temporary alternative to having vertical access available is to shuttle documents or use technology to accomplish the task(s).

An accessible restroom should have a 5 foot by 5 foot accessible turning space. It needs to have grab bars. The sink pipe should be insulated with a covering to keep someone's knees from hitting them. Interior doors of primary use need to be five pounds of push/pull. Otherwise doors are very difficult to open.

Make sure that if an employee or person needs to put something up or out of reach it is within 4 feet or 48 inches. Controls on devices should also be set

around 4 feet. If there is a question of reach range you should work with the individual to get as close as possible.

Make sure that technology and things like websites are 508/ADA Compliant to the maximum extent feasible.

Service Delivery

The ADA requires that a State and local government must ensure that its programs, services, and activities are accessible to and usable by people with disabilities when viewed in their entirety. Put simply that means the access must be meaningful.

Services can be delivered in many ways. Some of which can include:

Bringing the service to the individual.

Using phones, text messaging, websites and other technology.

In determining the best way to deliver services the agencies focus should be on what activities what activities serve the greatest number of individuals or animals.

Review and reasonably modify policies, practices, and procedures. Examples include allowing service animals into shelters. Another is requiring a drivers' license you should allow for ID's to be used.

An individual's devices and equipment should be considered part of them. Things like medications, canes, wheelchairs and other devices used for the individual's functionality must be kept with them through each phase of the event.

Housing/recovery

We must also provide accessible housing during the recovery period. There is a state Statute which lays out visit ability standards for certain homes. This could be used as a guide for rebuilding homes, when rebuilding public facilities during the recovery effort areas must be designed and constructed to be accessible.