Audio Conference Series

ADA Coordinator: Getting the Job Done

June 21, 2022

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Presenter

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City of Pasadena

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Agenda

1. Role of the ADA Coordinator
2. Preparing yourself for success
3. Engaging your community
4. Understanding your entity
5. Working towards a sustainable accessibility management plan
6. Approaching the work strategically
7. Next steps

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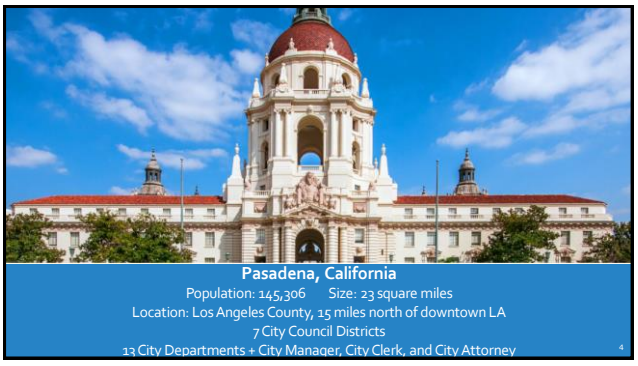

Pasadena, California

Population: 145,306 Size: 23 square miles

Location: Los Angeles County, 15 miles north of downtown LA

7 City Council Districts

13 City Departments + City Manager, City Clerk, and City Attorney

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The ADA Coordinator

"A public entity that employs 50 or more persons shall designate **at least one employee to coordinate its efforts to comply with and carry out its responsibilities** under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part."

- 28 CFR § 35.107 (a)

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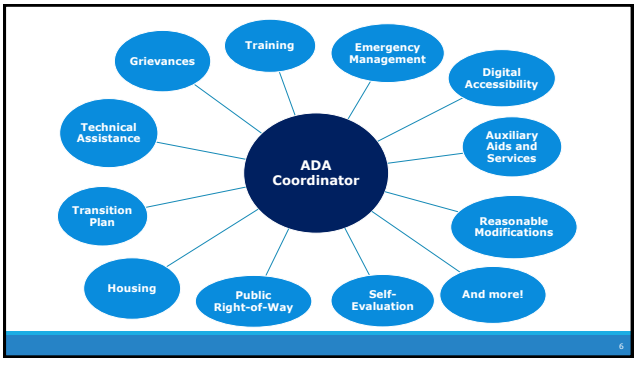

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Common Challenges

ADA COORDINATOR

- Lack of time
- Lack of knowledge and training
- Starting from scratch
- Limited resources
- Lack of authority
- Strained relationships
- Supervisor does not understand the scope and/or content of the work

ORGANIZATION

- Limited awareness
- Lack of knowledge
- Lack of ownership
- "No budget" for accessibility
- Accessibility is an afterthought
- Accessibility is not a priority
- Failure to invest necessary resources

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Accessibility is everyone's responsibility

The designation of an employee responsible for coordinating efforts to comply with ADA Title II "in no way limits a public entity's **obligation to ensure that all of its employees comply with the requirements** of this part, but it ensures that any failure by individual employees can be promptly corrected by the designated employee."

Section-by-Section analysis of ADA Title II regulations

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Role of the ADA Coordinator

- Serve as an internal expert on accessibility and disability related topics
- Provide technical assistance and training
- Consult on accessibility requirements and considerations for specific projects
- Recommend solutions to complex accessibility challenges
- Identify areas of non-compliance and collaborate with colleagues to address them
- Investigate and resolve grievances
- Maintain awareness of and share information about new and emerging accessibility issues and trends
- Provide staff support to disability advisory body
- **Amplify the voice of the disability community within the entity**

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Preparing yourself for success

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Clarify your scope of work

- Supervisor(s)
- Subject matter responsibilities
- Role
- Regular & special assignments
- Priorities
- Decision making authority
- Communication with other departments/divisions
- Assistance with legal interpretations
- Team or work group membership
- Existing accessibility work plan?

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Ask for what you need

- Funding and approval for training, conferences, networking
- Equipment and supplies
- Administrative support
- Accessible office space
- *Budget?*
- Anything else…

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Stay Organized

- Task management
- Email management
- File organization and maintenance
- Schedule time for administrative work
  - Tracking requests, complaints, grievances
  - Saving emails with important information

Think about the next person who will do the job

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Study accessibility requirements

START WITH ADA TITLE II:

- Web Courses
  - Foundations of the ADA
  - ADA Title II Tutorial
- Department of Justice (www.ada.gov)
  - Title II Regulations
  - Title II TA Manual/Supplement
  - Best Practices Tool Kit
  - Project Civic Access agreements
- ADA Title II Action Guide

EXPAND TO:

- State laws
- Additional DOJ guidance
- Additional web courses
- Other laws/regulations/guidance applicable to your entity's specific services, programs, and activities

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Invest in Personal Development

- Develop a network of support
  - Regional ADA Center
  - State or regional network of ADA Coordinators
- Attend continuing education opportunities
  - National ADA Symposium
  - State and regional ADA conferences
  - Webinars
  - Web courses & tutorials
- Pursue the ADA Coordinator Certification (ACTCP)

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Follow new and emerging accessibility issues and trends

- Read articles and books by people with disabilities
- Listen to podcasts on disability and accessibility issues
- Follow social media accounts of disability rights advocates
- Subscribe to newsletters
  - Department of Justice (ADA.gov)
  - U.S. Access Board
  - Accessibility in the News

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Engage your community

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Get to know the local disability community

MAKE CONTACT WITH:

- Disability advisory body
- Independent Living Center
- Disability service organizations
- Local disability rights advocates
- And more…

ASK:

- What has been your experience with the entity?
- What is working well?
- What barriers or challenges need to be addressed?
- Who else should I talk to?
- Would you like to be added to my email distribution list?
- Is there anything else you would like me to know?

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Stay connected

- Attend community meetings and events
- Sign up for organization newsletters
- Distribute your contact information widely
- Establish an email distribution list
- Be responsive

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Invest in your disability advisory body

- Clarify the body's mission/purpose and scope of authority
- Help the body understand how the entity operates and important processes
- Provide information about the entity's activities and topics of interest
- Connect members with other local disability advocates and organizations
- Remind members to keep in touch with the individual who appointed them

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Help advisory body members understand how they can be most effective

- Assist the body with focusing where their attention is most needed
- Explain the limits of your authority/influence and be as clear as you can about specific problems the body may want to address
- Encourage the body to…
  - Research and ask questions
  - Become familiar with resources allocated to accessibility
  - Make specific recommendations that take into account what the entity is currently doing
  - Participate in public comment opportunities
  - Engage the community and share what they learn

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Understand your entity

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Learn how your entity operates

- **Organizational structure**
  - Key decision makers
  - Reporting structure
  - Mission/vision/priorities
- **Departments**
  - Key areas of responsibility and lead staff
  - Policy and planning documents
- **Budget**
  - Budget process and timeline
  - Budget documents
- **Citywide collaboration**
  - Centralized vs. decentralized work
  - Citywide groups and teams that meet on a regular basis

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Maintain awareness of current events

- **Read…**
  - Governing body meeting agendas and minutes
  - Communications from your entity
  - Local news digests that cover government activities
- **Subscribe to…**
  - Elected official newsletters
  - Department newsletters
- **Get out of your office**

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Review ADA compliance status

- **ADA Coordinator**
  - Where is the Coordinator positioned within the organization?
  - Where is the contact information posted?
  - Does customer service know how to direct someone to the ADA Coordinator?
- **Public Notice**
  - When was it last reviewed/updated?
  - Where is it posted?
- **Grievance Procedure**
  - When was it last reviewed/updated?
  - Where is it posted?
- **Self Evaluation**
  - Where is it?
  - When was it last updated?
  - What was evaluated?
  - Who conducted the evaluation?
  - Who is responsible for monitoring implementation and reporting progress?
- **Transition Plan**
  - Where is it?
  - When was it last updated?
  - What facilities were included?
  - Who developed the plan?
  - Who is responsible for monitoring implementation and reporting progress?

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Work towards a sustainable Accessibility Management Plan

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Purpose

- Facilitate proactive accessibility measures
- Memorialize existing and new procedures
- Reference other documents that contain relevant procedures
- Prevent discrete issues from falling through the cracks
- Support entity wide accountability
- Withstand staff changes
- Provide a work plan for the ADA Coordinator

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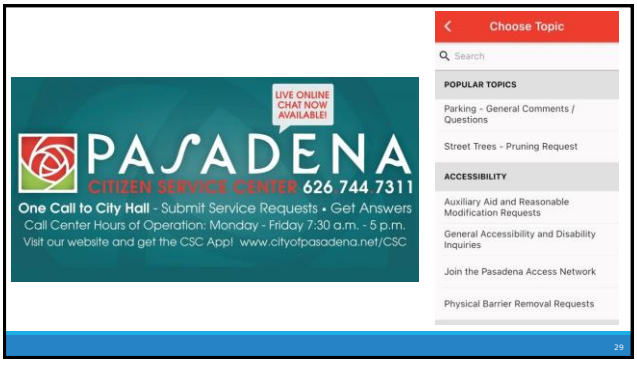

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Example content

- Topic
- Authority
- Brief description
- Action items

- Action statement
- Responsible department
- Responsible staff
  - Implementation
  - Monitoring
  - Enforcement
- Frequency
- Corresponding training
- Corresponding resources
- Justification/history

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Example topic areas

- Administrative requirements
  - ADA Coordinator
  - Public Notice
  - Grievance Procedure
- Self evaluation
- Reasonable modification
- Effective communication
  - Auxiliary aids and services
- Existing facilities
  - Transition Plan
  - Maintenance of accessible features
  - Physical barrier removal requests
- New construction & alterations
- Specific subject areas
  - Employment
  - Digital accessibility
  - Emergency management
  - Public meetings and events
  - Transportation
  - Housing
  - Voting
  - Law Enforcement
- Procurement
- Disability advisory body
- Staff training
- Department level accessibility liaisons
- Annual accessibility reporting

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Example: Effective Communication

Topic: Auxiliary aids and services

Authority: 28 CFR § 35.160 (b)

Description: In compliance with ADA title II, the City provides auxiliary aids and services for effective communication

Action: The City will maintain a up to date list of vendors providing auxiliary aids and services

Responsible department: Finance

Responsible employee: Purchasing administrator

Frequency: Review list annually

Action: Customer service staff are trained on how to respond to requests for auxiliary aids and services

Responsible department: City Manager

Responsible employee: ADA Coordinator

Frequency: Provide training at new hire and bi-annually thereafter

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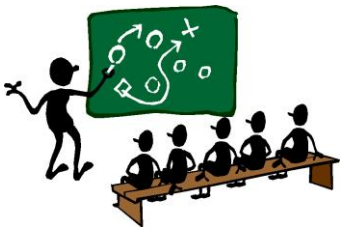
Approach the work Strategically



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How you talk about access matters

- Genuinely care about what you are talking about
- Share specific stories and examples
- Be prepared to dispel common misconceptions and respond to outdated language
- Support a culture of inclusivity through a consistent message that aligns with your entity's mission
  - "The City of Pasadena is dedicated to delivering exemplary municipal services responsive to our entire community and consistent with our history, culture and unique character."
  - In order for our services to be responsive to the entire community, they must be accessible to people with disabilities…

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Understand motivations

Personal Interest	Organizational Interest	Community Interest
• Personal experience with disability • Requirement of the job • Rule follower • Want to support YOU	• Liability • Compliance • Program funding requirement • Mutual benefit • Financial benefit	• Community need/request • It's the right thing to do • Interested in universal design

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Maintain good relationships

- Be someone people want to contact
  - Approachable
  - Responsive
  - Knowledgeable
  - Available to assist
- Invite the right people to the table
- Be diplomatic
- Celebrate successes, good efforts, and thoughtful inquiries
- Perform your work with integrity
- Remain mission focused

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Keep accessibility top of mind

- Discuss accessibility at all levels
- Reiterate that accessibility is everyone's responsibility
- Sprinkle anecdotes, current events, and "fun facts" into conversations and meetings
- Meet regularly with key partners
- Show up to staff events
- Be creative!

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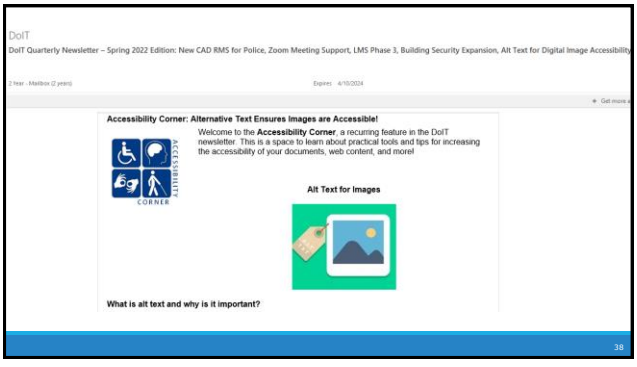

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Don't reinvent the wheel

- Integrate accessibility into existing policies, procedures, and projects
- Be thoughtful about creating new policies
- Use models provided by DOJ
- Consult with other jurisdictions
  - Examples and templates
  - How do they address specific issues

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Give expert level recommendations

Question	• Clarify the **question** • Obtain relevant **details**
Research	• Identify and review relevant **authorities** • Review **guidance** and **best practices**
Analysis	• **Apply** authority, guidance, and best practices to the specific question and circumstances
Recommendation	• Present **options** (risks/benefits, most/least protected) • Make a **specific recommendation**
Follow-Up	• Offer **opportunity for follow-up** • When necessary, ask for an update on the final decision

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Leverage opportunities to move beyond minimum compliance

- Disability community priorities
- Safety
- Broad impact
- Mutual benefit
- Strong allies
- Right time
- Hot topic
- Easy wins

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Turn frustration into action

When something goes wrong, ask…

- What happened (or didn't happen)
- Why was it wrong?
- Who has control or authority to fix it?
- How can they fix it?
- How can they prevent it from happening again?
- What do they need from you?
- Document

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Respond to resistance with authority

- Slippery slope
- The requestor is lying
- Too expensive
- Too difficult
- Don't have enough staff
- Don't have the time

- Clearly state what is required
  - The ADA requires…
  - Requests must be assessed on a case by case basis
  - Any denial must be based on exceptions allowed under the ADA
- Ask for an opinion from your entity's attorney
- Determine who else should be consulted before a final "no"
- Document

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"No budget" for minimum compliance is not your problem to solve

If you do not have the budget to meet minimum accessibility requirements, you do not have the budget for the project

Let me know how I can help you integrate accessibility from the beginning in the future

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No = Not Yet (only in this specific context)

- Plan before you ask
- Understand why the answer was "no"
- Modify your plan in response
- Watch for opportunities to ask again or in a different way
  - Leadership changes
  - Alignment with new priorities/goals
  - Public pressure
  - New guidance or enforcement activities
  - Passage of time
- Be ready for YES

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Leverage Transitions

- Staff movement is a good time to…
  - Expand your reach
  - Meet new people
  - Propose action in new areas
- Leadership changes are a good time to…
  - Reintroduce yourself
  - Reintroduce proposals
  - Start fresh

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What gets measured gets done

- Share your accessibility management plan with your supervisor and provide regular reporting on progress
- Consider publishing an annual ADA Report
- Ask departments to share their accessibility accomplishments with you
- Identify opportunities to incorporate accessibility into existing reports
- Include accessibility compliance in performance evaluations

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Set boundaries – you cannot do it all!

- Address knowledge gaps with information, resources, and training
- Do not do the work of others
- Stay in your lane
- When taking on new duties, discuss prioritization of work with your supervisor
- Take a deep breath and let it go

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Celebrate successes!

- Celebrate wins big and small
- Give appreciation for thoughtful inquiries
- Tell supervisors about extra efforts of their staff
- Pass along positive community feedback
- Share progress with the disability advisory body

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What's next?

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Advocating for an ADA Coordinator

- Full time or part time
- Knowledge and experience
- Minimum qualifications (ADAC within specific timeframe?)
- Participation in continuing education and networking
- Subject matter responsibilities
- Placement within the organization (department/supervisor)
- Authority
- Resources and support
- Department level accessibility liaisons
- Other mechanisms to ensure entity wide accountability for accessibility

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Questions?

You may type and submit questions in the Q&A area of the Zoom Platform

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Session Evaluation

Your feedback is important to us

You will receive an email following the session with a link to the on-line evaluation

ADA National Network
Information, Guidance and Training on the Americans with Disabilities Act

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ADA Audio Conference Series

Next Session:

Tuesday, July 19, 2022

ADA Anniversary Update

Registration is available at:
www.ada-audio.org

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