

DHS ADA Training

February 4, 2015

Governor's Employment Works Initiative

The Employment Works Task Force identified five strategies to increase hiring people with disabilities

1. Project skills work experiences within State Government
2. Training
3. Data Collection
4. DHS ADA Compliance
5. Accessible job application system

What this training will cover

- General ADA Information
- What DHS is doing and have in place
- What is expected of DHS staff
- Resources and how to prepare
- What we will be doing in the future
- Questions



They called him the Martin Luther King Jr. of the disability rights movement, the father of the Americans with Disabilities Act.

Justin Dart

The Americans with Disabilities Act (ADA) is?

Civil Rights legislation

The ADA was signed into law in 1990 and was amended in 2008

- The ADA has five titles
- Title I - Employment
- Title II - State and Local Governments
- Title III - Public Accommodations
- Title IV - Communications
- Title V - Miscellaneous

**DHS is Title II
Program Accessibility Standard**

A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible.

A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as "program accessibility," applies to all existing facilities of a public entity. **Public entities, however, are not necessarily required to make each of their existing facilities accessible.**

**Alternative methods for providing
program accessibility**

The public entity is allowed to pursue alternatives to structural changes in order to achieve program accessibility. Nonstructural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate accessible sites.

What is DHS required to do?

Department of Justice regulations outline five action steps to be in compliance

1. Designate an ADA Coordinator- Eric Weiss
2. Public Notice
3. Adopt a Grievance Procedure
4. Self-Evaluation
5. Transition Plan

Governor's Employment Works Initiative
4 DHS ADA Compliance

- ADA Review of DHS by 25th anniversary of the ADA, July 26, 2015
- Develop toolkit for other state departments to assess their ADA compliance

Self-Evaluation
Meeting the Challenge Inc., (MTC)

DHS has done consultant contract to have MTC do our self-evaluation.

- MTC will determine if DHS services, policies and practices comply with the DOJ Title II regulations
- This involves 5 tasks

Self-Evaluation

Task 1 – Solicitation of Public Input. MTC will assist by inviting community representatives and the public to participate and give us input on what we are doing.

Self-Evaluation

Continued

- Task 2 – Inventory and review of Existing ADA Policies. This will determine if programmatic accessibility barriers exist.
- The consultant contract notes the following:
 - Public Notice
 - ADA Grievance Procedure
 - ADA Coordinator
 - Effective Communication
 - Emergency Management Policies and Procedures
 - Other ADA Policies and Procedures
 - Staff ADA Training

Self-Evaluation

Continued

- Task 3 – Research Survey and Staff Interviews
 - MTC will develop a survey to identify DHS programs and services.

This will identify responsible staff members who will be interviewed to determine their level of understanding of DHS ADA policies and procedures.

Self-Evaluation

Continued

- Task 4 – Review of Policies, Practices, and Procedures of DHS programs and services

This will be done to determine if our policies, practices and procedures discriminate on the basis of disability.

Self-Evaluation
Continued

- Task 5 – Reporting
- We will get an executive summary report that will summarize the findings and recommendations so we understand the scope and extent of any issues identified
- It will also assess the risk and potential liability for all non compliant issues identified

What do we expect????

- From example self-evaluation and discussions with MTC
- We are already doing much more than other title II entities
 - Other state agencies
 - Counties
 - Cities
- **However**, they are very by the book –if we are supposed to do something we need something saying we will. MTC will find things wrong

What have we done to prepare

DHS ADA Advisory Committee

- Steve Stewart, DRS
- Grant Flynn, Senior Staff Attorney
- Patrick Backer, Communications Officer
- Nancy Hoyme, SBVI
- Kelli Anderson, DDS
- Russ Franks, SDDC
- Cheryl Stone, BHR

ADA Resources on our Website
The ADA is about Equal Access
and Equal Opportunity
http://dhs.sd.gov/drs/ADA/DHS_ADA_Compliance/DHS_ADA_Information.aspx



Americans with
Disabilities Act
Equal Access,
Equal Opportunity



The screenshot shows the DHS website interface. At the top, it says "Department Of Human Services CHOICES". Below that is the "DIVISION OF REHABILITATION SERVICES" section. The main content area includes a "Mission Statement" and a "NEWS" section with a sub-heading "South Dakota adds smart devices to telecommunications equipment programs". There are also navigation menus on the left and right sides of the page.

DHS ADA Information Resources
will be assembled and distributed to
all DHS office locations



The image shows a white folder or binder. The cover has the text "The Department of Human Services Americans with Disabilities Act" at the top, followed by the "DHS" logo in large letters. Below the logo is a smaller logo featuring a person in a wheelchair and the text "Americans with Disabilities Act".

The resources will include

- DHS ADA contacts
- All DHS ADA Policies
- Additional DOJ guidance documents
 - Effective Communications
 - Service Animals
 - Other power driven mobility devices
 - DHS Grievance Procedures
 - Emergency Management Policies and Procedures
- Title II Technical Assistance Manual
- DHS ADA Training schedule

What is expected of DHS Staff?

- General ADA knowledge
- Self-evaluation process
- DHS ADA Compliance activities
- Awareness of DHS ADA Policies



What we will be doing in the future

- Training
- Tool kit to help other agencies
- Transition Plan, physical accessibility of facilities
- Celebrate 25th Anniversary of the ADA - 7/26/2015
- Accessible website

Next Training

March 9, 2015

Details on highest probability issues

- Service Animals
- Effective Communications

Resources



- http://dhs.sd.gov/drs/ADA/DHS_ADA_Compliance/DHS_ADA_Information.aspx
- ADA Website <http://www.ada.gov/>
- ADA Title II Technical Assistance Manual <http://www.ada.gov/taman2.html>
- Job Accommodation Network <https://askjan.org/>
- Rocky Mountain Technical Assistance Center <http://www.adainformation.org/>
- Meeting the Challenge Inc. <http://www.mtc-inc.com/>

Recorded Trainings

Available on the DHS Intranet site

Will send this link out when recording is available

Questions
