

SEXUAL ASSAULT ADVOCACY TOOLKIT



KANSAS
BELIEVE



Kansas BELIEVE Sexual Assault Advocacy Toolkit

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The information in this toolkit is intended to assist sexual assault advocates when working with survivors with disabilities. The editors and staff of the Kansas Coalition Against Sexual and Domestic Violence and the Self-Advocate Coalition of Kansas do not render legal services and specifically disclaim any liability, loss, or risk from the use and application of any of the contents of this toolkit.

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About Kansas BELIEVE



What is Kansas BELIEVE?

The Kansas BELIEVE (Building and Expanding Leaders and Individuals, Experience the Vision of Empowerment) Partnership membership is the Kansas Coalition Against Sexual and Domestic Violence (KCSDV) and the Self-Advocate Coalition of Kansas (SACK).

The vision of Kansas BELIEVE is that people with intellectual and development disabilities (I/DD) who have experienced sexual violence will be believed and will be able to make their own decisions. Kansas service and support providers will offer unconditional and continuous support in a relaxed place with safety and respect.

The mission of Kansas BELIEVE is to improve services and support to people with I/DD who have experienced sexual violence. We will do this through our:

- Active teamwork,
- Desire to understand, and
- Development of meaningful partnerships.

We will also build our ability to assist others in creating communities of safety and trust that are based on listening, believing, and providing unconditional support.



A picture of the hands of the Kansas BELIEVE team and self-advocates in a circle. The Kansas BELIEVE logo is in the middle of the hands.



Accommodations





**Accommodation Toolkit for
Sexual Assault Advocacy Agencies**
Empowering People with Disabilities to Live Life

2018

SEXUAL ASSAULT ADVOCACY TOOLKIT – ACCOMMODATIONS

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What is this toolkit?

The Kansas BELIEVE Partnership talked to self-advocates, survivors of sexual violence, and sexual assault advocates to learn what information on accommodations would be helpful to everyone.

This toolkit is written to help sexual assault advocates know about:

- Self-advocacy
- Self-determination
- The Americans with Disabilities Act (ADA)
- Who is protected under the ADA
- Examples of accommodations
- Accommodation plans
- What to do if discrimination happens
- Sample policies, procedures, and supports for sexual assault agencies

This toolkit is not intended to provide legal advice. If you need legal advice, you should contact an attorney.

Who will this toolkit help?

This toolkit is designed to help sexual assault advocates who:

- Want more information about the ADA.
- Want more information about how the ADA can help people with disabilities.
- Want to know how to make an accommodation plan with a person with disabilities.
- Want more information about what to do if accommodations are not offered to a person with disabilities.

Self-advocacy and self-determination are important to understand before learning about how to help a person with intellectual and developmental disabilities (I/DD) or other disability. Self-advocacy and self-determination are defined next.

What is self-advocacy?

Self-advocacy is when people say what they want and need.

Self-advocacy means:

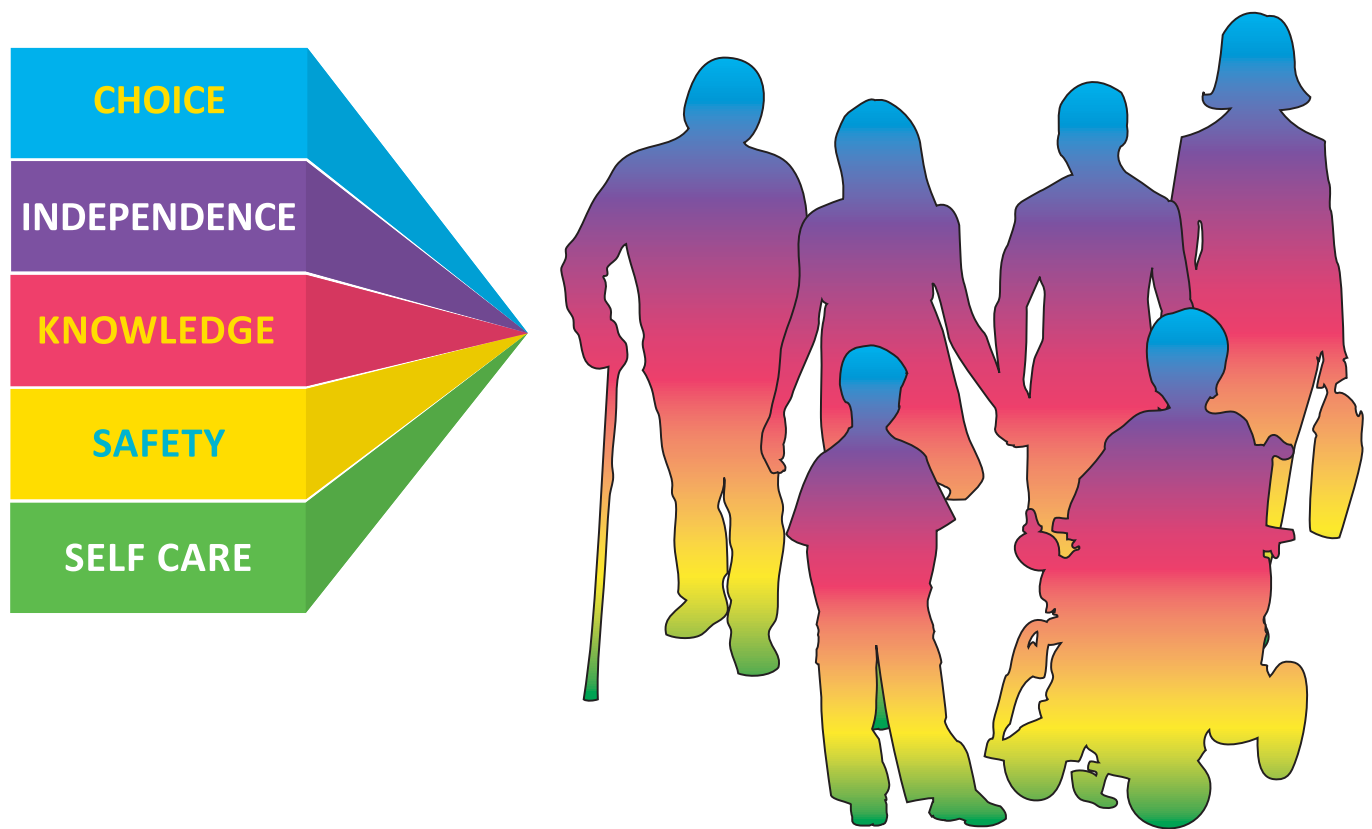
- Speak for yourself
- Share ideas about what you need and want
- Speak about what you want your life to be
- Speak about the things that can affect your life



A picture of a woman pointing to herself.

What is self-determination?

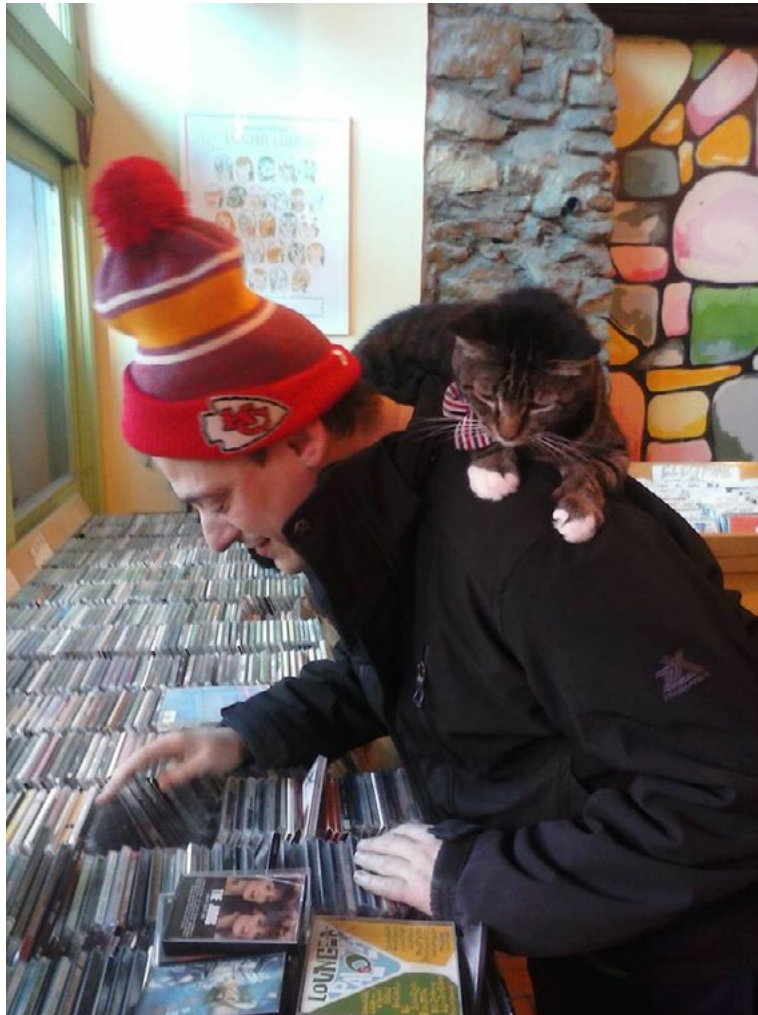
People are often labeled and defined by their disability or experience. People have feelings, ideas, beliefs, and values that are not limited by disability or experience. People with disabilities or people who experience sexual violence also have feelings, beliefs, and values. Each person is the expert in their own thoughts, feelings, and experiences, and knows what is best for them. As the expert of their life, people have the ability to direct decisions about their life, and this is self-determination. Choice, independence, knowledge, safety, and self-care are basic parts of self-determination.



HUMAN JUST LIKE EVERYONE ELSE

■ Choice (ability to try something and learn)

Each person has the right to experience successes and failures based on their decisions, and to decide if the result is what they want. This is how people build skills in understanding cause and effect for future decision-making and choices.



A picture of a self-advocate flipping through a selection of CD's with a cat resting on his shoulder.

■ Independence (decide how things are done)

Each person has the ability to make choices in their life according to their needs, beliefs, values, and desires. The level of independence and support varies based on the needs, abilities, skills, and experience of each person.



A picture of a self-advocate who has just received a “Cheerful Charlie” award at work.

■ Knowledge (information)

Each person has the right to have easily understood information about the options available, and the possible outcomes of each option.



A picture of a self-advocate speaking to the audience at the Kansas Disability Caucus.

■ Safety (emotional, financial, physical, spiritual)

Each person has the right to feel safe. Each person has the right to determine which safety plans they wish to use and which they do not. A person telling their own experience of violence or abuse should be met with support and options. Options are then chosen by the person so they can determine the next steps for their own safety.



A picture of a self-advocate at physical therapy.

■ Self-care (taking care of one's own emotions and body)

Each person has the right to heal in their own way. This involves taking care of their emotional, physical, and spiritual needs.



A picture of two self-advocates on a boat on vacation.

What is the Americans with Disabilities Act (ADA)?

The Americans with Disabilities Act (ADA) is a civil rights law that was passed in 1990 to protect people with disabilities from discrimination, or being treated unfairly. It makes sure people with disabilities have the same rights and opportunities as everyone else in all areas of public life including jobs, schools, transportation, and all public and private places that are open to the public.



There are five Titles to the ADA:

- Title I: Employment
- Title II: State and Local Government Services
- Title III: Public Accommodations
- Title IV: Telecommunications
- Title V: Other requirements and definitions

Who is protected under the ADA?

To be protected by the ADA, one must have a disability. An individual with a disability is defined by the ADA as "a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment." The ADA does not specifically name all of the impairments that are covered. Major life activities can include things like walking, breathing, learning, reading, communicating, seeing, hearing, thinking, or other important tasks.

People who have a relationship or association with an individual with a disability may also be protected by the ADA. The association provision of the ADA prohibits employment discrimination against a person, whether or not she or he has a disability, because of her or his known relationship or association with a person with a known disability. This means that an employer is prohibited from making adverse employment decisions based on unfounded concerns about the known disability of a family member or anyone else with whom the applicant or employee has a relationship or association.



A picture of a woman in a power chair.



A picture of a man with a cane.



A picture of a woman with her arms stretched out.



A picture of a man with a service dog.

The Five Titles of the ADA

The following provides a brief overview of each Title of the ADA. For more in-depth information, visit www.ada.gov.

■ Title I: Employment

Title I of the ADA is designed to help people with disabilities access the same employment opportunities and benefits available to people without disabilities. A person with a disability who, regardless of accommodation, can perform the essential functions of the job is considered a "qualified individual with a disability."

Employers must provide reasonable accommodations to qualified individuals with a disability, including applicants or employees. A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable an applicant or employee with a disability to participate in the application process or to perform essential job functions.

Employers with 15 or more employees must comply with this law. This Title is regulated and enforced by the U.S. Equal Employment Opportunity Commission.



A picture of a woman sitting at a desk with dark glasses and a service dog laying on the floor next to her.



A picture of a man in a power chair next to a wall with his arm raised and touching the switch for the lights.

■ Title II: State and Local Government Services

Title II of the ADA applies to state and local governments (public entities), which have obligations under this Title to provide people with disabilities an equal opportunity to participate in all services, programs, and activities. This includes public transportation such as rail, bus, and other commuter services.

This Title outlines requirements for self-evaluation and planning; making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination; identifying architectural barriers; and communicating effectively with people with hearing, vision, and speech disabilities.

This Title is regulated and enforced by the U.S. Department of Justice.



A picture of a sign showing an arrow and states "To the Courts" with a picture of a wheelchair.



A picture of a van with a ramp and a person in a power chair using the ramp to enter the van.



A picture of the Kansas State Capitol.

■ Title III: Public Accommodations

Title III of the ADA applies to businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses and examinations, privately operated transportation, and commercial facilities. **Nonprofit sexual assault advocacy programs and agencies are considered public accommodations under this Title.**

Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment on the basis of disability. This Title directs public accommodations to make reasonable modifications to their usual ways of doing this when serving people with disabilities. It also requires that they take steps necessary to communicate effectively with customers with vision, hearing, and speech disabilities.

Public accommodations must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; and the removal of barriers in existing buildings where it is easy to do so without much difficulty or expense.

This Title is regulated and enforced by the U.S. Department of Justice, Civil Rights Division.



A picture of a woman on a scooter on a wooden path through a park.



A picture of a boy on a wheelchair on a swing made for wheelchair.



A picture of a woman in a power chair at the library where the aisle between the bookshelves are wide enough for the chair.



A picture of a man in a wheelchair at a hotel reception desk that is lowered.



A picture of a restaurant with wide paths between the tables.



A picture of a man in a wheelchair planting flowers on a raised flower bed in a community garden.

■ Title IV: Telecommunications

Title IV of the ADA addresses telephone and television access for people with hearing and speech disabilities. It requires common carriers to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week. TRS enables callers with hearing and speech disabilities who use TTY (also known as TDDs), and callers who use voice telephones to communicate with each other through a third party communications assistant. The Federal Communications Commission has set minimum standards for TRS services. Title IV also requires closed captioning of federally funded public service announcements.

This Title is regulated by the Federal Communications Commission.



A picture of a video of a man speaking



A picture of a video of a man speaking with closed captioning at the bottom of the screen.

■ Title V: Other Requirements and Definitions

Title V of the ADA contains a variety of provisions relating to the ADA as a whole, including its relationship to other laws, state immunity, its impact on insurance providers and benefits, prohibition against retaliation and coercion, illegal use of drugs, and attorney's fees. This Title also provides a list of certain conditions that are not to be considered as disabilities.

Why is the ADA important?

People with disabilities are often limited by many different kinds of barriers, and the ADA can help reduce these barriers.

The following provides examples of common barriers faced by people with disabilities.

- Physical barriers that make it difficult or impossible to get into or use services of a business or nonprofit organization.

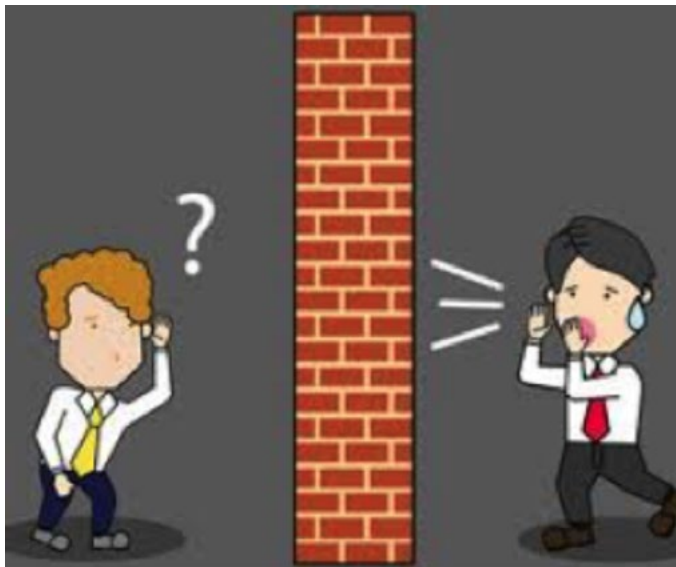


A picture of a person in a wheelchair with steps in front of them and a sign that says, “way in, everyone welcome.”



A picture of a wheelchair ramp and the door to the building opens over the middle of the ramp.

- Communication barriers.



A picture of a brick wall with a person on each side of the wall. One person is speaking and the other person cannot hear because of the wall.

- Policies and procedures that cannot be changed are barriers.
- Fears or beliefs about people with disabilities are barriers.



A picture of a child outside in his wheelchair. The child is by himself and is watching a group of children who do not use wheelchairs.

What does Title III of the ADA require Public Accommodations to do?

Nonprofit sexual assault advocacy programs and agencies are considered public accommodations under Title III of the ADA. The following provides the ADA requirements of public accommodations.

- Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment on the basis of disability.
- Public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense.
- Public accommodations must comply with specific requirements related to architectural standards for new and altered buildings.
- Public accommodations must take steps necessary to communicate effectively with customers with vision, hearing, and speech disabilities.
- Public accommodations must make the goods, services, facilities, privileges, advantages, or accommodations accessible to people with disabilities, unless an undue burden or a fundamental alteration would result.
- A public accommodation may refer a person with a disability to another public accommodation, if that person is seeking, or requires, treatment or services outside of the referring public accommodation's area of specialization, and if, in the normal course of its operations, the referring public accommodation would make a similar referral for an individual without a disability who seeks or requires the same treatment or services.
- Public accommodations must provide goods and services to people with disabilities in the same way that it provides good and services to people without disabilities.
- Public accommodations must make reasonable modifications in policies, practices, or procedures, when the modifications are necessary to afford goods, services, facilities, privileges, advantages, or accommodations to people with disabilities, unless the public accommodation can demonstrate that making the modifications would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations.

Below is an example of how the accommodation requested might "fundamentally alter" the way a service or good is provided:

- Mike does not see well and would like to tour the local museum.
- Mike requests that the museum accommodate his disability by allowing him to touch all of the pieces of art.
- The museum has a strict policy against touching the art because the oils from human hands would damage the artwork.
- The museum would not have to accommodate Mike by allowing him to touch the art as he asked because it would completely change the way the museum provides their service to the public.
- The museum might instead offer Mike a tour that would include a museum guide who would tell Mike what the artwork looks like, or may offer audio devices that describe the art.



A picture of two young people holding a tape player and wearing headphones standing near sculptures.

What does Title III of the ADA require Public Accommodations to do?

(continued)

- Public accommodations must modify policies, practices, or procedures to permit the use of a service animal by a person with a disability.
- Public accommodations cannot impose or apply eligibility criteria that screen out or tend to screen out people with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless such eligibility criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations being offered.
- Public accommodations may set legitimate safety requirements that are necessary for safe operation. Safety requirements must be based on actual risks and not on mere speculation, stereotypes, or generalizations about people with disabilities.
- Public accommodations are not required to permit a person to participate in or benefit from the goods, services, facilities, privileges, advantages, and accommodations of that public accommodation when that person poses a direct threat to the health or safety of others. Direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. In determining whether an individual poses a direct threat to the health or safety of others, a public accommodation must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

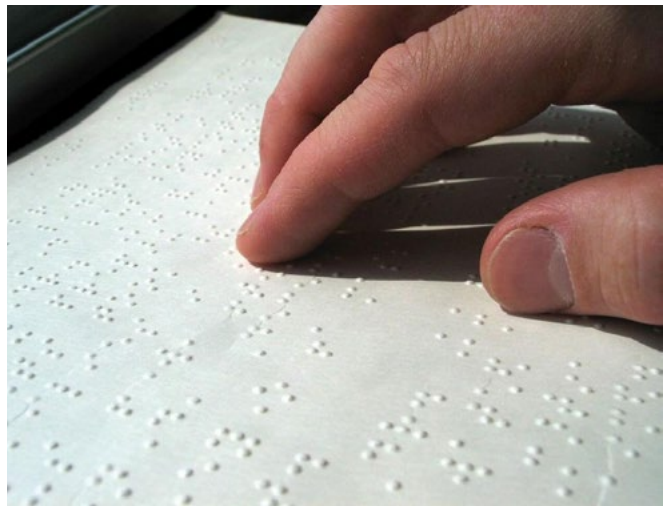
Examples of supports that Public Accommodations may be required to provide under Title III of the ADA:



A picture of a sign language interpreter standing next to a presenter in a meeting room.



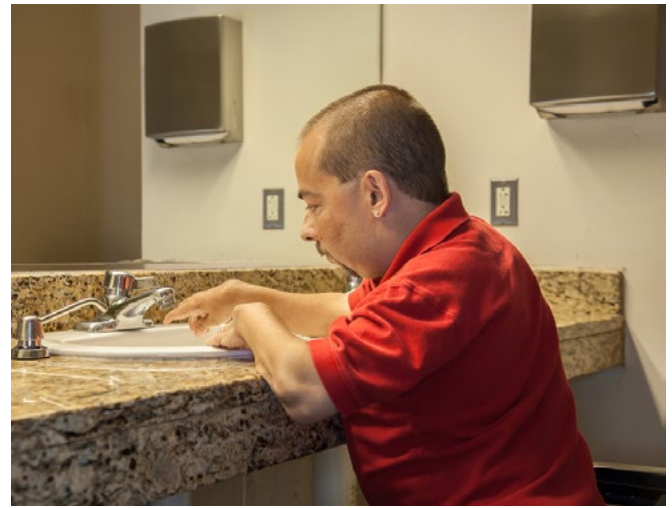
A picture of a listening device (headphones) over the ears of a person.



A picture of a hand on a Braille page.



A picture of a hand touching Braille buttons in an elevator.



A picture of a man at a bathroom sink with a lowered counter.



A picture of a man in a powerchair in accessible seating in a theater.



A picture of a man in a scooter moving onto a stage using a ramp with hand rails.

Sexual Assault Advocacy and Accommodation Plans

Sexual assault advocates can ask a survivor with disabilities about what they need to make accessing services easier for them. This conversation may take time or may happen more than once as both the survivor and sexual assault advocate may identify changes and accommodations that need to be made.

Survivors with disabilities can talk with staff, friends, family, self-advocates, or others to get ideas on accommodations they might ask for in their plan.

The Job Accommodation Network (JAN) is an organization that provides information to people with disabilities, employers, and organizations. JAN also helps employers and organizations with understanding the importance of accommodations. JAN made a sample accommodation plan that can be used to ask for accommodations.

The following is an example of what can be included in an accommodation plan and is adapted from JAN's sample accommodation plan.

Date _____

Your name _____

- I need help because I have a disability.
- The ADA supports my right to ask for accommodations (help) for me.
- I need help with _____ (write what is hard to do).

Examples:

1. Reading is hard for me
 2. Remembering things that I do not have to do often is hard
 3. Too much noise makes it hard to think
 4. Writing is hard for me
 5. Putting things back where they belong is hard
- I have ideas about accommodations (how things can change to help you) that help me. I need _____

Examples:

1. Some things that help me understand things that are written are:
 - Someone to read things to me
 - Pictures to go with words
 - No big words
 - Large print
 - Things in electronic form so my computer can read it to me
2. Some things that help me remember things that I do not do often are:
 - Divide large tasks into several small tasks or chunks
 - Set a timer to sound an alarm after assigning ample time to complete a task
 - Provide a checklist of tasks
3. Some things that help me think are:
 - Work in a space with little noise
 - Take breaks
4. Some things that help me instead of writing are:
 - Speak my response
 - Ask someone to write down my response

5. Some things that help me to put things back where they belong are:

- Pictures of the item on the place that the item needs to go
 - A map of where things are supposed to be
 - Color coding on the place where the item is supposed to be with the same color on the item
- Do you have ideas about accommodations that will help me?

For additional help with ideas for accommodation, contact the following:

In Kansas

Self-Advocate Coalition of Kansas (SACK)

785-749-5588

Website: www.sackonline.org

Kansas Coalition Against Sexual and Domestic Violence (KCSDV)

785-232-9784

Website: www.kcsdv.org

Nationally

Job Accommodation Network

Phone: 800-526-7234

Email: jan@askjan.org

Website: www.askjan.org

Considerations for Sexual Assault Advocacy

The information below will help sexual assault agencies prepare to accommodate the needs of survivors with disabilities.

■ Reasonable Modifications

(Adapted from Renewing the Commitment: An ADA Compliance Guide for Nonprofits)

Every agency has a certain way of doing things. Policies, practices, and routines help an agency operate as smoothly as possible. However, the way things have “always been done” may make it difficult for survivors with disabilities to take full advantage of the agency’s services. Title III of the ADA requires reasonable modifications to policies and practices if doing so is necessary to accommodate people with disabilities and avoid discrimination. This means agencies may need to make adjustments to existing policies or procedures (or informal practices or routines), or offer extra assistance to survivors with disabilities.

■ What is "Reasonable"?

As an agency, decide what changes are reasonable on a case-by-case basis in light of how the agency operates and what a survivor with disabilities needs or requests. Excluding a person by neglecting to make an accommodation that is fairly easy to make is a mistake that all agencies can avoid.

For example, the agency may need to:

- Help someone carry goods or food.
- Help someone access items in a cabinet that is too high to reach.
- Help someone understand instructions or a form, using plain language (words that are easily understood by most).
- Help someone participate in support group by making sure the location and activities are accessible to someone who uses a wheelchair.
- Help someone cut up their food.
- Welcome service animals in the agency buildings or in support group.



A picture of a person walking on a sidewalk with a cane and a service dog.

■ Removing Barriers

(Adapted from the Job Accommodation Network)

■ Time Management

Survivors with disabilities may experience difficulty managing time, which can affect their ability to mark time as it passes. It can also affect their ability to gauge the proper amount of time to set aside for certain tasks. As a result, it may be difficult to prepare for or remember activities that occur later in the week, month, or year.

Tips to removing barriers:

- Divide large activities into several smaller tasks.
- Provide checklists.
- Plan and structure times for transition and shifts in activities.
- Supply an electronic or handheld organizer.
- Use a wall calendar to emphasize due dates.
- Develop a color-coded system, where each color represents a task or event, or level of importance.

■ Memory

Survivors with disabilities may experience difficulty with memory, which can affect their ability to complete tasks, or recall daily actions or activities.

Tips to removing barriers:

- Provide written instructions and checklists.
- Allow use of a recorder.
- Allow additional time for activities.
- Offer refreshers.
- Provide information in writing.
- Use a flow-chart to indicate steps in a task.
- Provide verbal or pictorial cues; label resources.
- Use a color coding scheme to prioritize tasks.
- Encourage the use of notebooks, planners, or sticky notes to record information.

■ Concentration

Survivors with disabilities may experience decreased concentration, which can be attributed to auditory or visual distractions. Distractions such as office traffic and employee chatter, opening and closing of doors, and common office noises such as phones and photocopying can be problematic.

Tips to removing barriers:

- Provide a noise canceling headset.
- Hang sound absorption panels.
- Provide a white noise machine.
- Relocate space away from audible distractions.
- Redesign space to minimize audible distractions.
- Reduce clutter in the environment.
- Redesign space to minimize visual distractions.
- Relocate space away from visual distractions.
- Schedule breaks for mental fatigue, including short walks, getting up for a drink of water, and rotating through varied tasks.
- Restructure meeting times so they are at the time of day the survivor has the most mental energy or stamina.

■ Reading

Survivors with disabilities may not be able to read or understand written information.

Tips to removing barriers:

- Provide pictures, symbols, or diagrams instead of words.
- Read written information.
- Provide written information on audiotape.
- Use voice output on the computer.

■ Writing

Survivors with disabilities may not be able to write, spell, sign documents, or otherwise communicate through written word.

Tips to removing barriers:

- Provide templates or forms to prompt information requested.
- Allow verbal response instead of written response.
- Allow typed response instead of written response.
- Use voice input on the computer.
- Provide ample space on forms requiring written response.

■ Using Computers

Survivors with disabilities may have difficulty using the computer.

Tips to removing barriers:

- Offer use of a key guard.
- Offer alternative input devices:
 - Speech recognition
 - Speech output
 - Trackball
 - Joystick
 - Touchscreen

■ Using Telephones

Survivors with disabilities may have difficulty using the telephone. This may be due to manual dexterity impairments, spasticity or rigidity, paralysis, or birth defects or injuries involving the fingers, hands, or arms.

Tips to removing barriers:

- Offer use of a large-button phone.
- Offer use of a phone with universal symbols (fire, police, doctor).
- Offer use of a phone with speed-dial, clearly labeled.
- Offer use of a receiver holder.
- Offer use of a headset.

■ Handling or Grasping Objects

Survivors with disabilities may have difficulty handling or grasping objects.

Tips to removing barriers:

- Offer the use of ergonomic tools, handle build-ups, or other tool adaptations.
- Offer the use of orthopedic writing aids.
- Offer the use of grip aids.

■ Emotional Support

Survivors with disabilities may have limitations in adaptive skills, including communication and understanding emotions and social cues.

Tips to removing barriers:

- Give positive feedback.
- Offer the use of visual communication tools.



A picture of a person in a wheelchair talking with people sitting on a bench.

■ Planning for Accessibility

It is important to plan ahead and budget time and money for possible accessibility and communication needs of survivors with disabilities.

■ Meetings or Support Groups

When planning meetings or support groups, consider the accessibility of the physical space ahead of time. Consider accessibility of transportation; access from transportation, parking, and sidewalks to the entrance; and access to the meeting space, restrooms, and drinking fountains.

Be sure to maintain accessibility of the space on the day of the event. Pay attention to accessible seating, the stage, access through aisles, and registration and refreshment areas.

Consider using the registration or reservation process to ask participants if they have any accessibility needs. Provide an accessible means for people to register or make requests by phone or email. Be sure to let presenters know what is expected to meet the accessibility needs of participants.

Common requests might include:

- Microphone use by all speakers, including participants who speak.
- Listening devices for people who are hard of hearing.
- Interpreters.
- Dietary or food restrictions, if food is provided.
- Printed materials in large print.
- Plain language for both spoken and written material.
- Braille materials or other alternative formats of print documents.

If someone attends the meeting and needs accommodations that have not been requested, attempt to meet the person's request. For example, you may be able to provide a large-print version of the agenda by enlarging it on a copier, or you could read materials aloud. If you cannot, and the request is for an alternate format, meet the request as soon as possible after the meeting.

■ Maintaining Accessibility

Once the agency has made sure that the building, service areas, and locations are accessible, keep them that way by checking them on a regular basis.

- Maintain accessible equipment and features, such as lifts, elevators, and automatic doors. Consider writing a requirement for a prompt response time into your maintenance contracts, and have a back-up plan to provide access when these fail temporarily.
- Keep parking and sidewalks clear. Remove snow promptly. Keep tree branches trimmed. Keep planters and other items off of the accessible path.
- Be sure accessible entrance doors and restroom doors are unlocked whenever the building is open and the space around them is also clear.
- Be sure there are clearly marked signs for accessible parking and the accessible entrances.
- Maintain clear floor space around the doors to restrooms, in turning spaces for wheelchairs, and inside the bathroom. Keep trash cans, boxes, or other items under the sink and out of the way, and keep the paper towel dispensers, toilet paper holders, and soap dispensers filled.

The next page provides an accessibility checklist the agency can use to help maintain accessibility.

Use the statements below to check and re-check accessibility, or create your own statements specific to your agency. Provide these to the agency staff and review them with staff often.

[AGENCY NAME] Accessibility Checklist

1. Accessible parking is located at _____ or _____.
2. The _____ entrance is accessible.
3. The accessible restroom is located _____.
4. The second floor is accessible by _____.
5. There are accessible public telephones at _____.
6. Seating in _____ room is accessible.
7. We have assistive listening devices stored in _____.
8. A wheelchair is available to borrow. It is kept in _____.
9. If there is an emergency and the elevator is shut down, there is an area of rescue assistance at _____. There is an evacuation chair at _____. Usually, emergency responders will assist in using these chairs. [Name] knows how to use it.
10. Emergency exits that are accessible are located at _____.

Sample Accommodation Policy and Procedure

[AGENCY NAME] Accommodation Policy and Procedure

■ Policy:

It is the policy of [AGENCY NAME] to fully comply with the Americans with Disabilities Act (ADA). [AGENCY NAME] prohibits the exclusion, segregation, and unequal treatment of others on the basis of disability. [AGENCY NAME] is committed to providing reasonable accommodations to ensure equal opportunity and access to services for all people with disabilities. Accommodations provided by [AGENCY NAME] will enable the service participant to receive services on an equal basis, in the most cost-effective manner, and in the most integrated setting possible.

[AGENCY NAME] will take the steps necessary to communicate effectively with service participants with vision, hearing, and speech disabilities.

[AGENCY NAME] is committed to making its goods, services, and facilities accessible to service participants with disabilities.

[AGENCY NAME] permits the use of service animals by service participants with disabilities in all of its facilities and services.

Personal care for service participants is outside of the scope of services provided by [AGENCY NAME] and [AGENCY NAME] staff are not trained to provide personal care to service participants. If personal care is requested by a service participant, then appropriate referrals for that service will be made.

■ Procedure:

[AGENCY NAME] will provide all service participants with information on how to request a reasonable accommodation should one be needed at any time while receiving [AGENCY NAME]'s services. This information will be provided to service participants by an advocate during orientation to services and as their situation changes thereafter. Information on how to request accommodations will also be posted in the public areas of [AGENCY NAME]'s offices and facilities.

Service participants with disabilities may request an accommodation by informing, verbally or in writing, any staff of [AGENCY NAME]. The staff member will then document the request and immediately forward the request to their direct supervisor. The direct supervisor and executive director will review the request. If the accommodation request is reasonable and does not place an undue hardship on [AGENCY NAME], then the accommodation will be provided.

A response to the accommodation request will be provided to the service participant within one (1) to three (3) business days. If more than three (3) business days are needed to conduct the evaluation, then written notification will be provided to the service participant.

Because of the wide variation in cost of accommodations, [AGENCY NAME] may identify less-costly alternative solutions. All tangible accommodations purchased by [AGENCY NAME] are the property of [AGENCY NAME] and [AGENCY NAME] will be responsible for maintenance of any equipment.

STEP	WHO	WHAT
1	Service participant requesting accommodation	Request verbally or in writing to any staff of [AGENCY NAME].
2	Staff who receives the accommodation request	Document the request and immediately forward to direct supervisor.
3	Direct Supervisor & Executive Director	Evaluate request and provide a response within one (1) to three (3) business days. If more time is needed, written notification will be provided to the service participant.

Service participants who are denied an accommodation request may appeal the decision by providing written notice to the [AGENCY NAME] executive director. The [AGENCY NAME]'s Board of Directors will make final agency decisions on all appeals not resolved at the executive director level.

Accommodation Resources

Job Accommodation Network

<https://askjan.org/>

Renewing the Commitment: An ADA Compliance Guide for Nonprofits by Irene Bowen, J.D.

<http://bit.ly/2015ADAComplianceGuide>

Vera Institute of Justice, Center on Victimization and Safety, Designing Accessible Events for People with Disabilities and Deaf People, Tip Sheet Series

<http://bit.ly/BudgetingForAccess>

Vera Institute of Justice, Center on Victimization and Safety, Creating an Inclusive Movement

<http://bit.ly/InclusiveMovement>

U.S. Department of Justice, Civil Rights Division, Disability Rights Section, Accessible Information Exchange: Meeting on a Level Playing Field

<http://bit.ly/AccessibleMeeting>

Self-Advocate Coalition of Kansas

www.sackonline.org

Kansas Coalition Against Sexual and Domestic Violence

www.kcsdv.org

Disability Rights Center of Kansas

www.drckansas.org

U.S. Department of Justice, Civil Rights Division (to file an ADA Complaint)

www.ada.gov

Accommodation Video Resources

To watch a short video explaining self-advocacy by the Self-Advocacy Resource and Technical Assistance Center, go to:

<http://bit.ly/What-is-Self-Advocacy>

We would like to thank the following for the use of the photos in this toolkit:



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www.sackonline.org



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Self Advocate Coalition of Kansas



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