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What's Up with Title II?

State and Local Government and the ADA

At a recent meeting of the local HLAA chapter in Montgomery County, Maryland, we brought in the Americans with Disabilities Act (ADA) compliance manager for our county government. Nancy Greene knows all things ADA (she will deny it, but it's true). She helped us understand her role, when we can and should ask her for help, and when we need to seek the help of others.

The ADA requires every municipality that has 50 or more employees to designate an ADA compliance manager to coordinate its efforts to comply with and carry out its responsibilities under the ADA. This includes the investigation of any complaint brought to the ADA alleging noncompliance or alleging any actions that would be prohibited.

What kind of complaints? Meetings in places such as the local public library, school, recreation center, senior center or government building should be held in a way that provides effective communication. You should be able to attend civic meetings and be able to understand what is going on. If a listening system is not installed, there should be a way to request that, or CART, or an interpreter. If the city, state or county shows local news or features on a network or cable channel, those should be captioned, as should any videos on the government website.

Nancy also spoke about her experience working with the U.S. Department of Justice (DOJ) when they came to our county to discuss Project Civic Access. In 1999, nearly 10 long years after the enactment of the ADA, the DOJ proactively moved to find out how well our state and local government facilities and programs were complying with the ADA. In some cases, the answer was

not so well. Project Civic Access was born, and has been at work in local counties, cities, towns and villages ever since.

The Department has conducted reviews in all 50 states, as well as in Puerto Rico and the District of Columbia, and posts the agreements on their website (ada.gov) to help other communities come into compliance with the ADA. According to the ADA website the project now includes 219 settlement agreements with 204 localities. The settlement agreements included provisions for:

- permanent and conspicuous notice to the community of their ADA rights and the government's ADA obligations
- establishment of an ADA grievance procedure where none existed in communities employing more than 50 persons
- establishment of delivery systems and timeframes for providing auxiliary aids (qualified sign language interpreters and alternate formats, such as Braille, large print, cassette tapes, etc.)
- installation of assistive listening systems in assembly areas (e.g., legislative chambers, courtrooms, municipal auditoriums)
- strengthening of 911 emergency services through the acquisition of additional text telephones (TTYs) to achieve a one-to-one ratio of TTYs to answering positions, training to recognize "silent calls," and accountability through performance evaluations and discipline of employees
- better telephone communication between the government and

citizens with hearing or speech impairments through the acquisition of additional TTYs and/or utilization of the state relay service, official publication of TTY relay numbers, and training of employees

- adoption of procedures for relocating inaccessible activities to accessible locations upon request (e.g., city and town council meetings or municipal and county court proceedings).

On the Disability Rights Section of the DOJ website, they explain that

[Disability Rights] Section activities affect six million businesses and non-profit agencies, 80,000 units of state and local government, 49 million people with disabilities, and over 100 Federal agencies and commissions in the Executive Branch.

With all that work in front of them, it's clear why the state and local governments need an ADA compliance manager.

So, if you have had trouble getting access to state, county or city services, seek out the help of your local ADA compliance manager. If your compliance manager is like Nancy, you can expect to learn a lot about access and accommodations in your local area. **HLM**

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Online Learning

Registration is open for the HLAA Hearing Loss Support Specialist Training (HLSST)

HLSST is an online, self-paced training program which provides core knowledge for individuals who work with people with hearing loss. The training consists of four classes with as many as fourteen lessons in each class. Lessons are composed of multiple readings and captioned videos. The classes are:

Class I: Hearing Loss: The Basics

Class II: Coping with Hearing Loss

Class III: Hearing Assistive Technology and Services

Class IV: Advocacy, Resources and the Law

You may register for one class at a time or register for the entire program at once for the discounted price of \$225. For complete details, table of contents, and registration information, visit hearingloss.org/content/hlsst.

Questions? Email Nancy Macklin at nmacklin@hearingloss.org.

