



**Governor's Commission on Disabilities
Accessibility Committee Minutes
Tuesday, August 20, 2013 @ 3:00 PM**

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Attendees: Ron McMinn (Committee Chair); Joe Cirillo, Paul DePace, Arthur Plitt, Nicholas Capobianco Jr.

Guests:

Staff: Bob Cooper, Christopher P. DeGrave



Clock graphic

3:00 Call to Order and Acceptance of the Minutes, Ron McMinn, Chairperson

Chair calls the meeting to order at 3:00pm
Introduction of Committee Members



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MOTION: To accept the minutes of the previous meeting as *revised*.
Motion by: Arthur Plitt
Seconded by: J. Cirillo
Vote Unanimous

Action Items:

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3:05 Accessibility Plan, Ron McMinn, Committee Chair

Purpose/Goal: To decide approve the current year plan as presented or revise as necessary; develop a plan for FY 2014-2015

Discussion: The 2013 - 2014 Operational Plan contained the following, which the Committee can retain, revise, or replace for the FY 2014 & 2015 Ops Plan.

- DOA Capital Projects requesting shift in timelines for funding utilization. Official project list requested and not received yet from DOA.
- Adjustment of project schedule and timelines to coordinate efforts on projects already “shovel-ready” and in the pipeline.
- URI Capital Projects requesting to re-shift FY14 funding to access projects- specifically Tootell Aquatics Pool Elevator Project, Ranger Hall Access Project, Assistive Listening Devices & Campus Power Door Openers. ****See Motion #1**
- State of RI Performance Management Division tracking RIGCD progress through data tracking. Currently using # of complaints received and # of complaints resolved as efficiency reporting items. *****Committee agrees that this is a proper measurement.**

GCD Regulations & Program Outlook

Protecting the rights of individuals with disabilities

Ensure that every person with a disability have access to participate in the community, education, employment, that is equal to those of every citizen of this state, by:

- o Coordinating the state's compliance with federal and state disability rights laws;
- o Providing technical assistance to public and private agencies, businesses, and citizens in complying with those laws;
- o Managing the state's ADA/504 Accessibility renovation projects, to overcome physical and communication barriers in state owned facilities; and
- o Investigating disability discrimination complaints involving physical barriers at public or private facilities, and ordering corrective action.

1) Name of program/initiative

Protecting the Rights of Individuals with Disabilities

2) What is the intended purpose of the program?

To make sure that every person with a disability have access to participate in the community, education, employment, that is equal to those of every citizen of this state.

3) How does this relate to the department's overall mission?

The Commission is responsible for ensuring all state agencies comply with federal and state laws protecting the rights of persons with disabilities. The Commission helps businesses, agencies, and employers comply with disability rights laws.

4) Is there specific authorization for the program? If required under federal and state law or regulation, please provide the specific citation or authorizing statute.

RIGL 42-51-6. Governor's Commission on Disabilities - Duties⁵¹

RIGL 42-51-6.1. Governor's Commission on Disabilities - Hearing boards⁵²

RIGL 42-51-6.2. Governor's Commission on Disabilities - Committees and mediation teams⁵³

RIGL 42-51-10. Governor's Commission on Disabilities - State Coordinating Committee on Disability Rights⁵⁴

RIGL 30-15-6. Emergency Management - Advisory councils⁵⁵

29 USC 794 Section 504 of the Rehabilitation Act of 1973 as Amended

42 USC 12101 et. seq. Americans with Disabilities Act

5) Is the program's duration limited to a specific time period (e.g., authorization sunset, expiration of federal grant, etc.)

No for state laws.

Federal funding needs to be reauthorized for the next 5 years: Federal FY 2012 – 2017.

6) Who is the primary customer (user/recipient/beneficiary) of the program?

127,082 Rhode Islanders reported having disabilities out of a total population of 1,035,366; just higher than the national average

(12.3% vs. US 12.0%)⁵⁶

7) List all other relevant stakeholders who are impacted by the program (customers, nonprofit organizations, industry). Please be as specific as possible.

The NE ADA Grant requires the Commission to provide technical assistance to:

- o Architect or design professional;
- o Attorney or other legal professional;
- o Business group;
- o Code official;
- o Consumer advocate;
- o Educator;
- o Employer;
- o Family member of person with disability;

- Individual with disability;
- Service provider;
- State/local government agencies;
- Researchers;
- Practitioners /clinicians;
- Policy experts;
- Federal & non-federal partners;
- Industry representatives and /or product developers; &
- Media

8) How is success for this program defined? What outcomes are you trying to achieve?

The NE ADA Grant requires tracking of the number of: individuals trained; technical assistance provided; public awareness activities conducted; and materials disseminated, by category of recipients.

The Commission also tracks:

- The number of complaints filed
- The number of complaints resolve prior to hearing
- The number of complaints resolved at hearing
- Percentage Resolved
- The number of building design plans reviewed
- The number of on-site accessibility surveys
- The number of people trained
- The number of technical assistance calls, emails, in-person, and material disseminated

9) Are you currently collecting performance/outcome measurements for the program?

Yes, within available budgetary & personnel resources

The Commission is the state affiliate of the New England ADA (Americans with Disabilities Act) Center. It receives federal funds through the center from the US Department of Education's National Institute for Disability and Rehabilitation Research (NIDRR).

The Commission provides ADA training, on-site help tailored to meet the needs of business, government and individuals. The Federal program year 2010 contract for this grant has the following requirements:

- To participate in trainings on the new Title I [employment], II [state & local government services] and III [public accommodations and commercial facilities] regulations;
- To train and explain changes in the ADA to the public;
- To provide technical assistance;
- To conduct public awareness activities;
- To disseminate materials; and
- To meet our maintenance of effort, the grant requires that the state pay for 1,643 hours of staff work providing technical assistance on accessibility and 1,155 hours of staff work providing technical assistance on employment. The Commission is in charge of the access construction projects. These projects get rid of physical and communication barriers at state owned facilities. The Commission, in partnership with the Department of Environmental Management and the US Department of the Interior's Fish and Wildlife Service, created the first accessible salt water boat launching facilities in the country. State laws require the Commission to:
 - Conduct accessibility surveys of state and local government open meeting facilities;
 - Approve state agency 504/ADA program accessibility transition plans;

○ Review of state and municipal public safety agency disability parking enforcement plans; and

○ Assign a Commissioner to the Emergency Management Advisory Council.

10) Do you have a corrective action plan for program underperformance?

Yes

11) How frequently do you review the metrics?

Annually

12) Do other governmental or non-governmental organizations or persons assist with program development implementation or outcome assessment (e.g., technical guidance provided by the federal government, client information received from non-profits, etc.). Please list them and their roles.

○ American Institute of Architects, RI

○ NE ADA Center

○ RI College

○ RI Community College

○ RI Department of Administration

○ RI Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals

○ RI Department of Children, Youth, and Families

○ RI Department of Corrections

○ RI Department of Environmental Management

○ RI Department of Human Services

RI Realtors Association

○ University of RI

□ Also see listing in subprogram Advocacy on Behalf of People with Disabilities and their Families Public Forums on the Concerns of Persons with Disabilities and their Families participants and sponsors.

- The Commission reviews and approves all state and federally funded design plans for compliance with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and RIGL 42-87 Civil Rights of Persons with Disabilities, for the:

○ RI Department of Transportation: all non-interstate highway projects;

○ RI Department of Education: all school construction and renovation projects;

○ RI Department of Environmental Management: all DEM projects;

○ RI Housing Resource Commission: all affordable housing projects;

○ State Board of Elections/Local Boards of Canvassers: all polling place locations;

○ US Department of Agriculture – Rural Development: all USDA funded projects; and

○ US Department of Housing and Urban Development: all HUD funded affordable housing projects.

13) How many FTEs are assigned to the program? (If an employee spends part of his/her time on a program, please use decimals in the total FTE count.)

Protection of Rights FY 11 FY 12 FY 13

General Revenue 1.26 1.43 1.43

NE ADA Grant (federal) 0.17 0.22 0.23

14) Do you use any contract employees for program management, implementation or outcome assessment?

No

15) Are any FTEs or contractors federally funded, either partly or fully?

Yes, 0.17

16) What is the estimated budget for the program, as of the FY 11 supplemental? How much of that amount, if any, comes from federal funds?

Protection of Rights FY 11 FY 12 FY 13

General Revenue \$139,426 \$158,852 \$173,247

NE ADA Grant (federal) \$12,247 \$22,543 \$25,500

RICAP \$298,474 \$446,995 \$250,000

General Obligation Bonds \$0 \$34,968 \$0

17) Is the function similar to any other public function? In what way is it different?

No

18) Can the process or function be accomplished in another way, or by another party?

No

19) Does the process or function produce the result(s) originally intended? If not, why not, or what would have to be done to make it produce those results?

Yes.

FY 13/14 Goals:

Total Completion of State Renovation projects & Increase Funding

Training for architects, EMA, engineers, contractors, realtors, building officials,

Proactive access code enforcement

20) When was the process or function last examined or changed?

Annual operation reviews are conducted each September.

*****Attached are the fiscal year budget development instructions for our agency Please review prior to the meeting. We will need to ensure that our performance measurements and data collected represent properly what our committee executes ***.**

MOTION #1: To realign project priorities for the University of Rhode Island Capital Project fund reflecting new URI project timeline in FY2014.

Motion by: Paul DePace

Seconded by: J. Cirillo

Vote Unanimous



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MOTION #2: To edit the RIGCD Capital Projects timeline w/ input from various state agencies including URI/RIC/DOA/DOC/RIDE/DOT fund reflecting new URI project timeline in FY2014.

Motion by: J. Cirillo

Seconded by: N. Capobianco Jr.

Vote Unanimous

 <p>calendar graphic</p>	<p><i>3:55 Agenda and Scheduling the Next Meeting, Ron McMinn, Committee Chair</i></p> <hr/> <p>Items to be placed on the next meeting's agenda: No meeting items currently</p> <hr/> <p>Next meeting will be on: Monday October 28th 2 - 3:30 PM ** If needed**</p>
 <p>alarm clock graphic</p>	<p><i>4:00 Adjournment, Ron McMinn, Committee Chair</i></p>
 <p>voting check off graphic</p>	<p>MOTION: To adjourn the meeting. <i>Motion by: N. Capobianco Jr.</i> <i>Seconded by: P. DePace</i> <i>Vote Unanimous</i></p>