



**RI GOVERNOR'S COMMISSION ON
DISABILITIES**



**ANNUAL REPORT FOR
FISCAL YEAR 2004**

Donald L. Carcieri, Governor

Paul Choquette, Chairperson

John J. MacDonald, Vice Chairperson

Bob Cooper, Executive Secretary

Adopted September 11, 2004

<p>Assuring Opportunities</p> <p>RI Governor's</p>	<p>Arousing Community Interest</p> <p>Commission on</p>
<p>Disabilities</p> <p>Coordinating Compliance</p>	<p>Providing Technical Assistance</p>

The Commission:

- 1. advocates on behalf of people with disabilities;**
- 2. expands economic opportunities for businesses owned by or employing people with disabilities;**
- 3. increases the general awareness of the rights and concerns of individuals with disabilities and their families; and**
- 4. ensures that people with disabilities have access to their government.**

Copies of this information are also available in Braille, large print, audio cassette, and electronic file on computer disk. Contact the Commission 401-462-0100; tty 462-0106; email: disabilities@gcd.ri.gov or write to: Governor's Commission on Disabilities, John O. Pastore Center, 41 Cherry Dale Court, Cranston, RI 02920-3049 or download from the Commission's website: www.disabilities.ri.gov

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RHODE ISLAND AND PROVIDENCE PLANTATIONS
Executive Department
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January 12, 2005

His Excellency, Donald L. Carcieri,
Governor of the State of Rhode Island and Providence Plantations
State House
Providence, RI 02903

The Honorable William J. Murphy,
Speaker of the House of Representatives
State House
Providence, RI 02903

The Honorable Joseph A. Montalbano,
President of the Senate
State House
Providence, RI 02903

Dear Sirs:

1. It is my pleasure to present to you the Governor's Commission on Disabilities 2004: Annual Report. The Commission had a very successful legislative session culminating in the enactment of laws: establishing a Medicaid Buy - In Program for persons who are eligible for both Medicare and Medicaid and return to work, by Sen. Gibbs, S 2280 & Rep. Naughton, H 7518;
2. Creating a Pharmaceutical Assistance discount (without state co - payment) for people on SSDI who are younger than 55, by Sen. Paiva - Weed, S 2886 & Rep. Moura, H 7374;
3. Revise the Disability Business Enterprise Law to reduce from 75% to 60% the ratio of workers with disabilities in a for profit certified disability business enterprise, by Rep. Giannini, H 7503 & Sen. Lanzi, S 2222;
4. Establishing "NewsLine" providing telephone access to the text of newspapers to residents, who are blind, visually impaired, or reading impaired (and increase funding of the Adaptive Telephone Loan Program), by Sen. Roberts, S 2687 & Rep. Lima, H 8527;

5. Integrate services for Delinquent And Dependent Children, by implementing the Omstead Decision, which ensures children with psychiatric disabilities are serviced in the most integrated setting appropriate, by Rep. Giannini, H 7659 & Sen. Revens, S 2863; and
6. Community Living Options, providing for community living option to be provided for all persons who have a disability and are sixty-five (65) years of age or younger in order to allow those individuals the choice to live in a less restrictive community-based environment or their own home environment, Rep. Naughton, by H 7404 & Sen. Walaska, S 2133.

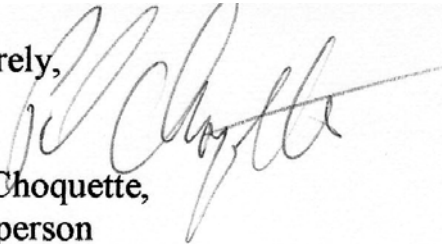
A New England ADA and Accessible IT Center Grant made it possible for the Commission to provide assistance and training to businesses, public and not-for-profit agencies, realtors, and people with disabilities and their families.

The Commission's staff with assistance from the State Board of Elections and the local Boards of Canvassers resurveyed 86% of the polling places, identified barriers to voting by people with disabilities and worked with the local boards to eliminate those barriers. In FY 05 the Commission, utilizing a Help America Vote Act – Election Assistant to Individuals with Disabilities Act Grant will be awarding funds to local boards of canvassers to address any remaining structural barriers at municipally owned polling places.

A Human Resource Investment Council grant to the Commission operates the Disability Business Enterprise program, to expand employment and entrepreneurship of people with disabilities. During FY 04 \$5 million in State Contracts were awarded to Disability Business Enterprises/Rehabilitation Facilities.

This report is also available on the Commission's Website www.disabilities.ri.gov.

Sincerely,



Paul Choquette,
Chairperson

cc: Members of the RI General Assembly
RI Congressional Delegation

The Commission's Objective

- is to ensure that all people with disabilities are afforded the opportunities to exercise all the rights and responsibilities accorded to citizens of this state and
- each person with a disability is able to reach his/her maximum potential in independence, human development, productivity and self-sufficiency.

The Commission is responsible for:

- 1. coordinating compliance by state agencies with federal and state disability rights laws;**
- 2. approving or modifying state and local government agency's Open Meeting Accessibility for persons with disabilities transition plans;**
- 3. assisting local boards of canvassers to ensure accessible polling places locations;**
- 4. approving or rejecting requests to waive the state building code's standards for accessibility at facilities to be leased by state agencies;**
- 5. investigating disability discrimination complaints involving physical barriers at public or private facilities, and ordering corrective action;**
- 6. assisting small disadvantaged businesses owned and controlled by persons with disabilities or where seventy-five percent (75%) of the employees are persons with disabilities, or non-profit rehabilitation facilities win state funded and state directed public construction contracts and state contracts for goods and services; and**
- 7. recommending improvements for enhancing enforcement of disability parking laws.**

The Commission's Goals are:

- To include (integrate) people with disabilities in all aspects of society;
- To ensure full participation in state government services, activities and benefits by people with disabilities; and
- To expand economic opportunities for people with disabilities.

The Commission consists of 24 gubernatorially appointed Commissioners, a staff of 6.6 persons, several college fellows, and many volunteers. The Commission's volunteers produce a weekly cable TV program **ABLE TOO...**, which airs Sunday afternoons at 2:30 and Friday evenings at 8 on RI's Interconnect Channel C.

The Commission's Mary Brennan fellowship program for college students with disabilities provides career experiences for students including editing the "Legislative Letter" (a weekly newsletter on legislation affecting people with disabilities), developing and updating the Commission's website www.disabilities.ri.gov and providing information regarding rights and services.

Committees and Boards

State Coordinating Committee on Disability Rights

Oversees the State Government's compliance with the Americans with Disabilities Act and other federal/state disability rights laws. The Committee's membership is set forth in law, representatives of: the 5 General Officers; the 3 Boards of Education; the Public Transit Authority; the House of Representatives and Senate; and representatives of the general public and Executive branch of state government, chosen by the Commission chairperson. Last year the Chair appointed the chairs of the ADA related Committees to represent the general public/Executive branch. The following subcommittees report to the Coordinating Committee:

Accessibility Subcommittee

Is responsible for overseeing the removal of environmental and communication barriers at state owned facilities, approving Open Meeting Transition Plans from local and state government entities, approving Transition Plans from state agencies requesting to lease inaccessible facilities, and hearing and ordering corrective action on disability discrimination complaints (involving physical barriers) involving public and private entities.

Information and Assistive Technology Subcommittee

Is responsible for promoting accessible design of information technology and authorizing the purchase of assistive technology as responsible accommodations for state employees, clients and residents of state institutions.

Public Awareness Committee

Is responsible for coordinating the Commission's public information and awareness activities, including its weekly cable TV program, ABLE TOO...

Disability Parking Committee

Is responsible for reviewing municipal and state agency Disability Parking Enforcement Annual Reports and recommending improvements.

Disability Business Enterprise Committee

Is responsible for certifying rehabilitation agencies and businesses owned by people with disabilities or whose workforce consists of 75% of more people with disabilities for preferences on bidding for state contracts. The Committee's membership is restricted by law to: 2 people with disabilities; 3 representatives of rehabilitation facilities; and the designees of the directors of the departments of Mental Health, Retardation, and Hospitals & Human Services, the Purchasing Agent, and the Economic Development Corporation. The Commission Chairperson (or designee) chair's the Committee.

Executive Committee

Is responsible for internal management of the Commission and making policy decisions between Commission meetings. The committee consists of the Chairs and Vice Chairs of the Commission and Committees.

Hearing Board

Is responsible for conducting hearings and rendering decisions on matters relating to the provisions of chapter 87 of title 42 and sections 37-8-15.1 and 42-46-13 of the General Laws, within the jurisdiction of the Commission.

Legislation Committee

Is responsible for conducting public forums annually to identify the concerns of people with disabilities and their families, drafting legislation to improve the quality of life of people with disabilities and reviewing and commenting on legislation impacting on people with disabilities.



First Goal: To include (integrate) people with disabilities in all aspects of society

RIGL 42-51-6(1) State Affairs and Government: Governor's Commission on Disabilities: Duties –

"Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state."

The Commission has designated liaisons to the following boards and agencies:

1. American Association of People with Disabilities - Disability Vote Project
2. Civil Rights Roundtable
3. Governor's Advisory Council on Health
4. John O. Pastore Center Advisory Committee
5. National Organization on Disability
6. New England ADA & Accessible IT Advisory Boards
7. Paratransit Task Force
8. Rehabilitation Building Code's Drafting Committee
9. Rhodes to Independence Steering Committee
10. RI Business Leadership Network
11. RI Defense Civil Preparedness Advisory Committee
12. RI Department of Administration's Information Resources Management
13. RI Department of Education /Office of Equity and Access
14. RI Department of Education's Comprehensive System of Personnel Development Advisory Committee
15. RI Department of Elderly Affairs' Health Care Resource Center Advisory Committee
16. RI Department of Elderly Affairs' Information & Referral / Diversity Committee
17. RI Department of Health's Arthritis State Plan Advisory Committee
18. RI Department of Labor and Training's Elevator Committee
19. RI Emergency Management Agency Advisory Committee & Task Force
20. RI Public Transit Authority's Accessible Transportation Advisory Committee
21. RI Websites Standards Committee
22. RI Webmasters Committee
23. National Association of Governors' Committees on People with Disabilities
24. Special Commission to Study Transit Service in the State of Rhode Island
25. State Board of Elections' Voter Registration
26. State Planning Council's Transportation Advisory Committee
27. US Department of Education /Office for Civil Rights
28. US Department of Labor's Office of Disability Employment Policy
29. Youth Leadership Forum

Achievements:

The Legislation Committee coordinated 5 Public Forums on the Concerns of People with Disabilities and their Families throughout the state to ensure that people with disabilities

had an opportunity to voice their needs and concerns to policy-makers, legislators and the general public. Twenty four agencies co-sponsored these forums.

A Commissioner participated in conference calls with the National Association of Governor's Committees on People with Disabilities and the US Department of Labor's Office of Disability Employment Policy. She has recommended that GCD staff become affiliated with the group and funds should be sought to send staff to national conference. Information received from these organizations was summarized and distributed through the Paul V. Sherlock Center on Disabilities' Employment & Disability e-news 12- 18 times per year.

A RI Business Leadership Network (BLN)¹ formation committee of 9 RI employers, representing large and small business was created. Their vision is to be a network of employers who champion best practices to promote employment and retention of persons with disabilities. They have a committee structure, established goals for 2004/2005 and expect to join the U.S. BLN by December 2004. Start-up resources and support for the RIBLN are provided by the Governor's Commission on Disabilities, through its HRIC Promoting Work Grant, and URI's Rhode to Independence Project.

A Commissioner and staff member participate in the meetings of the Defense Civil Preparedness Advisory Committee. They have been unsuccessful in establishing protocols that ensure that emergency related information broadcast by local TV stations are in formats accessible to people with vision and / or hearing impairments.

Objective: The adoption by federal, state and local agencies/public bodies of policies that would have a beneficial impact people with disabilities, and the defeat of harmful policies.

To be performed by: Chairperson, Vice Chairperson, Executive Secretary or Deputy State ADA Coordinator and the Commission

Performance Measurement: Percentage of federal, state, and local policies affecting persons with disabilities that is Favorably Disposed

This performance indicator measures the favorable disposition of federal, state, and local policies affecting persons with disabilities. The measure is related to the Commission's stated role of advocating for the concerns of people with disabilities. Commission staff keeps records of the disposition of policies, before agencies and public bodies that it has submitted testimony.

The Commission's objective is a favorable disposition rate for federal, state and local policies of one hundred percent.

Actual Value 2 Years Prior NA

Estimated Value 1 Year Prior 50 % Actual Value 85%

¹The US Business Leadership Network was created by the US Department of Labor's Office of Disability Employment Policy.

RIGL 42-51-6(2) State Affairs and Government: Governor's Commission on Disabilities: Duties - Arousing Community Interest

“Arousing community interest in the concerns of people with disabilities through the utilization of whatever community and state resources the commission may deem necessary to accomplish the maximum in independent living and human development.”

Achievements:

The Legislation Committee working with the Economic Policy Council, Rhodes to Independence Steering Committee, Long Term Care Coordinating Council, Independent Living Centers and other organizations was successful in enacting several laws improving the quality of life for people with disabilities.

Commission sponsored or supported legislation that was enacted into law includes:

- 1. Establishing a Medicaid Buy - In Program for persons who are eligible for both Medicare and Medicaid and return to work, by Sen. Gibbs, S 2280 & Rep. Naughton, H 7518**
- 2. Creating a Pharmaceutical Assistance discount (without state co - payment) for people on SSDI who are younger than 55, by Sen. Paiva - Weed, S 2886 & Rep. Moura, H 7374**
- 3. Revise the Disability Business Enterprise Law to reduce from 75% to 60% the ratio of workers with disabilities in a for profit certified disability business enterprise, by Rep. Giannini, H 7503 & Sen. Lanzi, S 2222**
- 4. Establishing “NewsLine” providing telephone access to the text of newspapers to residents, who are blind, visually impaired, or reading impaired (and increase funding of the Adaptive Telephone Loan Program), by Sen. Roberts, S 2687 & Rep. Lima, H 8527**
- 5. Integrate services for Delinquent And Dependent Children, by implementing the Omstead Decision, which ensures children with psychiatric disabilities are serviced in the most integrated setting appropriate, by Rep. Giannini, H 7659 & Sen. Revens, S 2863**

6. Community Living Options, providing for community living option to be provided for all persons who have a disability and are sixty-five (65) years of age or younger in order to allow those individuals the choice to live in a less restrictive community-based environment or their own home environment, Rep. Naughton, by H 7404 & Sen. Walaska, S 2133

Objective: To enact into law the Commission's Legislative Package and the enactment of legislation that would have a beneficial impact on people with disabilities, and the defeat of harmful legislation.

To be performed by: Executive Secretary and Legislation Committee with assistance by the Edward J. Schroeder Fellow

Percentage of State Legislation Affecting Persons with Disabilities that is favorably disposed

Performance Measurement: This performance indicator measures the favorable disposition of state legislation affecting persons with disabilities. The measure is related to the Commission's stated role of advocating for the concerns of people with disabilities. Commission staff keeps records of the disposition of legislation.

The Commission's objective is a favorable disposition rate for state legislation of one hundred percent.

Actual Value 2 Years Prior 43 %

Estimated Value 1 Year Prior 50 % Actual Value 39 %

Estimated Value Current year 50 % Estimated Value Next Year 50 %

+

RIGL 42-51-6(4) Governor's Commission on Disabilities – Duties: Providing Technical Assistance

“Providing technical assistance to public and private agencies, businesses, and citizens in complying with federal and state laws protecting the rights of individuals with disabilities.”

Achievements:

The Commission's staff with financial and technical assistance from the New England ADA and Accessible IT Center provided assistance and training to businesses, public and not-for-profit agencies, realtors, and people with disabilities and their families.

Objectives:

- *To ensure accessibility renovations at public schools, pursuant to school district 504 Compliance Agreements with the US Department of Education/Office for Civil Rights are successfully completed.*

- *To ensure accessibility of all public and private schools (including those not covered by 504 Compliance Agreements).*

To be performed by: Communications and Training Coordinator

Performance Measurement: Percentage of on-site accessibility surveys of the remaining public and private schools, not previously certified in compliance with the Accessible for Persons with Disabilities Standards (USFAS).

This indicator measures percentage of on-site accessibility surveys completed annually.

The Commission’s objective is to complete 100 % on-site accessibility survey of the remaining public schools, not previously certified in compliance by 2008.

Actual Value 2 Years Prior 15 %

Estimated Value 1 Year Prior 20 % Actual Value 10 %

Estimated Value Current year 20 % Estimated Value Next Year 20 %

The New England ADA² & Accessible IT Center’s ADA Technical Assistance Grant

To provide:

- 1. Training: General ADA training to audiences upon request and to targeted populations³**
- 2. Public Awareness: General public awareness to audiences upon request and to targeted populations;**
- 3. Technical Assistance: General ADA technical assistance to audiences upon request and to targeted populations; and**
- 4. Materials Dissemination: Provide materials upon request and to targeted populations.**

1. Training

The Commission conducted training upon request to businesses, employers, public and not-for-profit agencies, and organizations of people with disabilities and their families on the rights and obligations of the ADA.

² (ADA) Americans with Disabilities Act

³ Target populations include: State and Municipal ADA Coordinators; Librarians; the Hospitality Industry; ILC staff, board and consumers; ILC staff, Developmental Disabilities groups; and Museums, immigrants, other ethnic minorities, building inspectors, African Americans, college students, Hispanic population, human resource personnel, architects, distribute 800 # through libraries to library patrons

Achievements:

Conducted 18 ADA Training Sessions:

99 Disability Organization or Advocate
35 Local Government Agencies
137 Persons with Disabilities
75 High School Students
85 Business (for and non-profit)
25 ADA Coordinators
275 College Students/Faculty/Staff
60 First year medical students
50 Minority Group Members
841 Total Participants

Conducted trainings for:

1. Architect Training – *Title III, General ADA information, & Disability Awareness*
2. Blind Veterans – *Accessible Elections, General ADA Information*
3. Brown University Medical School – *Disability Awareness, General ADA information*
4. Johnson & Wales University – *Disability Awareness, Etiquette, and the ADA for students and faculty*
5. Johnson & Wales University – *Disability Awareness/Etiquette & the ADA*
6. Martin Luther King Event – *General Disability Awareness*
7. MDDA Rhode Island – *Title I, ADA information, Disability Awareness*
8. Multiple Sclerosis Key Club – *General ADA Information*
9. NAMI of Rhode Island – *Title I, General ADA information*
10. NAMI RI – *Disability Awareness, Title I, General ADA Awareness*
11. National Council on Independent Living - *Title II & Help America Vote Act: Election Assistance for Individuals with Disabilities*
12. Northeast Partnership - MIG – *Rhode Island Medicaid Buy-in*
13. RI Realtors – *Title II, Title III, General ADA information & Disability Awareness*
14. RI Realtors – *Title II, Title III, General ADA information & Disability Awareness*
15. TechACCESS Show Training - *Title III at NetWORKri One-Stop Centers*
16. The MET School – *Disability Awareness, Etiquette, and the ADA*
17. University of Rhode Island – *Sect. 504, IDEA, ADA & UDL*
18. VSA Event - *General ADA Information, Title I*

2. Public Awareness

The Commission worked with other organizations to increase the public's awareness of the abilities and rights of people with disabilities

Achievements:

Showcasing Artists with Disabilities

- Thirty-two works of art by 23 artists were presented to representatives of 17 state agencies for prominent display in their department headquarters. The artists and the representatives attended the reception.
- The Rhode Island State Council on the Arts, in collaboration with the Governor's Commission on Disabilities and VSA arts of Rhode Island held a reception to celebrate the purchase and presentation of works by artists with disabilities to several state agencies, for permanent display in their offices.

The State of Rhode Island allocates 1% of the cost of accessibility renovations to bring state facilities in compliance with 504/ADA to the purchase of art work by people with disabilities. RI has a 1% for Public Art Law that requires 1% of all public (non-road) construction projects be used to purchase art. Since the Commission controls the funds used to renovate state facilities, we entered into an arrangement with the State Council on the Arts to use our 1% to purchase art made by people with disabilities, that is then exhibited in the facilities we have renovated. About \$50,000 has been set aside for this purpose. Each year the State Arts Council, VSA Arts of Rhode Island and the Governor's Commission on Disabilities holds an art exhibit (the Sherlock Art Show, named after the late chair of the House Finance Committee, who was also the state's first Special Education director, chair of the Special Education Department at RI College, and parent of an adult with developmental disabilities) where state agencies view the art work and then submit lists of the work they would be interested in exhibiting. This program helps artists learn about presentation, the "value" of their work (as employment) and inclusion of artists with disabilities in "public art."

Public Awareness Activities

7 Exhibits:

1. RI Parent Information Network: *Family Fun Day*;
2. Rhode Island Small Business Expo;
3. RI Statewide Independent Living Council *Annual Conference*;
4. TechACCESS Show;
5. The Naval Station Newport *Disability Awareness Fair*;
6. Martin Luther King Day;
7. VSA Arts

3 Media Interviews

The Providence Journal on inaccessible music room at the new North Kingstown High School, WJAR NBC 10 & WPRI AM on blocked path of access to Providence City Hall

11 Print Media Articles:

- *Op-Ed in Newport Daily News,*
- *Article in Cranston Herald,*
- *The Works,*
- *The Providence Journal,*
- *Warwick Beacon,*
- *OSCIL Newsletter,*
- *pRide*

2 Speeches:

- Northeast Partnership
- Brown University

13 Presentations/Trainings

Conference Call to National Association of Governor's Commissions on Disabilities

5 Public Forums to identify the concerns of individuals with disabilities and their families

26 Cable TV *ABLE TOO...*

1. Programs and the Americans with Disabilities Act and employees with disabilities working in Rhode Island
2. The Rhode Island Employer Honor Roll recognizes employers for providing employment opportunities to individuals with disabilities

Objectives:

- *To create an awareness of the rights and abilities of people with disabilities;*
- *To train government, business, not-for-profit organizations on their obligations; and*
- *To Train People with Disabilities and their Families on their rights*

Performance Measurement: The number of events, outreach efforts, initiatives to either (a) increase awareness or (b) train people in particular fields of service or awareness. This performance indicator measures the number of events and outreach activities that either (a) increase awareness or (b) train people in particular fields of service or awareness. The measure is related to the Commission's responsibility to provide technical assistance regarding federal/state disability rights laws. The Commission's staff retains a schedule of events and outreach activities, including a copy of materials distributed, press releases, etc concerning each event and outreach activity.

The Commission's objective is to conduct 50 events or outreach activities each year.

Actual Value 2 Years Prior 100

Estimated Value 1 Year Prior 100 Actual Value 86
Estimated Value Current year 100 Estimated Value Next Year 100

3. Technical Assistance & 4. Material Distribution

The Commission provided on-site technical assistance to businesses, apartment managers, employers and families on how to comply with the provisions of the ADA. The Commission also distributed materials on the ADA upon request

Achievements:

Responded to 722 ADA technical assistance requests
Distributed 1600 ADA publications upon request
Distribution of the latest ADA information (court and administrative decisions, etc.) to 107 organizations/agencies on the Commission's ADA list serve

***Objective:** To ensure new construction and renovations undertaken at non-state and non-state funded construction projects, comply with federal/state accessibility standards.*

To be performed by: Communications and Training Coordinator

Performance Measurement: Percentage of on-site accessibility surveys requests to the Commission to ensure Accessible to Persons with Disabilities, that the survey is completed within 30 business days. This indicator measures percentage of on-site accessibility surveys completed within 30 business days of the request submitted to the Commission.

The Commission's objective is to complete on-site accessibility surveys and technical assistance on overcoming barriers within 30 business days of receipt of the receipt of the requests, one hundred percent of the time.

Actual Value 2 Years Prior 60 %

Estimated Value 1 Year Prior 70 % Actual Value 100 %

Estimated Value Current year 80 % Estimated Value Next Year 80 %



The New England ADA & Accessible IT Center's Accessible Information Technology in Education Grant

The Commission created an awareness of the need to incorporate universal design in the development of information technology so it serves all of society

Achievements:

Assisted the NE ADA & Accessible IT Center present:

- "Who's Web Is It Anyway?" at the November 20, 2003 TechACCESS Show
- IT conference at Community College of Rhode Island's Warwick Campus Spring '04

Participated on Rhode Island College's Universal Design for Learning Workgroup.

Conducted training at Johnson & Wales University, on reasonable accommodations in the classroom and accessible IT options, in concert with their Office of Campus Diversity and Center for Academic Support

Provided a broad survey of accessible IT to nearly 200 college students

Outcomes for Education Based IT Consultants:

- *Assist the Center present training on Website Accessibility at the TECH ACCESS Conference in the fall '03.*
- *Assist the Center apply to present training on Website accessibility at RIC.*
- *Explore contacts at URI's Library Program for the Center to provide a workshop on accessible web design.*
- *Explore the possibility of repeating the CCRI Web Access Training again in the winter/spring '04.*
- *Assist the Center apply to the RITTI (teacher technology group) to present a web accessibility training in '04.*
- *Coordinate with the Center's State Affiliate to ensure that there is an expanded state coalition that includes groups with expertise on accessible IT in education (e.g., AT Centers, educational technology coordinators, University-Affiliated Programs, parent organizations, public and private educational entities) with a goal of expanding capacity in the states to serve as resources and supports for universally designed educational IT.*
- *Participate in the review of AccessIT materials & New England Center materials as requested, specific to universally designed educational IT.*
- *Update IT databases generated by the Center for completeness and accuracy.*
- *Assist with the dissemination and promotion of information about universally designed educational IT and the availability of materials, technical assistance, and training including the New England ADA & Accessible IT Center and Access IT, the national center funded by NIDRR to support this initiative.*



Help America Vote Act's Election Assistance for Individuals with Disabilities Grant

The Commission was awarded a Section 261 of the Help American Vote Act (HAVA)⁴ grant, in FY 04 to provide Election Assistance for Individuals with Disabilities.

Achievements:

The Commission's staff with assistance from the State Board of Elections and the local Boards of Canvassers resurveyed 86% of the polling places, identified barriers to voting by people with disabilities and worked with the local boards to eliminate those barriers.

Objectives: the funds may be used in the following four ways:

“(a) Making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities,

(b) Provide the same opportunity for access and participation (including privacy and independence) to individuals with a full range of disabilities,

(c) Train election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with a full range of disabilities, and

(d) Provide individuals with the full range of disabilities with information about the accessibility of polling places.”

To be performed by: Communications and Training Coordinator and Elections Assistance Committee

Performance Measurement: Percentage of Polling Places which are Accessible to Persons with Disabilities

This indicator measures the percentage of state-owned or leased property which is accessible to persons with disabilities (using the 2004 DOJ standard).

The Commission's standard is one hundred percent accessibility to polling places to persons with disabilities. The data is from Commission records.

Actual Value 2 Years Prior 100 %

Estimated Value 1 Year Prior 100 % Actual Value 86 %

Estimated Value Current year 100 % Estimated Value Next Year 100 %

RIGL 42-87-5(b) State Affairs and Government: Civil Rights of People with Disabilities

“The Governor's Commission on Disabilities is empowered and directed to investigate and hear all complaints relating to alleged violations of this chapter relating to the physical inaccessibility of buildings and structures.”

⁴ State Grants for Election Assistance for Individuals with Disabilities (EAID)

The General Assembly in 2003 authorized the establishment of a 5 member Board to conduct hearings and render decisions regarding complaints the Commission was unable to resolve, through informal means. With legal assistance from the Department of Environmental Management's Adjudication Division, the Commission is establishing procedures for conducting investigations and hearings.

Achievements

65 Disability Discrimination new complaints were received. Compliance was induced on 58 of the new and existing disability discrimination complaints.

Objective: To investigate and resolve disability discrimination complaints

To be performed by: Senior Building Code Official, Deputy State ADA Coordinator, Legal Counsel and Hearing Board

Performance Measurement: This indicator measures the percentage of disability discrimination complaint investigations initiated within 60 business days of being submitted to the Commission. The measure is related to the Commission's responsibility to investigate disability discrimination complaints regarding the physical inaccessibility of buildings and structures.

The Commission's objective is to complete the plan reviews within 60 business days of receipt of the building or design plans, one hundred percent of the time.

Actual Value 2 Years Prior NA

Estimated Value 1 Year Prior 25 % Actual Value 100 %

Estimated Value Current year 50 % Estimated Value Next Year 50 %



RIGL 31-28-7.3 Motor and Other Vehicles: Parking Facilities and Privileges: Disability parking enforcement program

“..., cities and towns and the state police, department of environmental management, airport corporations, capitol police, department of mental health, retardation and hospitals, and the state operated colleges shall be required to submit to the Governor's Commission on Disabilities an annual progress report chronicling the collections of fines, procedures used, convictions, and any problems or successes which result from the disability parking enforcement enhancement program”

Achievements

The Disability Parking Committee annually reviews disability parking enforcement plans for the 48 cities and towns and state agencies. The Committee makes recommendations to the cities and towns and state agencies for improving their enforcement.

44 Disability Parking Enforcement Reports were reviewed from the 48 local / state public safety agencies

Objective: *To ensure that every state and local police entity has an effective program for enforcement of the state's disability parking laws.*

To be performed by: Senior Building Code Official and Disability Parking Committee
Percentage of disability parking enforcement program annual reports: received; reviewed by the Disability Parking Committee; and the recommendations are mailed by the disability parking enforcement entity. This indicator measures percentage of disability parking enforcement plans received, reviewed, and recommendations mailed back to the enforcement entity. The measure is related to the Commission's responsibility to annual review the results of municipal and state enforcement of disability parking laws. The Commission's objective is to complete the annual report reviews, one hundred percent of the time.

Actual Value 2 Years Prior 84 %

Estimated Value 1 Year Prior 100 % Actual Value 92 %

Estimated Value Current year 100 % Estimated Value Next Year 100 %

Second Goal: To ensure full participation in state government services, activities and benefits by people with disabilities

RIGL 42-51-6(3) State Affairs and Government: Governor's Commission on Disabilities: Duties

“Coordinating compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies”

The State Coordinating Committee on Disability Rights; and several subcommittees along with the staff ensure state agencies comply with federal and state disability rights laws

Objective: *To ensure new construction and renovations undertaken at state and state funded construction projects, comply with federal/state accessibility standards.*

To be performed by: Principal State Building Code Official and Accessibility Committee
Performance Measurement: Percentage of building and design plans, submitted to the Commission for review to ensure Accessible to Persons with Disabilities, that the review is completed within 65 business days. This indicator measures percentage of building or design plans reviewed within 65 business days of submitted to the Commission.

The Commission's objective is to complete the plan reviews within 65 business days of receipt of the building or design plans, one hundred percent of the time.

Actual Value 2 Years Prior 83 %

Estimated Value 1 Year Prior 90 % Actual Value 100 %

Estimated Value Current year 95 % Estimated Value Next Year 95 %

Adaptive Equipment Accommodations

The Information and Assistive Technology Subcommittee reviewed requests from state agencies for assistive technology for state employees, and consumers of state services (students at state operated schools and residents at state operated residential facilities).

Achievements:

The Subcommittee approved the purchase of mobile computer equipment, including adaptive mobile carts, CTV's, computers, 21" monitors, scanners, Jaws, Braille Blazers, Magic, WYNN, and Kurzweil Readers, to be used by students with disabilities and to access information technology at CCRI's 3 campuses.

Objective: To ensure state employees with disabilities, students with disabilities attending state operated colleges and schools, and residents of state operated institutions are able to fully participate in state programs and services.

To be performed by: Deputy State ADA Coordinator and Information & Assistive Technology Committee

Performance Measurement: The time processing assistive technology reasonable accommodation applications. This performance indicator measures the processing time for handling assistive technology reasonable accommodation applications and scheduling a reviewed by the Information & Assistive Technology Committee's next meeting. The measure is related to the Commission's role in coordinating compliance with the ADA and other state/federal disability rights laws. Commission staff keeps records of the assistive technology reasonable accommodation applications.

The Commission's objective is to process assistive technology reasonable accommodation applications within 10 business days of receipt, one hundred percent of the time.

Actual Value 2 Years Prior 90 %

Estimated Value 1 Year Prior 95 % Actual Value 100 %

Estimated Value Current year 95 % Estimated Value Next Year 95 %



Intervening to Ensure Compliance

The Commission contacts state agencies as soon as it becomes aware, formally or informally, of a potential violation of the rights of people with disabilities and their families. It works with the state agencies to develop solutions to ensure compliance without creating an "undue burden" on the operations of the agencies.

If informal means fails to resolve the issue, the Commission is authorized to initiate legal action to ensure compliance.

Objective: To resolve potential violations of disability rights laws by state agencies

To be performed by: State ADA Coordinator and State Coordinating Committee on Disability Rights

Measurement Description: The time to initiate an investigation of the disability rights complaint. This performance indicator measures the processing time to initiate investigations of complaints alleging violations of the disability rights laws by state agencies. The measure is related to the Commission’s role in coordinating compliance with the ADA and other state/federal disability rights laws. Commission staff keeps records of the disability rights complaints.

The Commission’s objective is to initiate the investigation within 5 business days of receipt of the complaint, one hundred percent of the time.

Actual Value 2 Years Prior NA %

Estimated Value 1 Year Prior 50 % Actual Value 50 %

Estimated Value Current year 50 % Estimated Value Next Year 50 %

RIGL 37-8-15 Public Property and Works: Access for people with disabilities.

“The design of all public buildings to be constructed, leased, or rented by the state or any municipality of the state must be in compliance with all the standards promulgated by the Rhode Island State Building Code, chapter 27.3 of title 23, which make buildings and facilities accessible to and usable by people with disabilities.”

Accessibility Subcommittee annually updates the state’s 504/ADA transition plan/Capital Development – Accessibility Budget and oversees the renovation of state owned facilities.

Achievements

An additional 12 Accessibility Renovation Projects at state owned facilities were completed.

Objectives: *To ensure that programs and employment opportunities in facilities leased or owned by the state are accessible and usable by people with disabilities*

To be performed by: Principal State Building Code Official, Accessibility Committee and Hearing Board

Performance Measurement: Percentage of State-Owned or Leased Buildings which are Accessible to Persons with Disabilities

This indicator measures the percentage of state-owned or leased property which is accessible to persons with disabilities.

The Commission's standard is one hundred percent accessibility to state owned and leased buildings to persons with disabilities. The data is from Commission’s records.

Actual Value 2 Years Prior 67 %

Estimated Value 1 Year Prior 70 % Actual Value 78 %

Estimated Value Current year 75 % Estimated Value Next Year 75 %

RIGL 37-8-15.1 Public Property and Works: Public Buildings: Accessibility of leased or rented facilities for people with disabilities

“(4) The Governor's Commission on Disabilities shall certify that the lessee agency's program accessibility plan ensures access to, and use of the facility to be leased or rented for people with disabilities.”

Achievements

The Hearing Board conducted hearings on the delays in construction of new facilities for the Traffic Tribunal. The Tribunal’s facility on Harris Avenue is not fully accessible. The Tribunal has adopted policies requiring relocation of hearings, etc. to the accessible first floor for any party involved in a hearing, who is unable to utilize the undersized elevator or climb stairs.



RIGL 42-46-13 State Affairs and Government: Open Meetings: Accessibility for People with Disabilities

“(f) Each municipal government and school district shall, with the assistance of the state building commission, complete a transition plan covering the location of meetings for all public bodies under their jurisdiction. Each chief executive of each city or town and the superintendent of schools will submit their transition plan to the Governor's Commission on Disabilities for review and approval. The Governor's Commission on Disabilities with assistance from the State Building Commission shall approve or modify, with the concurrence of the municipal government or school district, the transition plans.”

The Commission’s staff resurveyed locations used for open meetings, by state and local government bodies to ensure all public meetings are accessible to people with disabilities.

Achievements

10 Open Meeting accessibility surveys were completed and barriers were removed.

Objective: To ensure that open meetings are accessible to people with disabilities

To be performed by: Senior State Building Code Official and Hearing Board

Performance Measurement: Percentage of local public bodies conducting their meetings in accessible locations

This indicator measures percentage of local public bodies conducting their meetings in accessible locations. The measure is related to the Commission's responsibility to monitor compliance with the Open Meeting: Accessibility for People with Disabilities law.

The Commission's objective is to conduct open meeting accessibility surveys at 20% of the local public bodies each year.

Actual Value 2 Years Prior 25 %

Estimated Value 1 Year Prior 25 % Actual Value 13 %

Estimated Value Current year 25 % Estimated Value Next Year 25 %

Third Goal: To expand economic opportunities for people with disabilities

RIGL 37-2.2 Public Property and Works: Disability Business Enterprises

“...supporting the fullest possible participation of small disadvantaged businesses owned and controlled by persons with disabilities or where seventy-five percent (75%) of the employees are persons with disabilities, or non-profit rehabilitation facilities in state funded and state directed public construction, public projects, and in state purchases of goods and services. This includes assisting disadvantaged disability businesses and non-profit rehabilitation facilities throughout the life of contracts in which they participate.” The Disability Business Enterprise Committee with financial assistance from the Human Resource Investment Council provide training, other technical assistance, and certify businesses owned by people with disabilities and rehabilitation facilities to increase their participation in state funded contracts and purchases of goods and services.

Human Resource Investment Council’s Disability Business Enterprises Grant

The Human Resource Investment Council provided financial assistance to the Commission to operate the Disability Business Enterprise program to expand employment and entrepreneurship of people with disabilities. The grant’s activities include:

1. Outreach – through Business First and other HRIC and EDC programs publicizing the DBE program to small businesses owned and operated by persons with disabilities
2. Training – through Division of Purchasing’s vendor, Project Upgrade, RI School of Design’s Design and Development Program, and other HRIC and EDC programs for the DBE certified small businesses and the non-profit rehabilitation facilities to improve their competitiveness:
 - a. Marketing ability,
 - b. Production techniques, software program training for competitiveness and efficient productivity and
 - c. Management capacity.
3. Marketing the DBE products and service to private businesses, state agencies, local governments, school departments, and other non-profit entities.

Achievements:

17 Businesses and Rehabilitation Facilities were certified
\$5 million in State Contracts were awarded to Disability Business Enterprises.

Objective: To assist rehabilitation agencies, small businesses owned by people with disabilities and businesses employing people with disabilities win state contracts for goods and services

To be performed by: Assistance Administrative Officer and Disability Business Enterprise Committee

Performance Measurement: The number of certified disability business enterprises / rehabilitation facilities

This performance indicator measures the percentage growth in the number of certified disability business enterprises / rehabilitation facilities. The measure is related to the Commission's responsibility to certify disability business enterprises / rehabilitation facilities. The Commission's staff keeps records of the applications and certifications for the disability business enterprise law.

The Commission's objective is for a 10 % increase in the number of certified disability business enterprises / rehabilitation facilities, in each year.

Actual Value 2 Years Prior 16 %

Estimated Value 1 Year Prior 10 % Actual 13 %

Estimated Value Current year 10 % Estimated Value Next Year 10 %



Human Resource Investment Council's Promoting Work Grant

The Human Resource Investment Council also provided financial assistance to the Commission to "Promoting Work as a life choice for people with disabilities" project. During the year this project has educated policy makers on the need to restructure government supported health care so it encourages people with disabilities to seek employment rather than penalize them when they go to work.

Achievement

Working with the Governor, HRIC, Rhodes to Independence Project, and Economic Policy Council legislation with enacted to establish a Medicaid Buy In program, allowing employees with disabilities and their employers to purchase health insurance through Medicaid.



RIGL 42-51-11 State Affairs and Government: Governor's Commission on Disabilities: Mary Brennan Fellowship Fund

“(a) There is established the Mary Brennan fellowship fund ("the fellowship fund"), which shall be utilized to create a fellowship program for college students with disabilities.”

Achievements

Four college fellows participated in the program this year:

- **Editing the *Legislative Letter*, a weekly newsletter that tracked over 400 bills and budget articles affecting people with disabilities.**
- **Coordinated the 5 Public Forums on the Concerns of People with Disabilities and their Families, analyzed almost 200 pages of testimony and assisted the Legislation Committee and Cosponsoring Agencies develop a report to the Governor, General Assembly and other Policy Makers; and**
- **Assisted in producing *ABLE TOO...* a weekly cable TV program produced by and about people with disabilities.**

Objective: To expose college students with disabilities and other students in fields of study related to disability to government occupations

To be performed by: Assistant ADA Coordinator, Executive Secretary and Executive Committee

Performance Measurement: The number of fellowship applications received for each fellowship in the four fellowships

This indicator measures number of applications for each of the four fellows submitted to the Commission. The measure is related to the Commission's responsibility to award Mary Brennan Fellowships to college students, each semester. The Commission's staff retains the applications for fellows.

The Commission's objective is to double the number of fellowship applications each year.

Actual Value 2 Years Prior 1

Estimated Value 1 Year Prior 1 Actual Value 1

Estimated Value Current year 2 Estimated Value Next Year 3



Internal Management

Objectives:

- *To ensure smooth operations of the Commission's functions*
- *To ensure smooth operation and coordination of the Commission's activities, committees, volunteers, and staff; and*
- *To ensure the Commission's goals and objectives are accomplished.*

To be performed by: Assistant Administrative Officer and Executive Committee

Performance Measurement: The submission of grant invoices

This performance indicator measures the percentage of quarterly financial grant report submissions that are accurate and timely. The measure is related to the Commission's grants. Commission staff keeps records of the quarterly grant financial reports.

The Commission's objective is the accurate and timely submission of quarterly grant financial reports, one hundred percent of the time.

Actual Value 2 Years Prior 75 %

Estimated Value 1 Year Prior 100 % Actual Value 75%

Estimated Value Current year 100 % Estimated Value Next Year 100 %

Performance Measurement: The prompt payment of invoices

This performance indicator measures the percentage of invoices processed within 30 days. State Prompt Payment Law requires certain payments to be made within 30

working days of receipt of invoice. The indicator measures compliance with state law.

The indicator compares invoices paid within the statutory deadline with all invoices paid.

The Commission's objective is to pay 100 % of the invoices within the statutory deadline.

Actual Value 2 Years Prior 100 %

Estimated Value 1 Year Prior 100 % Actual Value 75 %

Estimated Value Current year 100 % Estimated Value Next Year 100 %



Responsibilities of the Commission's Staff

The Executive Secretary is responsible for:

As the commission's secretary, is a non-voting member of the commission is responsible for:

- Keeping the minutes of all commission and committee meetings;
- Notifying the members of their meetings;
- Calling the meetings to order and preside in the absence of the chairperson and vice-chairperson;
- Conducting correspondence as directed by the commission or its committees; and

As the commission's executive officer, is responsible for:

- Arranging for support services to all committees and volunteer units;
- Implementing the order and resolution of the commission and its committees;
- Providing the commission and committees with options and advice on matters pending before them;
- Supervising all staff;
- Acting as the commission's authorized agent for all financial and personnel matters as directed by the commission;

- Representing the Commission before legislative, regulatory and other bodies, as directed by the commission; and
- Serving as the Commission's Rules Coordinator and Records Custodian.

The State ADA Coordinator/Deputy Administrator is responsible for:

- managing Commission activities in the absence of the Executive Secretary
- coordinating all accessibility functions / staff with the responsibility for deciding when more resources are needed in any of their specific areas to address complaint backlogs and grant obligations;
- administering the Accessible Information Technology Grant, including arranging for the purchase of assistive technology; and
- assisting the Hearing Board process complaints, and review / approve leased facility accessibility waiver requests.

The Assistant State ADA Coordinator – Accessibility of Schools, Elections & Businesses is responsible for:

- all of the Help America Vote Act (HAVA) activities,
- providing technical assistance upon requests from and businesses, employers, agencies and people with disabilities and their families; and
- monitoring compliance, on behalf of the US Department of Education/RI Departments of Education & Health implementation of School Accessibility (504/ADA) Transition Plans.

The Assistant State ADA Coordinator – Accessibility of State Facilities & Programs is responsible for:

- ensuring all state facilities/services are accessible; and
- managing the Accessibility Renovations to State Owned Facilities.

The Assistant State ADA Coordinator – Accessibility Complaint Investigation & Resolution is responsible for:

- investigating accessible complaint;
- attempting to induce compliance and resolute the complaints;
- monitoring implementation of compliance plans and orders issued by the Hearing Board; and
- monitoring enforcement of disability parking.

The Assistant State ADA Coordinator – Employment & Services is responsible for:

- providing technical assistance on the ADA Employment/Customer Services and
- administering the HRIC Promoting Work Grant.

The Disability Business Enterprise / Public Information Coordinator is responsible for:

- managing the state’s Disability Business Enterprise program and
- managing the public information programs for the Commission.

The Administrative Aide is responsible for:

- directing requests for assistance to the appropriate staff person;
- providing information and referral to the appropriate (public or private) agency; and
- assisting in preparation for Commission and Committee meetings.

The Legal Counsel is responsible for:

- Reviewing all Commission procedures, relative to the conduct and operations of the Commission’s Hearing Board and investigations pursuant to RI General Laws 42-51-6.1 “Governor's Commission on Disabilities - Hearing Board” and 42-87-5(b) “Civil Rights of Persons with Disabilities and making recommendations for necessary revisions to those procedures;
- Training the Hearing Board Members on how to conduct hearings;
- Training the Commission’s staff on how to conduct investigations; and
- Providing advice to the Hearing Board on procedural matters.

Governor's Commission on Disabilities

Organization Chart

