



# INCLUSION

*Creating an Inclusive Environment: A Handbook for the Inclusion of People with Disabilities in National and Community Service Programs*

**“Everybody can be great, because anybody can serve.”**  
—Dr. Martin Luther King, Jr.

Revised and Updated by:

**Serve DC**

THE MAYOR'S OFFICE ON VOLUNTEERISM

[WWW.SERVE.DC.GOV](http://WWW.SERVE.DC.GOV)

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Serve DC – The Mayor’s Office on Volunteerism is the District of Columbia Government agency dedicated to promoting service as an innovative, sustainable solution to the challenges we face as a community and a nation.

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This Handbook will assist you as you work to fully and meaningfully include individuals with disabilities in your national and community service program. It is not intended to constitute legal or other professional advice and it will not necessarily provide you with solutions to the complex situations or legal interpretations that may arise. It is, however, designed to provide you with accurate information. If you need legal advice or other expert assistance, your best course of action would be to consult a competent professional.

People with disabilities continue to join the national service network in increasing numbers. Just like individuals without disabilities, they see a need in their communities and want to contribute to creating a better world for all. Whether it is teaching children to read, repairing trails, helping seniors remain independent in their homes, or increasing public safety, people with disabilities are contributing.

Service is not always easy. We know that if we want service to be successful and if we want to retain committed individuals in our programs, we need to facilitate experiences that are rewarding and meaningful. The easier it is to serve, the more likely one will continue to serve.

All programs receiving funds from the CNCS or other federal agencies must comply with federal laws that guarantee equal access and prohibit discrimination. However, mere compliance does not necessarily ensure the full and meaningful participation of people with disabilities in national and community service. An inclusive service environment does.

An inclusive service environment is more than ensuring an accessible building, providing a sign language interpreter or creating large print documents. It is more than refraining from illegal interview questions or violating confidentiality. Rather, an inclusive service environment welcomes all people, regardless of their disability. It recognizes and utilizes their skills while strengthening their abilities. An inclusive service environment is respectful, supportive, and equalizing. An

inclusive service environment reaches out to and includes individuals with disabilities at all levels, from first time participants to board members.

This Handbook is not a compliance manual. It will help you begin to understand the law and will serve as a resource and source of guidance and technical assistance.

This Handbook will help you understand the concept and ideal of inclusion. It will help you in your outreach efforts to the talented community of persons with disabilities in your community. It will help you develop the skills of all of your participants. It will help you become a better manager. Most of all, it will ensure the valuable contributions of many more individuals.

Our work in communities will only be complete when all individuals, regardless of their disability, are fully included. This Handbook will help you begin.

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# **INCLUSIVE SERVICE ENVIRONMENTS**

- What is an inclusive service environment?
- What are the elements of an inclusive service environment?
- Does language matter?

## **What is an inclusive service environment?**

Creating an inclusive service environment is challenging, thought provoking, and rewarding. It is a continuous process, one that evolves and responds to changes in the environment or in policies. It becomes an integral part of all that you do, from kick-offs to celebrations, from recruitment to retention, from policy to practice. It impacts team-building and participant development. It is an integral part of strategic planning and meeting planning. It benefits individuals with disabilities and those without. It guides those who are served and those who serve, those who direct and advise, and those who lead.

An inclusive service environment starts with the actions and attitudes of the individuals who are already in that environment. A program manager who thinks first about what someone can do is sure to be more inclusive than one who thinks about an individual's limitations. A program manager who uses "people first" language is already aware that individuals with physical or intellectual disabilities are people before recognizing their disability. A program manager who leads by example, who provides training in disability awareness and sensitivity, and who works to ensure equal expectations and contributions will be more successful in creating an inclusive service environment than one who does not.

## **What are the elements of an inclusive service environment?**

An inclusive service environment ensures the respect and dignity of individuals with disabilities. It does not pry into medical histories or diagnoses, and it guards against the casual exchange of privileged

information. It speaks and listens to the individual with a disability. It understands that personal preference in accommodation is often a personal need. It is flexible when necessary.

The built environment (paths, doors, rooms, restrooms, kitchens) of an inclusive service environment meets current accessibility standards to the greatest extent possible. Accessibility is considered when planning events, seeking program or meeting space, and evaluating placement or service sites. When moving desks or serving refreshments, give consideration to ensuring the continued ability of persons with mobility, hearing, visual, and cognitive disabilities to continue to use the space independently. There are community organizations that can assist you in considering accessibility, as well as numerous guides and checklists.

An inclusive service environment willingly and proactively provides accommodations. When requests are made and questions arise, the individual making the request is asked for clarification first before anyone else. In an inclusive service environment, the first considerations are ensuring access, opportunity, independence, and dignity; not cost or inconvenience.

In an inclusive service environment, persons with disabilities are welcomed and are valued for their contributions as individuals. The presence of a disability is not seen as a detriment. Rather, disability is valued as part of the range of diversity that exists in the human condition. In some cases, a disability can present challenges that allow program staff and participants to grow and to enhance their knowledge and skills. In an inclusive service environment staff and participants work with the goal of ensuring full inclusion and participation of an individual with a disability. Everyone is aware that excusing an individual from activities (e.g. "It is okay if you don't come to the meeting because it is in an inaccessible location.") or denying information (e.g., "Never mind that you cannot hear the training, it is

not that important anyway.") are exclusive actions. In an inclusive service environment, full participation is not the goal- it is the action.

An inclusive service environment understands that every individual is just that- an individual. No two people experience disability in the same way. Two individuals with the same disability may have very different perspectives, attitudes, interests, backgrounds and skills. An inclusive service environment recognizes individuals, not stereotypes.

## **Interacting with People with Disabilities Some Basic Etiquette**

Always be aware of barriers, both permanent and temporary.

When talking to a person with a disability, speak directly to the person. If there is a companion or interpreter present, always direct your comments to the person with the disability.

Never assume that a person with a disability needs your assistance. It is always polite to offer your assistance, but once you have offered, wait for a reply before acting. If the person accepts your offer, wait to be directed. Do not be offended if your offer of assistance is not accepted; many persons with disabilities would rather do things for themselves whenever possible.

Do not assume that a person with a physical disability also has a cognitive disability.

Never lean on a person's wheelchair. A chair is often considered an extension of the body and leaning on it is the same as leaning directly on the person. If you bump into a person's wheelchair, say, "Excuse me." It is the same as bumping into the person directly. When talking to a person in a wheelchair, try to sit so that you are at eye level.

When interacting with a person who has difficulty with attention or short-term memory, face the person and maintain eye contact. Use short sentences and give instructions in increments.

Assistive devices (canes, crutches, wheelchairs, walkers, communication boards, etc.) should be respected as extensions of the person or as personal property. Do not move or play with them without permission from the user.

When talking with a person who is blind or has low-vision, always identify yourself at the beginning of the conversation and remember to inform the person when you are ending the conversation, changing location, or leaving the area. Never hold the person's arm while walking; let him/her hold your arm. This will allow them to walk slightly behind you and get a sense of what to expect from the motion of your body. Ask if the person would like verbal cues as to what is ahead when you approach steps, curbs, or other barriers.

Never pet or call to a service animal when the animal is in a harness. The harness tells the animal that it is time to work and its attention needs to be focused. When the animal is at rest or out of harness, you may ask the owner for permission to pet it.

When talking with an adult with an intellectual disability, do not speak as you would to a child. Use age-appropriate language and mannerisms. Also, do not assume that because a person may not verbally communicate that they are unable to understand or hear you.

When speaking with a person who is Deaf or has a hearing loss, always look directly at the person. Keep your mouth and face free of hands or shadows. Do not speak with exaggerated slowness or with exaggerated facial expressions. As is proper telephone etiquette with all persons, speak clearly and distinctly when leaving voice mail messages. Also, do not shout; an increase in volume may actually make it more difficult for the person to understand you.

If you are speaking with a person with a speech disability, listen carefully and repeat what you've heard. Don't pretend to understand if you don't, and don't give up and say, "Never mind, it wasn't important." That tells the person you're talking to that you don't value their input enough to continue the conversation. Also, allow more time for a conversation with a person with a communication disability; do not rush or try to finish sentences for them.

Fear is one of the main reasons why we are reluctant to interact with

people with disabilities - do not let fear of making a mistake, fear of saying the wrong thing, or fear of the unknown make you reluctant to interact with people with disabilities. The greatest mistake we can make is to exclude people with disabilities because of those fears. If you make a mistake, acknowledge it, apologize, and move on.

### Does language matter?

Language often shapes our perception. Using "people first" ("person with a disability", "person with a vision-loss") helps remind us and others that people with disabilities are people first, and are more than their disability.

Instead of:	Use:	Because:
<b>The Handicapped</b>	Persons with Disabilities	Handicapped is derived from "cap in hand" and implies that someone is dependent on society.
<b>The Disabled</b>	Persons with Disabilities	An individual should be recognized as a person before their disability.
<b>Wheelchair Bound, Confined to a Wheelchair</b>	Uses a Wheelchair or Wheelchair User	A wheelchair is not confining- it allows movement from one place to another.
<b>Crippled</b>	Has a Disability	Crippled comes from Old English "to creep" and is also used as an adjective meaning inferior.
<b>Mongoloid</b>	Persons with Down Syndrome	Mongoloid is a racist term.
<b>Mental, Crazy, Psycho, Insane, Nut Case</b>	Person with Mental Illness	These are offensive and negative stereotypes.

<b>Normal, Healthy, Whole</b>	Non-Disabled	People with disabilities may also be normal, healthy, and whole.
<b>Deaf and Dumb, Deaf- Mute</b>	Person who is Deaf or a Person who Does Not Speak	Simply because someone is Deaf does not mean they cannot speak, and they are not dumb.

# PEOPLE WITH DISABILITIES

- What it has meant, and what it means, to have a disability: A brief historical overview of social perceptions.
- What is the definition of disability?

## **What it has meant, and what it means, to have a disability: A brief historical overview of social perceptions.**

Disabling conditions have always separated those who have them from the mainstream experience of culture and society. In the beginning of human existence, in hunter and gatherer cultures, those born with disabling conditions or those who acquired disabilities were killed or left to die because they were perceived as weakening the group and threatening its survival. In the Middle Ages, the presence of a disability was seen as punishment for sin or resulting from witchcraft. In the 18th and 19th centuries, persons with disabilities were confined to attics or basements, sent to institutions, or regarded as invalids who were confined to bed. Even in the 20th century, babies born with disabilities were sent to institutions as an act of humanity where they could live with their "own kind." People with disabilities were victimized during the Holocaust and were freely used as subjects in experiments.

Up until the 20th century, the number and range of types of identified disabilities were far more limited. Certainly, there existed persons with cognitive and intellectual disabilities, persons with vision-loss, and those who had some form of mobility disability. Deaf culture began to emerge in the 19th century.

In the 20th century, however, tremendous advances were made in medicine that enabled persons with disabilities to have a chance to survive and as a result the sheer number of persons with disabilities increased.

During the 1940's several important things happened. The development of penicillin in World War II allowed soldiers to survive war injuries and return home. It also assured the survival of thousands who would have otherwise died from infection. Polio epidemics left many children and adults alive, but limited in mobility. Improved prenatal care and obstetrics led to the survival of infants with congenital disabilities who previously would not have survived. Still, persons with disabilities were sent to institutions, nursing homes, or confined to their homes.

During the 1970's, in conjunction with other civil rights movements, the disability rights and deinstitutionalization movements began to emerge. The deinstitutionalization movement began when improvements in psychiatric treatment led to the ability of persons with psychiatric disability to function in community-based settings. It paved the way for group homes and supported living arrangements for persons who were formerly institutionalized. Today, institutional care is almost nonexistent, and most large, state-run facilities have closed their doors. Furthermore, presently, most individuals with intellectual disabilities live in communities.

The disability rights movement emerged and echoed the themes of other movements - individual choice, equal opportunity, and the right of participation. This movement led to laws that created a right for all children with disabilities to receive a free and appropriate education in a regular classroom with their peers. It led to the development of independent living centers, the majority of which are controlled and staffed by people with disabilities. It succeeded in obtaining passage of several federal laws that advance the civil rights of persons with disabilities. These are Section 504 of the Rehabilitation Act, the Air Carrier Access Act, the Fair Housing Act Amendments, and perhaps the most well known and far reaching, the Americans with Disabilities Act (ADA).

## **What is the definition of disability?**

There are many definitions of a disability. Some definitions focus on medical conditions, while others focus on the functional limitations that result from disability. Different federal and state laws and programs use different definitions. There are many people who have medical conditions that are significantly challenging, but that does not necessarily mean that they meet the definition of "disability" that is laid out in Section 504 of the Rehabilitation Act of 1973, as amended, and in the Americans with Disabilities Act. To be protected by these federal laws, an individual must meet the definition described in the law.

Under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, a person with a disability is one who:

1. has a physical or mental impairment that substantially limits one or more major life activities; or
2. has a history of such an impairment; or
3. is perceived or "regarded as" having such an impairment, even when the impairment does not exist.

There are some important components to this three-part definition.

The phrase major life activities means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Substantially limits means unable to perform a major life activity, or significantly restricted in the condition, manner, or duration it can be performed, when compared to most people in the general population. The determination that a disability substantially limits an individual in performing major life activities is made on a case-by-case basis. It is not based merely on the existence of a condition (a physical or intellectual disability), but on the impact of that disability on an individual's ability to perform major life activities.

There is no comprehensive list of protected disabilities because there are so many conditions that can result in disability. Also, a challenge for one person may substantially limit a major life activity, while someone else may not be substantially limited. Determinations must be made on a case-by-case-basis.

**Major Life Activity:**

Janice, an RSVP volunteer, is paralyzed from the waist down and is substantially limited in the major life activity of walking. She is considered to have a disability. Michael, an AmeriCorps VISTA who has a bad knee that hurts when he plays soccer, does not meet the definition. He is not substantially limited in the major life activity of walking, and soccer is not considered a major life activity.

**History of Impairment:**

Clarice, a Foster Grandparent, has an addiction to alcohol and is in recovery. She may not have a disability now, but she is protected against discrimination based on her history of addiction.

**Perception of Disability:**

Wendy's behavior seems "strange" to the program supervisor, and the supervisor thinks that she has a psychiatric disability. If the supervisor takes action against her based on her misperception that Wendy has a disability Wendy is protected against discrimination under the "perception of disability" part of the definition.

## **INCLUSIVE SERVICE DESCRIPTIONS**

- What are the elements of an inclusive service description?
- What is an essential function?
- What is a marginal function?
- What is the definition of a "Qualified Individual with a Disability"?

### **What are the elements of an inclusive service description?**

Inclusive service descriptions contain all the elements of a good service description, but also clearly demonstrate the essential and marginal functions of a position. They are a critical first step to creating an inclusive service environment. Taking the time to ensure that your service descriptions are inclusive will assist you in outreach and recruitment. It will send a clear message that you are actively inclusive and will help you make good management decisions.

Matching an applicant with a disability and a service position is virtually the same as matching any other applicant with a service position. Spending time to create a current, thorough, and clear service description is well worth the energy and will increase your ability to make good matches for all participants.

Evaluate service positions periodically. Positions change and you should reflect those changes in the service description.

An essential function is one that is critical to the position. Teaching is an essential function of a tutoring position.

A marginal function is less important: the nature of the position does not change if the function is removed. Answering the telephone might be a marginal function for a tutor.

The key objective of a service description is to identify the functions of the position that are essential.

## What is an essential function?

An essential function is a task or service duty that is critical to the position. If it is not performed, then the nature of the position is fundamentally changed.

### Three factors that make a function essential:

- the position exists to perform a specific function;
- there are a limited number of other participants available to perform the function or among whom the function can be distributed;
- a function is highly specialized and the person in the position is selected for special expertise or ability to perform it.

### The chart below provides explanatory examples.

The position exists to perform a specific function.	There are a limited number of other participants available to perform the function or among whom the function can be distributed.	A function is highly specialized, and the person in the position is selected for special expertise or ability to perform it.
Example: Participant will provide education through public speaking and information dissemination.	Example: Participant will have a commercial vehicle driver's license.	Example: Participant must have the ability to understand and communicate in Spanish and English.

### When identifying essential functions:

- Identify the purpose and importance of the tasks
- Consider the frequency with which the task is performed
- Consider the amount of time required to perform the function
- Consider the consequences if the function is not performed

- Distinguish between the methods and results, e.g., focus on the end result rather than the method
- Essential functions must be completed, but they can often be completed in any variety of ways rather than in one particular manner

### **Identifying the essential functions will be invaluable when:**

- Interviewing applicants
- Determining the qualifications of applicants
- Identifying accommodations for qualified applicants with a disability
- Ensuring a meaningful experience for participants

### **What is a marginal function?**

A marginal function is one that is part of a service position, but not essential. It may be a task that is done on an as-needed basis; or a task that can be easily reassigned. Analyzing service functions is crucial in determining if they are essential or marginal.

### **When identifying marginal functions:**

- Identify the purpose and necessity of the task
- Consider whether the task is critical to the service position; if it is not performed, will the nature of the position be fundamentally changed?
- Consider if the task can be performed on an as-needed basis
- Consider if the task can be easily reassigned

**Service task:**

Participants will provide homework help to third grade students at an after-school program. Participants will occasionally fix snacks for students as needed.

**The essential functions:**

Ability to read and explain third grade subject matter, ability to communicate effectively with children.

**The marginal function:**

Fixing snacks at the end of the tutoring session.

**Service Task:**

Participants will establish committees of residents in low-income housing to promote self-sufficiency and drug/crime prevention programs.

**The essential functions:**

Effective communication, diplomacy and tact, planning, organization, and following through on activities and goals.

**The marginal functions:**

Answering telephones, computer skills, and packaging and transporting materials to meetings.

**What is the definition of a "Qualified Individual with a Disability"?**

A "qualified individual with a disability" is able to perform the essential functions of the position with or without accommodations. He or she must also meet any qualifications or certifications that the program has in place, such as being a registered nurse. Simply because someone may be a person with a disability does not mean that you must accept him or her to serve as a participant in your program. The individual must meet the same qualifications as other participants in

the program. Individuals who wish to be participants must be able to perform the essential functions of the position with or without accommodations.

### Service Description Template

<b>Service Position Title</b>	Indicate title and whether a full-time or part-time position.
<b>Immediate Supervisor/Title</b>	List name and/or title.
<b>Service Position Summary</b>	Briefly describe the responsibilities of the position in a narrative format.
<b>Essential Functions of Position</b>	List all basic duties that must be performed with or without reasonable accommodations. Identify only the tasks essential to the position. Focus on function, not method. For example, if the essential function is to get from A to B to conduct training, do not say driving or a driver's license is required.
<b>Marginal Functions of Position</b>	List additional duties that are preferred, are re-assignable to others, or can be eliminated or otherwise do not change the nature of the position.
<b>Principal Working Relationships</b>	Identify internal and external working relationships required for successful accomplishment of responsibilities.

<b>Knowledge, Skills, and Abilities</b>	<b>Identify the specific areas of knowledge and abilities required to be qualified for the position, as well as any required skills.</b>
<b>Academic and Experience Qualifications</b>	List minimum qualifications and experience required to be eligible for the position. Do not include preferences or "nice to have's."
<b>Service Conditions</b>	Identify the conditions under which the position must be accomplished. For example, service is to be performed in a classroom, or service is performed primarily outdoors, or service involves travel.
<b>Physical, Emotional, and Intellectual Demands</b>	Identify the degree to which these demands are applied to the requirements of the position. An example of an emotional demand might be: Patience is required because of work with children. An example of an intellectual demand might be: Duties include extensive research and analysis of data.
<b>Equipment Used</b>	List the types of tools and equipment used in this position.

Other than completion of marginal functions, the above functions may be completed with or without reasonable accommodations. This description lists the minimum duty requirements.

## **INCLUSIVE RECRUITMENT AND OUTREACH**

- How do I successfully recruit people with disabilities in national and community service?
- How can I make recruitment activities inclusive?
- Where can I recruit people with disabilities?
- Are there organizations in my community that can help me recruit individuals with disabilities?
- How do I collaborate with a disability organization to strengthen my outreach and recruitment activities?

### **How do I successfully recruit people with disabilities in national and community service?**

There are two basic approaches to recruitment of persons with disabilities as participants in your program. The first is to recruit persons with disabilities as part of your overall recruitment process. This will happen naturally as your program becomes increasingly accessible and inclusive. The second approach is to conduct specific outreach activities with communities of persons with disabilities and organizations that serve these communities.

### **How can I make recruitment activities inclusive?**

The first step toward inclusive recruitment is creating an inclusive service environment. An inclusive service environment is one that proactively seeks to include persons with disabilities, ensures that everyone can make a valued contribution, and weaves access and accommodations into all aspects of the program. There are several ways that you can ensure that your recruitment activities are inclusive:

- Include images of people with disabilities as service providers in your brochures, videos, and other materials.
- Make sure that any videos you produce are captioned and audio-described.

- Make a clear statement of your willingness to provide accommodations. Example Sample Statement: “Qualified individuals with disabilities who need accommodations may make arrangements by contacting (insert your program contact person and number/email)”.
- Familiarize your staff with your state phone/video relay services for the Deaf and hard of hearing.
- Insert a non-discrimination clause in all of your written materials.
- Proactively let the public know that you will provide materials in alternate formats. Example Sample Statement: “Upon request, this document and others are available in alternate formats.
- Ensure that your website meets Section 508 standards for accessibility”.
- Be sure your volunteer and National Service application forms ask no questions regarding disabilities, history of disabilities (the applicant or their family), or other medical information - unless it requests a voluntary response that is separated and filed separately and used for statistical purposes only.
- Identify organizations or individuals in your community with disability experience who can review materials to ensure that your language is appropriate.
- Hold meetings and events in locations that are barrier free or universally designed, and let people know the events are accessible. Example Sample Statement: “The AmeriCorps kickoff event will be held in an accessible location. Other accommodations will be provided upon request. Please contact (insert your program contact person and number/email)”.

## **Outreach to Persons with Disabilities**

People with disabilities are diverse individuals who exist in every community, organization, and neighborhood. Disability crosses all demographic groups. People with disabilities are young, old, rich, poor and middle-class, highly educated and not. Some individuals

with disabilities are very committed to service; while others have never been exposed to service. Some have not had a lot of experience working alongside people without disabilities; others have.

### **Program Preparedness**

Before you begin to aggressively recruit, make sure that your staff, participants, and whoever else may be involved in recruitment are prepared for this initiative. It will not help your efforts to do great outreach and have staff unprepared for persons who request accommodations. Be sure to provide training to all staff and participants.

### **Where can I recruit people with disabilities?**

There are several free national recruitment resources provided either directly by the federal government or through federal grants. While they exist primarily to help persons with disabilities find employment, you may be able to use them to identify persons with disabilities who are open to service opportunities. Some provide you directly with resumes or job-related information about people with disabilities, while others work in conjunction with state and local agencies. These include the resources listed below. All are available to you for assistance in recruiting participants for your programs.

- Employment Assistance Referral Network (EARN)
- Workforce Recruitment Program (WRP)
- State Governors' Committees on Employment of People with Disabilities
- U.S. Department of Veterans Affairs
- State and Local Vocational Rehabilitation Agencies

Another resource that allows people with disabilities to locate and contact you is the Corporation for National and Community Service recruitment web site for AmeriCorps and Senior Corps. We encourage you to post your national service positions there.

There are also organizations and programs in every community, as well as at the national level that work with people with disabilities. Many are federally operated and or funded. Some provide services to people with disabilities such as therapies or training. Others advocate in the community for increased accessibility. Some provide scholarships and awards, while others provide funding for education or job training. Some organizations serve a range of individuals with different kinds of disabilities, while others focus on one or two specific kinds of disabilities.

Depending on your program and the organizations in your community, the following kinds of organizations may be appropriate for your recruitment efforts.

- Schools, Colleges, and Technical Schools
- Vocational Rehabilitation Offices
- Disability Organizations
- Civic Groups
- Senior Organizations
- Youth Organizations with Programs for Youth with Disabilities
- State and Federally Funded Community and National Resources

### **Are there organizations in my community that can help me recruit individuals with disabilities?**

#### **Schools, Colleges and Technical Schools**

Almost all post-secondary schools have an office for students with disabilities. Staff in these offices can provide information about your program to students with a range of disabilities. Many have electronic message boards where you can post information. Some have campus-wide newsletters.

School districts have offices on special education. These offices are aware of all students identified with disabilities, including those who

are fully included in their classrooms. In addition, most schools have special education teachers who know students with disabilities well.

### **Vocational Rehabilitation Offices**

Each state has an office of vocational rehabilitation that in turn has local offices. Vocational rehabilitation counselors, who assist individuals with disabilities in achieving educational and vocational goals, staff these offices. Counselors will know of individuals with disabilities who may be interested in service programs. In addition, there are instances where national and community service programs may become part of a vocational plan, in which case further supports may be available from vocational rehabilitation programs.

### **Disability Organizations**

Even the smallest community has at least one or two organizations that work with people with disabilities from the very young to the very old. Here are some of the most common:

- Parent resource centers
- Self advocacy groups
- Independent living centers
- National Mental Health Association affiliates
- United Cerebral Palsy (UCP) affiliates
- Arc affiliates
- Brain Injury Association affiliates
- National Association of the Deaf groups
- Self Help for Hard of Hearing chapters
- Easter Seals affiliates

### **Civic Groups**

Many civic groups support disability issues and may conduct fundraising activities on behalf of scholarship programs or under special circumstances. Some are:

- Civitans
- Kiwanis
- Lions
- Quota Clubs

### Youth Organizations

- Boy and Girl Scouts
- 4-H
- Campfire programs
- YMCA/YWCA

### Senior Organizations

- Senior Centers
- AARP

### **How do I collaborate with a disability organization to strengthen my outreach and recruitment activities?**

Sending recruitment information to community organizations may result in a few inquiries, but it probably will not generate significant interest. If staff at these organizations do not know you, do not understand national and community service, or do not know your program in particular, they are not likely to do much with your material.

The success of many initiatives is based on collaborative relationships. There are a number of ways that you can initiate collaboration. A personal visit with the staff of an organization allows you to share the world of service and its potential benefits for people with disabilities.

#### **Collaboration:**

Hector, the program director for an AmeriCorps VISTA program, met with the director of the independent living center and did a presentation at a staff meeting.

Angela, a Foster Grandparent program director, wrote newsletter articles for the County Office for Persons with Disabilities.

Furthermore, you can organize a service day or project in conjunction with a disability organization. This activity can help them experience the rewards of service firsthand and build personal relationships that will be valuable to you as you recruit persons with disabilities in your program. Most communities have local or statewide disability-related conferences or meetings. Many have space for exhibitors. You may be able to recruit and publicize your program at the same time.

### **Meetings and Events**

Meetings and events, whatever the purpose, are great ways to let people with disabilities know that you are serious about providing access and that you are serious about inclusion. To be inclusive means that you are thinking about accessibility in all of your activities, not just when you know there may be people with disabilities present. There are opportunities for recruitment no matter what the purpose of your meeting or event.

- Always let the public know that you will provide accommodations to those who need them.
- Always hold your meeting or event in an accessible location.

## **INCLUSIVE INTERVIEWING AND SELECTION**

- Can I ask disability-related questions or request medical information as part of my selection process?
- What do I do if an applicant raises the issue of his or her disability or requests accommodations during the interview?

The interview and selection process for participants is an area that has many legal complexities and can be intimidating for program staff. In many cases, errors are made, not because of an intent to discriminate, but because the interviewer wants to help, desires more information, or wants to clarify information. An inclusive interview and selection process focuses on what an individual can contribute to his or her community through service and what the program can bring to the individual. The existence of a disability is a secondary consideration.

The issues discussed in this section will guide you in developing an inclusive interview protocol.

### **Basic Tips for Interviewing**

- Face person for interviewing
- Interview only in accessible locations
- Use the service description as a guide
- Create a list of questions to ask all applicants

### **Can I ask disability-related questions or request medical information as part of my selection process?**

No. You may not ask disability-related questions and you may not request medical information prior to offering the position to the applicant. There are very specific rules to protect persons with disabilities. These rules protect the rights of all persons and allow applicants to be assessed on merit alone. An inclusive manager focuses on an applicant's abilities to perform the essential functions and not on speculation about possible disabilities.

An interview is often a conversation, and conversations with different applicants will often cover topics in different ways. It is important, however, to ask ALL applicants the SAME questions. This will help ensure that you do not inadvertently obtain information from one applicant that you do not obtain from all applicants.

During the interview, focus on questions regarding the ability of an applicant to perform the essential functions of the position with or without accommodations. Even if an applicant has a visible disability, do not make assumptions about his or her ability or the accommodations that he or she will need.

In rare instances, service programs will require medical examinations of applicants. In no instance may you require a medical exam prior to an offer of a position, but your offer may be contingent on the results of a medical exam. If you require a medical examination after a contingent offer is made, you must require it of every applicant offered similar positions. You may not require one only for persons with disabilities or persons you might think have disabilities. You will need to justify any disqualification based on the results of the medical examinations as job-related and consistent with business necessity.

This is a tricky area and caution is recommended. Additional information can be found in the Legal Requirements section of this Handbook. If you are unsure of any of this information, it is strongly recommended that you seek additional technical assistance.

## **Questions?**

**If you are unsure about questions to ask, you should call:**

1. National Service Inclusion Project at 888-491-0326 or [www.serviceandinclusion.org](http://www.serviceandinclusion.org)
2. The Job Accommodation Network at 800-526-7234 or [www.askjan.org](http://www.askjan.org)

## **What do I do if an applicant raises the issue of his or her disability or requests accommodations during the interview?**

If accommodations are requested for the interview, you may make sufficient inquiries to enable you to provide the accommodations for the interview. Such accommodations are provided to enable equal opportunity to interview. Accommodations that may be required to perform the essential functions of the service position should not be discussed at this point.

If an applicant has a visible disability or, during or prior to the interview, he or she discloses a disability or a need for accommodation to perform the essential functions of the position, it is not advisable to pursue the issue at this point and you cannot consider this in your selection decision. A response might be, "We are an inclusive project that encourages participation by all persons with the skills and abilities to do the service, and we provide needed accommodations."

### **Questions You Can Ask and Questions You Cannot Ask**

(Adapted from World Institute on Disability, Disability Demonstration Project Oakland, CA)

#### **General Questions that you can ask:**

- Tell me about yourself.
- What are your greatest strengths and weaknesses?
- Tell me about your interests.
- What do you see yourself doing in 5 years?

#### **General Questions that you cannot ask:**

- Tell me about your disability.
- Describe any physical or mental problems or disabilities you have.
- Have you ever received Worker's Compensation, SSDI or SSI
- Are you taking prescribed drugs?

- Have you ever been hospitalized?
- How many days were you absent from work for illness last year?

**Questions about performing essential functions that you can ask:**

- Are you able to perform the essential functions of this position with or without reasonable accommodation? (Note: This question should be answered with a yes or a no response. The applicant is not required to disclose if an accommodation is needed.)

**Questions about performing essential functions that you cannot ask:**

- Do you have any disabilities, impairments or illnesses that may affect your performance in this position?

**Questions about specific duties that you can ask:**

- This position requires traveling from one local school to another. Can you do that?
- This position involves doing X and Y at Z speed. Can you do X and Y at this speed?
- This position involves taking information over the phone and entering it into a computer. Can you do that?
- This position requires moving construction materials weighing 15 pounds to various parts of a service site. Can you do that?
- This position requires reading to children. Can you do that?

**Questions about specific duties that you cannot ask:**

- How do you teach a class when you are Deaf?
- How can someone with your disability drive a truck?
- How can you manage playground duty when you can't see?

- How can you clear trails, dig a ditch, pull weeds or mow lawns with your handicap?
- What kinds of help will we have to give you so that you can do these tasks?

**Questions about accommodations that you can ask *IF an applicant volunteers that he/she can perform the task with an accommodation, then you may ask:***

- What accommodation will you need to perform this task? (However please note the advisory paragraph above against asking this question.)

**Questions about accommodations that you cannot ask:**

- To do this job you will obviously need accommodations. Which ones will you need?

**Medical Exams**

Some programs require a medical examination or drug testing before participants are allowed to serve. If you require such testing, all applicants must take the test. In other words, you cannot test some applicants and not others. We suggest that you contact the National Service Inclusion Project at 888-491-0326 or [www.serviceandinclusion.org](http://www.serviceandinclusion.org); or the Job Accommodation Network (JAN) at 800-526-7234 or [www.askjan.org](http://www.askjan.org) for more guidance.

# ACCESS

- What is accessibility?
- What are the five areas of accessibility?
- How can I measure my current environment and progress toward accessibility?
- What resources are available to assist me in evaluating my level of accessibility?

## **What is accessibility?**

When most people hear the word "accessibility" they think of ramps, automatic doors, and elevators. While these provide some access, accessibility refers to all the features that make an environment accessible. Moreover, in most cases, accessible design is good design. Not only are accessibility standards designed to assist and benefit persons with a wide range of disabilities, including hearing loss, cognition, and visual disabilities, but accessible design benefits everyone. Ramps make it easier for seniors, persons with children, and delivery persons to enter buildings. Wider doors and levered handles make it easier for everyone to negotiate doorways. Signage requirements make it easier for everyone to see and understand signs.

## **What are the five areas of accessibility?**

The term "access" or "accessibility" encompasses five different areas: architectural, programmatic, technology, communication, and alternate formats. All five areas are discussed in this section. Accessibility in all five areas is critical to achieving inclusion.

While it may not always be possible to achieve complete accessibility, a truly inclusive environment continuously strives to increase its level of accessibility.

## **Architectural Access**

Architectural accessibility refers to the "built" environment and the means of getting to and from that built environment, whether it is from a parking lot, a bus stop, or the street. The lack of architectural access affects many people with different kinds of disabilities. We can easily imagine how a flight of steps would impact someone with a physical disability, but a truly architecturally accessible building considers the needs of persons with a range of disabilities, including visual, mobility, hearing, and intellectual disabilities. Sometimes, an architecturally accessible environment is referred to as "barrier-free."

### **Access and Accommodation**

"Access" and "accommodation" are sometimes used interchangeably. Access means that conditions exist so that a wide range of persons with disabilities can access a building, a program, or an activity. Accommodations are a part of access. They are the specific services, equipment, or changes in policy, procedures, or the built environment that allow an individual with a disability to participate in activities.

Over the past 30 years, the level of architectural access in many communities has increased tremendously; virtually all new buildings are required to be accessible to individuals with a range of disabilities. In many cases the renovation or alteration of buildings triggers accessibility requirements. In general, the Americans with Disabilities Act Accessibility Guidelines (ADAAG) are the most appropriate standard to use to achieve architectural accessibility.

Barrier removal need not be expensive, and there are often many ways to remove barriers or increase accessibility creatively and inexpensively. There are, however, times when buildings are old, and retrofitting to remove barriers is an undue financial burden for your organization; in these cases retrofitting is not required.

An inclusive service program will provide as meaningful an equivalent access as possible. In many cases, this means changing an activity

so that all persons can participate. Service projects are a great way to increase accessibility and to heighten awareness about disability.

Accessible routes are to be stable, firm, slip resistant, 36-inches wide, with no objects protruding that someone cannot detect with a cane.

Door handles- outside, indoor, restroom stalls- should be fully operable with a closed fist. The same is true for water faucets. Be watchful of creating transient or temporary barriers. These are barriers you create with furniture, boxes, or plants placed in the path of travel and preventing access.

## **RESOURCE**

The most up-to-date version of ADAAG can be found at <http://www.access-board.gov>.

## **Programmatic Access**

Separate and apart from architectural access issues, your program's eligibility requirements, policies, or operating procedures may be causing additional programmatic barriers to full and meaningful access.

For example, do you require your participants to have a driver's license so they can drive from school to school because the service position requires tutoring students in different locations? Is driving the essential function or is it the ability to get from location to location? Do you require your participants who do computerized research as an essential function to serve from 8:00 AM to 5:00 PM? This requirement could be a barrier to a person whose medication makes it difficult to get up in the morning or to someone whose accessible transportation is unpredictable or only available at specific hours.

Flexibility, wherever possible, is the key. Think creatively.

## **Programmatic Access**

Example #1: George, an applicant who uses a wheelchair, cannot get into the Foster Grandparents' office because it is in an older building that has three steps at the entrance. The program manager relocates the interview to a meeting room at a local school site that is accessible and ensures George's subsequent service site is fully accessible to him.

Example #2: A weekly meeting for a AmeriCorps program is held in a classroom next to a gym. When volleyball season starts, it is very noisy. The program relocates the meeting so that Marcia, a participant with a hearing loss, can fully participate.

## **Technology Access**

Technology has become an extremely valuable way to increase inclusion for people with a range of disabilities. In some cases technology is specifically designed for use by people with disabilities. Augmentative communication devices and screen readers which "speak" what is on the computer screen are examples of personal technology used by individuals with disabilities to increase accessibility and inclusion. Remember that technology access is not always complex electronic devices; it can be very simple at times.

In some cases, accessibility is built into the technology that everyone uses. Computers, websites, telephone systems, and televisions all are increasingly accessible to and useable by people with a range of disabilities, including visual, hearing, mobility, and intellectual disabilities. Such technology is often referred to as "universal design" because it can be used by everyone regardless of their ability or disability. Section 508 of the Rehabilitation Act is a federal requirement to ensure technology access in federal agencies. For more information on Section 508 of the Rehabilitation Act go to [www.section508.gov](http://www.section508.gov).

## **Examples of Universal Technology Access**

- Adjustable Work Stations
- Caller ID
- Captioned Videos and Public Service Announcements
- Capacity to Use Larger Fonts

## **Website Accessibility**

It is important to consider accessibility in your website. Remember, any audio information should also be written. "Alt tabs" which describe graphics make websites accessible to persons using screen readers. Good information on how to incorporate accessibility features on your website can be found at [www.cast.org](http://www.cast.org).

## **Communication Access**

For persons with hearing, speech, intellectual, or learning disabilities, you may also have to provide communication access.

Communication access means providing the technology or services necessary to facilitate equivalent communication. In these cases, the focus is on providing an equivalent experience and on ensuring that information is provided effectively. This sometimes requires some thought and discussion about the situation.

Don't assume that everyone with hearing loss uses American Sign Language (ASL). For persons who do use sign language, you may need to provide interpreter services.

## **Examples of Communication Access**

- Writing Notes
- Assistive Listening Devices
- Interpreters
- Real-time Captioning
- Recorded Information

For persons with intellectual or learning disabilities, you may need to provide information in a different form, or to provide assistance in understanding that material.

When preparing video materials, captioning provides access to persons with hearing loss. In the same way, using voice-overs when there are images or music allows persons who have visual disabilities to experience the video.

### **Alternate Formats**

For people with visual disabilities such as vision-loss, written material needs to be provided in alternate formats. There is a wide range of alternate formats, including Braille, text file, large print, and audiotape. You should provide the format requested in a timely manner. An inclusive program will provide information in alternate formats at the same time that it provides any written information.

### **Examples of Alternate Formats**

- To make large print documents, ask what point font is preferred and reprint using larger font.
- To make a document accessible to a computer screen reader, save it as a text file, then attach as an email or via flash drive.

### **How can I measure my current environment and progress toward accessibility?**

It is important for programs to continually evaluate the level of accessibility in their program offices, sites, and activities. There are several good checklists that can help you determine your current level of accessibility in all five areas and will provide you guidance in planning strategies to increase your level of accessibility.

### **What resources are available to assist me in evaluating my level of accessibility?**

There are several resources that you can tap to help you evaluate the level of accessibility in your program, as well as to provide communication access and alternate formats. Many independent living centers can help you do an evaluation of your sites and the level of accessibility. The Job Accommodation Network can help you determine sources for accommodations.

The National Service Inclusion Project (NSIP) has developed a series of assessment tools specifically for national and community service programs. Up-to-date information can be obtained by contact NSIP at [www.serviceandinclusion.org](http://www.serviceandinclusion.org).

**TIP**

Many independent living centers can conduct an accessibility evaluation for you. Make sure they know you are a "504 entity."

# ACCOMMODATIONS

- What are accommodations?
- When do I need to provide accommodations?
- How do I provide accommodations?
- What should I keep in mind about accommodations?
- How do I determine whether I can reasonably accommodate a particular person?

## What are accommodations?

Accommodations refer to all of the technology, services, and changes in policy, procedures, and the built environment that enable individuals with disabilities to perform essential functions or to equally participate in events and programs. The list of potential kinds of accommodations is limited only by creativity. An accommodation will vary depending on the individual need, the disability, the program, resources available, and the tasks that need to be completed.

Accommodations can be very inexpensive: printing a document in large, clear font, providing written instructions, purchasing a headset for a telephone do not require much in the way of resources. Approximately 80% of accommodations cost less than \$500 (according to the Job Accommodation Network). Some accommodations are more expensive: providing interpreter services, installing a mechanical lift, or purchasing new software. Accommodations that are part of an accessible environment are generally designed to assist a particular individual.

## Types of accommodations

- Removing barriers and increasing accessibility
- Restructuring a service position
- Modifying a service schedule
- Modifying policies or procedures
- Obtaining or modifying equipment or devices

- Reassignment to a vacant position
- Providing services, such as qualified readers, interpreters, or real-time captioning
- Adjusting or modifying training activities, materials, or examinations.

Some individuals will need one or two accommodations, and others may need more.

### **Example**

#### **Accommodations**

- Jeremy has a visual disability and needed software to "read" text to him. The program purchased the software.
- Annette cannot drive and relies on a local transportation service that could not get her to her service site by 9:00 a.m. An adjustment was made to her schedule to accommodate the transportation need.
- Zach, who has a hearing loss, has trouble hearing in team meetings. The program borrowed an assistive listening device from the local independent living center.

### **When do I need to provide accommodations?**

There are at least two common instances when you will need to provide accommodations. One is for public events and meetings that your program may sponsor, including service activities. In these cases, you should ensure that you provide members of the public an opportunity and a means to request accommodations.

A simple statement goes a long way in communicating to the public that you are striving to create an inclusive environment. It also gives you advance notice of a need for a particular accommodation so that you will have time to ensure that it is in place.

## **TIP**

Insert in a brochure or flyer: “This meeting will be held in a fully accessible location. Should you require other accommodations, please contact (insert your program contact name and number/email)”.

The second instance in which you will need to provide accommodations is when you have a request from a qualified individual with a disability in your program.

Here are some important points:

- An inclusive environment does not presume a person requires an accommodation, but creates conditions that are open and allow for effective communication about needs.
- An inclusive service environment creates conditions that give a qualified individual with a disability the confidence to request the needed accommodation(s) and carefully considers each request.
- An inclusive service environment engages in a dialogue with the individual requester to help determine the appropriate and effective accommodation(s).
- An inclusive service environment provides accommodations with the goal of truly enabling an individual to fully participate and contribute. It approaches the provision of accommodations as one of doing all it can do to ensure access and inclusion, rather than focusing on what "has to happen."

## **How do I provide accommodations?**

Once an individual requests an accommodation, the process of evaluating your ability to provide that accommodation begins. The first step is to open a dialogue with the individual to find out what functional limitations exist that might prevent the accomplishment of essential functions. In addition, discuss any existing barriers that might prevent or limit participation in the program or activity.

In many cases, individuals will know what they need and how to secure it. In some cases, individuals will not be certain what they will need. This is when technical assistance can be beneficial and cost effective.

In some cases, the need for an accommodation may not be obvious. Once a request is made, you may, under certain conditions, ask for documentation about the need for an accommodation. This can be a complex area so call upon the range of resources provided in this Handbook for more information and guidance on this issue.

### **What should I keep in mind about accommodations?**

- People with disabilities are all very different- some have extensive experience in requesting and using accommodations and others do not. Some will be able to tell you exactly what they will need, others will not. In some cases, this is because an individual will not have extensive experience with accommodations, but more often, it is because the individual does not yet have a full understanding of what they will need. They may know their needs, but not their service environment. For some people with disabilities, the accommodations required will vary depending on the specific circumstances of the activity or program.
- Individuals who are requesting accommodations also want their service experience to be successful and rewarding but they may have had difficulties or negative experiences in securing accommodations in the past. Remember, that as a program director or supervisor, you are in a position of authority, and you have the ability to create a positive or negative experience. If you approach requests for accommodations from the perspective of creating an inclusive environment and of maintaining open communication, the results will be much more positive. Openness and creativity are important when working

with a participant with a disability in determining appropriate and effective accommodations.

- A service term is often limited. If it takes as long as six months to put accommodations into place, the service term is well underway, and everyone becomes frustrated. The more inclusive and open the environment, the more likely it will be that someone will request accommodations early in their service term, and the sooner you can provide the accommodation. It is recommended that programs have a plan in place to easily access unanticipated accommodations.
- Discussions about accommodations must remain as confidential as possible. While sometimes it is impossible for the accommodations themselves to be "invisible," it is not necessary for the provision of accommodations to become a program-wide discussion or debate.

## **TIP**

Retaining participants:

Be aware that people may ask for accommodations without using the word "accommodation." For example, a new service participant, who uses a wheelchair, informs his supervisor that the wheelchair cannot fit under the desk in his office. This is a request for an accommodation.

## **How do I determine whether I can reasonably accommodate a particular person?**

There may be times when someone requests an accommodation that you feel is too expensive, unwieldy, or impacts your program's ability to meet its mission. Under these circumstances, it is always a good idea to contact technical assistance resources for guidance. There may be options neither you nor the participant thought about that might fully accommodate the person's functional limitations and allow

him or her to perform the essential functions of the position- and do so less expensively, more efficiently, or more effectively. Technical assistance resources include:

- National Service Inclusion Project  
[[www.serviceandinclusion.org](http://www.serviceandinclusion.org)]
- Job Accommodation Network [[www.askjan.org](http://www.askjan.org)]
- Independent Living Centers (ILCs)

It is important to maintain confidentiality about accommodations to the greatest extent possible.

Keep in mind that you are legally required to provide an effective accommodation, unless you can prove that doing so is an undue financial or administrative burden to your program. Simply because the accommodation may be difficult to achieve, time-consuming, or costly does not necessarily qualify as "an undue financial or administrative burden."

## **MANAGEMENT AND RETENTION**

- Are there different strategies or approaches for managing people with disabilities?
- What performance expectations should I have of persons with disabilities?
- What conduct expectations should I have of persons with disabilities?
- What if I am taking disciplinary action and the participant raises the issue of disability?
- When can I ask disability-related questions or require documentation of a disability?
- How can I effectively retain participants with disabilities?
- How do I identify a potential retention problem?

### **Are there different strategies or approaches for managing people with disabilities?**

No. Managing persons with disabilities in an inclusive service environment is the same as managing effectively in any environment. People with disabilities, like any other participants, have valuable talents, skills, time, and enthusiasm to contribute to the betterment of their communities. Given inclusive environments and accommodations, those contributions will shine through.

You should expect to use the following management tasks both with people with and without disabilities: Develop Expectations, Written Service Description, Provide Training, Implement Policies and Procedures, Support, Participant Development, and Evaluation.

### **What performance expectations should I have of persons with disabilities?**

Managers and supervisors should take care to ensure that they have the same performance expectations of their participants with disabilities as they do of all their participants. If you expect your

participants to participate in days of service, expect the same of participants with disabilities. If you expect paperwork or other tasks to be completed, all of your participants should complete those tasks. Having the same expectations of all participants is a key-contributing factor to an inclusive service environment.

By the same token, however, take care not to have greater expectations of persons with disabilities. Some media portrayals of persons with disabilities reflect unrealistic images of always optimistic, eager, non-frustrated people. People with disabilities face the same issues, frustrations, and bad days as anyone else.

In some cases, poor performance may warrant verbal warnings or disciplinary action. If the participant that you are disciplining has a disability that should not affect your approach to discipline. People with disabilities are as accountable as anyone else.

### **What conduct expectations should I have of persons with disabilities?**

Managers and supervisors should take care to ensure that they hold their participants with disabilities to the same standards of conduct as they expect of all their participants. If you expect your participants to arrive on time, have that same expectation of participants with disabilities. Even if you have adjusted hours as an accommodation, expect them to arrive at their adjusted arrival time. If you expect your participants to not be impaired by alcohol or illegal substances during service hours, have that same expectation of participants with disabilities. Even though addictions to legal substances are protected disabilities, they are not an excuse for violations of your rules of conduct.

There are some disabilities that can impact an individual's ability to interact with others, to control emotions, or to judge social and service situations appropriately. Inappropriate behavior, however, is not a disability. If an individual has disclosed a disability that may

result in inappropriate behavior, you should discuss accommodations and strategies for ensuring that any behavior is not disruptive to your program. Each situation needs to be dealt with on its own. If a person has not disclosed such a disability, you would handle this behavioral issue as you would with any other participant.

### **What if I am taking disciplinary action and the participant raises the issue of disability?**

In rare instances, an individual who is receiving disciplinary action as a result of poor performance or misconduct may reveal a disability only when he/she realizes that their disability is impacting their success in the program. You should consider opening the process of providing effective accommodations at this point. If you make an accommodation, you should give ample time to determine if the accommodation is successful and if the participant's performance or conduct has improved.

When in doubt, call the National Service Inclusion Project (NSIP) [[www.serviceandinclusion.org](http://www.serviceandinclusion.org)].

### **When can I ask disability-related questions or require documentation of a disability?**

There may be times when a participant requests accommodations but you are unclear about his or her functional limitations. There may be other times when you observe performance problems and you have reason to believe that a participant's ability to perform essential service functions is affected by a medical condition. You may believe that what appears to be a participant's medical problem could pose a direct threat to the health or safety of themselves or others. In these instances, you may ask the participant limited disability-related questions or request a limited amount of reasonable documentation about the nature of the disability and its functional limitations as it relates to the essential functions of the position. This can be a complex area and it is sometimes hard to see the issues clearly. Do

not hesitate to call upon the technical assistance resources available to you such as the National Service Inclusion Project or the Job Accommodation Network. Other resources include:

- EEOC's Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act, available at [www.eeoc.gov](http://www.eeoc.gov).
- EEOC's Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act, available at [www.eeoc.gov](http://www.eeoc.gov).

### **How can I effectively retain participants with disabilities?**

Retaining participants is a challenge for programs regardless of whether the participant has a disability or not. Effective retention not only requires that participants are satisfied and rewarded, but also that their experience is positive and there is a sense of excitement and fun. Many of the strategies and principles of retention for any participant are true for participants with disabilities. Rather than consider retention of participants with disabilities as a separate and discrete issue, consider possible issues in the same context as any other. Creativity, flexibility, and a willingness to negotiate responsibly will benefit you, your program, and participants with and without disabilities.

For participants with disabilities, an inclusive service environment, effective accommodations, and open communication are critical to retention. There are some strategies that you can undertake to ensure that participants with disabilities are successful in your program and are able to successfully complete their term of service.

### **To ensure retention of participants with disabilities:**

- Create and maintain a truly inclusive service environment
- Hold participants with disabilities to the same levels of accountability as other participants

- Develop clear expectations and hold participants to these expectations
- Keep the lines of communication clear and open
- Develop clear position descriptions that outline tasks, essential functions, and expectations
- Take action when you see that a participant is not participating

For those issues that may arise that are specific to disability, e.g., the provision of accommodations and truly including an individual with a disability in service, you may need to approach situations with creativity. Relationships that you develop with disability providers or key disability leaders in your community can be invaluable in assisting you in this area.

### **How do I identify a potential retention problem?**

As you think about specific issues regarding retention, be sure to evaluate the issue at hand to determine whether it is a retention issue specific to disability, or whether the participant is facing issues not at all related to disability. This is an important first step because it will help clearly identify the issues that are at hand.

<b>Participants are more likely to complete their service assignments when the following exists:</b>	<b>Participants are less likely to complete their service assignments when the following exists:</b>
<ul style="list-style-type: none"> <li>• They perceive that what they are doing is valuable</li> </ul>	<ul style="list-style-type: none"> <li>• They perceive the assignments they are given as unnecessary or not having value</li> </ul>
<ul style="list-style-type: none"> <li>• They receive appropriate equipment and support</li> </ul>	<ul style="list-style-type: none"> <li>• There is a lack of appropriate accommodations or inconsistent or unreliable</li> </ul>

	accommodations
<ul style="list-style-type: none"> <li>• There is a feeling of belonging</li> </ul>	<ul style="list-style-type: none"> <li>• There is a failure to recognize the importance of participation; saying "Just sit this one out."</li> </ul>
<ul style="list-style-type: none"> <li>• There are opportunities for personal growth</li> </ul>	<ul style="list-style-type: none"> <li>• Assignments are perceived as not fulfilling or leading to growth</li> </ul>
<ul style="list-style-type: none"> <li>• Mutual expectations are met</li> </ul>	<ul style="list-style-type: none"> <li>• They perceive a lack of effective and open communication</li> </ul>
<ul style="list-style-type: none"> <li>• They are being treated as part of a team</li> </ul>	<ul style="list-style-type: none"> <li>• They feel that they are being ignored</li> </ul>
<ul style="list-style-type: none"> <li>• They are being challenged</li> </ul>	<ul style="list-style-type: none"> <li>• There is unwarranted praise that can be perceived as insincere</li> </ul>

# COLLABORATIONS

- What are the benefits of collaboration for national and community service programs with disability organizations?
- Where do I begin?
- How are disability organizations structured?

## **What are the benefits of collaboration for national and community service programs with disability organizations?**

Collaboration allows organizations to achieve more together than they would be able to achieve alone. Often organizations have mutual or complementary goals. Organizations that provide services to people with disabilities, or advocate for people with disabilities, are found in every community. Strong and effective collaborations with these organizations can contribute to your success in creating an inclusive service environment, recruitment, retention, ensuring compliance with federal and state laws, and providing accommodations.

## **Potential benefits of collaboration for disability organizations and service programs:**

<b>Benefits</b>	<b>Benefits to Disability Organizations</b>	<b>Benefits to National and Community Service Programs</b>
<b>Outreach/Placement</b>	Create opportunities for individuals with disabilities	Identify potential participants with disabilities

<b>Recruitment</b>	<b>Educate individuals with disabilities to possibilities</b>	<b>Recruit qualified committed participants</b>
<b>Accommodations</b>	Allow individuals with disabilities the opportunity to fully participate in service and gain valuable experience	Retention of participants with disabilities
<b>Networking</b>	Learn about national service	Develop relationships with disability organizations
<b>Community Awareness</b>	Joint projects	Joint projects

For disability organizations, collaborations with national and community service programs will provide new opportunities for people with disabilities and open up supportive environments for personal growth. There are many areas in which disability organizations can help service programs succeed in their efforts to include people with disabilities and to create inclusive service environments. They can provide technical assistance on accessibility and accommodations, assist you in recruitment (through newsletters, websites, brochures, and individual referrals), and assist when issues arise around retention.

The world of service, and the opportunities offered, can also help disability organizations. Service experience can provide great opportunities for individuals with disabilities. These individuals can then help to change perceptions that people with disabilities are always recipients of service, not service providers.

## **Where do I begin?**

The most successful collaborations are built on knowledge, trust, and relationships that are mutually beneficial. It is important for you to become familiar with the organizations in your community and for them to become familiar with your programs and with the goals of service.

### **Some ways to start collaborations:**

- Set up short, informal meetings with the leadership of local disability organizations. Be prepared to explain your program and the goals of national and community service.
- Invite staff and consumers of disability organizations to service events and meetings and make certain those meetings are accessible!
- Coordinate a service-day project with a disability organization.
- Invite disability organizations to conduct disability awareness training for your staff and participants.
- Join the board or advisory committee of a disability organization.
- Write articles about your program for newsletters and blogs.
- Link your website to theirs.
- Many organizations have state or county-level conferences and meetings. Present a workshop or exhibit at a booth.

### **How are disability organizations structured?**

In order to enhance the possibility of good collaboration, it is helpful to understand how disability organizations are set up. There are three basic ways that disability organizations are organized:

- The vast majority are private, non-profit organizations, though there are some government agencies (such as vocational rehabilitation offices and state/county offices for people with

- disabilities). There are also many private, for-profit organizations and service providers.
- Disability organizations can also be divided into two other broad categories- those that provide services to or for people with disabilities, and those that are advocacy organizations that are controlled and staffed by people with disabilities. Most often, the latter groups focus on systems change and increased access and services for people with disabilities. Most independent living centers are controlled by persons with disabilities and are, for the most part, staffed by persons with disabilities. Organizations such as United Cerebral Palsy, Arc, and Easter Seals provide direct services to people with disabilities.
  - Some disability organizations are cross-disability and serve a wide range of disabilities. Others are more specific and focus on particular types of disabilities. Independent living centers are cross-disability. UCP affiliates serve a range of people with disabilities but tend to focus on persons with physical and developmental disabilities. The National Association of the Deaf focuses on persons who are culturally Deaf. The American Foundation for the Blind focuses on persons with visual disabilities.

Many disability organizations are affiliates or chapters of national organizations. The state or local organization may be very large or very small. There are also local organizations that provide services that are not necessarily affiliated with a national organization.

## **PROGRESS TOWARDS INCLUSION**

- How do I know my efforts toward creating an inclusive environment have been successful?
- What are some ways I can evaluate my progress?

### **How do I know my efforts toward creating an inclusive environment have been successful?**

The successful creation of an inclusive service environment is sometimes difficult to evaluate since it is not easily quantified. Moreover, just because your program might have a number of participants with disabilities, it is not necessarily inclusive. This section contains suggested indicators for you to use in developing an evaluation plan around inclusion.

### **What are some ways I can evaluate my progress?**

Ask yourself, your program, and your participants- with and without disabilities- and your disability partners the following questions:

#### **Environment: Spirit of Inclusion**

- Are participants with disabilities full participants in the program and service activities?
- Are they treated as peers?
- Are the expectations for participants with disabilities the same as for other participants?
- Are service descriptions clear in outlining the essential functions?
- Are events planned with accessibility and accommodations considered?
- Are there opportunities for advancement for individuals with disabilities?
- Are individuals with disabilities found at all levels of the organization, including the management and board?

## **Environment: Architectural**

- Is an accessibility survey conducted at least annually?
- Is there an action plan to remove barriers in place? Is it considered whenever plans are made to change locations, renovate, or reorganize space?
- Do all service sites also conduct accessibility surveys on an annual basis?
- Do all events, including retreats, trainings, and celebrations take place in barrier-free locations?

## **Environment: Communication**

- Are accommodations to ensure communication access provided?
- Do program staff know how and where to secure interpreters, assistive listening devices, or real-time captioning?
- Are staff and participants comfortable with Relay calls?
- Is training in basic American Sign Language (ASL) provided for staff and participants when appropriate?

## **Environment: Alternate Formats**

- Are all staff and participants familiar with the different types of alternate formats?
- Do staff know how to provide documents in alternate formats?
- Are all staff and participants familiar with the program's procedures to handle requests for accommodations?

## **Environment: Requests and Modifications of Policies, Procedures, and Practices**

- Are staff and participants familiar with your ability to handle requests for accommodations and modifications of policies, procedures, and practices?

- Are decisions about whether or not to honor requests made at a management level?
- Are decisions made in a short timeframe, in a matter of days, not weeks or months?
- Are participants with disabilities actively engaged in a discussion about their needs for accommodations?

### **Administration and Management**

- Is all information related to an individual's disability (including medical records and accommodations) confidential and kept in a secure file separate from all other records?
- When interviewing, are the same questions asked of all applicants?
- Is regular training on disability awareness and sensitivity provided?
- Is regular training on Equal Opportunity Employment policy provided?

### **Collateral Material (brochures, flyers, applications, and websites)**

- Are there images of persons with disabilities in brochures and other materials, including your website?
- Is your website accessible to persons with disabilities?
- Is disability included in your statement of non-discrimination?
- Are there clear instructions on how to request accommodations?
- Are individuals from the disability community asked to review your materials?
- Have you implemented policies that allow applications to be completed and submitted in different ways, such as online?

## **Recruitment**

- Do you track the number of questions you receive regarding the inclusion of persons with disabilities in your program?
- Do you track the number of national, state, and local referral networks or sources you contact to reach applicants with disabilities?
- Do you track the number of participants with disabilities in your program that you can directly relate to your outreach efforts? (Remember this information must be self-disclosed, and you must ensure the confidentiality of all information relating to an individual's disability.)

## **Accommodations**

- Do you track the number of requests that you receive for accommodations?
- Do you track the number of individuals making such requests?
- Do you track the satisfaction of participants with disabilities who receive accommodations?
- Do you measure the satisfaction of participants with disabilities with their service experience?
- Do you track the number and cost of formal requests that you receive for accommodations?
- Do you track the number of participants with disabilities who successfully complete service?
- Do you track the number of participants who do not complete service? Do you then evaluate their reasons for non-completion?
- Do you evaluate the satisfaction of participants with the program and with the level of inclusion that they experienced?

## **Collaboration**

- Have you developed relationships with disability organizations for the purposes of recruitment, technical assistance, or training?
- Have you asked leaders with disabilities in your community to assist you in evaluation efforts?
- Do you conduct service activities in conjunction with disability organizations?
- Can you identify areas of collaboration with a range of organizations?

## **LEGAL REQUIREMENTS**

- What laws govern national service programs on the inclusion of people with disabilities?
- What is Section 504?
- Are there other federal statutes I need to be aware of?
- Are there other legal requirements I should be aware of?

### **What laws govern national and community service programs on the inclusion of people with disabilities?**

Civil rights laws affect almost every area of American life and require that equal opportunity be provided. In terms of persons with disabilities, several federal laws ensure equal opportunity and non-discrimination. National service programs are obligated under federal law to ensure non-discriminatory environments and practices and procedures for qualified persons with disabilities. In most cases, if a program is truly open to the full inclusion of persons with disabilities and to the creation of a respectful and inclusive service environment, that program is likely to be in legal compliance.

This section is intended to provide you with a brief overview of key areas of the federal laws that apply to service programs. More in-depth and specific information can be found by contacting the National Service Inclusion Project. There are two federal disability laws that are specifically relevant to national and community service programs: Section 504 of the Rehabilitation Act of 1973 as amended, and the Americans with Disabilities Act of 1990 (ADA).

### **What is Section 504?**

Section 504 of the Rehabilitation Act of 1973 states that "no otherwise qualified individual with a disability in the United States . . . shall, solely by reason of [her or] his disability, be excluded from the participation in, be denied the benefits of, or be subjected to

discrimination under any program or activity receiving Federal financial assistance . . ."

Section 504 applies to any entity that receives federal assistance, including grant funds, services of federally sponsored participants, or federally subsidized training. While some entities, such as tribal governments or religious organizations, may be specifically exempted from certain federal nondiscrimination requirements, Section 504 does not include any such exemptions. The bottom line is that any entity that applies for and receives assistance from the Corporation must certify that it will comply with Section 504.

Programs and activities covered by Section 504 must be accessible to persons with disabilities, and recipients must provide reasonable accommodations to allow a qualified person with a disability to receive services, participate in the entities- programs, or perform the essential function of a position. Section 504 does not require grantees to take any action that would result in a "fundamental alteration" in the nature of a program or activity or that would cause an "undue financial or administrative burden."

Under Section 504 and Corporation for National and Community Service regulations, there are two different standards for making your facilities accessible to individuals with disabilities. For older facilities (existing as of May 30, 1979), a grantee is not required to make structural changes if other methods may achieve compliance and "when viewed in its entirety" the program or activity is readily accessible to, and usable by, individuals with disabilities.

Facilities constructed or altered for the use of any grantee after May 30, 1979, must be readily accessible to, and usable by, individuals with disabilities. For these newer facilities, the more flexible "when viewed in its entirety" standard does not apply. This can be complex and sometimes difficult to determine. If you are unsure of which standard to use, please contact the National Service Inclusion Project [[www.serviceandinclusion.org](http://www.serviceandinclusion.org)].

## **Are there other federal statutes I need to be aware of?**

The Americans with Disabilities Act, or ADA, is perhaps the most well known federal statute that extends civil rights protections to persons with disabilities. The ADA, enacted in 1990, prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. While an entity that receives Corporation assistance may be subject to the ADA, compliance with the ADA is not a condition of receiving assistance from the Corporation. This Handbook focuses on the requirements under Section 504, which generally are stricter than requirements under the ADA.

## **Are there other legal requirements I should be aware of?**

### **State and Local Laws**

Many states and localities have enacted laws that include additional requirements related to the inclusion of persons with disabilities. You should check with state and local government agencies to learn about other requirements.

### **Temporary Disabilities**

Many people experience temporary disabilities, such as a broken arm, a sprained ankle or severe seasonal allergies. They are not protected under Section 504 or the Americans with Disabilities Act. If a program is truly inclusive, however, it will be natural to accommodate persons with temporary disabilities, although not required by law.

### **"Direct Threat"**

In some cases, supervisors may be concerned that an individual with a disability may pose a "direct threat" to themselves or others because of their disability. In order to ensure compliance with the law, these cases must always be approached with caution.

"Direct threat" means a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated

or reduced by reasonable accommodation. Any determination of "direct threat" to health or safety must be based on individualized assessment of the individual's present ability to safely perform the essential functions of the position. In determining whether an individual would pose a "direct threat," the factors the program must consider include:

- The duration of the risk;
- The nature and severity of the potential harm; and
- The imminence of the potential harm.

The risk must be evaluated and based on reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence. Prior to excluding an individual, a clear determination must be made that the risk cannot be eliminated or reduced to a level below that of "direct threat" by the provision of reasonable accommodations.

It is strongly recommended that you always call contact a legal disability expert when faced with this kind of situation.

### **Drug Use**

A person who is addicted to drugs is sometimes protected under Section 504 because addiction sometimes results in a substantial limitation of major life activities. A person who has a past history of addiction to illegal substances who is successfully participating in a drug rehabilitation program is protected, as is a person perceived to have a drug addiction. However, an individual who is currently using illegal substances is not protected under the statutes. This includes persons currently using illegal substances (e.g., using heroine, cocaine, methamphetamine, or marijuana) as well as persons currently illegally using legal substances (e.g., use of someone else's prescription drug, underage use of alcohol, or sniffing glue, cleaners, or solvents to "get high").

## **Undue Financial or Administrative Burden**

In a few cases, you may receive requests for accommodations that you believe are unduly disruptive to your program or are too expensive. Under Section 504 and the terms of your grant or agreement with the Corporation for National and Community Service, you must provide accommodation upon request by a qualified individual with a disability, unless doing so is an undue financial or administrative burden to your program. This is a very high standard. Not being easily achievable does not meet this standard. Being difficult to achieve, time-consuming, or costly, does not meet this standard.

## **Undue Administrative Burden**

Extending a term of service for an AmeriCorps State/ National participant beyond 12 months to allow him or her to complete the required number of service hours. (Note, you may suspend service for a period of time and add this suspension time to the end of the original service term if, for example, a participant is unable to serve due to a medical condition for an extended period.)

In determining undue financial burden, the resources of your entire organization are considered, not just those of your service program. The factors to be considered are:

- The overall size of your program with respect to number of employees or service participants, and number and type of facilities, and size of your budget.
- The type of operation you have, including the composition and structure of your workforce or service participants
- The nature and cost of the accommodation needed.

Policy and procedure changes that violate the provisions of the Edward M. Kennedy Serve America Act are always an undue administrative burden. Policy changes and changes to handbook provisions are not considered undue administrative burdens. In other

words, you can change your policies but you can never change the legal statutes to make an accommodation.

### **Disability-Related Inquiries, Medical Examinations, and Requests for Medical Information or Documentation**

Specific rules govern making disability-related inquiries or requesting medical documentation or information. Not all health-related inquiries or questions are considered "disability-related." Only those questions that are likely to elicit the disclosure of a disability are disability-related. "Disability-related inquiry" includes questions like:

- "Do you have (or ever had) a disability?" or "What impairments do you have?"
- "Please provide me medical documentation" (unless in context of a reasonable accommodation request by the service member/volunteer)
- "How did you become disabled?" or "Have you ever been on workers' compensation?"
- "Tell me what prescription drugs or medications you're taking, and what have you taken in the past?"

"Disability-related inquiries" also include actions, such as asking a service members doctor, peer, family member, or other person about an their disability/potential disability; asking about genetic information; asking an service member to provide medical documentation about his/her disability (unless in the context of a reasonable accommodation request); or monitoring an service member's taking of drugs or medications.

#### **"Non-disability-related inquiry" includes:**

- Asking about an individual's well being. Asking "How are you?" "Are you feeling OK?" "Are your allergies bad today?" or "How are you doing [after divorce, death of loved one, etc.]?"

- Asking about non-disability challenges, such as "How did you break your leg?"
- Asking whether he/she has been drinking or asking about current illegal use of drugs.
- Asking for name and phone number of an emergency contact person.

Not all medical or health procedures are considered to be medical examinations. "Medical Exams" include vision tests; blood, urine, and breath analyses to check for alcohol use; blood, urine, saliva, and hair analyses to detect genetic markers; blood pressure screening and cholesterol testing; nerve conduction, range-of-motion or pulmonary tests; psychological tests designed to identify a psychiatric disability and X-rays, CAT scans, MRIs.

**"Medical Exams" do not include:**

- Tests to determine current illegal use of drugs
- Physical agility and fitness tests (as long as they measure the ability to perform actual or simulated service tasks and do not include medical exams [e.g., measuring heart rate or blood pressure])
- Tests to evaluate ability to read labels or distinguish objects (as long as they are part of a demonstration of the ability to perform actual service functions)
- Psychological tests that measure personality traits like honesty preferences, and habits
- Polygraph exams (as long as no disability-related questions are asked)

Disability-related inquiries and medical examinations may not be made prior to making an applicant an offer. The only minor exception to this is discussed in the Inclusive Interviewing and Service Selection section of this Handbook. During the service term, such inquiries or examinations are permitted only if they are "service-related and

consistent with business necessity" and if they occur under the following circumstances:

- You have a reasonable belief, based on objective evidence, that the participant's ability to perform an essential function will be affected by a medical condition or the participant will pose a direct threat to the health or safety of self or others due to a medical condition. Under these circumstances, an assessment of the individual and his/her position is required. This assessment cannot be based on general assumptions, but must be based on objective evidence available to you prior to making an inquiry or requiring a medical exam.
- The service participant requests a reasonable accommodation. However, you may only make disability-related inquiries and request medical documentation when the disability is not known or obvious. In addition, you may only request documentation on the nature, severity, and duration of the condition; on the functional limitations on the participant's specific position; and to substantiate any accommodation need.
- You know or have been given reliable information by a credible third party about the participant's medical condition; you have observed performance problems; and you can reasonably attribute the problems to the medical condition.
- The service participant requests sick leave; when a participant, who received extended sick leave, requests an extension of the sick leave; or when a participant, who has been on leave for a medical condition, seeks to return to work.

## GLOSSARY

**Access:** Provision of a barrier-free environment, accommodations, or changes in policies, procedures, or the built environment to ensure that all individuals can benefit from, and participate in, all activities and events of a program.

**Accessibility Survey:** Survey of programs and policies, and the architectural, communication, and technological environment as it relates to the participation of individuals with a range of disabilities.

**Accommodations:** Any device, technology, service, or change in programs, policies, or the built environment that are provided to an individual with a disability to support them in their service or participation.

**Alternate Formats:** Different ways of providing information other than standard print documents. Some examples of alternate formats are: text files on a computer, large print, audio books, Braille.

**Americans with Disabilities Act 1990 (ADA):** Provides civil rights protection to people with disabilities and guarantees those covered by the law equal opportunity in employment, state and local government services, transportation, places of public accommodation, and telecommunications services.

**Americans with Disabilities Act Architectural Access Guidelines (ADAAG):** Technical requirements under the ADA for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act. We recommend following the ADAAG requirements for Section 504 compliance.

**Architectural Access:** Refers to the "built" or physical environment and the ability of persons with a range of disabilities to get to, from, and around that built environment.

**Assistive Listening Device:** A device that makes sound clearer and louder, and in many cases, blocks out environmental sound and interference. Most often persons with hearing loss will use assistive listening devices.

**Assistive Technology Device:** Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capacities of individuals with disabilities (as defined in the Technology Related Assistance for Individuals with Disabilities Act of 1988).

**Attitudinal Barriers:** Attitudes, fears, and assumptions that prevent people with and without disabilities from meaningfully interacting with one another.

**Augmentative Communication:** Alternative means of communication used by an individual with a disability who has a severe speech or cognitive disability. An augmentative communication device may have a keyboard that the individual types on a computerized-voice output that relays the message. It might also be a sheet of paper with photos or pictures that a person would point to.

**Barrier-Free Design:** An approach to design that creates buildings, transportation systems, and outdoor environments that people with disabilities can access and use independently and safely (see Universal Design).

**Communication Access:** Ability of a program to ensure that persons with hearing loss or who are non-verbal can effectively communicate. This can include the provision of interpreters or

assistive listening devices, but it can also mean speaking clearly, facing an individual, and writing notes.

**Communication Barriers:** Lack of communication access for persons with hearing loss, including poorly lit rooms, background noise, lack of interpreters, or captioning.

**Community-Based Living:** Refers to individuals with disabilities living in the community with or without supports from individuals and community-based organizations.

**Consumer:** A term sometimes used for people with disabilities instead of "patient" or "client" to communicate their active and equal role in accessing services.

**Direct Threat:** A legal term referring to a situation when a disabling condition may pose a threat to safety of an individual or others.

**Disability, Person with a:** Defined in the Rehabilitation Act of 1973 as "a person who has a physical or mental impairment that substantially limits one or more major life activities of such individual; has a record of such an impairment; or is regarded as having such an impairment."

**Disability-Related Inquiry:** Any question or action likely to elicit the possible presence of a disability.

**Disability Rights Movement:** The collective efforts of advocates to secure equal rights, equal opportunities, and a barrier-free environment for people with disabilities.

**Essential Service Functions/Duties:** The fundamental duties of a service position the individual with a disability holds or desires. A function may be considered essential because the reason the position exists is to perform that function; because of the limited number of individuals among whom the performance of that job

function can be distributed; and/or because the function is highly specialized and the individual was selected for his or her expertise or ability to perform the particular function. It does not include the marginal functions of the position.

**Functional Limitations:** Limitations to life activities that result from a disability.

**Inaccessible:** Any program, activity, or event that is not open to or excludes individuals with disabilities by reason of an inaccessible physical space or the lack of accommodations.

**Inclusion:** Active engagement of people with disabilities in all levels of society. The mere presence of people with disabilities does not necessarily constitute inclusion. A program is inclusive when people with disabilities are valued contributing members with a sense of belonging.

**Inclusive Service Environment:** A service program, site, or activity that actively engages individuals with disabilities as valued and equal members of a team and is open and accessible to individuals with disabilities.

**Independent Living Centers (ILCs):** National network of community based organizations with a mission to "advance the independent living philosophy and advocate for the human rights of and services for, people with disabilities to further their full integration and participation in society."

**Independent Living Movement:** Advocacy movement that views the person with a disability as an active "consumer" of services and advocates for personal independence, barrier removal, equal rights and opportunities, and consumer choice and control.

**Interpreter:** A certified or trained individual who facilitates communication between individuals who use sign language and

individuals who do not. There are also "oral" interpreters who repeat what is being said so that individuals who rely on speech reading can communicate.

**Life Activity:** Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

**Marginal Functions:** Functions that can easily be reassigned or changed without altering the nature of the position.

**Paratransit:** Publicly funded transportation for persons who are unable to use mass transportation.

**People First Language:** Language that puts the person first when speaking of someone with a disability to remind us that they are people first. For example: "person with a disability" instead of "disabled person"; "people with disabilities" instead of "the disabled"; "she is a wheelchair user" instead of "she is wheelchair bound" or "she is in a wheelchair."

**Physical Barriers:** Physical obstacles that hinder people with physical disabilities from gaining access.

**Programmatic Access:** Policies that allow for, facilitate, and embrace full participation of people with disabilities in service.

**Qualified Individual with a Disability:** A legal term defined under Section 504 of the Rehabilitation Act of 1973 as "an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position that such individual holds or desires."

**Real Time Captioning:** Process where a captioner types, on a device and in shorthand, words that are spoken and then the words are displayed on a computer monitor, television screen,

video or overhead projector, or other type of audiovisual device for individuals who are Deaf or hard of hearing.

**Relay Service:** A communications service found in all states that provides Communication Assistants who act as intermediaries on the telephone between hearing individuals and individuals who are Deaf, hard of hearing, deaf-blind, and/or have speech disabilities.

**Section 504 of the Rehabilitation Act, 1973:** The federal statute that ensures the rights and participation of individuals with disabilities in federally funded programs. Section 508 of the Rehabilitation Act: Section 508 requires that electronic and information technology of federal agencies is accessible to people with disabilities. For more information, go to [www.section508.gov](http://www.section508.gov).

**Self-Advocacy:** Refers to a national movement of people with disabilities speaking and advocating for themselves. There are self-advocacy organizations throughout the United States.

**Self-Disclose:** Action by an individual with a disability to identify their disability to another individual or individuals.

**Service Description:** A document that outlines the essential and marginal functions of a service position.

**Substantially Limits:** The inability to perform a major life activity that the average person in the general population can perform; or significant restriction as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the average person in the general population.

**Temporary/Transient Barriers:** Barriers in the "built" or physical environment created by objects such as furniture, parked cars, planters, and other barriers that can easily be removed.

**Three Part Definition of a Person with a Disability:** 1) a physical or mental impairment that substantially limits one or more major life activities; or 2) a record of such impairment; or 3) a perception of such an impairment, even when the impairment does not exist.

**Transportation Barriers:** Absence of accessible, reliable, and affordable transportation.

**TTY/TDD:** Telecommunications device for individuals who are Deaf or hard of hearing or have speech disability.

**Universal Design:** Extends the idea of barrier-free design to cover the needs of all members of society, including children and seniors.

**Voice Recognition:** Assistive technology software that allows people to write and command equipment using their voice rather than their hands. This technology has been used to accommodate people with a variety of disabilities.



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