



FY 2010 PERFORMANCE PLAN Office of Disability Rights

MISSION

The mission of the Office of Disability Rights (ODR) is to ensure that every program, service, benefit, and activity operated or funded by the District of Columbia is fully accessible to, and usable by, people with disabilities.

SUMMARY OF SERVICES

ODR is responsible for oversight of the District's obligations under the Americans with Disabilities Act (ADA) as well as other federal and local disability rights laws. ODR provides technical assistance, training, informal dispute resolution, policy guidance, and expertise on disability rights issues to District agencies and the disability community. ODR coordinates the ADA compliance efforts of all District agencies and works with agency ADA coordinators to ensure that the District is responsive to the needs of the disability community and employees with disabilities.

OBJECTIVE 1: Be a model city of accessibility for people with disabilities.

INITIATIVE 1.1: Increase physical access to District-owned and leased facilities.

ODR consults with District government agencies in order to establish appropriate priorities for capital improvements to DC facilities to provide ADA access. Priorities for FY 2010 include police facilities, sidewalks, public libraries, and public recreation facilities. The focus areas will be accessible parking, entrances, and service areas, rather than auxiliary areas. ODR will work with relevant agencies to engage them in the planning process for priority projects, implement priority projects, review plans, conduct site surveys, and monitor compliance.

In addition, ODR will partner with the Department of Real Estate Services (DRES) and the Department of Consumer and Regulatory Affairs (DCRA) to develop an MOU that will define an approval chain process for capital projects that includes ODR and ensures projects meet the Americans with Disabilities Act Architectural Guidelines (ADAAG).

Further, ODR will collaborate with the Office of Public Education Facilities Modernization and DC Public Library 21st Century Capital Projects to provide technical assistance for projects scheduled for FY 2010 and beyond.

INITIATIVE 1.2: Increase accessibility of DC.GOV website and technology to people with vision and hearing impairments.

The DC.gov website needs to be fully accessible to people with vision impairments who rely on screen reading software. Needed accessibility modifications include providing text equivalents for all non-text items (e.g. photographs and pdf documents) and ensuring the accessibility of all electronic forms.

In FY 2010 ODR will partner with the Office of the Chief Technology Officer (OCTO) to increase the number of text equivalents, develop and implement a new, more



accessible Content Management System, and develop mechanisms for ensuring that online applications (e.g. online employment applications), video and audio materials, and government software applications are accessible to people using screen reading software. ODR anticipates that 100% of the text equivalents on DC.gov will be available by September 2010.

OBJECTIVE 2: Improve the responsiveness of government systems and employees to the needs of people with disabilities.

INITIATIVE 2.1: Provide a comprehensive disability rights education program for DC employees, contractors, and grantees.

In FY 2010, ODR will continue to build on its successful state-of-the-art training sessions on disability sensitivity and customer service, ADA employment rights, ADA requirements applicable to state and local governments, building accessibility, technology accessibility, and community integration.

In FY 2009, ODR focused its outreach efforts primarily to District agency ADA Coordinators. In FY 2010 ODR will reach beyond the agency ADA Coordinators and focus on employees, contractors, and grantees who provide direct services, programs and activities to persons with disabilities.

INITIATIVE 2.2: Develop a comprehensive Fair Housing Act civil rights education program for DC employees, contractors, and grantees.

As the Fair Housing Act Compliance Officer for the District of Columbia, ODR will develop and implement a comprehensive Fair Housing Act civil rights education program targeted to District employees, contractors and interested District residents. These two hour quarterly training sessions will be provided to an audience of no more than twenty five (25) people. The curriculum will include basic elements of the Fair Housing Act, disability related provisions of the Fair Housing Act and how to request and negotiate reasonable accommodations and modifications for persons with disabilities. This new initiative will be implemented no later than March 2010.

INITIATIVE 2.3: Develop a “Train-the-Trainer” curriculum and training design on the “Fair Housing Act” targeted to DCRA staff.

ODR will implement its first “Train-the Trainer” program that will enable the Department of Consumer and Regulatory Affairs (DCRA) (and other agencies impacted by the Fair Housing Act) to integrate a “Fair Housing Act” training program into agency operations. This initiative will ensure that new staff and other key personnel are knowledgeable about the FHA and maintain a high level of agency FHA compliance. This 9 hour training, presented over 3 sessions, will be conducted bi-annually to an audience of at least seven (7) District employees who work with housing issues and District residents with disabilities. Employees targeted for training will include staff from DCRA, the Department on Disability Services (DDS), the DC Housing Authority (DCHA) and the Department on Housing and Community Development (DHCD). The curriculum will include overall provisions of the Fair Housing Act, disability-related provisions of the Fair Housing Act including the design and construction requirements, and strategies for



accommodating persons with disabilities in housing. This new initiative will be implemented no later than August 2010.

INITIATIVE 2.4: Develop a communications plan to enhance and maintain a high-level of internal; and external knowledge of the ADA and other civil rights legislation.

ODR recognizes the value of effective collaboration with the ADA Coordinators for the District agencies. Continuing education on disability rights issues is an important part of this partnership. Beginning in January 2010, ODR will publish a quarterly website newsletter – *Disability Rights Update* – to provide agency ADA Coordinators and interested residents and consumers with current information on ADA compliance. The *Disability Rights Update* will include information on disability community resources, recent disability rights court decisions, and ODR training and events

INITIATIVE 2.5: Provide an effective dispute resolution and technical assistance program.

ODR informally investigates and resolves disputes between members of the public with disabilities and DC agencies and between DC employees and their employers. This mechanism provides for simple, speedy resolution of complaints as an alternative to filing complaints with the Office of Human Rights (OHR) or federal enforcement agencies. It also allows for centralized gathering of information on how many and what types of ADA disputes are received, which allows ODR to craft appropriate responses, develop policies, counsel agencies, and develop preventive strategies. ODR partners with OHR to manage cross-referral of disputes. When disputes are unable to be resolved informally through ODR's intervention, complainants are referred to OHR and federal agencies.

In FY 2010, ODR will continue to handle complaints and requests within 30 days of receipt. In addition, ODR expects to reduce the number of disability complaints filed with the Office of Human Rights by 10 percent, demonstrating the effectiveness of internal and external trainings, technical assistance requests completed by ODR, the new website newsletter *Disability Rights Update* in increasing awareness of how to effectively address ADA concerns through an informal process, rather than filing an official complaint with the Office of Human Rights

ODR also provides information and referral to District residents with disabilities regarding services and supports offered by District agencies and community non-profit agencies. To further expand its outreach and technical assistance efforts, beginning in FY 2010, ODR will publish a bi-annual community newsletter targeted to District of Columbia residents with disabilities.

INITIATIVE 2.6: Develop and implement agency ADA Compliance Plans.

ODR is working with all DC agencies to assess their ADA needs and develop and implement plans to improve their accessibility to people with disabilities. The ADA requires each DC agency to have a self-evaluation and transition plan. ODR has



developed a template for agencies to conduct their assessments and develop their ADA Compliance Plans.

In FY 2010 ODR will increase the number of agencies and/or program sites that develop and complete ADA Compliance Plans to 50 (compared with 40 in FY 2009). To accomplish this goal, ODR will provide training and technical assistance sessions to the agency ADA Coordinators on how to successfully complete their agency self assessment and transition plans. ODR will also ensure that these plans are carried out and reassessed annually by reviewing these plans and collaborating with District agencies to ensure that these ADA Compliance plans are implemented.

INITIATIVE 2.7: Implement city-wide reasonable modification program for District employees and effective communication policies and mechanisms.

The ADA requires that government agencies reasonably modify their policies, practices, and procedures as necessary to allow a person with a disability to participate in government programs. The ADA also requires agencies to provide auxiliary aids, such as sign language interpreters, as necessary to ensure that communication with people with hearing, vision, and speech impairments is effective. In FY 2010 ODR will continue to provide the funding and program management for the District-wide contract for sign language interpretation and real-time captioning. In addition, ODR will implement a policy and procedure for the translation of Agency documents into Braille and other accessible formats such as large print at no cost to the Agency.

OBJECTIVE 3: Increase employment of people with disabilities in DC government.

INITIATIVE 3.1: Enhance the selection process for people with disabilities when applying for employment with the District.

In collaboration with the District of Columbia Department of Human Resources (DCHR) and the Department of Disability Services (DDS), ODR will develop an initiative modeled after the Federal “Schedule A” Program that would enhance the selection process for people with disabilities when applying for employment with the District. In the Federal Schedule A Program, Federal agencies fill jobs in two ways, competitively and noncompetitively. Persons with disabilities may apply for jobs filled either way. Jobs filled competitively are advertised through vacancy announcements. Jobs that are filled noncompetitively do not have to be advertised. Instead, a selecting official can select a person with a disability who has a Schedule A certification and is qualified for the job. People who are selected for jobs must meet the qualification requirements for the jobs and be able to perform the essential duties of the jobs with or without reasonable accommodation. ODR will collaborate with DCHR and DDS to implement a similar program in the District no later than September 2010.

INITIATIVE 3.2: Implementation of ODR DC Government Employee Survey.

In collaboration with DCHR, ODR will work to ensure that policies and practices of the District ensure an effective and efficient reasonable accommodation process. ODR will focus its efforts on providing assistance designed to retain current District employees who are qualified individuals with disabilities according to the ADA who may need



reasonable accommodations to perform essential functions of their positions. ODR will collaborate with directly District agencies to develop retention strategies on a case by case basis at the request of an agency or District employee. Implementation of this initiative will occur throughout FY 2010.

INITIATIVE 3.3: Ensure District employees with disabilities a productive work experience.

ODR will provide 30 District employees with Reasonable Accommodations Plans to ensure that they are provided the range of accommodations necessary to meet the essential functions of their position. In FY 2009, ODR provided Reasonable Accommodation Plans to 20 District employees and anticipates increasing this number by 10 in FY 2010.

OBJECTIVE 4: Expand opportunities for people with disabilities to live in integrated community settings.

INITIATIVE 4.1: Implement the DC Olmstead Community Integration Plan.

The ADA (as interpreted in the Supreme Court's "Olmstead" case) requires governments to serve people with disabilities in the most integrated setting appropriate to their needs. This requires the District, whenever appropriate, to serve people with disabilities in community settings, rather than in institutions.

After finalizing the Olmstead Plan in late FY 2009/early FY 2010, ODR and the Olmstead Community Integration Partnership will continue to advance the implementation of the Olmstead Community Integration Plan for moving people out of institutions and into community based settings, developing new community based alternatives, and diverting people at risk of institutions into community based settings.

ODR recognizes that serving people in community settings represents a significant paradigm shift for the ten (10) District agencies that currently provide institutional care to residents with disabilities. District agency employees who coordinate services for these individuals will need training to successfully transition persons with disabilities from institutional placements to community settings. ODR will provide essential training on topics such as the disability related provisions of the Fair Housing Act and how to collaborate with community partners to provide services and supports to persons with disabilities.

In FY 2010 ODR will develop and implement a 4 session training curriculum to address these topics. Each of these training sessions will be two hours in duration. In addition, ODR will partner with the Department of Mental Health to present an "Olmstead" conference targeted to people residing at St. Elizabeth's Hospital. This initiative will be implemented no later than July 2010.

Finally, ODR will work with the relevant District agencies to implement the Olmstead Community Integration Plan that will move and divert approximately 75 people out of institutional settings and into community-based settings. This number has been revised



to reflect agency staffing constraints and the implementation of new policies and procedures for transitioning individuals out of institutions to community based settings.

Measure	FY08 Actual	FY09 Projection	FY09 Actual	FY10 Projection	FY11 Projection	FY12 Projection
Objective 1						
# of DC-owned and leased buildings modified for accessibility	38	40	31	45	50	60
# of District Facilities assessed for accommodation needs	N/A	N/A	40	50	60	80
# of accessible taxicabs	0	21	0	Omitted	Omitted	Omitted
% of text equivalents for non-text items on dc.gov main website/portal	50%	95%	95%	100%	Omitted	Omitted
% of staff responsible for agency websites trained about accessible website components	N/A	60%	66%	80%	90%	100%
% of website videos, audios, documents, and forms accessible to people with vision and hearing disabilities	N/A	60%	60%	80%	90%	100%
Objective 2						
# of DC employees, contractors, and grantees receiving ADA training	324	400	960	500	600	700
# of technical assistance calls/complaints/resource requests handled within 30 days	224	400	395	500	450	400
# of agency ADA Compliance Plans completed and being implemented	19	40	50	50	60	80
# of Sign Language requests completed	N/A	350 ¹	374	375	400	425
Objective 3						

¹ ODR will begin tracking provision of sign language interpretation, Braille, captioning, and other auxiliary aids in FY09 to establish a baseline.



# of reasonable accommodations provided to district employees	N/A	22 ²	13	30	40	50
Objective 4						
# of people moved out of institutions into community-based settings	N/A	300	100	75	90	100

STANDARD CITYWIDE OPERATIONAL MEASURES

Measure	FY09 YTD
Contracts	
KPI: % of sole-source contracts	
KPI: Average time from requisition to purchase order for small (under \$100K) purchases	
KPI: # of ratifications	
KPI: % of invoices processed in 30 days or less	
Customer Service	
KPI: OUC customer service score	
Finance	
KPI: Variance between agency budget estimate and actual spending	
KPI: Overtime as percent of salary pay	
KPI: Travel/Conference spending per employee	
KPI: Operating expenditures "per capita" (adjusted: per client, per resident)	
People	
KPI: Ratio of non-supervisory staff to supervisory staff	
KPI: Vacancy Rate Total for Agency	
KPI: Admin leave and sick leave hours as percent of total hours worked	
KPI: Employee turnover rate	
KPI: % of workforce eligible to retire or will be within 2 years	
KPI: Average evaluation score for staff	

² ODR will begin tracking provision of reasonable accommodations in FY09 to establish a baseline.



KPI: Operational support employees are percent of total employees	
Property	
KPI: Square feet of office space occupied per employee	
Risk	
KPI: # of worker comp and disability claims per 100 employees	