

Annual Report for the



FY 2016 & FY 2017

Presented by
David D'Arcangelo
Director

To the
Honorable
Charles D. Baker
Governor

Pursuant to MGL Chapter 187 Section (f)

June 30, 2017



Massachusetts Office on Disability

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June 30, 2017

The Honorable
Governor
Charles D. Baker
State House, Room 360
Boston, Massachusetts 02133

Dear Governor Baker:

Thank you for the opportunity to serve the citizens of the Commonwealth as Director for the Massachusetts Office on Disability (MOD). I am pleased to submit for your review this Annual Report covering Fiscal Years 2016 & 2017.

As you know, our office works to ensure equal access and opportunities for people with disabilities through our many roles & duties.

Although MOD is a small agency, our work has a large and positive influence on policies that impact people with disabilities. Through your leadership and working with our colleagues throughout state government we have many positive accomplishments to report. Indeed, working together we are improving outcomes for people with disabilities all across our Commonwealth.

Thank you for your leadership, support and commitment to providing equal access and opportunities for people with disabilities.

Sincerely,

David D'Arcangelo
Director

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Introduction

The mission of the Massachusetts Office on Disability (MOD) is derived from Massachusetts General Law Ch. 6 §187), which calls for *“the office to bring about full and equal participation in all aspects of life by all persons with disabilities...in a manner which fosters dignity and self-determination.”*

According to the United States Census Bureau’s American Community Survey (ACS), approximately **785,000 Massachusetts residents identify as having one or more disabilities**, forming the largest minority group. “Disability” is a multi-faceted concept and people with disabilities represent a diverse group of individuals, each with a unique experience and perspective of living with disability. We are all in varying states of *ability* at any given time and each person’s *disability* rests somewhere on a wide spectrum.



Massachusetts State House

As an Executive Branch agency, MOD is located within the Secretariat of Administration & Finance (A&F).

Most day-to-day work at MOD involves providing various forms of technical assistance. MOD organizes these activities into “Four Areas of Focus:” Training, Advocacy, Monitoring and Resources.

Each year, MOD responds to thousands of inquiries from people with disabilities, their families, and members of the public as well as local,

state and federal agencies on a wide array of disability related topics.

We are publishing this report pursuant to the obligation outlined in M.G.L. c. 6, § 187, which states in part that MOD will *“...prepare and submit to the governor an annual report which shall be a public document; and which shall include the description, and evaluation of the activities of the office implementing the aforesaid duties and functions; the description, evaluation and analysis of public policies, programs, services and regulations that affect or may affect persons with disabilities; and recommendations for the development, coordination and improved responsiveness of such policies, programs, services and regulations.”*

This report serves to provide a history and background of MOD, detailed descriptions of MOD services and activities, relevant and recent disability related data and statistics, and an overview of disability related policies and initiatives MOD has worked on during FY 16 and FY 17. MOD’s recommendations for development, coordination and improved responsiveness of policies, programs and services are made directly to the entities MOD collaborates with pursuant to our mission.

Disability impacts the social and economic lives and civil rights of all Massachusetts citizens in some way. We at MOD recognize the importance of the nature of the work we perform and take this report as an opportunity to communicate our efforts to the Administration and to the people of the Commonwealth we serve.

A Brief History of the Massachusetts Office on Disability

The Massachusetts Office on Disability (MOD) was originally established in the late 1970s as the Office of Handicapped Affairs (OHA) through an Executive Order during the first Dukakis administration. The role of the office was to assure that state administered programs were accessible to people with disabilities. In 1981, OHA was statutorily established as an independent agency within the Executive Department under M.G.L. Chapter 6 Section 185-189.

The agency was tasked with the broad responsibility of monitoring state services and programs to ensure that people with disabilities are able to live as independently as possible throughout Massachusetts.

In 1984, OHA was designated by Governor Dukakis to operate the Massachusetts Client Assistance Program (CAP), a federally funded independent advocacy system for clients of vocational rehabilitation agencies. CAP served as the foundation for OHA's broader based Client Services Program which provides advocacy services to thousands of citizens who have been having difficulty accessing services or may have experienced discrimination because of their disabilities.



Former MOD Director Jim Gleich

Fiscal Years 1985 to 1988 saw the agency come into its own in Massachusetts state government as the annual budget grew and staffing increased to fifteen people.

OHA now took on the responsibility of working with Massachusetts cities and towns to create local commissions on disability (CODs) and the Community Access Monitor (CAM) Program was born. This widely acclaimed program provided training, certification and technical assistance on disability access to people at the community level.



Governor Cellucci, and A&F Secretary Natsios Present MOD's Chris Coyle with the Carballo Award

Sometime around 1999, the agency's name was changed from OHA to the Massachusetts Office on Disability (MOD) to reflect evolving societal attitudes toward disability.

Today, MOD is an agency with limited resources, but one that makes significant contributions. MOD has many important roles, duties and responsibilities and is the touchstone agency within government for guidance and advocacy on all disability related issues. MOD serves as ombudsman, facilitator and resource as ongoing changes in state policies and services emerge.

Throughout the years, the work of the Office and the commitment of staff have been tremendous. In fact, MOD staff has been recognized by the Commonwealth with four MOD staff members receiving the Manuel Carballo Award for Excellence in Public Service.

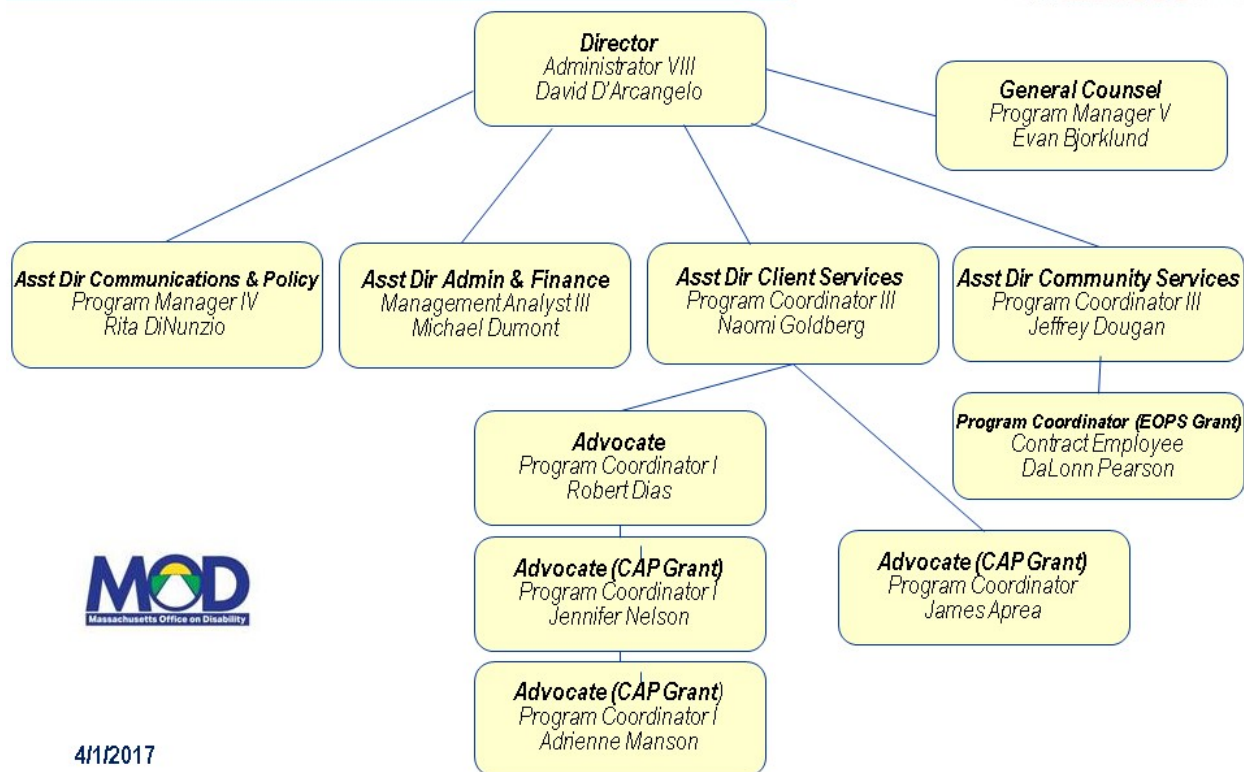
MOD has developed a comprehensive body of institutional knowledge and expertise related to a wide array of disability matters which we share for the benefit of our Commonwealth.



President George H.W. Bush Signs the Americans with Disabilities Act, July 26, 1990



Office on Disability Organizational Chart



MOD Budget

Fiscal Year 2016		Fiscal Year 2017	
State Account (1107-2400)		State Account (1107-2400)	
State Budget Funds	\$628,361	State Budget Funds	\$624,095
Federal Grants		Federal Grants	
Client Assistance Program	\$266,281	Client Assistance Program	\$303,644
Emergency Preparedness Program	\$89,860	Emergency Preparedness Program	\$126,617
Trust Funds		Trust Funds	
ADA Access and Training	\$52,198	ADA Access and Training	\$55,782
TOTAL	\$1,036,700	TOTAL	\$1,110,138
Capital Funds		Capital Funds	
RACRA	\$27,200	Municipal ADA Improvement Grant	\$1,000,000

Roles & Duties

MOD performs a wide array of functions that relate to providing equal access and opportunities to people with disabilities. MOD's more significant roles include:

- Executive Branch ADA Coordinator
- Architectural Access Board Member and Appointer
- Technical Advisor to Municipal Commissions on Disability
- Supplier Diversity Office Consultant
- Client Assistance program (CAP)
- State 911 Commission Member
- Emergency Preparedness Program Grant Holder
- New England ADA Center State Affiliate
- Administrator of Municipal ADA Improvement Grant
- Statewide Independent Living Centers (SILC) Representative
- Developmental Disabilities Council Representative
- MA Commission for the Blind Rehabilitation Council Representative
- Model Employer Initiative Advisor
- Massachusetts Rehabilitation Commission Rehabilitation Council Representative

Executive Branch ADA Coordinator

MOD serves as Americans with Disabilities Act (ADA) Coordinator for the Executive Branch of state government via Executive Order 526.

The ADA requires that state and local government (Title II entities) designate ADA Coordinators to oversee efforts to comply with the law and to handle disability based discrimination complaints. Thus, EO 526 designates MOD as the ADA Coordinating Agency for the Executive Branch of State Government

MOD has recently created a database that allows us to capture data regarding ADA Coordinator matters throughout the Executive Branch. On average, MOD responds to 28 unique matters per month from agency ADA Coordinators seeking guidance on reasonable accommodations, processes, obligations and disability laws.

Architectural Access Board (AAB)

MOD is a sitting member of, and assists in appointing members to, the Massachusetts Architectural Access Board (AAB) via MGL Ch. 22, Sec 13A.

The AAB creates, promulgates, and enforces 521CMR, the specialized state building code that addresses accessibility in public buildings. The law designates MOD's Director, or his/her designee, statutorily, as a member of the Massachusetts Architectural Access Board (MAAB). Additionally, the statute, assigns MOD's Director the role of assisting with the appointment of members to the Board.

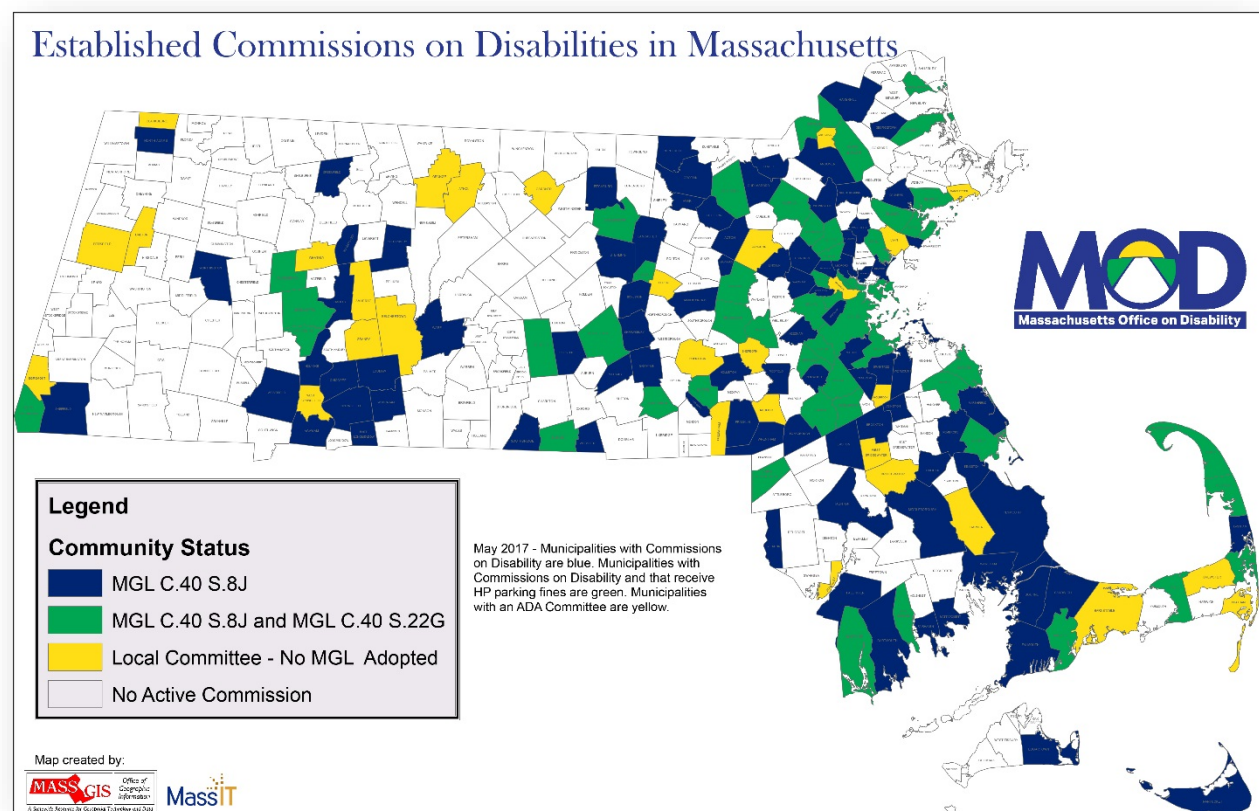
The nine member Board meets every other Monday to hear requests for variances by building owners and others responsible for complying with the regulations and to hear

complaints regarding buildings that are believed to be in violation of the MAAB regulations.

Technical Advisor for Municipal Commissions on Disability (CODs)

MOD is the Technical Advisor for municipal Commissions on Disability (CODs) via MGL Ch. 40, Sec. 8J and also includes 22G.

Commissions on Disability (CODs) are established by vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities of the community. One of MOD's principle duties is to provide support and guidance for these commissions.



Map of Duly Established Commissions on Disabilities as of May 2017

Supplier Diversity Office (SDO) C

MOD provides consultation to SDO regarding the participation goals for state procurement contracting via **MGL Ch. 7, sec. 61 (s)**



Announcement of the Disability Owned Business Enterprise Program at the State House Grand Staircase

by extending participation to three new certification categories of supplier diversity groups, as defined under current state law or OSD policy: **Disability-Owned Business Enterprises (DOBE)**, Veteran-Owned Business Enterprises, and LGBT-Owned Business Enterprises.

The new law directs MOD to work with ADO to ensure the \$4 billion spent annually by state government on goods and services is leveraged to include suppliers with significant goals for employing persons with disabilities.

Additionally, and related to the SDO initiative, the Baker Administration has made a strong commitment to expanding the Massachusetts Supplier Diversity Program. Executive Order 565 expands the Supplier Diversity Program of the Operational Services Division to promote equity of opportunity in state government

Client Assistance Program (CAP)

MOD maintains and administers the Commonwealth's Client Assistance Program (CAP Grant) that comes via the United States Department of Education's Rehabilitation Services Administration (RSA).

CAP provides an unbiased source of information, referral, and advocacy services for people who are having difficulties obtaining vocational rehabilitation (VR) and independent living (IL) related services. CAP operates within MOD's Client Services Program under a grant from the U.S. Department of Education's Rehabilitation Services Administration (RSA), the same agency that funds the vocational rehabilitation and independent living programs in Massachusetts. The grant requires that CAP operate in an agency that is completely separate from, and independent of, any vocational rehabilitation agency or independent living center.

Applicants or consumers of VR and IL programs may contact CAP if they disagree with the direction of their services or have questions about their rights. CAP is a neutral party when investigating complaints.

State 911 Commission Member

*Member State 911 Commission via **MGL Ch. 6A, Sec. 18B. (b)***

As a voting member of the State 911 Commission, MOD provides the Commission with insight into the unique concerns that persons with disabilities may have related to emergency situations. Additionally, MOD votes yearly on the 911 Commission grant program, which funds NextGen 911 for Cities & towns. In this capacity, MOD has worked on issues

pertaining to the Commission's Disability Access Program, including translations, delayed texts and texting capacity.

Emergency Preparedness Program

MOD is responsible for the Emergency Preparedness Grant program Funded through a grant from the U.S. Department of Homeland Security, Office of Grants and Training, through the Executive Office of Public Safety and Security, Homeland Security Division.

MOD hosts Personal Emergency Preparedness meetings to bring people with disabilities and local emergency preparedness professionals together to address how to ensure that people with disabilities have the assistance they need in times of emergency.

Since 2007, MOD has conducted over 215 personal preparedness meetings throughout the Commonwealth and the program has reached over 9,700 people. MOD has **distributed over 8,600 personal preparedness Go-Packs**, 1,500 “Tips for First Responders on How to Interact with People with Disabilities in Times of Emergency” handbooks, and more than 10,600 personal preparedness planning guides.



The success of the program is exemplified through the extensive waiting list of local groups requesting meetings. The overwhelmingly positive feedback provided by meeting participants has led to recognition by both FEMA and MEMA.

Emergency Preparedness "Go-Bag"

MOD's Personal Emergency Preparedness Program received an "Honorable Mention" in the Awareness to Action category from the Federal Emergency Management Agency's (FEMA) 2012 Individual and Community Preparedness Awards.

New England ADA Center Affiliate

*MOD is the **Massachusetts state affiliate for the New England ADA Center**, (NEADA)*
The New England ADA Center is one of 10 regional ADA Centers comprising the ADA National Network. The ADA National Network provides information, guidance and training on ADA that is tailored to meet the needs of business, government and individuals at local, regional and national levels.

MOD, as the state affiliate for Massachusetts, provides information, training and guidance to individuals, businesses and government on the ADA at the state and local level. MOD

is a sub-contractor of NEADA, which is funded by the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR)

Administrator of the Municipal ADA Improvement Grant Program

FY18-FY22 Capital Budget Plan, Municipal ADA Improvement Grant Program

This new and innovative program supports capital improvements specifically dedicated to improving programmatic access and or removing barriers encountered by persons with disabilities in municipal facilities throughout the Commonwealth. Grants of up to \$250,000 are awarded to successful applicants. MOD administers the \$1,000,000 dedicated to the program. Eligible applicants include any Massachusetts city, town, special purpose district and/or county. Grants are awarded on a competitive basis to projects that demonstrate real and tangible positive impacts for persons with disabilities.

Representative to the Massachusetts Statewide Independent Living Council (MASILC)

Executive Order 373 Section 2B

MASILC is a Governor appointed Council that works to promote independent living by developing, monitoring, and evaluating the statewide plan for independent living. The Council includes representation of individuals with a range of physical and mental disabilities from the various geographic areas within the Commonwealth of Massachusetts. MOD promotes inclusion and independence for individuals with all disabilities, which is similar to the mission of independent living centers. As a recipient of the federal Client Assistance Program grant, MOD is obligated to actively participate on the SILC.

Representative to the Massachusetts Developmental Disabilities Council (DD Council)

Executive Order 512 Section H (superseding EO 439)

The DD Council develops a State Plan every five years to address the most important issues affecting people with developmental disabilities. The Council establishes its priorities based on input from people with developmental disabilities and their families. Initiative teams, which include members and staff as well as citizens, advocates, and other interested individuals, develop both short and long term action plans to address these priorities. MOD offers input as a cross-disability agency and offers input on issues of importance to the disability community.

Representative to the Massachusetts Commission for the Blind Rehabilitation Council (MCB RC) and Massachusetts Rehabilitation Commission Rehabilitation Council (MRC RC)

Executive Order 374 Section 2 (c) (3)

The federally mandated state Rehabilitation Councils for both MCB and MRC collaborate with those agencies and advise on issues related to the provision of VR service. The Councils advise the Commissions through communications with community advocacy

and advisory groups. The Councils work in compliance with the requirements of the Rehabilitation Act. As a recipient of the federal Client Assistance Program grant, MOD is obligated to actively participate on the MCB and MRC RCs.

Model Employer Initiative

Executive Order 526 (superseding EO 478)

Re-assessing the state's Model Employer Initiative, MOD compared Massachusetts' model employer activities with those of other states and has identified policies and practices that the Commonwealth could look to as potential ways to increase the percentage of Commonwealth employees with disabilities.

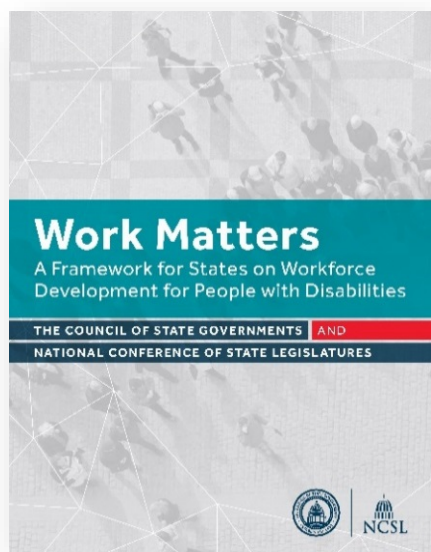
MOD has identified mentoring and internship opportunities as well as education and training of both hiring managers and job seekers as key ways to achieve this goal.

Additional Policy Work

MOD is also involved with additional matters and policies that impact persons with disabilities in a number of ways. This includes participation on task forces, committees and other initiatives where staff provide subject matter expertise. Our goal is to offer policy guidance by providing quality information and education to stakeholders, policymakers and people with disabilities.

National Task Force on Workforce Development for People with Disabilities

Nearly two thirds of all working age persons with a disability in Massachusetts are not in the labor force and the unemployment rate for this group is approximately 17%. With data points like these, policymakers are trying to address longstanding issues of chronic unemployment for persons with disabilities.



Work Matters Report

Throughout 2016 Director D'Arcangelo served as a member and co-chair of the National Task Force on Workforce Development for People with Disabilities. This effort originated through the U.S. Department of Labor's Office of Disability Employment Policy (ODEP), which launched the State Exchange on Employment & Disability, or SEED initiative.

SEED is a collaborative effort by the Council of State Governments and the National Conference of State Legislatures with the goal of providing a framework on disability employment programs across all 50 states with the intent of informing state legislators and other policy makers on how best to improve employment outcomes for people with disabilities. The Task Force

identified best practices and produced the Work Matters report, which is designed to assist states in improving employment outcomes for people with disabilities.

Presentation on Disability Employment Policy

American Enterprise Institute, Washington D.C.

Director D'Arcangelo took part in a national panel on "Improving Opportunity for People with Disabilities: Understanding Trends and Effective Return-to-Work Strategies." The panel discussion focused on the macro trends and the micro solutions of disability and non-work.

Department of Housing and Community Development (DHCD) – Community Development Block Grants (CDBG)

Memorandum of Understanding (MOU) regarding Community Development Block Grants (CDBG)

Through the thousands of interactions that MOD has each year with individuals with disabilities and others, it was discovered that a significant number of public housing developments have architectural accessibility deficiencies. As a result, MOD has partnered with DHCD to form an MOU regarding the use of CDBG monies in communities where an ADA-mandated Self-Evaluation and Transition Plan are not in place.

The ADA requires that Title II entities, including Massachusetts city and town governments, create, maintain and implement a Self-Evaluation and Transition Plan to identify and correct barriers to access. In response to inadequacy in meeting this obligation, MOD and DHCD are working together with communities that are receiving discretionary CDBG funding to develop their ADA Self-Evaluations and Transition Plans. MOD and DHCD will collaborate to provide outreach and training to municipalities regarding their ADA obligations as local governments under Title II of the ADA.

Web Accessibility

MOD partners with MassIT through their Enterprise Information Technology Accessibility Standards.

When filling a Waiver Request, an agency must file with MassIT's Director of Accessibility Technology Group. If a waiver is to be granted, it will be signed by MassIT's Chief Information Officer (CIO). Waiver documents are sent to MOD's General Counsel and Director.



Director D'Arcangelo at the American Enterprise Institute, Washington, D.C.

MOD also served as a member of the Strategic Sourcing Services Team which conducted a scored procurement for the statewide contract for IT accessibility services. MOD also helped review the user guide, which can be used by any public entity to assist with accessibility.

Accessibility Testing and VPAT Consultation

MOD has conducted screen reader, keyboard-only, and visual accessibility testing for multiple state agencies and secretariats. Testing is conducted on documents, websites, internal facing and external facing databases and workflow management software, kiosks, etc.

The MOD Accessibility Testing Team took part in over 160 testing sessions encompassing 241 hours with approximately 24 agencies. Testing assists agencies in determining which issues to remediate. This ensures the Commonwealth is more compliant with accessibility standards, and provides a financial benefit to completing work in-house.

MOD staff served on formal and informal accessibility advisory committees to conduct VPAT (Voluntary Product Accessibility Template) and accessibility monitoring to ensure vendor compliance with MassIT Enterprise Accessibility Standards and Web Accessibility Standards.



MOD's Rob Dias has Beta Tested Numerous Applications and Documents for Accessibility with JAWS

Adobe Acrobat Pro Licenses

MOD used Reasonable Accommodation Capital Reserve Account (RACRA) funds to purchase Adobe Acrobat Pro DC licenses for Executive Branch ADA Coordinators. The ADA requires that state agencies communicate effectively with persons with disabilities, including through electronic communications. This software and training provides ADA Coordinators a tool to help meet this obligation.

Reasonable Accommodation Capital Reserve Account (RACRA)

Reasonable Accommodation Capital Reserve Account

MOD helps administer the \$150,000 RACRA program, which funds accommodations and improvements to aid ADA compliance and equal access to state facilities, programs, services, and employment. Any state agency that must provide a reasonable accommodation to an employee costing in excess of \$2,500 can apply to this account to fund the accommodation.

RACRA was used on multiple instances in FY16-FY17 to provide access to employees with disabilities including the Department of Labor Relations implementing assistive technologies and CART (real-time captioning) at all hearings for employees and claimants in front of the board.

Comments on Rulemaking & Regulation Reform

As a monitor of disability laws and policy, MOD has commented on many pending regulations during the notice and comment process. This ensures that our expertise is utilized by the entities that make laws and regulations that impact persons with disabilities.

Examples include

Federal Rulemaking for Section 508 and 255 and helped assemble and file comments on behalf of the Commonwealth to the Federal Government on Section 508 of the Rehabilitation Act Regulation refresh (accessible technology obligations); Supplemental Advanced Notice of Proposed Rulemaking comments on the forthcoming regulations for state and local government website accessibility; and ABLE Act federal regulations affecting investment accounts for persons with disabilities.

Systemic Advocacy

MOD serves as a resource to resolve systemic matters that impact persons with disabilities relative to the way the Commonwealth conducts business. MOD has served to bring parties together with state agencies and through inter-agency collaborations to resolve potential conflicts with disability laws.

Most recently, MOD worked with the Department of Elementary and Secondary Education to submit a communication to all Commonwealth public schools outlining the obligation to ensure that field trip activities are accessible to students with disabilities. MOD also worked with the Massachusetts Educational Finance Authority (MEFA) to ensure the successful launch and implementation of ABLE Act accounts to assist citizens with disabilities to save funds, while still preserving their benefits.

Staff also serve on various advisory committees including MassMatch, an initiative to maximize the use of assistive technology, MBTA vehicle accessibility committee, Masshealth Health Exchange Accessibility and Advisory Committee, EOHHS Olmstead Planning Committee, MassDOT 504 Committee, MassDOT Accessibility Sub-Committee, ADA Transition Plan Working Group for MassDOT, ADA Roundtable of the U.S. Attorney's Office, and the Plan for Accessible Transportation Infrastructure (PATI) Engagement Committee.

Additionally, staff members attend public hearings and other stakeholder meetings on issues that will impact people with disabilities.

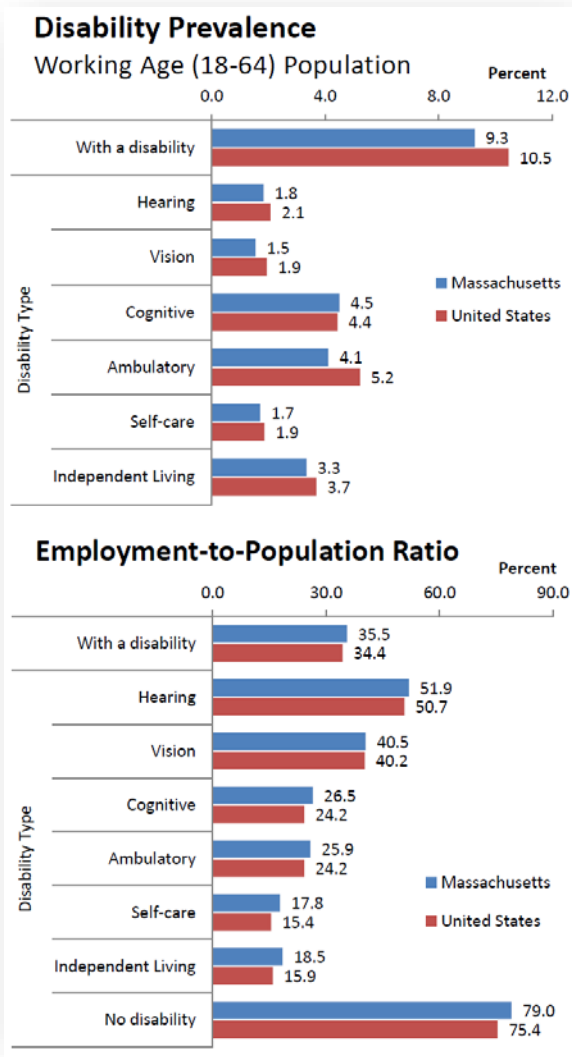
Disability Data Assemblage

MOD monitors the latest disability data reports from various reliable and official sources including the U.S. Census Bureau, the Bureau of Labor Statistics, nTide/UNH, Cornell University, the Institute for Community Inclusion ICI and others.

In FY 16, MOD commissioned a report, “Disability and Worker Characteristics in Massachusetts” by Matthew Brault, a former statistician with the U.S. Census Bureau and current Ph.D. candidate at Harvard University. This report provides an analysis of Census data relative to disability demographic characteristics in Massachusetts.

RMV Taskforce on Disability Parking Abuse

In FY 16 – FY 17, MOD served as a member of the Registry of Motor Vehicle (RMV) Disability Parking Abuse Taskforce and in the Task Force’s public awareness and social media campaign. MOD’s role on the Task Force assisted in the development of the Disability Parking Training for law and parking enforcement.



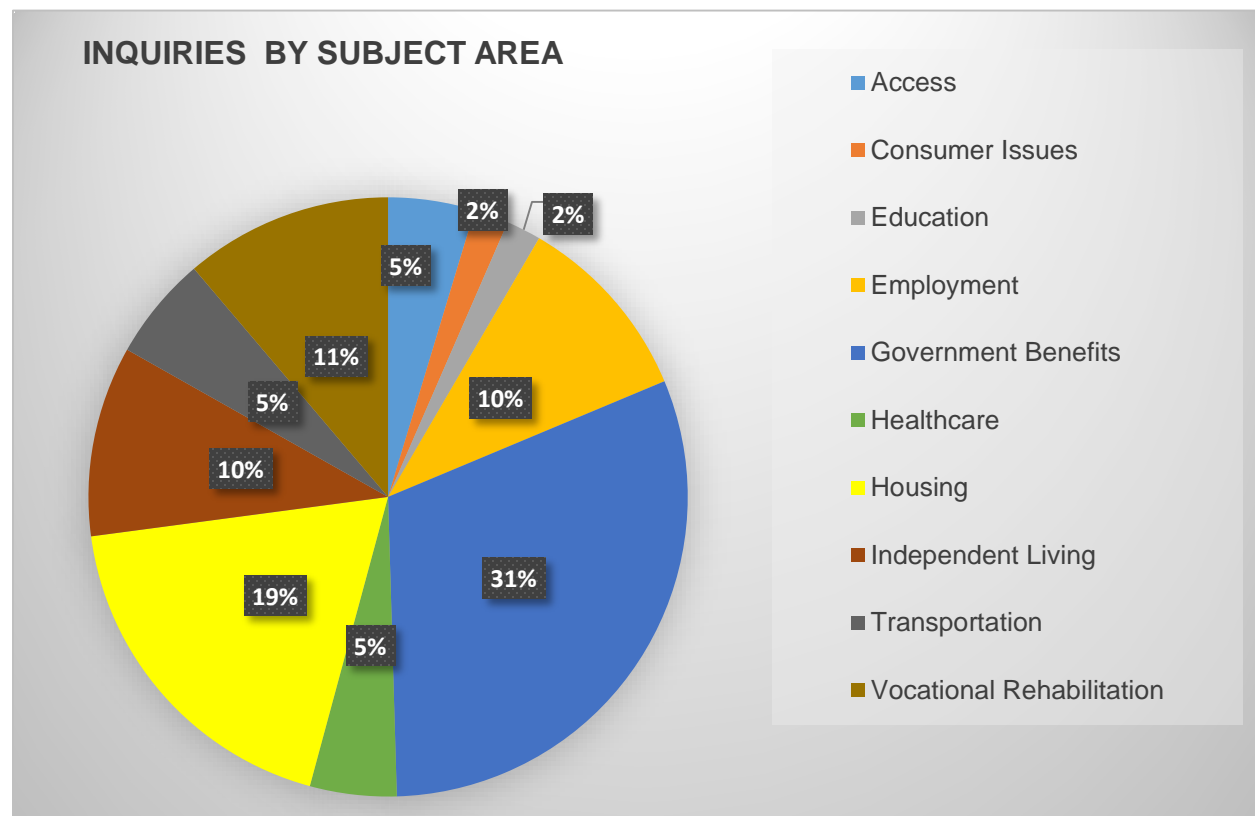
Data chart from “Disability and Worker Characteristics in Massachusetts” report by Matthew Brault

Client Services Unit

The Client Services Unit (CSU) is the first point of contact for individuals with disabilities, their family members, state agencies, municipalities, businesses, services providers and others may ask questions about a wide range of topics including disability laws, government benefits, services, and programs or to report concerns about disability related barriers to participation or discrimination. Staff provide comprehensive information about what various services and supports exist and how to navigate them as well as how complex disability laws apply to a given situation. In instances where a disability related barrier to service exists, an individual requires a reasonable accommodation, or an individual has been denied service, staff will provide individualized technical assistance to attempt to resolve the issue.

Information

During FY16 and FY17, client services staff responded to approximately 6,000 inquiries from the public, each resulting in discussion of one or more of 17 general subject areas.



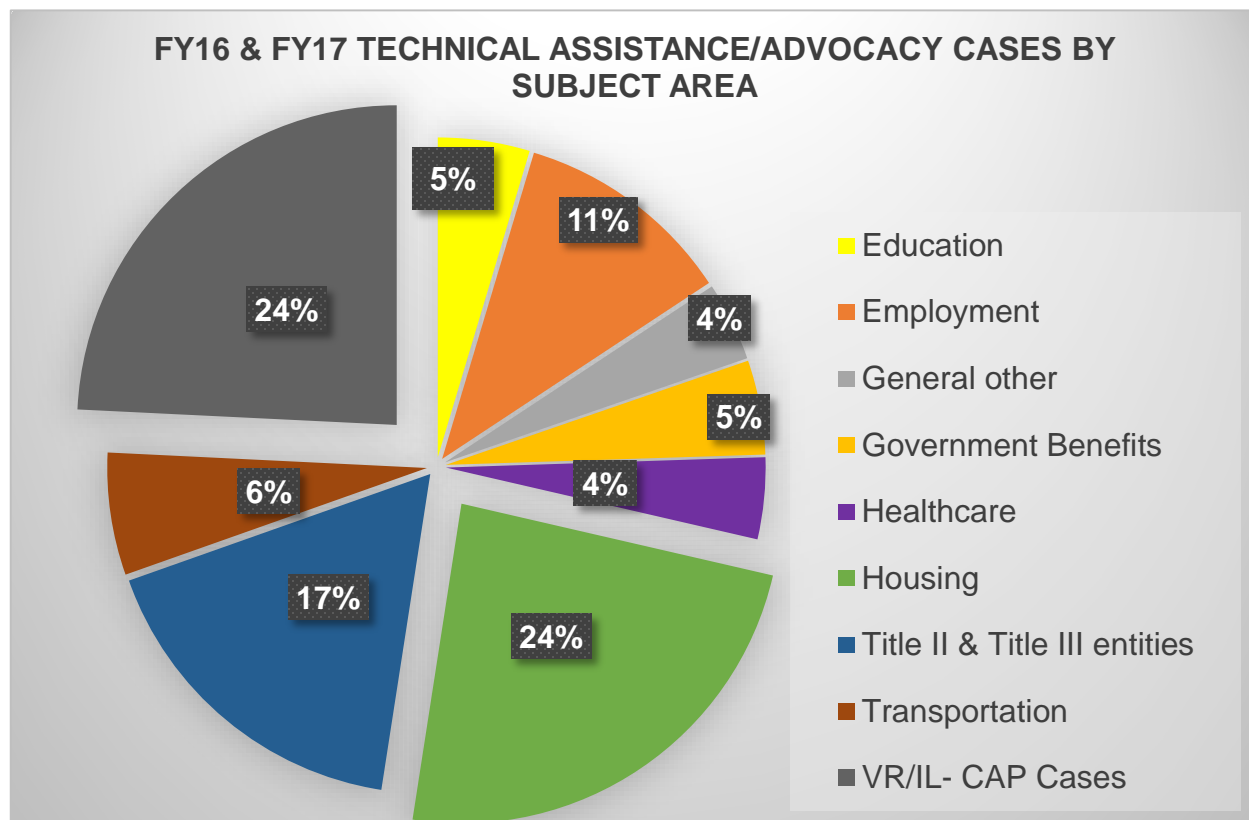
Technical Assistance and Advocacy Cases

Of the 6,000 inquiries made to the Client Service Unit during FY16 and FY17, 776 were instances in which the Client Services Unit provided technical assistance and or direct advocacy to facilitate equal access and opportunity for individual with disabilities.

Case examples include:

- Students unable to obtain accommodations from institutes of higher education.

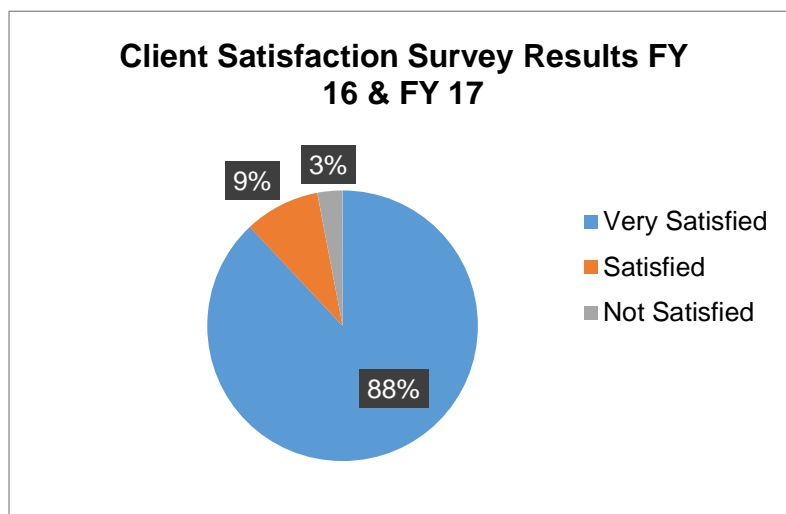
- State employees with disabilities seeking accommodations to retain their jobs.
- Individuals unable to receive assistance because of unresponsive service systems.
- Inaccessible healthcare facilities (physical barriers, lack of auxiliary aids).
- Denial of reasonable accommodation/modification in housing.
- Requiring accommodations for various professional exam and licenses.
- Refusal of service dogs in place of public accommodation.
- Barriers to participation in municipal programs.
- Eligibility denials for paratransit.



The range of service provided on these cases varied in length and scope depending on the particulars. Assistance included:

- contacting third parties to investigate the reported issue and facilitate resolution,
- documentation review,
- attending meetings,
- representation at hearings,
- technical writing in support of a position, etc.

In many instances the assistance provided enabled the individual to complete their educational program, retain their job, resume their benefit, or participate in a government program.



Client services unit tracks recurring issues that present barriers to individuals with disabilities and addresses them systemically with advocacy and through policy change.

Client services staff participate in various statewide committees representing a cross disability civil perspective that takes into account both the needs and the civil rights of the disability community.

Client Assistance Program (CAP)

Each state and U.S. territory has a Client Assistance Program funded through a grant from the U.S. Department of Education Rehabilitation Services Administration (RSA). MOD operates the Client Assistance Program in Massachusetts.

CAP is a distinct program within the Client Services unit that focuses on matters related to the federally funded vocational rehabilitation (VR) and independent living (IL) services in Massachusetts. Specifically, CAP must provide information to the public about VR and IL and to advocate on behalf of applicants to and clients of those programs when they have concerns about their services.

CAP is charged with ensuring that the programs are operating in a way that is consistent with policy and regulation. Individuals who have concerns with their services may contact CAP to request assistance. Common issues that individuals have when trying to receive VR services include disagreements about:

- eligibility for services,
- vocational goal,
- funding education, training, or supports,
- appropriateness of testing,
- readiness for services, and
- general communication barriers.

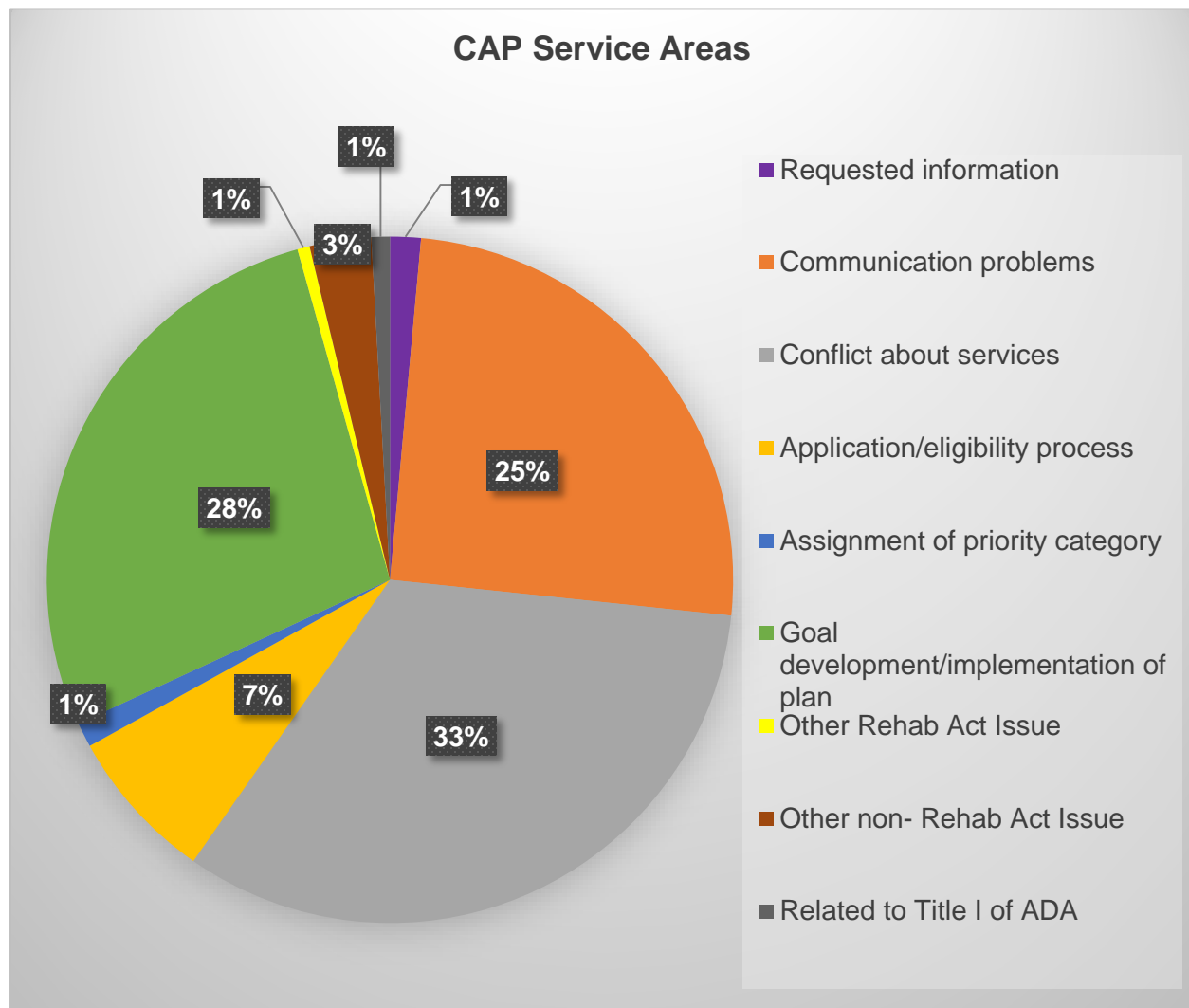
After a careful evaluation of the issue, CAP may contact a vocational counselor to re-establish communication, negotiate services, attend meetings, or represent the client at an appeal hearing.

CAP's mission and role fit seamlessly into the structure and operation of the Client Services Unit where there is constant interaction with the public providing ongoing opportunities to inform people of VR and IL.

CAP is also responsible for identifying, tracking, and resolving systemic issues. Through its membership in and participation on the State Rehabilitation Councils at both Massachusetts Commission for the Blind and Massachusetts Rehabilitation Commission and the Statewide Independent Living Council, CAP regularly provides input and feedback to the agencies administering these programs.

Information

In FFY15 and FFY16 CAP provided information about VR and IL programs, CAP services, and Title I of the ADA to individuals who contacted MOD. In many cases, the individuals did not contact the agency to discuss these topics but staff had the opportunity to naturally introduce the information during the conversation.



CAP routinely engages in outreach to inform individuals about VR and IL centers and about how CAP can assist. Outreach efforts include group trainings/presentations, exhibiting at events like employment fairs for people and conferences. In FFY15 and

FFY16, CAP focused its outreach efforts on reaching transition students and on individuals with developmental disabilities, presenting information to 57 groups including:

- high schools,
- parents of transition youth,
- colleges,
- providers serving transition youth,
- providers that offer job development and job placement,
- self-advocates,
- transition youth,
- vocational rehabilitation agencies, and
- independent living centers.

Advocacy

CAP handled 224 cases during FFY15 & FFY16 with 218 involving VR services and 8 involving IL services. The concerns about the IL centers were primarily related to communication difficulties. Individuals contacting CAP about their VR services presented a range of issues.

At a minimum, CAP intervention in any matter allows the individual to gain a better understanding of their rights and the agency's obligations under regulation and policy. During FFY15 and FFY 16 CAP's involvement has resulted in:

- individuals retaining services when the VR agency wanted to close their cases,
- individuals being determined eligible for services,
- VR agencies financing various education, training, equipment, and testing in support of various vocational goals, and
- individuals getting support for self-employment goals.

Through these positive outcomes, individuals are able to utilize available services and move towards the ultimate goal of sustainable and meaningful employment.

Community Services Unit

The Community Services Program interacts with approximately 11,000 people per year to help ensure that people with disabilities know their rights and responsibilities and that state, local and private entities know how to comply with their non-discrimination obligations.

This Unit developed and runs the nationally acclaimed and replicated Community Access Monitor (CAM) Program and manages the Personal Emergency Preparedness Program.

Community Services has 4 significant roles:

- Serves as the technical advisor to local Commissions on Disability (COD)
- Provides technical assistance regarding architectural access
- Conducts the Community Access Monitor Program
- Manages the Personal Emergency Preparedness Program

Commissions on Disability Technical Advisor

A Commission on Disability (COD) is established by a vote of Town Meeting or City Council to promote inclusion and integration of persons with disabilities in the activities, services and employment opportunities in the community.

One of MOD's principle duties is to provide support and guidance to these commissions. As of FY17, there are approximately 174 CODs throughout the Commonwealth. Support and guidance is provided in several ways.



Jeff Dougan Provides Technical Assistance in Pittsfield



Regional COD Meeting in Worcester

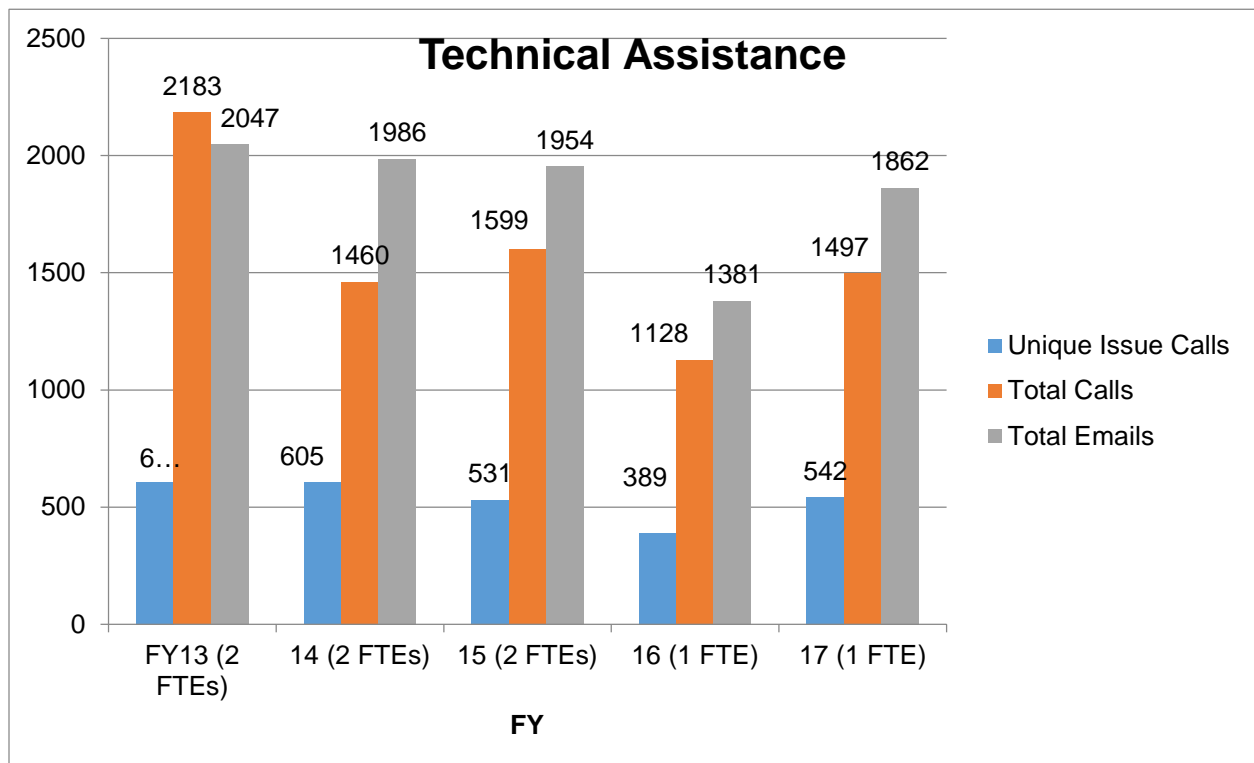
MOD recently reestablished the Regional Commission Meeting program, which was previously inactive for three years. Area CODs are brought together to discuss their initiatives, successes and roadblocks that they may face. These regional meetings are also a great networking opportunity for COD members.

In FY16, 4 regional meetings were held along with one Statewide Conference Call. In total, MOD interacted with representatives from 100 local CODs.

In FY17, 4 meetings were held along with a Statewide Conference Call. In total, MOD interacted with representatives from 120 local CODs.

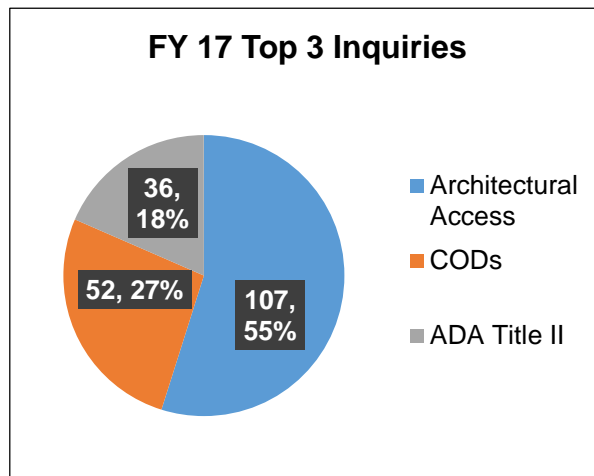
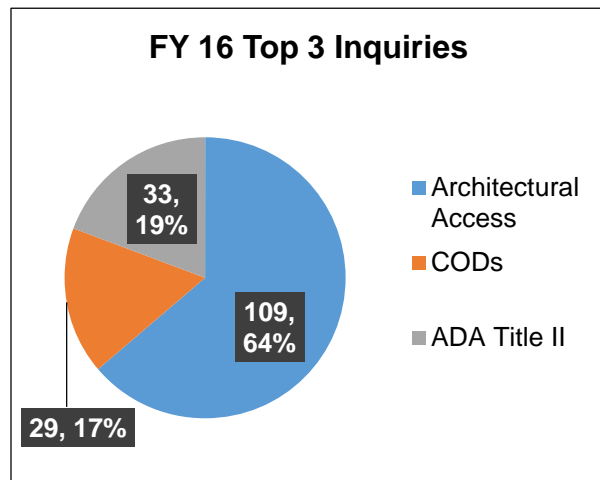
Upon request, Community Services attends local COD meetings to offer technical assistance and guidance. In FY16, Community Services attended 13 individual COD meetings and 16 individual COD meetings in FY 17.

In addition to in-person meetings, service is provided to CODs over the phone and through email. In FY16 there were 39 instances of remote technical assistance provided and 68 instances in FY17.



Technical Assistance for Municipalities and CODs

CODs and municipalities routinely contact Community Services with questions related to ADA Title II, ADA Title III and architectural access. Primarily, the unit handles such requests through phone, email, site visits, or training. Community Services typically interacts with COD members, municipal ADA Coordinators, local Building/Planning/Zoning Inspectors and other local and state officials, business owners, and the general public.



Commissions on Disability Initiative

In FY 16, MOD launched a campaign to contact MA cities and towns to provide guidance on how to form a Commission on Disability (COD). Initiating the formation of a local COD is an important step towards ensuring equal access and opportunity for persons with disabilities within the community. MOD mailed “COD Formation in Your Community” packets to elected and appointed officials in approximately 190 communities across the Commonwealth.

Community Access Monitor (CAM) Trainings

The Community Access Monitor (CAM) Program has been a staple of the Community Services Unit since the late 1980s. This training teaches advocates and professionals alike to understand the ADA and its many components as well as learning how to apply the architectural access responsibilities to a building. There are currently 3 CAM trainings planned per year.

ADA and Historic Preservation

Before Using Alternative Minimum Requirements Consult with:

- ✓ State Historic Preservation Officer
- ✓ Local Commission on Disability
- ✓ Disability Organizations
- ✓ Massachusetts Architectural Access Board

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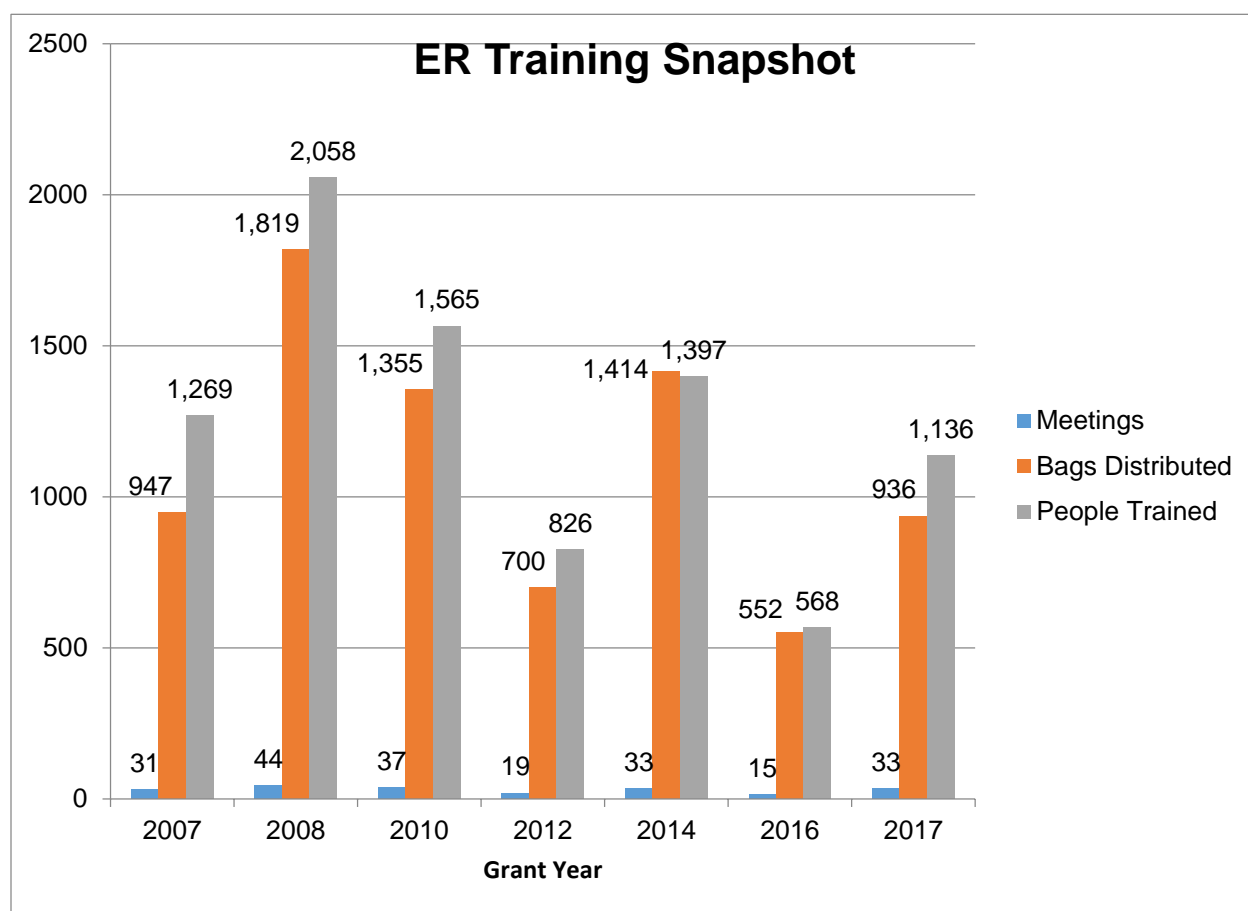
CAM Training Slide

Personal Emergency Preparedness Program

Through grants received from the U.S. Department of Homeland Security, Office of Grants and Training, and through the Executive Office of Public Safety and Security, Homeland Security Division, MOD has been hosting meetings to bring together people with disabilities and local emergency preparedness professions to explore how to ensure that people with disabilities have the assistance they need in times of emergency.

The grant allows MOD to distribute “Go-Packs” filled with emergency supplies such as food, water, flashlight, first aid kit, etc. along with a workbook and a resource guide to persons with disabilities.

Community Services has also served on the E911 Equipment Distribution Program and the Massachusetts Emergency Management Agency - Shelter Project Management Team.



Disability Non-Discrimination Training

Overview

MOD provides an array of trainings related to disability non-discrimination laws, regulations, policies and procedures. MOD offers these training to state agencies, municipal governments, employers, private businesses, housing providers, institutions of higher education, among others. Trainings cover these entities' obligations under state and federal disability laws & regulations as outlined below.

State Laws & Regulations

The Commonwealth has a long and distinguished history of enacting and promulgating laws, regulations, policies and procedures to promote equal access and opportunity for persons with disabilities.

Non-discrimination in public accommodations

MGL Ch. 272, Sec., 92A & Sec. 98

Non-discrimination in Housing and Employment

MGL Ch. 151B

Service Dogs

MGL Ch. 272, Sec. 98A

Physical Accessibility in Public Buildings

Architectural Access Board Regulations – 521 CMR

Federal Laws & Regulations

There are Federal Laws that address the rights of persons with disabilities on which staff provide training, including:

Americans with Disabilities Act (ADA) of 1990

The foremost comprehensive federal civil rights law protecting people with disabilities is the Americans with Disabilities Act (ADA). The ADA is divided into five Titles;

Title I – Employers

Title II – State & Local Governments

Title III – Public Accommodations

Title IV – Telecommunications

Title V – Miscellaneous

ADA Amendments Act (ADAAA) of 2008

The 2008 ADAAA expanded the definition of “disability,” extending protecting to a much broader range of Americans, defined “service animal,” and addressed power-driven mobility devices other than wheelchairs.

Section 504 of the Rehabilitation Act of 1973

Requires nondiscrimination of qualified individuals with disabilities in any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.

Fair Housing Amendments Act of 1988

Expanded the coverage of the Fair Housing Act to prohibit discrimination in housing based on disability status.

Training

Education goes a long way in avoiding violations that can result in lengthy and costly consequences for both parties. Further, compliance with these laws ensures that persons with disabilities who are qualified employees, valued customers, and members of Massachusetts communities have equal access to the programs, services, and opportunities available to everyone else. The following is an overview of the typical audiences to which MOD provides disability non-discrimination training.

Commonwealth Agencies

MOD offers training for state agencies concerning their obligations under Title I (Employment) and Title II (State and Local Government Services) of the ADA and similar state laws and Executive Orders.

The employment portion of this training covers topics related to an agency's obligations to its employees, including the definition of disability, reasonable accommodation requests, who is a qualified individual with a disability, essential job functions, non-discrimination, and confidentiality. This portion also covers material specific to employment with the state including self-identification vs. self-disclosure, Reasonable Accommodation Capital Reserve Account (RACRA), and Executive order 526.

The "public-facing" portion of this training covers obligations an agency has to members of the public it serves. Topics include programmatic access, reasonable modifications, effective communication, nondiscriminatory eligibility criteria, administrative requirements under ADA Title II, holding accessible meetings and events, accessible information, service animals, etc.

Executive Branch ADA Coordinators

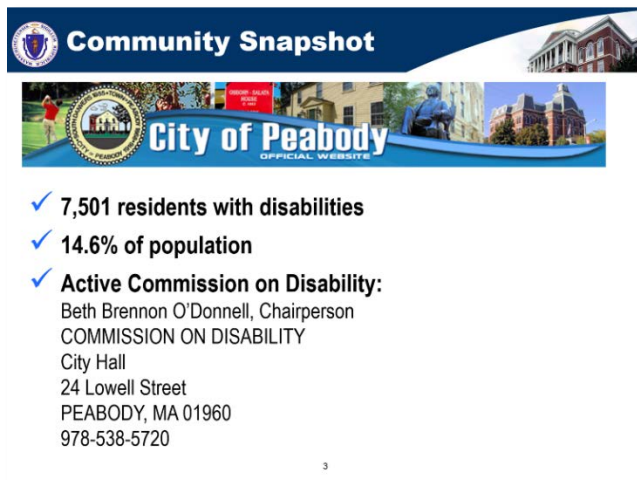
Each newly appointed Executive Branch ADA Coordinator receives orientation training and a copy of the Disability Handbook for the Executive Branch from MOD. MOD also serves as an "on-call" technical advisor to Executive ADA Coordinators.

In FY 16, MOD began hosting quarterly meetings for ADA Coordinators in the Executive Branch. These meetings cover substantive issues relative to the ADA Coordinator roles and allow the ADA Coordinators an opportunity to share experiences, ask questions, exchange ideas, and learn.

Cities & Towns

MOD training for municipal officials and staff concerns the municipality's obligations under Title II (State and Local Government Services) of the ADA and similar state laws.

This training covers obligations a municipality has to the members of the public it serves. Topics include programmatic access, reasonable modifications, effective communication, service animals, nondiscriminatory eligibility criteria, administrative requirements under Title II (ADA Coordinator, public notice, self-evaluation, transition plan, grievance procedure, and structural changes), holding accessible meetings and events, etc.



Community Snapshot

City of Peabody
OFFICIAL WEBSITE

- ✓ 7,501 residents with disabilities
- ✓ 14.6% of population
- ✓ **Active Commission on Disability:**
Beth Brennon O'Donnell, Chairperson
COMMISSION ON DISABILITY
City Hall
24 Lowell Street
PEABODY, MA 01960
978-538-5720

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Additionally, MOD created a new training specifically on disability parking laws in FY 17 in response to requests for such a training from Massachusetts police and parking enforcement departments. This training is intended to assist those municipal employees charged with enforcing disability parking laws to understand what constitutes a violation and what is considered appropriate use of a disability parking space, placard, and or plate.

Municipal Training Slide

Businesses and Private Organizations



Training at Smolak Farms

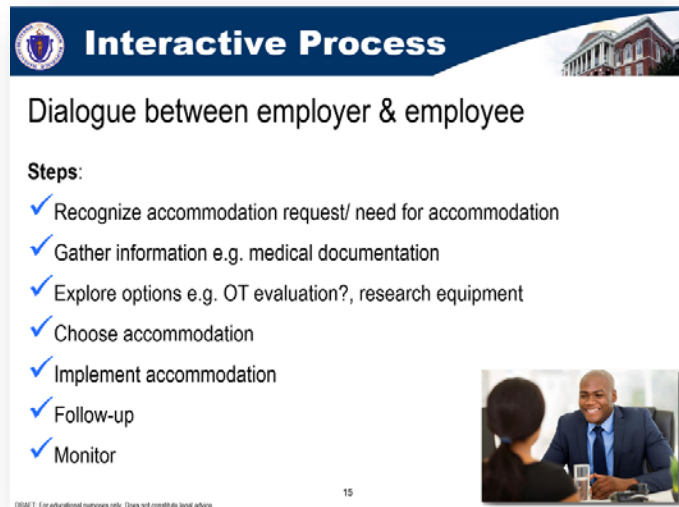
Training for private businesses details their obligations under Title III (Public Accommodations) of the ADA and the Massachusetts Public Accommodations Law, M.G.L. c. 272, §§ 92A and 98.

This training covers the obligations that places of public accommodation have to their customers, visitors, program participants, and members of the general public. Topics covered include nondiscrimination, effective communication, reasonable modifications to policies, practices, or procedures, barrier removal, service animals, etc.

In FY 16, MOD created a new training for businesses, “Accessibility in Agritourism,” at the request the Department of Agricultural Resources and the Office of Travel and Tourism to deliver as part of their “Agritourism Workshops” hosted throughout the state for Massachusetts farm owners. Agritourism/agri-business is a growing industry that comes with responsibilities under the ADA and related state laws prohibiting disability discrimination. This basic training was later developed into a unique, comprehensive workshop which was delivered at the 2017 National ADA Symposium in Chicago.

Employers

In Massachusetts, employers with more than 6 employees (including seasonal and part-time) are subject to anti-discrimination obligations. MOD offers training on employer obligations under both the ADA and Massachusetts Employment Discrimination Law, M.G.L. c. 151B §4. Topics covered include the definition of disability, reasonable accommodation requests, who qualifies as an individual with a disability, essential job functions, non-discrimination, job descriptions, confidentiality, etc.



Employer Training Slide

In both FY 16 and 17, MOD was invited to present on the topic of disability discrimination in employment at the annual Massachusetts Commission Against Discrimination Fair Housing & Civil Rights Conference. MOD served on a panel of experts discussing important issues in employment accommodations for persons with disabilities and on recent case law in employment accommodations for persons with disabilities.

Higher Education Institutions

MOD also provides training to colleges and universities on their obligations under the ADA, Section 504 of the Rehabilitation Act, and applicable state laws that prohibit such institutions from discrimination against individuals with disabilities. In early FY 17, MOD provided a “Disability Laws and Higher Education” training for staff and faculty from several MA higher education institutions held at Western New England University.



Evan Bjorklund presents at Umass Dartmouth

Rita DiNunzio and Evan Bjorklund served as keynote speakers at the New England

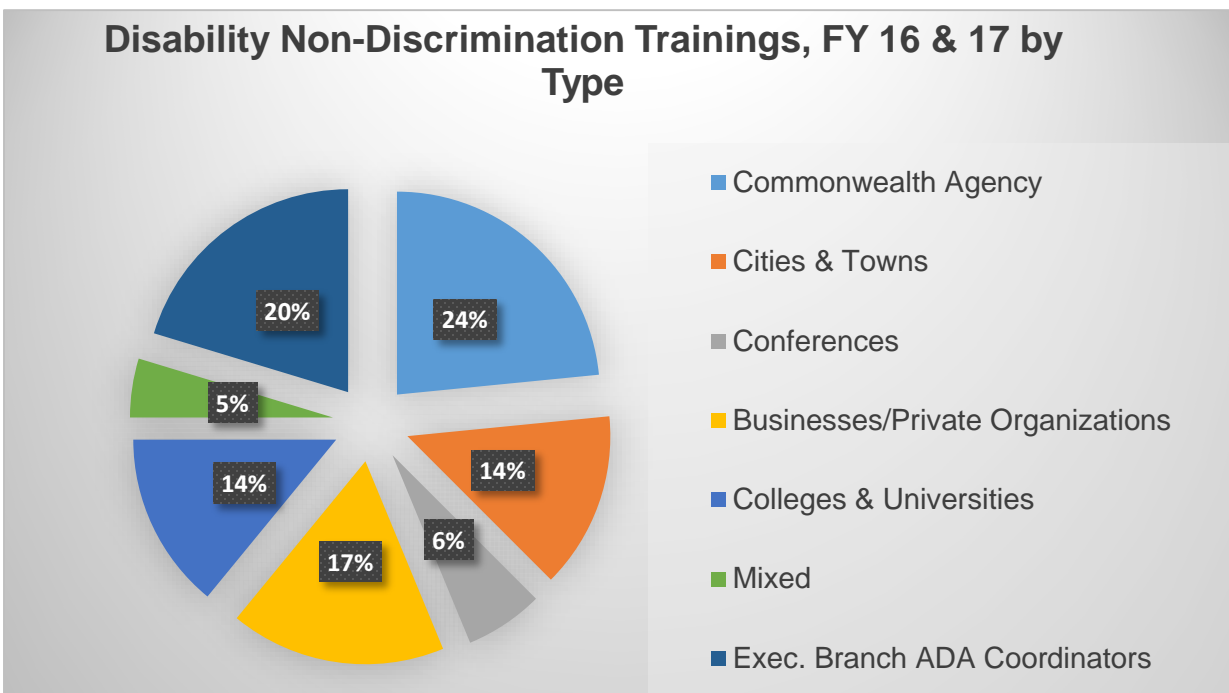
Association on Higher Education and Disability (AHEAD) 2017 Conference. The conference was held at Holy Cross in Worcester and was attended by over 160 staff of New England colleges and universities. They presented a series of breakout sessions on academic accommodations for students with disabilities, advancements in assistive technology, service and assistance animals on campus, the growing responsibilities of disability service providers, and post-college employment for graduates with disabilities. Additionally, Evan served as keynote speaker at Stonehill College's disability conference. MOD also presented to students at UMASS Dartmouth as part of "Accessibility Awareness Week" and to disability law students at Suffolk University.

Conferences & Events

MOD has had several opportunities to provide training sessions at state, regional and national conferences.

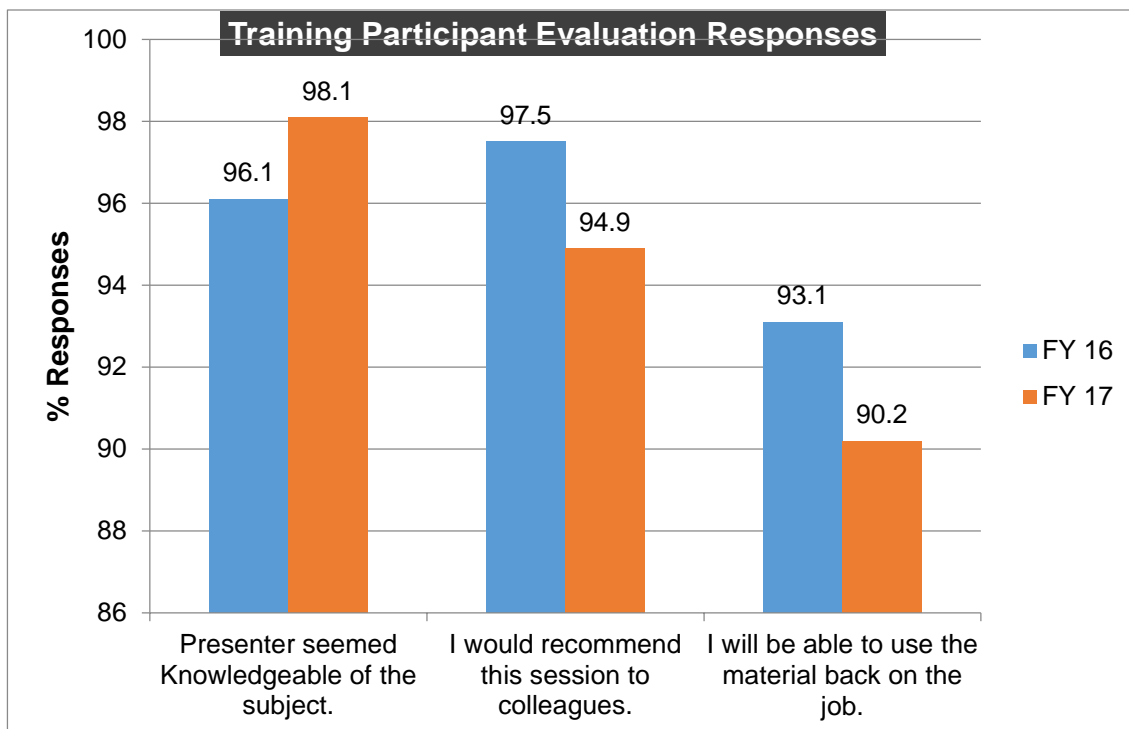
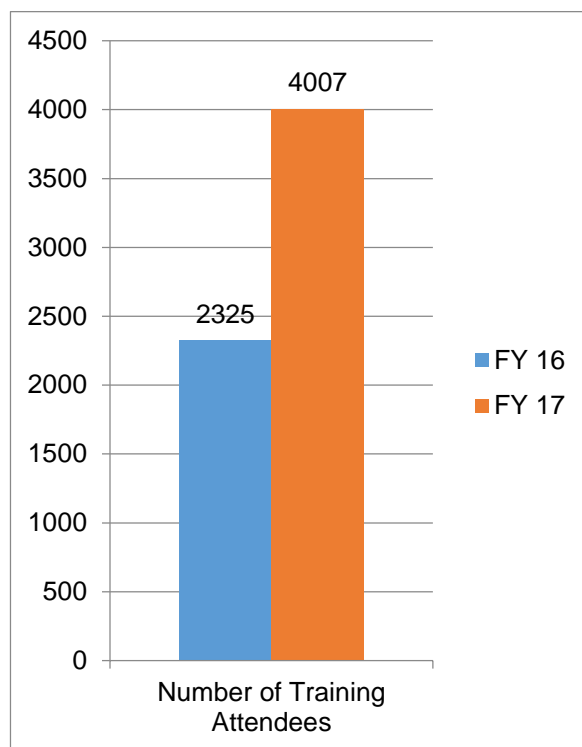
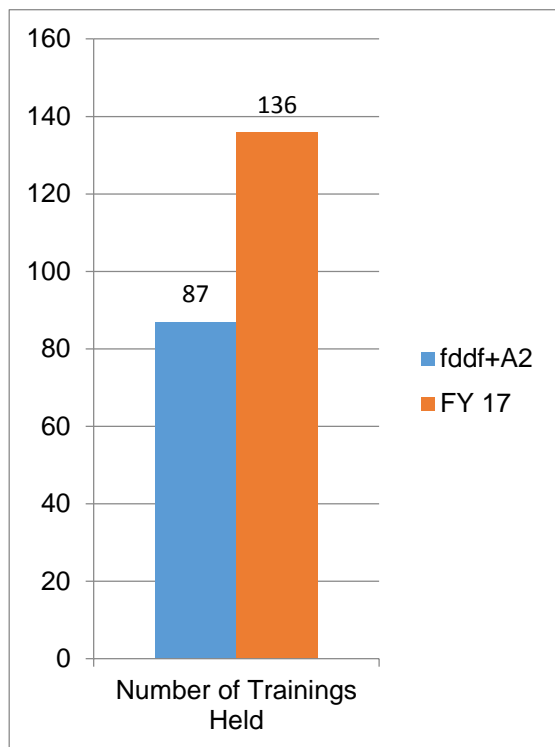
Customized Trainings

MOD offers customizable trainings for various audiences on any combination of the training topics described above. MOD strives to respond to requests for training on a first-come first-serve basis and endeavors to provide training at no-cost to as many entities as possible.



Total Training FY 16 & FY 17

The following data includes all types of MOD trainings combined: Disability Non-Discrimination Training, Community Access Monitor Training and customized trainings.

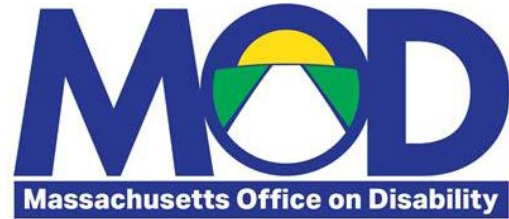


Communication & Transparency

Over the last two years, MOD developed and expanded its communications strategy by adding many new communication channels and increasing overall transparency.

New Logo/Rebranding

MOD received a logo for the first time in the agency's history.



Newsletter

MOD initiated a newsletter, *Massachusetts Disability Quarterly*, in the Summer of 2015 as part of its overall communication strategy. MOD has published 9 issues to date which are archived on MOD's website.

Website

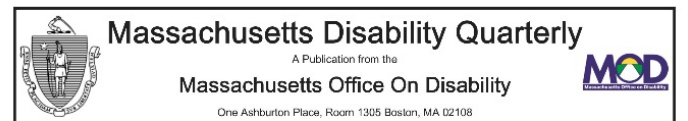
MOD's website, www.mass.gov/mod, was thoroughly updated during FY 16 and 17 in terms of content and structure.

MOD is currently working with EOTSS to comply with the Mass.gov redesign.

MOD is committed to ensuring that all content posted to our webpages are accessible and comply with the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) 2.0.

Twitter

MOD launched its Twitter account on June 29, 2015. The account has consistent follower growth with 532 followers as of the publishing of this report.



Vol. 3 Issue 1 Full & Equal Participation in All Aspects of Life by All Persons With Disabilities Summer 2017

Save the Date
Massachusetts Office on Disability
Summit 2017
Topic: Employment Opportunity
9-15-17

The Massachusetts Office on Disability (MOD) will hold its third annual Disability Summit this year.

Date: Friday, September 15, 2017
Time: 10:00AM-Noon
Location: Great Hall
Massachusetts State House
24 Beacon St. Boston, MA 02133

This year's Summit will continue to build on the 2016 Summit theme of *employment opportunity for persons with disabilities*. Details to come!

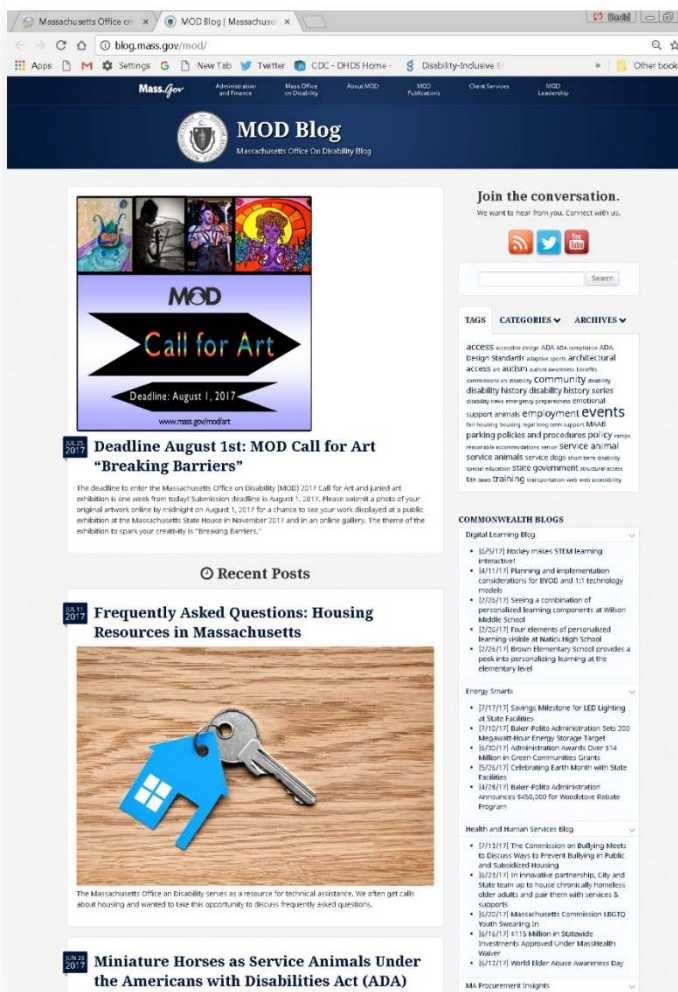
Municipal ADA Grant

The Massachusetts Office on Disability (MOD) is accepting applications for the Municipal ADA Improvement Grant Program. Grants support capital improvements specifically dedicated to improving programmatic access for persons with disabilities. Eligible applicants include any Massachusetts city, town, special purpose district and/or regional governmental organization. Grants of up to \$250,000 will be awarded to successful applicants. Examples of access improvement include the addition of features such as ramps, elevators, power lifts, signage, communication access devices, and curb cuts.

Application Process & Deadlines
The deadline for the Year 1 Application period is June 30, 2017. All Year 2, FY18 grants must be submitted online. Please check the ADA Grant webpage at www.mass.gov/mod/adagrants for updates and application instructions. Please email questions to mod-grants@massmail.state.ma.us.

MOD
Call for Art
Deadline: August 1, 2017
www.mass.gov/mod/art

Massachusetts Disability Quarterly



MOD Blog homepage

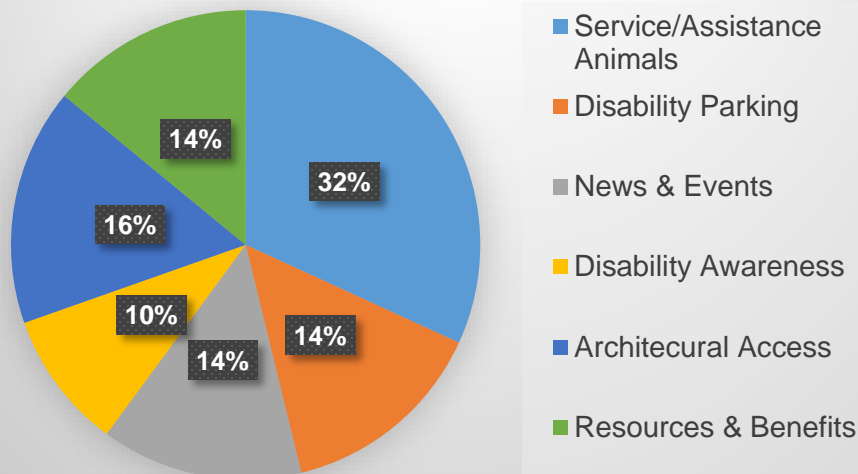
YouTube

In 2015, MOD opened a YouTube account as Mass Office On Disability to provide public informational videos about MOD services and events.

Blog

MOD's Mass.gov blog has proven to be a great way to inform the public about disability rights, resources, news and events. MOD has maintained an active blog since June of 2015.

Blog Sessions by Subject



Public Outreach & Involvement

Disability Summit

MOD's annual Summit provides an excellent opportunity for opinion leaders, stakeholders, policymaker, and advocates to meet and discuss new ideas. The event has always been free and open to the public.

2015 Summit

Nearly 300 guests attended the inaugural *Disability Summit, the Americans with Disabilities Act (ADA) at 25: Past, Present & Future* on September 18, 2015.

The event was held at the Boston Convention & Exhibition Center. Speakers included Kenneth An, Director of the Boston Area Equal Employment Opportunity Commission (EEOC); Kristen McCosh, Commissioner of the Boston Mayor's Commission for Persons with Disabilities; Mary Margaret Moore, Executive Director of the Independent Living Center of the North Shore and Cape Ann; Jeffrey Kramer, Executive Director of Public Policy & Strategic Alliances for Verizon; and John Lozada, Manager of Federal Programs for the Massachusetts Department of Transportation, Civil Rights Division.



Left photo - Tom Hopkins accepts Access Award

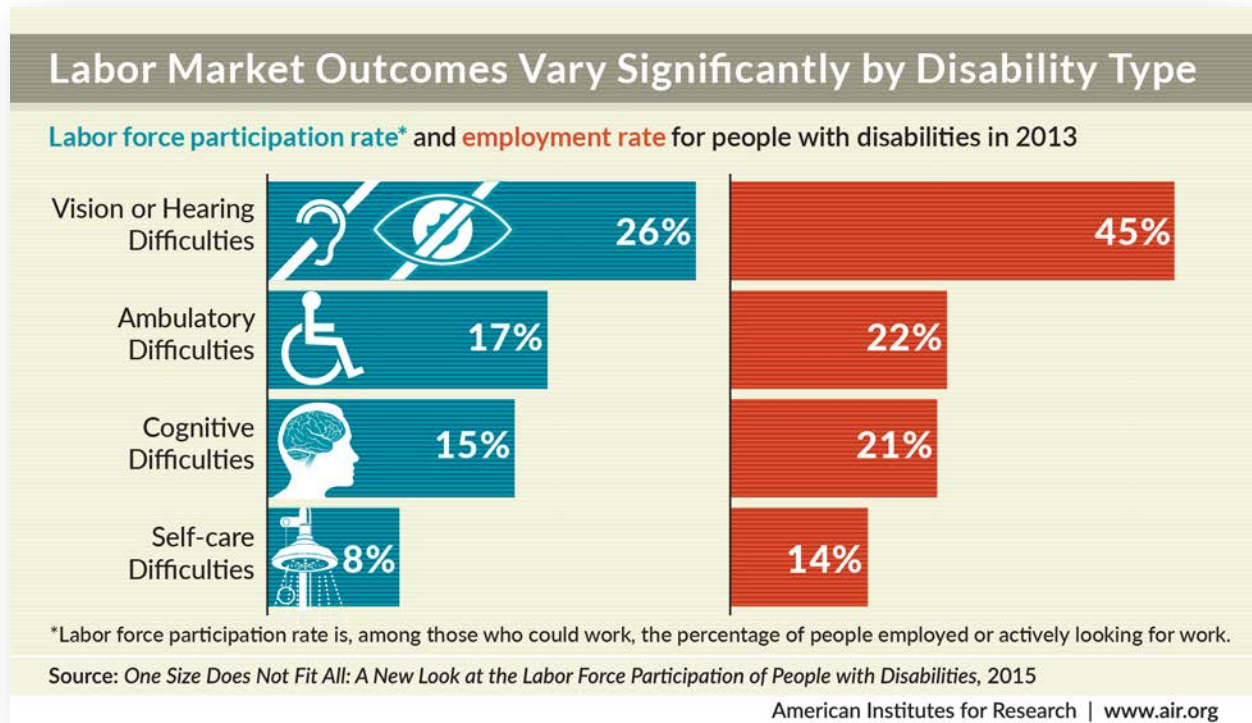
Right Photo - 2015 Summit Speakers: Left to right; Ken An, John Lozada, Jeffrey Kramer, Kristen McCosh, Mary Margaret Moore, David D'Arcangelo

The Summit concluded with the first ever MOD Thomas P. Hopkins Disability Access Award, presented to Tom Hopkins, Director of the Massachusetts Architectural Access Board since August 2002, for whom the award is named.

2016 Summit

The Massachusetts Office on Disability (MOD) 2016 Disability Summit on Employment was held on Friday, September 16, 2016 at the Boston Convention & Exhibition Center and welcomed over 425 guests. The theme was "*Employment for Persons with Disabilities*." Marylou Sudders, Secretary of the Executive Office of Health & Human Services; Elin Howe, Commissioner of the Massachusetts Department of Developmental Services and Nicky Osborne, Commissioner of the Massachusetts Rehabilitation Commission each gave remarks on the importance of creating employment opportunities for persons with disabilities in the Commonwealth.

Keynote speakers, Dahlia Shaewitz, Managing Researcher and Practice Area Director and Dr. Michelle Yin, Senior Researcher, from American Institutes for Research in Washington, D.C. delivered their presentation *The New Workforce: A Look at Policy and Employment for People with Disabilities*. The speakers noted that numerous federal policies and a recovering economy have not improved employment rates for people with disabilities and presented their recent studies on employment outcomes for persons with disabilities by prevalence type and the income disparities between employees with and without disabilities.



Data infographic presented at 2016 Summit

2017 Summit

MOD is planning its third annual Summit which will be held on September 15, 2017 in the Great Hall of the Massachusetts State House. The 2017 Summit will continue to build on the 2016 Summit with the theme of “Employment Opportunity for Persons with Disabilities.” The program will feature a presentation of current disability employment data by Matthew Brault, Statistician and Ph.D. candidate at Harvard University; a speech by David Manzo, Executive Director and President of the Cotting School, and a talk by Rick Fiery, founder of Inventive Labs.

Massachusetts ABLE Launch

The Achieving a Better Life Experience (ABLE) Act creates section 529A of the Internal Revenue Code, which allows for establishment of tax-favored accounts to provide for future disability-related expenses of disabled individuals. Massachusetts is a recognized leader across the country with the early adoption of state legislation to establish an ABLE program and now work is underway to implement the ABLE Act here in our Commonwealth.



The Massachusetts Educational Financing Authority (MEFA) has been designated as the entity to manage the Commonwealth's ABLE program. MEFA is pleased to operate the ABLE program on behalf of the Commonwealth and fully understands the importance of the ABLE program to many Massachusetts families

Massachusetts ABLE Act Launch with Governor Baker, MEFA's Tom Graf and Director D'Arcangelo

National ADA Symposium

Representatives of MOD attended the 2016 and 2017 National ADA Symposiums in Denver and Chicago, respectively. This national event is the premier conference on the ADA and is designed for government officials, ADA coordinators, and advocates. The National ADA Symposium is a project of the ADA National Network and the Great Plains ADA Center. Notably, MOD serves as the State Affiliate for Massachusetts to the New England ADA Center.

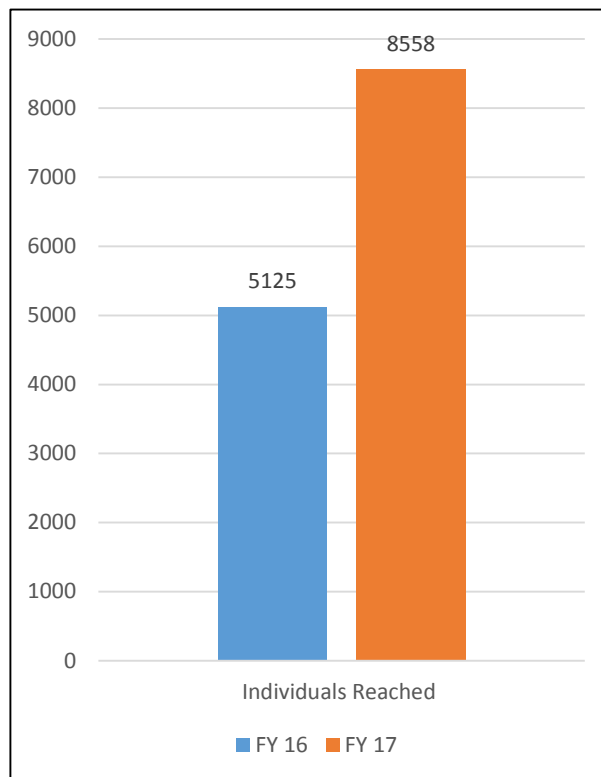
Tours

MOD has accepted invitations to tour some of the innovative and creative disability related programs found in Massachusetts in order to learn about these resources and to represent the Administration. Programs tours during FY 16 and FY 17 include Inventive Labs, Schapens Eye Center, Easter Seals Assistive Technology Center, and the Threshold Program at Lesley University.

Additional Outreach and Speaking Engagements

A significant part of MOD's public outreach strategy is to participate in disability related events throughout the Commonwealth, New England, and the nation. MOD staff host and attend well over 100 outreach activities annually, reaching thousands of individuals.

Notable outreach and public engagement activities during FY 16 and FY 17 include delivering welcoming remarks at the 2016 Career Opportunities for Students with Disabilities Conference and Career Fair, giving the commencement speech at the class of 2017 Lesley University Threshold Program graduation, serving on a panel at the American Enterprise Institutes Conference in Washington, D.C., participating in the 25th and 26th anniversary of the ADA celebrations in Boston, supporting our state disability agencies in various legislative day events including the MA Developmental Disabilities Council reception and Deaf and Hard of Hearing Constituents' Day, attending the regional Statewide Independent Living Council conference, the National Disability Rights Network (NDRD) Conference, and the launch of the ABLÉ program in Massachusetts.



International Exchanges

MOD has worked with WorldBoston and the International Visitor Leadership Program (IVLP), which is the U.S. Department of State's professional exchange program to host delegations from Canada, South Korea and Albania.

The mission of WorldBoston is to serve as a convener on international topics with a mission of fostering engagement in international affairs and cooperation with peoples of all nations. The IVLP, through short-term visits to the United States, provide dialogue and understanding amongst current and emerging foreign leaders and cultivate lasting relationships with their American counterparts.

IN FY 16 and 17, MOD hosted IVLP delegations from South Korea, Canada, and Albania. Participants in



South Korea Disability Delegation

these meetings had an excellent exchange and learned a great deal about each other's disability laws, policies and procedures.

Holiday Card Contest

MOD hosted a children and youth winter art contest in the fall of 2015. MOD asked children and teens across the Commonwealth to create an original winter scene that incorporates MOD's mission of ensuring "equal participation in all aspects of life by persons with disabilities." After receiving some fantastic artwork from children all across the state, staff selected one piece to feature as the cover of MOD's official 2015 Holiday card.

The selected piece was a collaboration by eighteen children from the Commonwealth Children's Center. The project was facilitated by Barrett Grizzard, an art teacher from the Museum of Fine Arts. Grizzard was inspired by the work of Chuck Close, an American artist with a disability. The children learned how Close is able to create large paintings while sitting in his wheelchair by painting several small, separate squares and then putting them together to make one piece of art. MOD staff were impressed that the children were able to use the art contest as an opportunity to explore what it means to live with a disability and to learn about a successful American artist who has a disability.



MOD 2015 Holiday Greeting Card

2017 Call for Art: Breaking Barriers

In FY 17, MOD launched a juried Call for Art for an art exhibition to take place in the Massachusetts State House in FY 18. The theme of the art display will be "Breaking Barriers." A central purpose in holding this exhibition is to showcase the talent of Commonwealth residents and to present works to the public that will raise awareness of and challenge the barriers and stigma that persons with disabilities may encounter.

Part of MOD's inspiration for this exhibition is a piece of artwork currently displayed in MOD created by Maurice "Pops" Peterson, Artist in Residence of the Massachusetts Commission Against Discrimination (MCAD). His work, "Freedom from Shame," artistically captures the theme of "Breaking Barriers" through its depiction of an athlete with a disability in a moment of victory and celebration. Pops is now serving as a juror and advisor on this project.



Artwork by Pops Peterson

This public awareness and outreach campaign is being conducted with the assistance of talented jurors from prominent arts and disability organizations including VSA Massachusetts and Massachusetts College of Art and Design and with the support of MOD staff and interns.

Management

David D'Arcangelo, Director

Evan Bjorklund, General Counsel

Rita DiNunzio, Assistant Director for Communications and Policy

Jeffrey Dougan, Assistant Director for Community Services

Michael Dumont, Assistant Director for Administration & Finance

Naomi Goldberg, Assistant Director for Client Services

Staff

James Aprea, Advocate

Robert Dias, Advocate

Adrienne Manson, Advocate

Jennifer Nelson, Advocate

DaLonn Pearson, Emergency Preparedness Program Coordinator



MOD Staff Photo. From left to right: James Aprea, Jeffrey Dougan, Naomi Goldberg, DaLonn Pearson, Robert Dias, Evan Bjorklund, Jennifer Nelson, Michael Dumont, David D'Arcangelo, Adrienne Manson, Rita DiNunzio.

Glossary of Disability Rights Terms

Disability: The United States Department of Justice defines a person with a disability as someone who: has a physical or mental impairment that substantially limits one or more major life activities of such individual, or has a record of such an impairment, or is regarded as having such an impairment.

Qualified Individual with a Disability: An individual with a disability who is able to perform the essential functions of the job with or without reasonable accommodation.

Reasonable Accommodation: a modification or adjustment to a job, the work environment, or the way things are typically done to enable a qualified individual with a disability to enjoy an equal employment opportunity.

Equal Employment Opportunity: An opportunity to attain the same level of performance or to enjoy equal benefits and privileges of employment as are available to an average similarly-situated employee without a disability.

Interactive Process: A dialogue between an employer and an employee or applicant with a disability to determine whether there is a reasonable accommodation that would enable the individual to perform the essential functions of the job or participate in the application process.

Essential Function: The basic job duties that an employee must be able to perform, with or without reasonable accommodation.

Reasonable Modification: Reasonable Modification (ADA Title II): A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination. If the public entity can demonstrate, however, that the modifications would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification.

Reasonable accommodation (Employment): Any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Service Animal: (Americans with Disabilities Act definition): Dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.

Assistance Animal: (HUD/Fair Housing Act definition) In the context of housing, an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms

or effects of a person's disability. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. For purposes of reasonable accommodation requests, neither the FHAct nor Section 504 requires an assistance animal to be individually trained or certified. While dogs are the most common type of assistance animal, other animals can also be assistance animals.

Reasonable Modification (Fair Housing Act): a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas.

Reasonable Accommodation (Fair Housing Act): a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

Self-Disclosure: A person revealing that s/he has a disability. Self-disclosure is voluntary and may be formal or informal. Self-disclosure may be required in order to obtain a reasonable accommodation.

Self-Identification: The voluntary and confidential process of a Commonwealth applicant or employee completing a Self-Identification form identifying as a person with a disability for affirmative action purposes.

ADA Coordinator: A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and fulfill its responsibilities under title II, including the investigation of complaints. A public entity shall make available the name, office address, and telephone number of any designated employee.

Self-Evaluation (ADA Title II): A public entity's assessment of its current policies and practices that identifies and corrects those policies and practices that are inconsistent with title II's requirements by presenting barriers to access for persons with disabilities.

Transition Plan (ADA Title II): A plan that provides for the removal of barriers where structural modifications are required to achieve program accessibility that is required by any public entity with 50 or more employees.

The Spirit of MOD

We stand humbly resolved and reflect upon the thoughts of our forefathers. Just steps from our office sits a monument on the Boston Common that commemorates their voyage and landing in the new world. The city of Boston erected this memorial in honor of the three hundredth anniversary of its founding – September 17th 1630 – 1930.

They came to America seeking the blessings enjoyed under a free government.

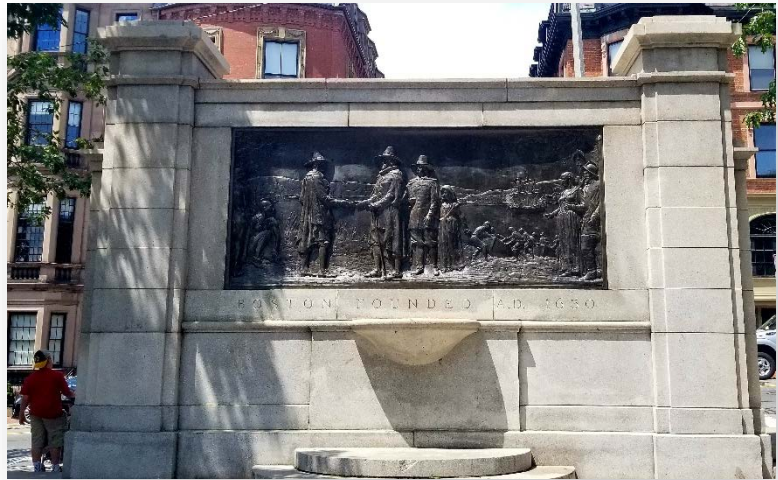
Now as we endeavor to improve the human condition by seeking equal access and opportunities for people of all abilities we remember the words etched within this monument, and they read;

"For wee must consider that wee shall be as a city vpon a hill the eies of all people are vppon vs soe that if wee shall deale falsely with our god in this worke we haue vnder-taken...wee shall be made a story and a by-word through the world." – **John Winthrop on board the Arbella 1630**

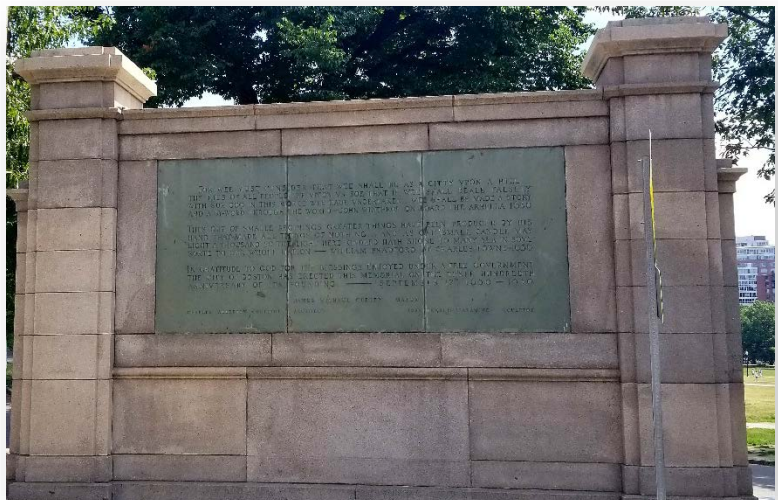
"Thus out of smalle beginnings greater things haue been produced by his hand that made all things of nothing...and as one small candle may light a thousand so the light here kindled hath shone to many yea in some sorte to our whole nation."

– **William Bradford at Charlestowne- 1630**

We at MOD remain humble in our resolve and are thankful of our opportunities to improve outcomes for people with disabilities.



City on a Hill Monument at Boston Common



Significant MOD Publications

The following is a list of MOD's more widely and frequently used publications and guides and their descriptions. These publications can be found on our website at www.mass.gov/mod or individuals may request copies and alternative formats by contacting MOD.

1. <i>50 States Disability Resource Guide</i> : Contact information for disability organizations by state.
2. <i>A Brief History of Disability</i> : Timeline of significant disability history milestones in Massachusetts and the U.S.
3. <i>Client Services Program (CAP) Brochure</i> : Description of Client Assistance Program (CAP) services, process, and contact information.
4. <i>Client Services Program (CAP) Brochure - Spanish Version</i>
5. <i>Commission on Disability (COD) General Description, Goals, and Sample Bylaws</i> : Succinct guide to establishing a COD.
6. <i>Disability Benefits – FAQ</i> : A brief overview of how to apply for disability benefits
7. <i>Disability Employment Information Guide: A Guide to Rights, Responsibilities, Programs and Services</i> : Handout providing an overview of disability employment rights and programs.
8. <i>Disability Rights Laws in Massachusetts Booklet</i> : Comprehensive guide to disability related laws applicable in Massachusetts.
9. <i>Executive Branch ADA Coordinator List</i> : Listing and contact information for each executive branch agency ADA Coordinator, updated on an ongoing basis.
10. <i>Executive Branch Disability Handbook</i> : Comprehensive guide to ensuring accessibility and non-discrimination for executive branch agencies, includes grievance procedures.
11. <i>Handicapped Parking Regulations in Massachusetts</i> : 1-page handout summarizing more stringent regulations of the Americans with Disabilities Act and the Massachusetts Architectural Access Board regulations (521 CMR) as they relate to disability parking.
12. <i>Interacting with People with Disabilities</i> : Basic etiquette tips
13. <i>MOD School Field Trip and Extracurricular Activities Memo April 2017</i>
14. <i>MOD Overview of Services Brochure</i> : Description of MOD programs and services.
15. <i>Massachusetts Disability Quarterly</i> : MOD's newsletter, current and archived issues
16. <i>Municipal ADA Coordinator List</i> : Listing and contact information for each Massachusetts city and town ADA Coordinator, updated on an ongoing basis.
17. <i>Municipal Commission on Disability List</i> : Listing and contact information for each Commission on Disability, updated on an ongoing basis.
18. <i>Segway Guidance Policy (2011)</i> : policy guidance for Executive Branch, developed in conjunction with BSB and DCAM on how to respond to persons a disabilities entering state buildings using Segways or other power-driven mobility devices.
19. <i>Service Animals in Public Accommodations in Massachusetts</i> : succinct guidance on service animals in places that are open to the public
20. <i>Polling Place Accessibility Survey (2004)</i> : 2004 site survey conducted by MOD of all polling locations throughout the state, as directed by the Secretary of the Commonwealth.



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God Save the Commonwealth