#  Sample Operating Guidelines and Goals for Local Commissions on Disability

The Massachusetts Office on Disability (MOD) recommends that local Commissions on Disability (COD) adopt operating guidelines and goals as internal governance documents to facilitate their operation.

The sample operating guidelines and goals in this document are aligned with the [Massachusetts Disability Commissions law](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8J) (MGL Chapter 40, Section 8J), which establishes administrative requirements for local Commissions on Disability. They are intended to guide local CODs and are for informational purposes only. MOD recommends adapting these guidelines and goals to suit your community’s specific needs.

For more information about CODs, including how to establish a Commission on Disability, please [contact MOD online](file:///C%3A%5CUsers%5Cjeoleary%5CAppData%5CLocal%5CMicrosoft%5COlk%5CAttachments%5Cooa-73a0e357-70aa-48a9-9c95-226cd50d4565%5Cb5bff38e2dc6fe4b032d9f214c9934c7fef79ff2409f6c0b5a99eb61bbe565d3%5Cmass.gov%5CMOD%5CContactUs) or call (617) 727-7440.

## Sample Commission on Disability Operating Guidelines

### Guidance

Operating guidelines are for internal purposes only. This document provides a suggested structure and guidance on factors to consider in establishing operating guidelines and commission goals. Each section includes a brief guidance and an example to encourage local Commissions to consider both:

* All legal requirements outlined in MGL Chapter 40 Section 8J, and
* The needs of your local community

Examples are given using the fictional Anytown, MA that follows a town Select Board form of government. MOD encourages Commissions to use this document as a guiding resource and to adapt it as needed.

### Article I: Title and Purpose

#### Guidance

This section may include the official name and purpose of your Commission. “Commissions” are formally established through a city or town's adoption of MGL Chapter 40 Section 8J. Informal "Committees on Disability" can be established without formally adopting this provision.

#### Example

* The name of the commission is established as the **Anytown** Commission on Disability (“Commission”).
* The purpose of the Commission is to advise **Anytown** on the needs of the local disability community, and how to ensure accessibility and inclusion for people with disabilities in municipal programs, services, and facilities.
* The purpose of this document is to establish principles and procedures for the Commission's governance to ensure clear, consistent, and effective operations. These suggestions guide the Commission's activities and decision-making processes, providing a framework for its governance.

### Article II: Duties

#### Guidance

This section may outline the powers and duties of the COD, in accordance with those outlined in the MGL Chapter 40, Section 8J. Consider your local community’s needs, potential local partners, and membership needs.

Note that formally established CODs may choose to accept, allocate, approve, and expend proceeds from disability parking fines by formally adopting the provisions of [Chapter 40, Section 22G](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section22G). In cities, this measure can be enacted by City Council. In Towns, this can be enacted at a regularly scheduled Select Board meeting or a Town Meeting.

#### Example

* Investigate the obstacles encountered by local individuals with disabilities, encompassing physical and communication barriers.
* Facilitate the efforts of other local established groups, such as the local Independent Living Center, local Emergency Planners, and other related groups, to address the needs of individuals with disabilities.
* Examine and provide recommendations on the policies, procedures, services, and activities of departments and agencies of **Anytown** as they pertain to individuals with disabilities.
* Collaborate with the departments and agencies of **Anytown** to promote maximum involvement of individuals with disabilities.
* Foster public awareness regarding disability issues.
* Offer information, referral, guidance, and advice to individuals, businesses, organizations, and public agencies on disability-related matters.
* Identify and recommend potential Commission members to their appointing authority. The Commission will seek nominations at least one month before making recommendations, ensuring that these nominations represent a variety of disabilities.
* Submit an annual report, which will be included in the **Anytown** report.
* Accept gifts of property, both real and personal, on behalf of **Anytown**, subject to the approval of the Select Board. The Commission will manage and control such gifts.

### Article III: Membership

#### Guidance

This section may include membership guidelines, including the number of Commission members, membership requirements and responsibilities, and term lengths. Note that MGL Chapter 40, Section 8J outlines specific requirements regarding membership.

#### Example

* The Commission shall comprise 5 to 13 members appointed by the Select Board. A majority of the Commission members shall be individuals with disabilities. Additionally, the Commission shall include at least one member who is an immediate family member of a person with a disability and at least one who is an elected or appointed official of **Anytown**.
* To establish staggered terms, the initial members of the Commission shall serve as follows:
	+ Two members for one-year terms,
	+ Two members for two-year terms, and
	+ The remaining members for three-year terms.
* After the initial appointment, all members shall serve three-year terms.
* Members wishing to resign must submit their resignation in writing to the chairperson.
* Attendance is essential. Members who are absent from three regularly scheduled meetings within a calendar year may be recommended for removal by the Select Board, unless the chairperson has excused the absences for valid reasons such as illness, family bereavement, adverse weather conditions, or professional obligations.
* In the event of a vacancy, the Select Board shall appoint a new member to serve the remainder of the term, following the same procedure as the original appointment, and ensuring the membership makeup remains consistent.
* Members may be removed for cause by the Select Board following a public hearing, if requested.
* Members must obtain approval from the Commission and the Select Board before making public statements or engaging in activities on behalf of the Commission.
* All members shall possess full voting rights within the Commission.

### Article IV: Officers

#### Guidance

This section may establish titles and responsibilities for specific officers within the Commission, if desired. Consider your Commission’s goals, duties, and needs.

#### Example

* The Commission's officers will consist of a chairperson, vice chairperson, secretary, and treasurer.
* The Commission will elect officers annually by majority vote.
* A single member may hold multiple offices.
* The officers' duties are as follows:
	+ The chairperson will:
		- Develop the meeting agenda in collaboration with other officers,
		- Preside over all Commission meetings,
		- Appoint subcommittees as necessary, and
		- Authorize necessary expenditures.
	+ The vice chairperson will assume all chairperson functions in their absence.
	+ The secretary will:
		- Maintain records of meeting attendance, minutes, and correspondence,
		- Post notice of all meetings at the Town Clerk’s office at least 48 hours in advance; and
		- Send meeting notices and minutes from the previous meeting to members at least seven days before the next meeting.
	+ The treasurer will:
		- Keep records of all financial transactions,
		- Develop a budget in collaboration with the Commission, and
		- Prepare a financial statement for inclusion in the annual report.

### Article V: Meetings

#### Guidance

This section may establish guidelines for the frequency, agenda, notification, and procedures for Commission meetings. Note that the MGL Chapter 40, Section 8J requires Commissions to have at least ten meetings annually and to keep records of its meetings and actions.

#### Example

* The commission shall convene for regular meetings no fewer than ten (10) times within a calendar year.
* A quorum, necessary for the transaction of business, shall be constituted by 51% of the commission's membership. For instance, in a commission of seven (7) members, a quorum would be achieved with the presence of four (4) members.
* Minutes from each meeting will be reviewed, amended as necessary, and approved by the Commission.
* The chairperson, or any group of three (3) members, reserves the right to call for special meetings.
* Unless specified otherwise in these guidelines, decisions will be reached by a majority vote of the members in attendance.
* Members will receive a notice of meetings at least seven (7) days in advance.
* Meetings will generally follow the guidelines set forth in Robert’s Rules of Order.

### Article VI: Amendments

#### Guidance

Operating guidelines should allow for future amendments to continue to meet the needs of the local community and the COD. MOD recommends establishing guidelines for amending the guidelines as necessary.

#### Example

These Sample Operating Guidelines and Goals of the Commission may be amended during any properly convened meeting with a two-thirds majority vote from the members present. However, this can only occur if a written notice detailing the proposed amendment has been distributed to each member at least fourteen (14) days before the meeting. This advance notice ensures that all members have sufficient time to consider the proposed changes before the meeting where the vote will take place.

## Sample Commission on Disability Goals

### Guidance

This document provides several example goals as a guidance for Commissions on Disability (CODs) to use when establishing their own goals. They are designed to align with the [Massachusetts Disability Commissions law](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8J) (MGL Chapter 40, Section 8J) . Depending on the needs of the community and the expertise of the COD members, the content of these goals and the time frame to achieve them may vary.

The Massachusetts Office on Disability (MOD) advises that new or recently re-established CODs review their goals to determine which can be managed internally and which may require external referrals.

When considering referrals, it is essential to have a clear understanding of "the who, what, and where" to direct individuals seeking assistance. MOD is available to support this process. Potential referral sources include municipal departments, the municipal ADA Coordinator, MOD, or local Independent Living Centers, among others.

CODs should be mindful not to overextend by taking on more goals than they can realistically manage. It is important to leverage the expertise of commission members effectively, and to seek input on COD priorities from the appointing authority and/or other municipal boards and departments.

### Example Goals

#### Ensure municipal services, programs, meetings, and employment opportunities are available and accessible to persons with disabilities.

This involves:

* Collaborating with key municipal staff such as the ADA Coordinator, Selectboard, Mayor, City/Town Manager, Planning Staff, Building Inspector, and Department of Public Works to review regulations, establish priorities, formulate a plan, and set timelines.
* Supporting or leading efforts to evaluate municipal buildings, facilities, and sidewalks for accessibility.
* Assessing municipal services, programs, and activities for physical and communication accessibility, ensuring that policies are non-discriminatory.
* Examining grievance procedures and the dissemination of rights information as they relate to persons with disabilities.
* Identifying and prioritizing necessary actions, particularly those involving significant renovations or extensive projects.
* Staying informed about new programs, services, or construction projects and engaging with relevant parties to ensure they accommodate the needs of people with disabilities.

Examples of these goals in action include:

* Ensuring public meetings are held in accessible locations.
* Educating emergency services, such as police and fire departments, about telecommunication devices for individuals who are deaf or hard of hearing (e.g., TTYs).
* Advising the municipality to ensure town reports, documents, and newsletters are readily available in alternative formats, such as digital, Braille, and large print, upon request for individuals who are blind or have low vision.
* Publicizing announcements about municipal activities across various media platforms, including online, radio, local cable television, and print.
* Encouraging the municipality to provide communication access at meetings and events.
* Encouraging libraries to offer books in digital format, on tape, and in large print, as well as considering mail or home delivery services.

#### Ensure businesses, agencies, and organizations are accessible to people with disabilities.

The COD plays a crucial role in ensuring accessibility and inclusion for people with disabilities in municipal programs, services, and facilities. Examples of this goal in action include:

* Conducting accessibility surveys
	+ The COD can conduct comprehensive accessibility surveys of municipally owned properties, local businesses, agencies, and organizations.
	+ These surveys can focus on both communication and architectural aspects, ensuring compliance with the Americans with Disabilities Act (ADA), the Massachusetts Architectural Access Board’s (MAAB’s) regulations, and other relevant disability laws.
	+ For instance, a Town Hall might be surveyed for wheelchair accessibility, including entrance ramps, wide aisles, and accessible restrooms. If deficiencies are found, the COD could work with their municipality to develop a plan for improvements, ensuring compliance with ADA and MAAB.
* Implementing educational initiatives
	+ The COD can implement educational initiatives for municipal departments, business owners and managers about the needs of individuals with various disabilities, such as mobility, hearing, visual, cognitive, and others.
	+ This could involve hosting workshops or seminars that provide information on how to make businesses more accessible and inclusive. Topics might include how to communicate effectively with customers who have hearing impairments, or how to design a website that is accessible to individuals who are blind or have low vision, or simply an awareness fair.
* Informing local business owners about tax deductions and credits
	+ The COD can inform local business owners about the federal IRS $15,000 tax deduction for barrier removal and $5,000 tax credit for ADA compliance.
	+ Many business owners might be unaware of these financial incentives. The COD could provide information on how to apply for these tax benefits, potentially making it more financially feasible for the business to improve its accessibility.

#### Encourage mobility.

The aim of this goal is to promote accessibility and mobility for individuals with disabilities in public spaces. This involves ensuring that parking lots, on-street parking, and transportation services are accessible and compliant with the Massachusetts Architectural Access Board (MAAB) and Americans with Disabilities Act (ADA) regulations and local bylaws. Examples of this goal in action include:

* Surveying public parking lots for accessible spaces
	+ Collaborate with property owners and the building inspector to assess all parking lots open to the public for accessible parking spaces.
	+ For example, the COD could conduct a survey of all public parking lots, identifying those that lack sufficient accessible spaces. The COD would then work with the property owners and the Building Inspector to ensure these parking lots are brought into compliance with AAB and ADA regulations, as well as local bylaws.
* Reviewing on-street accessible parking and curb cuts
	+ Collaborate with local officials to review the availability and condition of on-street accessible parking and curb cuts. If necessary, advocate for an increase in both.
	+ For instance, the COD could review the current state of on-street accessible parking and curb cuts. If the review finds that there are areas in the city where these are lacking or in poor condition, the COD would work with city officials to increase the number of accessible parking spaces and improve the condition of curb cuts.
* Proposing an ordinance/bylaw for ticketing in privately owned, publicly used parking lots
	+ Advocate for an ordinance or bylaw that allows police to issue tickets for violations in privately owned parking lots that are open to the public. This ordinance or bylaw could also increase fines for violations of accessible parking regulations.
	+ For example, the COD could propose a bylaw that allows police to ticket cars that are parked illegally in privately owned, publicly used parking lots, such as those of shopping centers or private businesses. The bylaw could also include provisions for increased fines for violations of accessible parking regulations
* Evaluating transportation needs
	+ Collaborate with the Regional Transit Authority, Council on Aging, and municipal officials to evaluate and address the transportation needs of individuals with disabilities. This could involve increasing the availability of accessible transportation or implementing new accessible transportation services.
	+ For instance, the COD could work with the Regional Transit Authority and the Council on Aging to evaluate the current state of accessible transportation in the city. If the evaluation finds that there is a need for more accessible transportation options, the COD would work with these entities to increase the availability of such services.

#### Increase accessible, affordable housing.

Examples of this goal in action include:

* Working with the housing authority to increase adaptable and accessible housing
	+ The COD could collaborate with the local housing authority to implement a program that prioritizes accessible housing in their projects. This could involve setting a certain percentage of units in new developments to be fully accessible, ensuring they meet the needs of individuals with various types of disabilities
* Meeting with local builders/developers to encourage the development of accessible and adaptable housing
	+ The COD could organize workshops or seminars with builders and developers to educate them about the importance and benefits of creating accessible housing. The COD could also provide them with resources and guidelines on how to incorporate accessibility features in their designs, such as wider doorways for wheelchair access, visual alarms for the hearing impaired, and tactile indicators for the visually impaired.

#### Provide information and referrals on a broad range of disability issues.

This is a crucial part of the COD’s responsibilities. This section outlines the strategies and methods the COD can employ to disseminate information, raise awareness about disability issues, and provide referrals to individuals and organizations.

* Raise awareness of the COD
	+ The COD should actively promote its mission and services to the community.
	+ For example, the COD could organize a local event for Disability Awareness Month, during which they would distribute brochures and flyers about their services.
	+ They could also write a monthly column in the local newspaper, discussing various disability issues and the work of the Commission.
	+ Additionally, they could appear on local television or radio programs to discuss their initiatives or use social media platforms and the city/town website to reach a wider audience
* Establish a way for people to contact the Commission
	+ The COD should ensure that it is easily accessible to the public. This could be achieved by setting up a website with an email and/or phone number. Alternatively, a specific COD member could be assigned as the contact person.
	+ For example, the COD could designate a "Public Relations Officer" responsible for handling all external communications. The contact information should be shared with MOD and added to their publicly searchable list.
* Develop a file of information
	+ The COD should maintain a comprehensive and up-to-date repository of information related to local disability issues. This could include information on local, state, and federal disability laws, resources for individuals with disabilities, and contact information for other relevant organizations.
	+ For instance, the Commission could create a digital database that includes resources such as a list of accessible local businesses, information on how to request accommodations, and links to state and federal disability resources.

#### Advocate for the rights of individuals with disabilities and disability groups.

For example, the COD could set up a dedicated phone line and email address for this purpose. This contact information should be widely publicized through various channels such as the COD's website, social media platforms, and local community events. More examples of this goal in action include:

* Collaborating with relevant officials and organizations to address and resolve issues
	+ For instance, if a local resident with a disability reports an accessibility issue at a public park, the COD could work with the local parks department to address the issue. This could involve advocating for the installation of wheelchair-accessible paths and facilities.
* Partnering with the Massachusetts Office on Disability (MOD):
	+ This could involve referring individuals to MOD for information and guidance on disability rights laws and architectural access regulations, or inviting MOD to host trainings on disability rights and access
* Working to pass legislation for disability rights,which may include:
	+ Engaging with legislators:
		- COD members can encourage constituents to write to, call, and meet with legislators to discuss proposed laws and policies that impact the disability community.
		- For example, a COD might encourage residents reach out to state representatives to support a bill that increases funding for accessible public transportation.
	+ Testifying at public hearings:
		- CODs can encourage constituents to testify at public hearings to provide firsthand accounts of how proposed legislation will affect people with disabilities.
		- For instance, a resident might testify at a state legislative session about the importance of a bill that requires public buildings to have automatic door openers.

Remember, the COD's advocacy role is crucial in promoting and protecting the rights of individuals with disabilities and disability groups. By actively addressing concerns, collaborating with relevant entities, and leveraging resources like the Massachusetts Office on Disability, the COD can significantly improve the lives of individuals with disabilities in their community.

#### Educate the public about disability issues.

Examples of this goal in action include:

* Developing relationships with local newspapers, TV, and radio stations (start a column or regular show, write press releases about your work, etc.)
* Initiating a disability awareness program in local schools
* Speaking to civic organizations such as the Lions Club, Girl Scouts, Chamber of Commerce, and Rotary
* Holding disability awareness workshops

### Other Considerations

#### Determine the number of people in your community with a disability.

* For example, if you're in a community in Massachusetts, you might refer to the state census figures, which indicate that [12% of the population has a disability](https://data.census.gov/profile/Massachusetts?g=040XX00US25#health).
* For specific data on a community, visit the [Population Vulnerability Map](https://memamaps.maps.arcgis.com/apps/webappviewer/index.html?id=054aa0ab06bd47db9bac91aac56c4296) provided by MEMA. These numbers are based on a very restrictive definition of disability from the American Community Survey.
* The New England ADA Center [published a report based on the 2010 census](https://ne-ada.s3.amazonaws.com/Data%2Bon%2BDisability%2Bin%2BStates%2BCities%2Band%2BSub-Groups%2Bin%2BNew%2BEngland%2B04.12.19.pdf) that used a more inclusive definition based on the World Health Organization model.

#### Conduct a needs survey or hold a public hearing.

* This can help you understand the specific barriers faced by your local disability community.
* For example, you could distribute a survey to households in your community or hold a public forum where residents can share their experiences and suggestions.

#### Contact organizations with similar concerns.

* Reach out to local organizations, such as the Veteran’s Office, Council on Aging, or Special Education Parent Advisory Council (SEPAC). By collaborating on common issues, you can pool resources and knowledge to better serve your community.
* For example, your local Council on Aging might have valuable insights into the needs of older adults with disabilities.

#### Establish an advisory committee or similar group.

* This can help increase support for your initiatives. For example, you might form a "Friends of the Commission" group made up of community members who are passionate about disability issues. This group could help with everything from fundraising to advocacy.

#### Get organized.

* Adopt operating procedures, establish long and short-range goals, and delegate tasks to be accomplished between meetings. For example, you might adopt the operating guidelines provided by MOD as a guide for your own procedures.

Remember, these are just starting points. Each community is unique, and the best approach will depend on specific circumstances and resources. By taking these steps, CODs can help ensure that all members of the community, including those with disabilities, are able to participate fully in all aspects of life.