



Massachusetts Disability Quarterly

A Publication from the
Massachusetts Office On Disability



One Ashburton Place, Room 1305 Boston, MA 02108

Vol. 2
Issue 2

*Full & Equal Participation in All Aspects of
Life by All Persons With Disabilities*

Fall
2016

Accessible Polling Places

David D'Arcangelo



As we enter election season, it is timely to consider polling place accessibility for persons with disabilities. Throughout the years our office has received calls from the public regarding polling place accessibility and has worked to remove barriers. Some of the more common issues have included; accessible vehicle parking, traveling via an accessible route to and from

the polling location, getting into and out of the building where the ballot boxes are located, poll workers and accessibility of machines used to cast ballots. Fortunately, there are several state and federal laws and regulations that protect the right of persons
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with disabilities to vote. In addition to Title II of the Americans with Disabilities Act, Massachusetts state regulations 950 CMR 51:00 are in place to improve access for persons with disabilities and elderly individuals to polling places and the voting process. This state regulation is an implementation of the federal Voting Accessibility for the Elderly and Handicapped Act, 42 USC §§ 1973ee-1973ee-6, and Amended Article 114 of the Massachusetts Constitution and applies to all Massachusetts elections. These regulations, entitled “Polling Place Accessibility for Elderly and Handicapped Voters,” are promulgated by the Secretary of the Commonwealth Elections Division, the agency that oversees elections and voting. Notably, our Massachusetts regulations in most instances exceed the federal requirements for voting and elections.

Other laws include The Voting Rights Act of 1965 (VRA), The National Voter Registration Act of 1993 (NVRA) and The Help America Vote Act of 2002 (HAVA), each of these laws contains provisions relevant to the voting rights of people with disabilities.

Citizens of the Commonwealth have long held voting and elections in very high esteem. The act of voting is a fundamental right of every citizen and I encourage people of all abilities to take part in our electoral process this season.

We Are Going Paperless!

We are pleased to inform you that we will be switching to an economical and environmentally-friendly format for our newsletter and going paperless starting with our next issue. You will be receiving an email alert when our Winter 2016-2017 issue is available electronically. You can view archived issues of Massachusetts Disability Quarterly at: www.mass.gov/mod/newsletter.

If you would like to be removed from the email list for future newsletter alerts, or need to request an alternative format as a reasonable accommodation, please email mod-info@state.ma.us or call 617-727-7440. Thank you for reading!

Interns Wanted

The Massachusetts Office on Disability is looking for talented interns on an ongoing basis. Please contact MOD for more information 617-727-7440.

MOD Goes “On the Road” in Western Mass

Rita DiNunzio

MOD took it's first road trip this past July. Staff representing each unit within MOD travelled out to Western Mass to hold a series of trainings and outreach activities. Both staff and participants reported a positive experience.

Trainings included “Sidewalks & Curb Cuts” and “ADA Training for Municipalities” for the City of Pittsfield, “How to Perform a Site Survey” at the STAVROS Independent Living Center in Springfield, and “Disability Laws and Higher Education” for staff and faculty from several MA higher education institutions which was held at Western New England —Continued on Page 4



Top: David D’Arcangelo, Director and Evan Bjorklund, General Counsel, with Berkshire Arc staff; Bottom Right: Jeffrey Dougan, Assistant Director, conducts curb cut training in Pittsfield; Bottom Left: Rita DiNunzio, ADA Training Manager and Evan Bjorklund deliver Disability Laws and Higher Education Training at Western New England University.

Outreach by the MOD Director and staff was conducted at Pittsfield and Springfield MA Rehabilitation Commission (MRC) Offices, Berkshire Arc, Ad Lib Independent Living Center, and Center for Human Development. The trip concluded with a Commission on Disability meeting in Springfield.

MOD is grateful to the cities of Springfield and Pittsfield and the many organizations who hosted and assisted with the planning of these activities and made us feel most welcome. We look forward to sharing future MOD On the Road plans with you.

Introducing DaLonn

DaLonn Pearson

I am thrilled to have recently joined MOD as the Emergency Preparedness Training Coordinator, where I am focusing on providing Emergency Preparedness (E.R.) for persons with disabilities trainings throughout the Commonwealth.

What makes me qualified for this position? From a young age, I had to learn to adapt to any type of situation. I grew up in New Haven, CT and was one of nine children. I moved to Massachusetts twelve years ago and joined the A Better Chance program. I graduated from Springfield College and have since made Massachusetts my home. This is a great state and there is no shortage of places to see and things to do. I currently live in Winchester.

Prior to working at MOD, I was the Director of Youth, Family and Teens at the YMCA where I worked with kids with various disabilities including Autism, Down Syndrome and learning disabilities. I was rewarded with the greatest feeling—the feeling of helping people and making a difference. This instilled in me a strong passion for working with people with disabilities. And here I am today, highlighting state resources, increasing first responder attendance in my trainings, and providing an Emergency Go-Bag containing key items that will assist during an emergency.

After attending one of my E.R. trainings, people will start to create an emergency preparedness plan, build a kit, and feel better

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prepared in case of an emergency. What I love most about the E.R. training is connecting with the participants. I love to stay after to talk with them and see what else it is I can do. A lot of times, they just want to know about me, just as much as I want to know about them. Then it's on to the next training, such a rewarding feeling.



I look forward to getting to know everyone in the community and appreciate this opportunity to be serving the Commonwealth and helping people who need us most.
Sincerely,
DaLonn Pearson

Jeffrey's Access Corner: Recreational Boating Facilities

Jeffrey Dougan

Although the summer is coming to a close, I wanted to spend some time discussing Recreational Boating Facilities. Specifically, the requirements under the 2010 ADA Design Standards (2010 Standards) with regards to the access that is required to the various slips and boating amenities.

Now for a little history with respect to the building requirements associated to the Americans with Disabilities Act. While most items found in the 2010 Standards are triggered when there is new construction or an alteration done to an existing facility, the new revision provides updates to the 1991 Standards as well as including new areas of coverage. For example, golf courses, detention facilities, swimming pools, and of course, recreational boating facilities are items that were not covered in the 1991 Standards but are now covered in the 2010 Standards. Since these requirements are new, a municipality would need to ensure that these facilities offer programmatic access and remove
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appropriate barriers people with disabilities face; or a business would need to ensure any barriers faced at these types of facilities are removed as they become readily achievable to do so.

The recreational boating facilities requirements should not be confused with requirements for passenger born vessels or ferry docks which is something the US Access Board is considering. Since recreational boating facilities can vary greatly depending on size of the actual facility, what boats the facility can accommodate, and the body of water the facility is located, we are going to focus on some of the basics.

Section 1003.2 of the 2010 Standards requires an accessible route to the boat slips, including gangways and the floating piers. The basic requirement is to provide an accessible gangway (with some exceptions) to the slips that are provided. The exceptions, due to the complexity of making gangways accessible, allow for some deviations regarding the length, running slope, landings, and certain changes in level. For example, a standard ramp would require a landing after a maximum rise of 30 inches (or 30 feet in length if the slope is 1:12). Gangways are allowed to have a longer run (length) without the provision of a landing every 30 feet. Another example is a standard ramp has a maximum running slope of 1:12 (8.33%). Gangways are required to have this slope, at least at mid-tide, but the 1:12 (8.33%) slope can be exceeded if it would require a gangway that exceeds 80 feet, basically requiring a gangway to not have to exceed 80 feet in length. There are some other exemptions that would determine the maximum length of the gangway, based on existing structures, number of slips provided, and disproportionate cost.

Section 235.2 of the 2010 ADA Standards sets the number of accessible slips that would be needed based on the number of slips provided at the facility. For example, if there were between 151 and 300 slips provided at a facility, there would need to be 5 accessible slips. Accessible slips, under Section 1003 of the 2010 Standards require pier space of 40 feet in length with a width of 60 inches. The width of the accessible route to the accessible slips

can be reduced to 36 inches but only for a distance of 24 inches. Any of the outlets or connections at the accessible piers must provide the appropriate reach ranges. At this point, edge protection is not required, but if provided, it would need to be 4 inches in height.

The accessible slips, according to Section 235.2.1 of the 2010 Standards, must be dispersed throughout the various types of boat slips provided. Various types of slips may consist of covered or uncovered, shallow water or deep water, short term or long term lease, or other features like electricity, water or cable connections.

There are also requirements, under Section 1003.3.2 of the 2010 Standards for boarding piers at boat launches. This section requires a clear pier space of 60 inches wide and that clear pier space shall extend for the full length of the boarding pier; with some exceptions. The length of the boarding pier is determined by what other boarding pier lengths are at that location, or if none exist, what the length would be if no access requirements applied. The entire length would need to comply with the same standards that apply to boat slips.

If you would like more information, you can visit www.ada.gov for additional guidance or feel free to contact me at jeff.dougan@state.ma.us or 617-727-7440.

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Room 1305
Boston, MA 02108

Published by the Massachusetts Office on Disability.
Executive Editor, David D’Arcangelo; Copy Editor, Rita DiNunzio.

Fall 2016 Calendar

September

2, Friday

WWII Commemoration Day

5, Monday

Labor Day

16, Friday

MOD 2016 Disability Summit

POW/MIA Day

16-18, Friday-Sunday

Abilities Expo Boston

18-24, Sunday-Saturday

Cystic Fibrosis Week

21, Wednesday

Myositis Day

24, Saturday

Eunice Kennedy Shriver Day



October

**Disability History Month,
Head Injury Awareness
Month, National Disability
Employment Awareness
Month**

4, Sunday

Independent Living Center
Day

2-8, Sunday-Sunday

MA Employ Persons with
Disabilities Week

10, Monday

Columbus Day

15, Saturday

White Cane Safety Day

19, Wednesday

ADA Title I & II Training,
Medford

25-26, Tuesday-Wednesday

MOD Community Access
Monitor Training, Chicopee

November

10, Thursday

U.S. Marine Corps Day

11, Friday

Veterans Day

24, Thursday

Thanksgiving Day

You Are Invited to Summit 2016: *Employment*

Date: Friday, September 16, 2016
Time: 8:30 AM—12:30 P
Location: Boston Convention & Exhibition Center,
Room 258BC
415 Summer Street, Boston, MA 02210

Network and hear from researchers, employers, and more.
Continental Breakfast, Live Entertainment, Free & Open to the
Public.

RSVP & accommodation requests to —

Phone: 617-727-7440

Email: MOD Events@MassMail.State.MA.US

Link to web registration at:
www.mass.gov/mod/summit2016.

This is a scent-free event.

2016 DISABILITY SUMMIT

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Contact MOD

Phone: 617.727.7440

Toll Free: 800. 322.2020

Fax: 617.727.0965

Web: mass.gov/mod



blog.mass.gov/mod



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