

CHAPTER 3

COMMUNICATION ACCESS REQUIREMENTS

Departments and agencies of the State of Hawaii shall ensure that people with communication disabilities are provided a means of communication that is as effective as that provided to people without disabilities.

This commitment is reaffirmed in Governor's Executive Memorandum 06-02.

☞ *Refer to ATTACHMENT D for the Governor's Administrative Directive No. 97-02: Communication Access for Persons with Disabilities to Programs, Services, and Activities of the State of Hawaii.*

Departments and agencies of the State of Hawaii must provide effective means of communication to people who have visual, hearing, speech, or cognitive disabilities. Communication support must be provided in a manner that enables people who have disabilities to participate on an equal basis with all others, unless to do so would result in a fundamental alteration to the program or activity, or would result in an undue financial or administrative burden.

In order to ensure effective communication, state departments and agencies are required to make available appropriate auxiliary aids and services upon the request of a qualified person with a disability.

State departments and agencies may not charge individuals with disabilities for the cost of providing communication access. They must build into the budget for the program, service, or activity the costs of auxiliary aids and services such as sign language interpreters, Braille, etc., by spreading the costs to all participants. (Refer to Section 2.3 on Surcharges for more information.)

EXAMPLE: The Department of Taxation offers a free workshop for the public on new tax regulations. A person who is deaf wishes to attend the workshop and requests a sign language interpreter for the hour-long session. The cost of the sign language interpreter is \$45. The Department may not charge the person who is deaf for the cost of the sign language interpreter.

EXAMPLE: If the same workshop held by the Department of Taxation (mentioned in the example immediately above) costs \$10 for all participants, then the person who is deaf can be required to pay the same \$10 as everyone else, but no more. The cost of providing the sign language interpreter can be

built into the overall cost, perhaps by increasing the registration fee for all participants to \$12.

Auxiliary aids and services include a wide variety of equipment, materials, and personal services that may be used to provide effective communication for people who have visual, hearing, speech, or cognitive disabilities.

3.1 How to choose the type of auxiliary aid or service

Departments and agencies must provide an opportunity for individuals who have disabilities to request the auxiliary aids and services of their choice and must give “primary consideration” to the choice expressed by the individual. “Primary consideration” means that the state department or agency must honor the choice, unless it can demonstrate that another equally effective means of communication is available, or that using the means chosen would result in a fundamental alteration in the service, program, or activity or in an undue financial or administrative burden.

After receiving a request, departments and agencies should consult with the individual making the request to determine the most appropriate auxiliary aid or service. The individual who has a disability is most familiar with his or her disability and is in the best position to determine what type of aid or service will be effective. What works for one person who has a disability may not work for another person with the same disability.

EXAMPLE: An individual who is deaf from birth or who lost his or her hearing before acquiring language may use sign language as his or her primary form of communication and may not be comfortable or proficient with written English, making the use of a notepad an ineffective means of communication. On the other hand, an individual who lost his or her hearing later in life may not be familiar with sign language. For that person, effective communication may be through writing.

EXAMPLE: An individual who is blind from birth and learned to use Braille may find that materials in Braille format are easiest to read and comprehend. The individual may or may not have enough residual vision to read large print materials. On the other hand, an elderly person who has slowly lost vision may have never learned Braille. For that person, a Braille transcript may be useless. Large print or audio tape may be more appropriate.

In deciding upon the type of auxiliary aid to be provided, the department or agency must take into consideration a number of factors:

- Duration (length of time) of the communication is a factor. Longer, more detailed exchanges often require more powerful and faster modes of communication.
- The context in which the communication is taking place is a factor. Communication during a workshop may be different from a one-to-one over-the-counter transaction where the communication can be slowed to a comfortable pace or where repetition is easier. Environmental conditions, such as the difference between a structured office setting and an outdoor recreational setting will influence the effectiveness of the communication.
- The number of people involved is a factor. Communication techniques that are effective between two people might not work well in a group context due to the difficulty of understanding multiple simultaneous conversations.
- The importance of the communication is a factor. Some communications, such as those involving legal, financial, health and safety issues, are more important than others and should be provided in ways that guard carefully against errors, omissions and misunderstandings. In all circumstances, the importance of the communication, the potential impact of the information, and the consequences of conveying incorrect information should be taken into consideration. Providing information on a person's delinquent tax payments has more financial and legal impact and consequences to a person than directions to the nearest bus stop.

In general, the longer, more complex and important communications require more analysis on the part of the department or agency to ensure that the highest and most effective communication has been provided.

EXAMPLE: A person who is hard of hearing goes to the Department of Labor and Industrial Relations seeking job assistance. He or she may be able to understand one-to-one conversation in a quiet office setting by lip-reading and paper and notepad when asking for enrollment forms in a jobs program. However, once in the job skills class, he or she may not be able to lip-read adequately in a group setting, in which case a sign language interpreter or computer-assisted notetaker, or other assistive listening device may be needed.

EXAMPLE: A person who is deaf is having lunch in the cafeteria of a hospital of the Hawaii Health Systems Corporation while visiting the hospital to discuss medical treatment options. The person is unable to lip-read and generally communicates in sign language. For short exchanges with cafeteria employees, a pen and paper or expressive gesturing may be enough to ensure effective communication. Providing a printed menu or menu with pictures would also ensure effective communication. When the person visits a physician to discuss medical treatment options with a team of doctors, the importance of the material being communicated indicates that an interpreter is most likely needed.

3.2 Auxiliary aids and services for people who are deaf, hard of hearing, or deaf-blind

If a program or service provided by the State of Hawaii transmits or gives out information in audio or verbal format, it may be necessary to provide an alternate format for a person who is deaf or hard of hearing.

Keep in mind that the type of auxiliary aid or service will depend on the individual's preferred mode of communication. A person who is deaf or hard of hearing should be able to communicate with others as effectively as others participating in the program or service.

☞ *Refer to ATTACHMENT E for communication tips with individuals who are deaf, hard of hearing, or deaf-blind.*

Providing effective communication may require auxiliary aids or services. Examples of auxiliary aids or services for people who are deaf or hard of hearing include, but are not limited to:

- qualified interpreters
- notetakers or computer-assisted notetakers
- written material
- real-time transcriptions or video text displays
- amplified and hearing-aid compatible telephones
- assistive listening devices

- open or closed-captioning
- caption decoders
- TTYs (teletypewriters), TDDs (telecommunication devices for the deaf) or TT (text telephones)

Several chapters and their corresponding attachments in this Manual provide more information on the above examples. In particular, Chapter 8 provides information on communication relating to the phone service; Chapter 9 provides information on auxiliary services; Chapter 11 provides information on audio and audiovisual communications, and Chapter 12 provides information on site accessibility, including provisions for people who are deaf and hard of hearing.

3.3 Auxiliary aids and services for people with visual impairments

If a program or service provided by the State of Hawaii transmits or gives their information in printed or written format, it may be necessary to provide an alternate format for a person who has a visual impairment. In addition, if participation in a program or service requires navigation and sight, assistance may also be necessary.

Keep in mind that the preferred auxiliary aid or service will depend on the individual's preferred mode of communication.

Auxiliary aids and services for people who have visual disabilities include, but are not limited to:

- print information provided on tape cassettes, on computer diskettes, in Braille and in large print, or read by skilled readers;
- verbal descriptions of action and visual information to enhance the accessibility of performances and presentations;
- a staff member serving as a guide to enable a person who has limited vision to locate items or to find his or her way along an unfamiliar route.

Providing a reader does not mean that it is necessary to hire a full-time person for this service. The responsibilities of a reader may often be fulfilled by an employee who performs other duties; alternatively, a free-lance reader could be hired on an hourly basis. However, a reader for a person who is visually

impaired must read well enough to enable the individual to effectively participate in the program or service. It would not be an effective auxiliary aid to provide a reader with poor reading skills. This would hinder the participation of the individual who has a disability.

EXAMPLE: A person who is blind goes to the Department of Taxation and requests assistance with tax forms. The person may find that having a staff person read the instructions to determine which forms are appropriate is sufficient to determine what forms to take home. However, when the person needs instructions on how to fill out the form and calculate figures, informal reading may not be enough. Large print, Braille, or audiocassette instructions, as appropriate to the person's skills, would likely be needed.

When choosing to put materials in an alternate format, several options can be undertaken.

Several chapters and their corresponding attachments in this Manual provide more information on the above examples. Of particular importance to serving individuals who are blind or who have low vision, Chapter 4 provides information on printed materials, Chapter 5 provides information on announcements and publicity materials, and Chapter 12 provides information on site accessibility, including provisions for individuals who are visually impaired.

3.4 Auxiliary aids and services for people who have cognitive disabilities

Individuals with cognitive disabilities, a broad term covering a variety of conditions including mental retardation, head injury, mental illness, and learning disabilities often have difficulty processing information which is complex or not presented in an easily understood manner. The key to providing effective communication is often to utilize a communication style which is easy to understand, although it is not always possible to have the person understand all of the information presented, if their disability limits their mental processing. However, every opportunity should be made to ensure that information is understood, and that may mean providing an auxiliary aid or service.

- readers
- communication assistants
- rewording of information to use clear and concise language or repetition

- pictograms
- graphic presentation of information

3.5 Auxiliary aids and services for people with speech impairments

Providing information, either in print or written format, is not usually a communication barrier to people with speech impairments, unless there is another disability also present. A person with a speech impairment has difficulty sending, not receiving information. The auxiliary aid or service is intended for the receiver of information, usually the staff of a state program or service, to understand the communication contents of the person with a speech impairment.

The most effective auxiliary aid or service for a person with a speech impairment is usually:

- written material
- more active and acute listening on the part of the listener

Often, a person with a speech impairment who knows that his or her speech may be difficult to understand will choose to put as much communication in writing. If that is not possible, then other options are:

- communication assistants who are familiar with the individual's speech pattern and who repeat the context of the individual's statement in clear voice
- notetakers
- typewriters or other devices such as TTYs, TDDs, or Text Telephones used also by individuals who are deaf or hard of hearing

CHAPTER 4

PRINTED INFORMATION

Virtually all departments and agencies of the State of Hawaii prepare materials in printed format. The printed information may describe the type of programs and services offered, eligibility benefits, general promotional information, data and statistics, location of programs and services, phone numbers, and other information.

The printed information may include brochures, fact sheets, newsletters, press releases, annual reports, master plans, or other similar documents.

EXAMPLE: The Department of Taxation prepares brochures for taxpayers to understand the requirements on filing state income taxes.

EXAMPLE: The Department of Business, Economic Development, and Tourism prepares an Annual Statistical Report accumulating data profiling Hawaii's population.

EXAMPLE: The Department of Health develops literature on HIV prevention and aggressively distributes the brochures to health centers, clients, and the general public.

EXAMPLE: The Office of Information Practices, Office of the Lieutenant Governor, issues public opinions regarding the state disclosure law. The opinions are open to the public, upon request.

When departments and agencies offer printed information to the public, the information must be made available in an alternate format (e.g., Braille, large print, audiocassette tape or electronic), if requested, for use by a person who is not able to read the printed format.

Remember that simply reading some information aloud to a person may be enough to communicate the information written on a paper. If this is satisfactory to a person with a visual impairment, then producing the document in alternate format may not be necessary. However, if the document is provided in writing to the public and if the person wishes it in alternate format, then the department or agency is obligated to provide it.

All materials do not have to automatically be made available in an alternate format, if no request is made. However, you must know how to obtain the alternate format and be willing to do so for a person when requested. You should not convey an attitude

that the request is either unwarranted or an imposition. Also, it is not appropriate to question the legitimacy of a request for alternate format, nor to ask the user to provide proof of documentation of his or her inability to read standard print prior to fulfilling the request for alternate format.

If your department or agency is sponsoring an event (e.g., a workshop, conference, training session, tour, open house) you should determine several weeks ahead of time what printed materials will be used as part of the event. Arrangements should be made to provide those materials in an alternate format, if requested, as the time period may be limited.

Finally, remember that you may not charge a person who has a disability the cost of producing the material in an alternate format. That is considered a surcharge which is not permissible (see Chapter 2.3). You may charge the same cost for the alternate format material that you charge anyone else for the equivalent amount of printed information.

Alternate format may take several forms. The most common are large print, Braille, audiocassette tape, and computer diskette/electronic. Each alternate format is different and described below.

4.1 Large print

Large print is an appropriate format for many people with low vision who still have some residual vision. It is also a relatively easy format to produce by altering the computer font size and format, if the original document was generated on the computer.

+ *Refer to ATTACHMENT F for guidelines for producing materials in print format.*

4.2 Braille

Braille is also an appropriate format for some people who are blind. Although only a small percentage of people who are blind are Braille readers, for those who have learned to read Braille, it is highly efficient and desirable. Many people who are born blind have learned Braille since their youth and are as adept and fast at reading Braille as a person who is sighted reading printed materials. Braille readers can also skim material similar to a sighted person skimming printed material. Material in Braille format is also desirable when a reader who is blind would like to have the document for later reference. Producing materials in Braille usually requires special equipment, training, and additional preparation time.

- + *Refer to ATTACHMENT G for guidelines for producing materials in Braille.*

4.3 Audiocassette tape

Audiocassette tape is often the most efficient alternate format to produce by a department or agency. It is also useful for individuals who have little residual vision and for whom large print is still difficult or who have never learned to read Braille. Producing materials on audiocassette tape can usually be done in-house, with a modest amount of preparation and common sense, by an individual with an easy-to-hear, non-monotone voice and sufficient time to tape in a quiet location. Audiocassette tape format has the advantage of being easy to listen to by the user, much as a person would listen to information via a radio. However, audiocassette tape may not be as easily skimmed by the listener, who may have to listen to an entire tape before finding the most useful sections to him or her.

- + *Refer to ATTACHMENT H for guidelines for producing materials on audiocassette tape.*

If you make an audiocassette tape for use onsite, make sure that you provide a portable cassette machine with earphones available on loan so that the person is able to listen to the tape thoroughly without disturbing other attendees.

4.4 Computer diskette/electronic

A computer diskette with materials in ASCII or other format requested by the person who has a disability can be provided to the person prior to an event. Then the person is able to prepare his or her own materials in the format he or she prefers.

If materials used are computer-generated, there is also the option of emailing it ahead of time. The option should be offered to the person who is blind or visually impaired. This enables the person to review materials ahead of time in a format that is his or her preference.

**CHECKLIST
FOR ENSURING PRINTED LITERATURE
IS ACCESSIBLE**

YES NO

___ ___ Arrangements have been made to translate printed materials into large print format, if requested.

+ *Refer to ATTACHMENT F for guidelines for producing materials in print format.*

___ ___ Arrangements have been made to translate printed materials into Braille, if requested.

+ *Refer to ATTACHMENT G for guidelines for producing materials in Braille.*

___ ___ Arrangements have been made to translate printed materials onto audiocassette, if requested.

+ *Refer to ATTACHMENT H for guidelines for producing materials on audiocassette tape.*

___ ___ If YES, arrangements have been made to have cassette player with an earphone available, on loan, to listen to the tape.

___ ___ Arrangements have been made to provide materials to the participant on a computer diskette or via email, depending on the person's preference.

CHAPTER 5

ANNOUNCEMENTS AND PUBLICITY MATERIALS

If you are hosting an activity or event (e.g., a tour, open house, workshop, or conference) you may often have an announcement or publicity flyer which invites the public to participate or attend the activity or event. Remember that the State's obligation to provide access is the same whether the State is the sole sponsor or a co-sponsor of the activity or event.

Your activities or events may come in many different forms or shapes. Some may have a registration while others may not. Some may charge a fee while others may not. Some may simply invite the public to provide comment on an activity or document which the department or agency is making available to the general public.

EXAMPLE: The Department of Land and Natural Resources conducts public hearings when it proposes to amend its administrative rules relating to charging fees for use of state parks.

EXAMPLE: The Office of the Governor conducts public town meetings for the purpose of the Governor answering questions from constituents.

EXAMPLE: The Department of Transportation holds public meetings to receive citizen input about a proposed highway realignment in a specific neighborhood.

EXAMPLE: The Department of Hawaiian Home Lands sponsors a public hearing to inform interested persons of a new housing project and eligibility criteria for application.

EXAMPLE: The Hawaii Community Development Authority attached to the Department of Business, Economic Development, and Tourism sponsors a public meeting to inform the Kaka'ako community of a proposed master plan for the development of new housing and commercial properties.

Announcements, brochures, and publicity materials will play an important role in determining how accessible your activity or event is for people with disabilities. Your announcements will be the primary means by which you inform people with disabilities that you welcome them as part of your audience and are willing to assist in making the activity or event more accessible. Your announcements and other publicity materials need not contain a full description of all the accessibility features of the activity. They merely need a statement to alert attendees that you have taken

accessibility into consideration and then provide the name of a follow-up contact person and accessible phone number (by voice and TTY).

☞ Refer to ATTACHMENT I for sample statements for announcements and publicity materials.

Printed information should ensure maximum readability for individuals who are blind or who have low vision.

☞ Refer to ATTACHMENT F for guidelines on producing materials in print format.

Your announcements should contain your phone number. Ideally, your phone number should be accessible by a TTY for individuals who are deaf, hard of hearing, or speech-impaired. If you do not have a TTY, ensure that your staff are knowledgeable as to how to receive an incoming phone call from a person using the Telecommunications Relay Service (TRS) or Video Relay Service (VRS).

☞ Refer to ATTACHMENTS J and K for information on telephone communication devices and the TRS.

Remember that all the guidelines in Chapter 4 also apply if you have a request for alternate format for your printed materials.

**CHECKLIST FOR ENSURING
ANNOUNCEMENTS, BROCHURES, AND PUBLICITY
ARE ACCESSIBLE TO PERSONS WITH DISABILITIES**

YES NO

___ ___ Appropriate wording has been used to inform attendees that requests on the basis of disability can be arranged.

☞ Refer to ATTACHMENT I for sample statements for announcements and publicity materials.

___ ___ The phone number on the announcements, brochures, and publicity materials is accessible via a TTY with a TTY number listed.

___ ___ If YES, staff is knowledgeable on how to use the TTY.

☞ *Refer to ATTACHMENT J for information on telephone communication devices.*

____ ____ If NO, staff is knowledgeable on how to use the Telecommunications Relay Service (TRS) or Video Relay Service (VRS).

☞ *Refer to ATTACHMENT K for information on how to use the Telecommunications Relay Service (TRS) or Video Relay Service (VRS).*

____ ____ The announcements, brochures, and publicity materials are typeset for easy reading.

☞ *Refer to ATTACHMENT F for guidelines on producing materials in print format.*

CHAPTER 6

REGISTRATION FOR ACTIVITIES OR EVENTS

When hosting an event, such as a conference, workshop, tour, etc., you may have a registration process (usually a form) for enrollment.

EXAMPLE: The Department of Taxation sponsors a one-day seminar on the tax code only for Certified Public Accountants. A registration fee is charged and pre-registration is required.

EXAMPLE: The Department of Business, Economic Development, and Tourism sponsors an exhibit and exposition on new business opportunities for people interested in starting their own business. There is no registration fee, but registration is required.

Although the primary reason for registration is usually to control the capacity of the attendance and to collect registration fees, if applicable, your registration process will also be the key to a successful accessible event. You will be able to use the registration form to obtain specific information regarding the needs of your audience. Knowing your audience is the one way you can successfully plan for their needs. The registration form offers an opportunity for someone with a disability to identify in advance personal needs for assistance or accommodation.

The registration form is an opportunity to obtain the following information:

- If any participant needs materials in an alternate format
- If any participant requires a sign language interpreter or other communication access service
- If any participant requires auxiliary personnel for mobility, eating, or other assistance
- If any participant has special dietary needs
- If any participant needs accessible parking
- If any participant has any other needs relating to his or her disability

Advance registration forms are highly encouraged for events even if you have no registration fee, in order to avoid unanticipated, last minute, or on site requests for

assistance. Remember, however, that you cannot require advanced registration solely for people with disabilities who have requests for accommodations or auxiliary aids or services, because that would establish discriminatory eligibility criteria. If you have an advanced registration process, you must ask all your attendees to register.

Your registration forms should be developed with the same consideration for alternate formats as previously mentioned for printed information in Chapter 4.

☞ *Refer to **Chapter 4** for information to ensure that the printed announcements or publicity materials are accessible.*

Ideally, your registration form should also contain your TTY number. Your registration form should ask the participants to list their phone number so that your staff is able to make a follow-up call to the person and confirm that the request has been received and will be honored appropriately. It is also an opportunity to find out if an option other than the one requested on the form is appropriate.

The wording on your registration form should be more specific than the wording on your general announcements or publicity materials.

☞ *Refer to **ATTACHMENT L** for sample statements for registration forms.*

**CHECKLIST FOR ENSURING
THE REGISTRATION PROCESS IS ACCESSIBLE**

YES NO

___ ___ Appropriate wording has been used to inform attendees that requests on the basis of disability can be arranged.

☞ *Refer to **ATTACHMENT L** for sample statements for registration forms.*

___ ___ The phone number on the registration form is accessible via a TTY and has that TTY number listed.

___ ___ If YES, staff knows how to use the TTY.

☞ *Refer to **ATTACHMENT J** for information on telephone communication devices.*

___ ___ If NO, staff knows how to use the Telecommunications Relay Service (TRS) or the Video Relay Service (VRS).

☞ *Refer to ATTACHMENT K for information on how to use the Telecommunications Relay Service (TRS) or Video Relay Service (VRS).*

___ ___ The registration form is typeset for easy reading.

☞ *Refer to ATTACHMENT F for guidelines for producing materials in print format.*

CHAPTER 7

CATERING OR BANQUET SERVICES

The State of Hawaii often includes catering of banquet food service as a part of the program, service, or activity conducted. Food service may include formal meals as well as informal receptions and offering of refreshments.

EXAMPLE: The Office of the Governor sponsors a reception for a business group at Washington Place. At the reception, in addition to some speeches, pupus are served in a long banquet-style line for all participants to enjoy.

EXAMPLE: The Department of Accounting and General Services and the Department of Education hold a groundbreaking ceremony for the construction of a new school. The groundbreaking ceremony consists of presentations as well as refreshments for all invited public officials, the media, and affected community members.

EXAMPLE: The Department of Agriculture hosts a conference. During the conference a sit down luncheon is provided to all attendees as part of the registration fee.

If a department or agency is hosting an activity which will involve food as a part of the program or activity, attention should be paid in the planning to respond to the needs of a person who has a disability. If the activity is a conference, workshop, or training activity with a registration form, the relevant information on an individual's need due to a disability should be made known through the registration process identified in Chapter 6. However, not all catering or banquet services are for events which have a registration form. In those instances, you must be prepared to respond to onsite requests by making the proper contingency plans ahead of time in the event that a request is made.

The manner in which food is served at meals or breaks can affect the participation level of many individuals who have disabilities. If people who are blind or have low vision or have mobility impairments attend your activity and a meal is provided, a sit-down, rather than buffet-style meal should be discussed with the catering service, since standing in lines and serving food is difficult. However, if a buffet is planned, arrangements should be made to provide assistance in selecting food and carrying plates for persons having limited manual dexterity or stability in carrying food. Also, banquet and catering staff should be appropriately informed ahead of time if individuals who are blind or who have limited manual dexterity request that their food be cut into smaller portions.

Some people who have disabilities, particularly those with chronic health conditions, have dietary needs, and arrangements should be made with the catering staff to provide special meals (e.g., low sodium, sugar-free, salt-free food), if requested.

**CHECKLIST FOR ENSURING
CATERING OR BANQUET SERVICES ARE ACCESSIBLE**

YES NO

- Arrangements have been made to provide assistance in selecting food, and/or carrying plates in a buffet-style arrangement, if requested.

- Arrangements have been made to inform banquet and catering staff of special food or dietary needs, if requested.

CHAPTER 8

PHONE SERVICES

Many departments and agencies provide customer service over the phone. The nature of the “customer service” may vary, including providing information, applying for programs or benefits, registering for events, or reporting information. The “customer” may be a specific group of individuals eligible for the program or service, vendors who conduct business with state departments or agencies, or the public at-large.

Since phone services customarily rely upon transmitting information in spoken or oral format and receiving information in aural or auditory format, the phone is not an accessible means of communication for people who are deaf, hard of hearing, or who have speech difficulties, if a TTY is not available. Use of a TTY or the Telecommunications Relay Service (TRS) ensures accessible phone services.

TTYs (Teletypewriters)

TTYs are also known as Text Telephones or Telecommunications Devices for the Deaf (TDDs). The preferred terminology among the deaf community is “TTY.”

A TTY is a device, which is used in conjunction with a phone, which permits a person who is deaf, hard of hearing, or speech impaired to type messages, which are sent electronically by means of the phone line to the receiver on the other end. The recipient must also have a TTY in order to receive the message on a screen or tape. A TTY is the most direct and effective means of communicating via the phone for a person who is deaf, hard of hearing, or speech impaired because it allows direct communication without the need for an intermediary.

Every program or service, which has a TTY, should ensure that its staff is trained in how to use the TTY to receive an incoming call and place an outgoing call. If training is necessary, departments and agencies may contact the Disability and Communication Access Board.

 Refer to **ATTACHMENT J** for information on telephone communication devices.

Telecommunications Relay Service (TRS)

Sprint Hawaii operates a relay service in which a communications assistant serves as an intermediary between a TTY user and a voice user. The Telecommunications Relay Service (TRS), in many circumstances, can provide a means for

communication. Every program or service which has public phone access must ensure that all employees who use the phone know how to use the TRS to initiate an outgoing call or receive an incoming phone call, especially if there is no TTY available.

With advances in technology, deaf people are choosing to use Video Relay Services (VRS) more than the TRS. With the VRS, the deaf person communicates via a sign language interpreter instead of a communication assistant who uses a TTY. The sign language interpreter voices for the deaf caller to the hearing person receiving the phone call, and signs what is said to the hearing person on the call. Using the VRS is a faster and easier way for the deaf person to use the phone. It has become more popular in the past few years.

 Refer to **ATTACHMENT K** for information on how to use the Telecommunication Relay Services (TRS) or Video Relay Service (VRS).

8.1 Emergency services

Some phone contact within departments or agencies of the State of Hawaii are considered emergency in nature. Those programs must ensure that contact with people who are deaf, hard of hearing, or speech impaired is direct through the use of a TTY. Use of the TRS is not appropriate for an emergency service.

EXAMPLE: The Hawaii Health Systems Corporation provides emergency room services at its hospitals. One means of accessing the emergency room services is by phone. A TTY would be required to ensure accessible communication.

EXAMPLE: The Department of Transportation, Highways Division, operates an emergency response road system for persons to report highway emergencies. A TTY at the receiving end of the calls would be required to ensure accessible communication.

8.2 Hot lines and other “special lines”

Some phone services conducted by departments and agencies of the State of Hawaii are hotlines, customer complaint lines, or other special lines which are designated for a specific purpose to receive or impart information by an employee with knowledge on how to respond to the inquiries. These phone lines may be accessed through the TRS, although it is highly recommended that programs give serious consideration to the placement of a TTY in those offices due to the confidentiality of the information conveyed or the importance of having a timely response.

EXAMPLE: The Department of Human Services operates a hotline for reporting suspected child abuse and neglect. Social workers are trained to respond to the calls as soon as possible and often discuss confidential information about families or children. Although a TTY is not required, it is highly desirable because of the confidential and private nature of the phone discussion, as well as the urgency of the information to be conveyed.

EXAMPLE: The Department of Health operates an STD/AIDS hotline for the dissemination of information about HIV, AIDS, and other sexually transmitted diseases. Health workers discuss private and confidential medical information. Although a TTY is not required, it is highly desirable because of the confidential and private nature of the phone discussion.

EXAMPLE: The Department of Labor and Industrial Relations has an Affirmative Action Office which, among other things, receives complaints from people with disabilities who believe that they have been discriminated against by the Department of Labor and Industrial Relations. Although a TTY is not required, it is highly desirable because of the confidential and private nature of the phone discussion.

8.3 Regular phone contact with the public

Most departments and agencies of the State of Hawaii have some contact with the public by phone. The contact may be infrequent or routine. In these programs, it is up to the program administrator to determine the need for a TTY. A TTY is not required in these programs, although certainly encouraged in order to provide greater access for people who are deaf, hard of hearing, or speech impaired.

EXAMPLE: The Department of Hawaiian Home Lands has a program which has contact with the public through the use of the phone when an individual wishes to know how to apply for a home. A TTY is not required. Use of the TRS would most likely suffice, provided that all people in the program who use the phone are familiar with how to use the TRS. However, the program may wish to consider increasing its access by providing TTY access as an option.

EXAMPLE: The Department of Business, Economic Development, and Tourism provides general information on how to start a business in Hawaii to any interested resident. A TTY is not required. Use of the

TRS would most likely suffice, provided that all people in the program who use the phone know how to use the TRS. However, the program may wish to consider increasing its access by providing TTY access as an option.

**CHECKLIST FOR ENSURING
TELEPHONE SERVICES ARE ACCESSIBLE**

YES NO

- ___ ___ All emergency phone services are equipped with a TTY.
- ___ ___ All staff handling emergency and non-emergency phone lines which are equipped with a TTY have been trained on how to use a TTY.

 - ☞ *Refer to ATTACHMENT J for information on telephone communication devices.*
- ___ ___ All staff handling non-emergency phone lines which are not equipped with a TTY have been trained on how to use the TRS or the Video Relay Service (VRS).

 - ☞ *Refer to ATTACHMENT K for information on how to use the Telecommunications Relay Service (TRS) or Video Relay Service (VRS).*

CHAPTER 9

AUXILIARY SERVICES

Auxiliary services are services provided to assist a person with a disability to access a program or service.

9.1 Qualified sign language interpreter

The use of a “qualified interpreter” is probably one of the least understood requirements in communication access. When an interpreter is necessary, a “qualified” interpreter must be obtained. Qualification often correlates with certification level, but certification is not a requirement under the Americans with Disabilities Act. Effective communication is the requirement. A “qualified interpreter” is an individual who is able to interpret effectively, using any necessary specialized vocabulary.

☞ *Refer to ATTACHMENT M for guidelines for utilizing sign language/English interpreters.*

Often, people accompanying a person who is deaf or hard of hearing can provide interpreting services, but a department or agency cannot require a person who is deaf or hard of hearing to provide his or her own interpreter as a prerequisite to participation, because it is the responsibility of the State to provide and pay for a qualified interpreter. Also, in most situations, it is not appropriate to use a family member or companion as an interpreter because his or her presence at the transaction may violate the individual’s right to confidentiality, or because the friend or family member may have an interest in the transaction that is different from that of the involved person who is deaf. A person who is deaf has the right to request an impartial interpreter. The obligation to provide “impartial” interpreting services requires that the department or agency provide an interpreter who does not have a personal relationship to the individual with a disability. The State may, however, accept the services of a family member or friend or a volunteer, provided communication is effective, impartial, and at the request of the person who is deaf or hard of hearing.

9.2 Real-time captioning service providers

Real-time captioners provide simultaneous visible transcription of the speaker’s words and are usually trained court reporters. Real-time captioning involves the use of a stenographic machine, a computer, real-time captioning

software, and a caption encoder for putting the words on a screen. Real-time captioning services are especially useful for those people who are deaf or hard of hearing who do not use sign language and for large group events or meetings.

☞ *Refer to ATTACHMENT N for guidelines on utilizing real-time captioners.*

9.3 Computer-assisted notetakers

Computer-assisted notetakers (CAN) provide communication access for individuals who are deaf or hard of hearing. The CAN facilitates participation at meetings or in classrooms and interaction with other people. The CAN provides a summary or notes of a speaker's words typed into a laptop computer and displayed on its screen.

☞ *Refer to ATTACHMENT O for guidelines on utilizing computer-assisted notetakers.*

9.4 Auxiliary personnel

Personal assistants are usually utilized to help a person who has limited mobility or who has a visual impairment. A personal assistant may perform any of the following functions, depending upon an individual's specific needs:

- provide orientation and mobility assistance for a person who is visually impaired;
- assist with handling books, materials, or other bulky items for someone who is either mobility impaired or visually impaired;
- assist with cutting up food at a meal or carrying a plate at a buffet meal for someone with limited manual dexterity;
- assist with opening doors or reaching for items for someone who is mobility impaired.

It is usually not necessary to assign a personal assistant on a 1:1 basis for the entire duration of a training activity. By inquiring in advance of an individual's needs, one personal assistant will often suffice to meet the needs of several individuals who have disabilities. Assistance with toileting, dressing, or other activities of a personal nature need not be provided.

Notetakers are utilized to prepare written notes of information presented. If an individual has a visual impairment, that person may not be able to see written charts, graphs, or other information that a speaker presents on a blackboard, flip chart, etc. If an individual has a learning disability, the person may not be able to comprehend or grasp all of the information. If an individual has a physical disability due to quadriplegia or has limited manual dexterity, the person may simply not be able to write at a speed which is necessary to capture all the information. In any of these scenarios, a notetaker would then be used to write down information for a person who has a disability. Of course, any copies of notes, speeches, etc., from a presenter at a conference or workshop which can be given out would minimize the need for notetakers.

CHECKLIST FOR PROVIDING AUXILIARY SERVICES

YES NO

- | | | |
|---|---|--|
| — | — | Appropriate program staff know how to hire a sign language interpreter, appropriate for the situation, if requested. |
| | | ☞ <i>Refer to ATTACHMENT M for guidelines for utilizing sign language/English interpreters.</i> |
| — | — | Appropriate program staff know how to hire real-time captioners, appropriate for the situation, if requested. |
| | | ☞ <i>Refer to ATTACHMENT N for guidelines on utilizing real-time captioners.</i> |
| — | — | Appropriate program staff know how to hire a computer-assisted notetaker, appropriate for the situation, if requested. |
| | | ☞ <i>Refer to ATTACHMENT O for guidelines for utilizing computer-assisted notetakers.</i> |

— — Appropriate program staff know how to hire auxiliary personnel, appropriate for the situation, if requested.

CHAPTER 10

SERVICE ANIMALS

The Americans with Disabilities Act describes a service animal as any “guide, signal or service dog, or other animal individually trained to provide assistance to an individual with a disability.” A service animal is sometimes called an “assistance animal.”

Hawaii Revised Statutes §515-3 provides the following definitions:

- A “guide dog” assists a person who is blind or who has low vision. The animal provides mobility guidance within the community.
- A “signal (hearing) dog” assists people with hearing loss. The animal may perform functions such as alerting persons to sounds such as the doorbell or the telephone ringing.
- A “service dog” or “service animal” assists people with mobility and other disabilities. The animal may assist people with mobility impairments by pulling wheelchairs, picking up items, carrying items or assisting persons with balance.

☞ *Refer to ATTACHMENT P for information on service animals in the State of Hawaii.*

A service animal is NOT a pet. As a state agency, if you have a “no pets policy,” you must modify your policy to allow the use of a service animal by a person with a disability. This does not mean that the “no pets” policy must be abandoned altogether, but simply that an exception must be made to your general rule for service animals.

EXAMPLE: The Department of Accounting and General Services operates places of voting for elections. Even if pets are not permitted by policy, there must be a modification of the policy to permit service animals.

EXAMPLE: The cafeteria of the Kapiolani Community College allows faculty, students, and public guests to eat on an individual pay basis. Even if pets are not permitted by policy, there must be a modification of the policy to permit service animals.

EXAMPLE: The Department of Land and Natural Resources operates camping facilities. Pets are not permitted. However, there must be a modification of the rule to permit service animals.

A service animal must be permitted to accompany the individual with a disability to all areas of your facility where the public is normally allowed to go. An individual with a service animal may not be segregated from other people. Limitations are rare and only for those areas where health and safety may be compromised or where doing so would result in a fundamental alteration of the nature of the program, activity, or service.

EXAMPLE: The Department of Education is hosting a performance in the auditorium of a high school. A person with a disability brings his or her assistance animal. However, the animal is disruptive by uncontrolled barking during the performance. The owner may be asked to remove the animal from the premises.

EXAMPLE: The Hawaii Health Systems Corporation provides in-patient medical services. A patient who is in labor in the operating room is coached through Lamaze by her husband who has a disability. However, the presence of the animal in the operating room poses a direct threat to the health of others. The owner may be asked to remove the animal from the restricted area of the hospital.

A deposit, maintenance fee, or surcharge may not be imposed on an individual with a disability as a condition for allowing a service animal to accompany the individual, even if deposits are routinely required for pets. However, a person with a disability may be charged if a service animal causes damage so long as it is a regular practice to charge customers without disabilities for the same types of damages.

EXAMPLE: The University of Hawaii operates classrooms for post-secondary instruction. A person with a disability is allowed to bring a service animal to the class. However, the animal jumps on the tables in a laboratory and breaks equipment. The owner may be asked to remove the animal from the premises. The owner may also be asked to pay for the damages caused by the animal, if it is the policy of the University to charge other students who break equipment when they cause damages.

**CHECKLIST FOR ENSURING A
FACILITY OR SITE IS ACCESSIBLE TO PEOPLE WITH SERVICE
ANIMALS**

YES NO

___ ___ Does the facility where your program or service is offered have a “no
pets policy”?

___ ___ If YES, is there an exception for service animals?

___ ___ Does the staff know how to approach and interact with individuals with
service animals?

___ ___ Does the facility have a designated area for a person with a disability to
take a service animal to relieve itself?

___ ___ Does the department or agency have a policy which requires the public
to pay for damages incurred as a result of their negligence or intent?

CHAPTER 11

AUDIO AND AUDIOVISUAL COMMUNICATIONS

Departments or agencies which impart information to the public through audiovisual means, must ensure that materials are accessible to individuals with disabilities. These may include videos, public service announcements for either television or radio, or the production or hosting of television or radio shows.

11.1 Videotapes

Videotapes developed for educational or promotional purposes by a department or agency are examples of a program, service, or activity which must be accessible to individuals with disabilities. Since videotapes are usually developed with a voiced script, they are often not accessible when viewed by an audience which includes people who are deaf or hard of hearing.

EXAMPLE: The Department of Health develops a videotape for children on Hepatitis B transmission. The videotape is to be used as an educational tool in Hepatitis B prevention. This videotape must be accessible to persons who are deaf or hard of hearing.

EXAMPLE: The Department of Business, Economic Development, and Tourism develops a videotape which assists business owners in the community to know how to start their own business. This videotape is loaned out to the public. This videotape must be accessible to persons who are deaf or hard of hearing.

EXAMPLE: The Natural Energy Laboratory of Hawaii Authority develops a videotape which explains new research in developing alternate energy resources in Hawaii. This videotape is used for educational purposes, as well as to attract businesses to Hawaii. This videotape must be accessible to people who are deaf or hard of hearing.

When you develop a videotape, consideration should be given to using captions, as well as preparing a written transcript of the video to ensure maximum viewing by all audiences in the future. Captioning will be off-line captioning (since it is not live) and can either be open-captioned or closed-captioned. Remember that if you choose closed-captioning, your video's captions will not show up on most screens unless it has a special decoder and is set to show the captioning. Users may not have such equipment. Therefore, it is better to open-caption your videotape, which can then be used on any

machine. An open-captioned videotape is also useful for a hearing audience in a noisy setting.

☞ *Refer to ATTACHMENT Q for information on captioning services and resources.*

You may choose to produce videos interpreted by a sign language interpreter, who interprets the content while filmed in a “bubble inset” placed on the lower corner of the video screen. Although this does provide some access, captioning is a preferred means of access, since a smaller percentage of people who are deaf and hard of hearing have the ability to understand sign language compared to those who may be able to read. In addition, the sign language interpreter in the “bubble inset” can often be quite small, making the interpreter difficult to view and understand.

When using or buying a videotape from another source as part of a program, service, or activity, always check to see if there is a captioned version available. As stated earlier, if given the choice, always choose an “open-captioned,” rather than a “closed-captioned” version to avoid the need to find a television with a decoder when presenting the videotape. If no captioned version is available and a deaf or hard of hearing person is a part of the program, provide a sign language interpreter (see Chapter 3.3.1) or provide a written transcript of the videotape.

11.2 Public service announcements

When departments or agencies engage in public awareness and promotional efforts, public service announcements (PSAs) on the television or radio are often used.

EXAMPLE: The Department of Health develops a PSA to encourage teenagers to stop smoking. The PSA is to be aired on television stations as part of a month-long campaign to reduce lung cancer. The PSA must be developed to be accessible to persons with disabilities.

EXAMPLE: The Office of Elections develops a PSA to inform the public of their right to vote and how to register. The PSA is to be aired on radio stations prior to the elections to encourage voter turnout. The PSA must be developed to be accessible to persons with disabilities.

Similar to the development of videotapes, if you are developing the PSA for television, consideration should be given to using captions as well as preparing a written transcript of the PSA. The captioning will be off-line (since it is not

live) which can either be open-captioned or closed-captioned. Remember that if closed-captioning is used, the captions will not show up on some television screens unless a special decoder is also present. Therefore, it is better to open-caption the PSAs, which can then be viewed on any television screen. An open-captioned PSA is also useful for a hearing audience for viewing in a noisy setting.

Under the Americans with Disabilities Act, if you receive federal funds to produce your video PSA, it must be captioned.

☞ *Refer to ATTACHMENT Q for information on captioning services and resources.*

You may choose to have your PSA interpreted with a sign language interpreter, who translates the content while filmed in a “bubble inset” placed on the lower corner of the screen. Although this does provide some access, captioning is a preferred means of access, since a smaller percentage of deaf and hard of hearing people have the ability to understand sign language compared to those who may be able to read. In addition, the sign language interpreter in the “bubble inset” can often be quite small, making the interpreter difficult to view and understand.

If you develop your PSA for airing on the radio, neither captioning (in any form) or the use of a sign language interpreter will help a person who is deaf or hard of hearing. Thus, the only reasonable way you can make your PSA accessible is to have a written transcript or copy of the for-print PSA available, upon request.

11.3 Television programs

Television programs are produced by several State of Hawaii departments or agencies, particularly for educational purposes. These shows must be accessible to persons who cannot receive the information in the same format.

EXAMPLE: The Office of the Governor routinely holds a broadcast program for airing on television with the Governor’s messages or speeches. This program must be made accessible to individuals who are deaf or hard of hearing.

☞ *Refer to ATTACHMENT Q for information on captioning services and resources.*

Similar to the development of videotapes or PSAs, television programs must be made accessible to persons with communication limitations. Consideration should be given to using captions as well as preparing a written transcript of the program. The captioning will be off-line if the show is pre-programmed, either as open-captioned or closed-captioned. Remember that if closed-captioning is used, the captions will not show up in most television screens unless a special decoder is present. Therefore, it is better to open-caption the program, which can then be viewed on any television screen.

When a program of the State of Hawaii is aired as a live television program, additional considerations need to be taken in order to provide access for persons with disabilities. Hawaii Public Television offers a live, call-in show with two-way interaction with the listening/viewing public. This program must be made accessible to individuals who are deaf or hard of hearing.

A television show with audio will not be accessible to a person who is deaf or hard of hearing. Off-line captioning, whether open or closed, will not work for live television, since off-line captioning requires advanced scripting and editing to add the captioning prior to airing. In this case, the program must consider either real-time (live) captioning or the use of a sign language interpreter in the studio. Both options will provide simultaneous communication during the live, possibly unscripted, dialog of the participants.

☞ *Refer to ATTACHMENT M for guidelines for utilizing sign language/English interpreters.*

Don't forget that if your live television show allows the home viewing audience to call in to ask questions, talk with the participants, donate money to a telethon, etc., you should provide a TTY on the phone line to allow a person who is deaf, hard of hearing, or speech impaired to call in. Your staff should be trained to be able to receive incoming calls.

☞ *Refer to ATTACHMENT J for information on telephone communication devices.*

Your responsibility as a State department or agency occurs when the State sponsors or hosts the program. If you are an invited guest speaker or participant on someone else's show, they are responsible for the access obligations.

11.4 Radio programs

Some departments or agencies of the State of Hawaii may develop a program or service on the radio as part of their outreach to the public.

EXAMPLE: The Office of the Governor sponsors a radio show in which the Governor fields questions about government services. The radio show is a program which must be accessible to people who are deaf or hard of hearing.

EXAMPLE: The Department of Health sponsors a program on the radio to educate children on sex education. The radio show is a program which must be accessible to people who are deaf or hard of hearing.

If you develop your radio program, neither captioning (in any form) or the use of a sign language interpreter will help a person who is deaf or hard of hearing. Thus, the only reasonable way you can make your program accessible is to have a written transcript or a copy of the for-print PSA available, upon request.

Your responsibility as a State department or agency occurs when the State sponsors or hosts the program. If you are an invited guest speaker or participant on someone else's show, they are responsible for the access obligations.

CHECKLIST FOR ENSURING THAT AUDIO AND AUDIOVISUAL COMMUNICATIONS ARE AVAILABLE

YES NO

___ ___ Videotapes and television public service announcements or shows have been captioned or interpreted with a sign language interpreter on the tape.

☞ *Refer to ATTACHMENT Q for information on captioning services and resources.*

___ ___ If "NO," a written transcript is available to accompany the videotape or television PSA.

- — Radio PSAs or programs have an accompanying written transcript available.
- — Live television shows with call-in options for the public have a TTY with trained staff on the phone line.

CHAPTER 12

FACILITY ACCESS

It is the policy of the State of Hawaii to ensure that facilities or sites where we choose to operate our programs, services, or activities do not present architectural barriers which impede utilization by individuals with disabilities. This policy is reaffirmed by the Governor's Executive Memorandum 02-06.

☞ *Refer to ATTACHMENT R for a copy of the Governor's Administrative Directive 98-02 on Facility Access.*

This Chapter provides you with the basic information on both the administrative requirements for construction, as well as the technical design specifications for an accessible facility.

12.1 New construction and alteration of buildings and facilities

The Americans with Disabilities Act, Title II, requires that all new construction and alterations of state government buildings and facilities be accessible to individuals with disabilities. Hawaii State law, §103-50, also has a similar requirement. It states that all new construction and alterations of buildings and facilities by the state, or on behalf of the state, shall be fully accessible to and usable by people with disabilities.

The concept of "fully accessible to and usable by people with disabilities" means that the buildings and facilities must comply to a specific design standard. In federal law, this design standard is known as the Americans with Disabilities Act Accessibility Guidelines, also known as ADAAG. State law also adopts the same federal design standard, but gives the state the authority to adopt additional design guidelines which might exceed the federal ADAAG. To-date, the State of Hawaii has adopted guidelines which exceed the federal ADAAG in the area of children's facilities and housing facilities. It is not anticipated that additional guidelines will be adopted in the near future.

The State of Hawaii has set up a process for the review of state projects under construction or alteration by the Disability and Communication Access Board to ensure that the design requirements for people with disabilities are met.

If your department or agency is in the planning or construction phase for a building or facility, whether it be new construction, or alteration, you should ask your department Capitol Improvement Project (CIP) coordinator or other

appropriate facility staff responsible for the new construction or alteration design, if the plans have been reviewed for accessibility by the Disability and Communication Access Board.

12.2 Existing state buildings and facilities

If your program or service is occupying space in a state building or facility not under construction or alteration, but existing prior to the enactment of the new construction requirements of the Americans with Disabilities Act, you still have an obligation to make sure your program or service is not excluding people with disabilities due to facility inaccessibility.

If the site of your program, service, or activity is not accessible, you may “solve” the problem by:

- upgrading your building to meet certain minimum facility requirements for program access (which are less stringent than the requirements for new construction); or
- making administrative changes, such as relocating programs or services from one site to another, or changing the manner in which the program, service, or activity is offered.

Your department or agency is required to have a TRANSITION PLAN, which outlines the physical barriers at all the sites where programs and services are held, and prioritizes the removal of those barriers, with cost estimates. If you are unaware of the existence of a TRANSITION PLAN or want to know when a specific building, facility, or site is being planned for removal of barriers, contact the ADA Coordinator for your department or agency.

12.3 Private facilities leased by the State

If your program, service, or activity is being operated in a facility which is not state-owned, but leased from the private sector, you still have an obligation to make sure your program or service is not excluding people with disabilities due to facility inaccessibility.

If the site of your program, service, or activity is not accessible, you may “solve” the problem by:

- upgrading the building to meet certain minimum facility requirements for program access (which are less stringent than the requirements for

new construction), either through direct payment by the state or by agreement with the lessor; or

- renegotiating the changes into the lease renewal; or
- moving to another, more accessible location.

If negotiation of the lease is necessary or a move to an alternate site is needed, the analysis will be done in conjunction with the Leasing Branch of the Department of Accounting and General Services, which has established minimum standards for accessibility prior to entering or renewing a lease agreement.

12.4 Components of an accessible site for a program, service or activity

Finding a location which is physically accessible is critical to ensuring equal access for all people who have disabilities. The components of an accessible site include the following features:

- an accessible route from a public transportation stop to an accessible entrance
- an accessible passenger loading zone with an accessible route to an accessible entrance
- accessible parking spaces with an accessible route to an accessible entrance
- accessible interior routes within the building, including elevators, hydraulic wheelchair lifts, ramps
- an accessible men's and women's restroom or unisex restroom
- an accessible water fountain along an accessible route
- an accessible public telephone along an accessible route
- accessible meeting or event rooms
- assistive listening systems
- conveniently located accessible lodging, if overnight stays are involved

- accessible emergency exit

It is important to remember that a site's accessibility features are critical, not only to individuals with mobility impairments, but also to individuals with visual and hearing impairments.

You cannot assume that a site is accessible even if staff at the site indicate so. Staff at many properties often incorrectly assume that their location is "accessible" to people who have disabilities simply because they recall that a prior individual with a disability used the site.

The term "accessible" means that an element on site meets the requirements of a design standard. Newer buildings will tend to be more accessible. But that does not mean that new sites should be presumed to be fully accessible; nor should older sites be excluded from consideration simply due to their age, as many older properties have been upgraded for accessibility. When in doubt check out the site yourself.

☞ *Refer to **ATTACHMENT S** for a checklist on site accessibility.*

When you are selecting a site for a conference, workshop, or other training activity, used on a one-time basis, there are some additional considerations and challenges which must be taken into account. The arrangement in the meeting rooms are important to provide full access and comfort for people with disabilities. The meeting rooms should be set up for your audience to allow people with mobility impairments, particularly those in wheelchairs, to sit dispersed throughout the audience. The seats should be arranged so that a person using a wheelchair is able to sit with a companion or work colleague during the session. Staff should be notified to remove chairs, upon request, after the person with a disability chooses his or her seat. The chairs should not be removed in advance unless seats are assigned, as such an action would preclude a person who has a disability from choosing a location of personal preference. A very convenient seating style, particularly for classroom set up, is a modified chevron or herringbone seating pattern, as it provides for greater mobility in the middle of the room, plus good visibility.

You should also remember to set up your training with an area to permit a sign language interpreter to be as close to the main speakers as possible. If a sign language interpreter is used, remember to set up seats for those people who are deaf or hard of hearing in the line of sight of the interpreter.

People who are blind or who have low vision will also need to sit up front to have closer access to the speakers and to see visual presentations as well.

The facility manager should be prepared to set up assistive listening systems, if requested by a person who is hard of hearing.

☞ *Refer to ATTACHMENT T for information on assistive listening devices.*

CHECKLIST TO ENSURE FACILITY ACCESS

YES NO

___ ___ Planned new construction or alteration: For a building or facility under new construction or undergoing a planned alteration... have the plans and specifications been reviewed by the Disability and Communication Access Board for conformance to appropriate design requirements?

If NO, consult with your department ADA Coordinator, CIP Coordinator, or facility Coordinator.

___ ___ Existing state-owned site: For an existing building or facility with no planned alteration... does the existing building or facility meet minimum requirements for program access for persons with disabilities?

☞ *Refer to ATTACHMENT S for information on site access.*

If NO, consult with your department ADA Coordinator, CIP Coordinator, or facility Coordinator to ensure that the building or facility has been included in your departmental TRANSITION PLAN for the removal of barriers.

___ ___ Existing leased site: For an existing leased building or facility with no planned alteration... does the existing building or facility meet minimum requirements for program access for persons with disabilities and the Comptroller's minimum guidelines for leased space?

☞ *Refer to ATTACHMENT S for information on site access.*

If NO, consult with your department ADA Coordinator, CIP Coordinator, or facility Coordinator to ensure that the building or facility has been included in your departmental TRANSITION

PLAN for the removal of barriers or has been scheduled to be moved to another location.

____ Site for a meeting or activity: For a building or facility scheduled to be used for a one-time workshop, conference, or activity... has the site been surveyed to ensure that it is appropriate and accessible for participants with disabilities?

☞ Refer to **ATTACHMENT S** for information on site access.

If NO, select another site.