



Creating an Inclusive Nonprofit

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Executive Service Corps

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Illinois ADA Project

Services:

- ADA Technical Assistance
- Referral information
- Fact sheets & other documents
- Customized ADA trainings

(877) ADA-3601 (V) (800) 610-2779 (TTY)

www.ada-il.org

Session Outline

- ADA / State and Local Anti-Discrimination Laws
- Specific Topics
 - ❖ Effective Communication
 - ❖ Service Animals
 - ❖ Architectural Access
 - ❖ Tax Incentives

Making your nonprofit welcoming to people with disabilities

- Over 54 million people in the US have a disability (20% of the population)
- What is an example of how your nonprofit is accessible to people with disabilities?

Disability Etiquette



Interacting with People with Disabilities – Language Tips

- Proper language shows respect, not political correctness
 - ❖ Say “intellectual disability” - not “retarded”
- Often the historic derivation of certain terminology makes them offensive – “handicapped”
- People First – puts the person first, rather defining the person by his or her disability
 - ❖ Say “person with epilepsy” - not “epileptic”
- Don’t add judgmental language that victimizes person
 - ❖ Say “person living with AIDS” – not “AIDS victim”
(and avoid “suffers from”)
- Assistive technology enables, not restricts
 - ❖ Say “wheelchair user” - not “confined to a wheelchair”

Interacting with People with Disabilities – Other Tips



- Offer assistance before taking action
- Identify yourself and others who may be with you when meeting someone with a visual disability
- Avoid patronizing attitudes/actions
 - ❖ “Aren’t you courageous for getting on a bus”
- Do not touch, lean against, or hang on someone’s wheelchair, mobility aid, or service animal without first obtaining permission
- Relax. Don’t be embarrassed if you happen to use common expressions such as “See you later” or “Did you hear about this?” that seems to relate to a person’s disability

Background: Laws Prohibiting Disability Discrimination

The Americans with Disabilities Act



1990: The Americans With Disabilities Act (ADA)

Prohibits discrimination and provides equal opportunity for people with disabilities

The ADA has 5 different Sections called “Titles”

- Title I: Employment
- Title II: State and Local Government Services / Public Transit
- **Title III: Places of Public Accommodation**
- Title IV: Telecommunications
- Title V: Retaliation, Technical Assistance and Misc. Provisions



State & Local Laws

Illinois Human Rights Ordinance

Prohibits discrimination in various environments, including employment and private business.

- Enforced by the Illinois Department of Human Rights

Chicago Human Relations Ordinance

Prohibits discrimination in various environments, including employment and private business.

- Enforced by the Chicago Commission on Human Relations

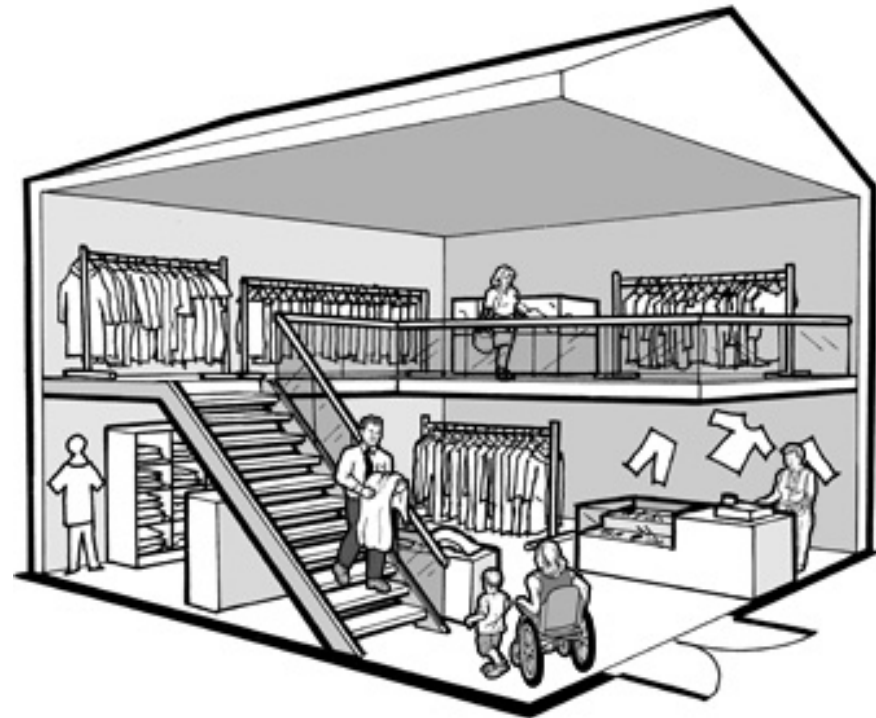
Illinois Environmental Barriers Act

Requires architectural access in new construction

- Enforced by the IL Attorney General's Office

TITLE III: Places of Public Accommodation

State/Local Laws = Same principles



Title III: General Overview



General Rule

No discrimination in the “full and equal enjoyment” of goods, services, facilities, privileges... or accommodations...”

Title III: Specific Topic

Reasonable Modifications

Title III entities including businesses and nonprofits must:

- Modify policies and procedures
- Unless doing so would fundamentally alter nature of services provided

Effective Communication



Title III: Specific Topic

Ensuring Effective Communication

- Nonprofits must:
 - ❖ Provide auxiliary aids and services necessary to ensure effective communication
 - ❖ Unless it results in an “undue burden” or a “fundamental alteration”
- What is “necessary” depends on the type of conversation
 - ❖ How would we communicate with someone who is deaf?
 - Compare:
 - Paying at retail establishment
 - Learning about a diagnosis in a doctor’s office
 - Attending a live play



Auxiliary Aids and Services

Examples of auxiliary aids and services:

- Materials in alternative format: Braille, large print or electronic (in word document)
- Audio recordings
- Exchanging written notes
- American Sign Language interpreters
- Open Captioning (real time/scripted)
- Assistive listening devices
- Other effective ways of making materials available to individuals with hearing or vision disabilities

Communication with deaf and hard of hearing individuals



- Established by Title IV of the ADA
- How will a deaf person contact your organization?
 - ❖ Email
 - ❖ Text
 - ❖ Video relay service
 - ❖ Text relay service
 - ❖ Captioned telephone
- Tips for using Relay
 - ❖ Know that its not a sales-call
 - ❖ Talk directly to the person who is deaf (not in third person)

Training needed!

- **Train** your employees about:
 - ❖ Providing services to people with disabilities who need effective communication – be flexible in how you communicate!
 - ❖ Answering video relay service calls
- **DOJ: Effective Communication Requirements**
 - ❖ www.ada.gov/effective-comm.htm

For Cultural Organizations

- If you are a cultural organization, the Chicago Cultural Accessibility Consortium (CCAC) provides professional development on making Chicago's cultural organizations accessible

www.chicagoculturalaccess.org

Website tips for accessibility

- Common web accessibility problems:
 - ❖ Videos:
 - Add captions or transcript
 - Do not rely on YouTube automatic captions – take the time to go in and edit the captions and add punctuation
 - ❖ Images
 - Use alt-text to describe images
 - Have website tested to make sure it is accessible by those who use screen readers

Social Media

- Images –
 - ❖ Provide image descriptions
 - ❖ Add to Facebook and twitter images
- Videos
 - ❖ Do not rely on Facebook captions – add your own captions/edit captions
 - ❖ Add transcripts to any speakers/videos you use
- Instagram – add text to your videos, or use a captioning app like Clips to create automatic captions

Your nonprofit's events

- Ensure that you are welcoming to anyone who wants to attend
 - ❖ On invitation, include language: “**if you have any accessibility needs, please email me@mycoolorg.org**.” Consider adding to all event invitations for your organization.
 - ❖ Don't be afraid to ask for questions or service provider suggestions
 - ❖ When universal design is possible, try it – it may benefit many others
 - ❖ Add info about access you are providing to your website
 - ❖ Send a Know Before You go email – can include accessibility and way finding info

Event tips (continued)

- Physical space: venue should be accessible.
 - ❖ Avoid stairs, steep ramps, other barriers
 - ❖ Accessible entrances should be in appropriate and convenient location – not through alley or kitchen to access elevator or space
- Ensure that there are accessible bathrooms
- Stage, podium, panel should be accessible for people with disabilities
- Have diverse seating options throughout event

Checklist – Chicago Community Trust

- Great handout from Chicago Community Trust for nonprofit events

Service Animals



Definition of Service Animal

What is a service animal?

- ADA regulations define service animal
 - ❖ “Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.”
 - ❖ The work or tasks performed by a service animal must be directly related to the individual’s disability.

Examples of Tasks done by service animals

- Pull a wheelchair
- Alert to sounds
- Alert to presence of allergens
- Prevent / interrupt impulsive behavior
- Detect / interrupt anxiety attacks

How Do You Know if a Dog is a Service Animal?

What can you ask?

DOJ says you can ask only two questions to determine whether it is a service animal

- (1) Whether the animal is required because of a disability
- (2) What work or task the animal has been trained to perform

Would you ask if:

- An individual is obviously blind and a dog is clearly helping her navigate
- An individual has no obvious disability and its unclear what the dog is doing

How Do You Know if a Dog is a Service Animal?



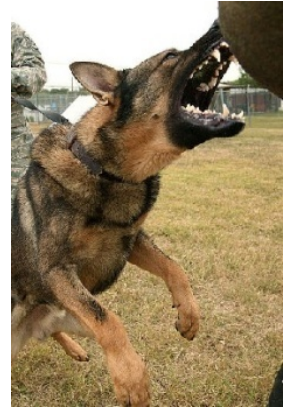
When to ask questions:

- You should not ask these questions if the service an animal provides is obvious

You cannot:

- Require medical documentation
- Require special identification card
- Require dog to wear a harness or other identifier
- Ask the dog to demonstrate its ability

Can You Ever Ask That a Dog Be Removed?



Yes. You can ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it
- The animal is not housebroken

However:

- *Even if an animal is properly excluded, you must give the individual with a disability the opportunity to obtain goods, services, and accommodations without having the service animal on the premises*

Disability Etiquette for Interacting with Service Animals

- Do not pet the dog (as tempting as it is)
 - ❖ Reasons:
 - Service animals are “working” animals
 - Service animals are often considered extensions of someone’s own body
 - ❖ Even if you say, “I know you’re not supposed to pet, but I just can’t resist!”
- Do not distract the dog
 - ❖ Examples: Making noises, offering food, water or toys
- Best practice = Ignore the dog
- Be respectful of people and remember the rules on questions!

Resources:

Learn More About Service Animals

- **DOJ: FAQ about Service Animals**
 - ❖ www.ada.gov/regs2010/service_animal_qa.html
- **DOJ: Service Animal Guidance**
 - ❖ www.ada.gov/service_animals_2010.htm
- **ADA National Network: Service Animal Guidance**
 - ❖ <http://adata.org/service-animals>

Resources: Free Technical Assistance on Architectural Qs

- **Great Lakes ADA Center**
 - ❖ www.adagreatlakes.org
 - ❖ (800) 949 - 4232
- **Department of Justice: ADA Hotline**
 - ❖ www.ada.gov
 - ❖ (800) 514 - 0301
- **Illinois Capital Development Board**
 - ❖ www.illinois.gov/cdb/business/codes/pages/illinoisaccessibilitycode.aspx
 - ❖ (217) 782 - 8530
- **Illinois Attorney General's Office**
 - ❖ www.illinoisattorneygeneral.gov/rights/disabilityrights.html
 - ❖ (312) 814 - 5684

To Do: Next Steps for your organization

- **Survey your organization's building** to see if it is accessible to people with disabilities?
 - ❖ Use this tool to see where barriers to access exist
 - ❖ www.adachecklist.org
- Once you have identified the barriers, consider whether you can **remove any barriers**
 - ❖ Checklist includes possible solutions
 - ❖ Consider resources like tax incentives
 - ❖ It's not all or nothing – what can you do today?



Department of the Treasury
Internal Revenue Service

Tax Incentives

Small Business Tax Credit

- Tax credit of up to \$5,000 annually for providing reasonable accommodations such as: sign language interpreters, readers, adaptive equipment, removing barriers, materials in alternative formats.

Architectural/Transportation Tax Deduction

- Any businesses may annually deduct up to \$15,000 for the costs of removing barriers to accessibility

Work Opportunity Tax Credit

- Tax credit to employers for hiring people from certain targeted low-income groups including: SSI recipients, VR Referrals, veterans, ex-felons,...

Resources: Tax Incentives

- DOJ: Tax Incentives for Businesses
 - ❖ <http://www.ada.gov/taxincent.pdf>
- ADA Center: Explanation of Tax Incentives
 - ❖ <http://www.adainfo.org/content/tax-incentives-businesses>

Additional Resources for Nonprofits

- ADA Primer for Small Businesses:
 - ❖ <http://www.ada.gov/regs2010/smallbusiness/smallbusinessprimer2010.htm>
- DOJ: Reaching out to Customers with Disabilities
 - ❖ <http://www.ada.gov/reachingout/intro1.htm>
- DOJ Video: 13 Mistakes Small Businesses Make
 - ❖ <http://www.ada.gov/videogallery.htm#anchor10mistakes990>

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- **Department of Justice: ADA Hotline**
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- **Illinois ADA Project**
 - ❖ www.ada-il.org
 - ❖ 877/ADA-3601, rachela@equipforequality.org

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QUESTIONS?

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