



FAQ - Inclusive Emergency Management 101

Question 1: Delaware constitution does not include people with disabilities as a protected class.

Answer: Although people with disabilities are not designated as members of a protected class in the Delaware Constitution, they are under the Americans with Disabilities Act and other federal law. Federal law supersedes state law.

Question 2: There is an issue with medical, hospital staff, doctors, emergency workers, police, etc not wearing clear masks when they encounter a Deaf, deaf or hard of hearing person and they have no idea how to adapt communication!

Answer: First responders and medical providers have an obligation to provide equally effective communication to people with hearing disabilities. If communication is not equally effective using a mask, the provider can use auxiliary aids and services such as video relay interpreting or an in-person interpreter.

Question 3: Isn't a disaster an emergency and visa versa?

Answer: No, please refer to the slide deck (page numbers 15-27) for the difference between emergency declaration and disaster declaration. Remember, the purpose of declarations is to grant governments assistance when they've reached capacity during an event and requested it.

- More information - FEMA: [How a Disaster Gets Declared](#)

Question 4: Can you explain what is Indian tribal government is?

Answer: In a legal context, "Indian Tribal Governments are the governing body of any federally recognized tribe, band, community, village or group of Indians or Alaska Natives that is determined by the Secretary of the Treasury, with the Secretary of the Interior, to exercise governmental functions," [under IRC section 7701\(a\)\(40\)](#). It is important to note that when referring to cultures indigenous to North America, "Indian" is considered to be a slur by most Indigenous peoples. The best language to use is "Indigenous" or "Native American."



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Question 5: What would you classify the pollution of a City or communities water system.

Answer: When an event such as an oil spill meets the criteria of a disaster or an emergency (meaning the state reached capacity to respond), a declaration can be requested by the Governor or Chief Tribal Executive.

Question 6: Tornadoes and mudslides are what type of disaster?

Answer: Whether an event is designated a disaster is not contingent on the type of event it is. It is contingent on the amount of damage caused, and how much it has stressed local and state resources.

Question 7: So the unemployment assistance was not part of the COVID response?

Answer: The unemployment assistance was part of the COVID-19 response from Congress, and was not part of FEMA response or funds.

Question 8: Can only the State ask for FEMA Assistance?

Answer: Once a federal disaster declaration is in place, the state, counties, and eligible private non-profits can request assistance from FEMA.

Question 9: Is there any oversight by the federal government of the state's plans and actions?

Answer: There is no oversight; however, it is required that every federal dollar be spent in compliance with the Rehabilitation Act/ADA. Unfortunately, compliance with these obligations is often ignored, and the Disability Community is forced to advocate for compliance



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Question 10: In the event of an electrical grid failure, who pays for the Electrical Companies that come from other states to help restore this service.

Answer: If a federal emergency declaration is in place, that would be a FEMA Public Assistance funded activity. If not, it could be your state or a compact agreement between states.

Question 11: How do we as citizens know if our state has used ESF #8?

Answer: If a Disaster Declaration is in place and a state's health department is assisting in the response, the state is using funds and supports from Emergency Support Function #8 – Public Health and Medical Services.

Question 12: Is there a particular procedure that people with disabilities should use to request an accommodation during a disaster?

Answer: If a disaster has been declared and FEMA Individual Assistance is available, make sure you answer “yes” to question 24 of the FEMA application. Also, notify FEMA that you have a disability and need an accommodation whenever you have contact with them. You can ask for accommodations at shelters, and disaster recovery centers.

Whenever a disaster-related program and service is provided you have the right to equal access and can ask for an accommodation.

Question 13: We have had lots of excuses from the government and its divisions with regard to ensuring civil rights - should we sue?

Answer: Litigation is one of many options. You can file an administrative complaint at the Department of Homeland Security Office of Civil Rights and Civil Liberties.



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Question 14: May you clarify the 6% to CILs for hazard mitigation?

Answer: CILs can get money if they ask to make sure that things are done in an accessible way. For example, if your local school district is building a school, who is making sure it is accessible? Who is reviewing the architectural plans? Who is going to make sure they are doing it right? A role a CIL can play is making sure those dollars are spent in compliance with Section 504 of the Rehabilitation Act.

- Clarifying remarks from Melissa Marshall at time stamp 01:25:40 in module one post-production.

Question 15: We have requested captioning for all pandemic announcements, news conferences, videos from the Governor's office and DPH but they just provide ASL. That is great but most of the population needs captioning. What should we do next?

Answer: Keep advocating! Use other states and allies as resources. A good and promising practice from Washington State is when Governor Jay Inslee recently signed SB-5027 into law making Washington the first to have mandatory captioning statewide. Washington Legislation [SB 5027- Concerning Closed Captioning on Televisions in Places of Public Accommodation](#).

Question 16: How can we solve this type of situation so that people with disabilities can have equal access to safety as anyone else that can hop in a boat during a flood, jump in a car with your neighbor, and flee or go down into a basement shelter at the church/school nearby or at least know the location of where they might have to go for safety in the future? Can't make a plan if you don't know where you need to go.

Answer: We will have an in-depth conversation around this in Module 4: Hard Truths You Need to Know on June 10th!