PRIYA PENNER: Hello, everybody, and welcome. We're gonna get started in just a moment.

Hello, everybody, and welcome to The Partnership for Inclusive Disaster Strategies' Region 10 webinar for the Rights of People with Disabilities in Disasters. My name is Priya Penner, and I'm with The Partnership. I use she/her pronouns, and I am a brown woman with long curly black hair. Today I am wearing a patterned shirt and a blue‑gray cardigan, and I'm glad to join you here today.

On the screen, you have a title slide with text that reads the part ‑‑ the Region 10 Rights of People with Disabilities in Disasters. And below that is our website, disasterstrategies.org.

Above all of this text is The Partnership's logo, which is a sun with images in it and the words The Partnership for Inclusive Disaster Strategies to the right of the logo. The four images in the sun are: A hurricane; a thunderstorm cloud with a lightning bolt; a home with a split down the middle; and a tornado.

I'm going to get us started with a few accessibility and technical support reminders, and then I'm going to pass it off to Melissa Marshall to get us started officially.

So first and foremost, this training is being recorded, and an archive of today's conversation will be available in the coming weeks. In addition to the recording, you'll also receive an accessible slide deck... of the presentation used today. So be on the lookout for these items in your e‑mail in the coming weeks.

Today, we do have CART captions available, and you can access those captions via the "show captions" or "CC" button in the navigation bar at the bottom of your Zoom screen. You wanna click that CC button once to show subtitles on Zoom. You can also edit the font size and text color of your subtitles via the "subtitle settings" button, which can be accessed via the small carat within the CC button.

Onscreen, you have a screenshot that shows your Zoom navigation bar and the "show captions" or "CC" button is outlined.

If it's more accessible for you, you can use the external CART link provided in chat.

Today we also have American Sign Language interpretation provided, and our interpreters are Nakia and Taylor, and they're already spotlighted for folks. To adjust the size of the slides and the speakers AND the interpreters in Zoom, you can drag the divider that separates the speakers from the slides, and then you can drag that to the left or right. The divider is inside the red vertical rectangle on the screenshot in the presentation.

If for whatever reason you can't access our ASL interpreters or the CART captions, please let us know in chat.

If chat's not accessible to you, please e‑mail us at Priya, P‑R‑I‑Y‑A, @disasterstrategies.org.

And this presentation will have many opportunities for you to share your thoughts, respond to questions, or ask questions. And to participate, you can use the "raise your hand" feature... to come off mute or come on camera to share. You can also answer questions in chat.

To ASK questions, we encourage you all to put all questions in the Q&A feature. If the chat or the Q&A feature is not accessible to you, again, you can e‑mail your questions, or respond to questions via e‑mail. And again, that e‑mail is Priya@disasterstrategies.org.

Similarly, in chat you can let us know about any technical assistance issues or if you need us to slow down. And you can let us know in chat simply by saying, for example, "please slow down." Again, you can e‑mail us if that's more accessible.

And then some friendly reminders as we get started here today. If you do come on mute ‑‑ off mute and on camera, please let us know who you are and identify yourself before speaking. Please... don't talk over others, if that, if multiple people are unmuted. And if you share my acronyms, please do define any acronyms you use, just so that we're all on the same page.

And with that, I'm gonna turn it over to you, Melissa!

MELISSA MARSHALL: Thank you! Good morning, everyone! I really appreciate your all coming here today. And I can hardly say good morning, 'cause I'm on the East Coast in Connecticut. So this makes me be the morning person I always aspire to be.

So thank you all for being here and joining us today. And special thanks o our sponsor, the Alaska Statewide Independent Living Council. Thank you for joining us, and thank you for sponsoring us, thank you for all your support, thank you for working with us in this project. We really, really appreciate it. So, thanks again, and we appreciate your being here. So.

And you have helped us make this training; you have helped us be involved in this training, and we've really enjoyed doing lots of work with you! So special thanks to the Alaska ‑‑ the SILC of Alaska. Next, please!

I'm Melissa Marshall, and I am ‑‑ use she/her pronouns. I'm a white woman, with ‑‑ silver! Silver shoulder‑length hair. And I'm wearing a print shirt today. I have glasses. And... not to do with my audio description, but I'm a scooter user!

Do you have any housekeeping tips to add, um... Priya?

PRIYA PENNER: This is Priya. No, we can jump right in!

MELISSA MARSHALL: Awesome!

Next slide, please ‑‑ thank you.

So, we are The Partnership for Inclusive Disaster Strategies. That sounds like kind of a mouthful, but we're all used to it. The Partnership, for short, is the ONLY U.S. disability‑led organization that has a focused mission on equity for all people with disabilities and people with access and functional needs... throughout all planning, programs, services, and procedures before, during, and after disasters and emergencies. And we'd like all of you who are on this call today to consider us your disability and disaster hub. And you'll have our number, you'll have our contact information after this. So thank you so much! So that's who WE are.

And, wanna have some group agreements before we start the training. First, maintain confidentiality. We're all professionals, for the most part; we know that. Don't share any names of specific people, any specific situations. By all means, share what you learn today? It's not confidential the material. But don't share anyone else's personal information is what we ask.

Ask questions! You can, as Priya said, you can put questions in the Q&A. You can put questions in the chat. And you can also e‑mail Priya questions. Ask your questions. There's gonna be lots of designated areas for people to... ask the questions? We'll have question slides? But if you have a question between that, feel free to put your question in the, in the chat ‑‑ I'm sorry, in the Q&A! We don't wanna lose any questions. So questions are good things! There's no such thing as a dumb question. There's no such thing. We don't, we don't use that word.

Third, probably most important point, is have fun! If you're having fun, you're learning more. I wanna have fun while I'm here; I want you to have fun while you're here. Disasters obviously are very, very serious matters and life‑and‑death situations, but sometimes we need to challenge ourselves to take ourselves just a little bit less seriously and have fun. Now, how is this gonna be fun, you're wondering. This is a legal training, how is it gonna be fun. Well, I'm a wonk and I love this stuff? But to facilitate you all having fun, I have with me virtual fabulous prizes. If I was there in the region and we were actually gathering? I would be giving you prizes myself! Now, when you get a real fabulous prize, it's something from a children's birthday party, so they're not huge fabulous prizes, but keep that in mind. You never know, you could leave here with a new virtual car today!

Next, please.

Disclaimer: The material presented here does not constitute legal advice and is for informational purposes only. If you are seeking legal advice, please contact a qualified legal state's attorney. Next.

And, important disclaimer: This presentation is an overview of legal obligations. Many of the specifics haven't been included here. Not because you're not smart enough to know them, not because we don't wanna share them with you, but we have 90 minutes? And I could spend literally four or five days with you talking about your legal obligations. So you're being spared that today, but. Know that we've selectedly left some things out. Just be aware. Next please?

So what you can and can't expect from this training! You will not become an expert in disability rights in disasters. That takes kinda a lot more work than this? Than 90 minutes? However! You ARE going to get an idea of some of the rights that disabled people have in disasters. You're gonna know where to get answers to questions about the rights of people with disabilities in disasters. And that's really, really important! And, we're gonna have an opportunity to practice advocating for rights of people with disabilities! Little bit. Next, please?

Our training goals for you ‑‑ these are OUR goals for you ‑‑ is for you to have a better understanding of the legal rights of disabled people throughout the disaster cycle; the legal obligations of government agencies and nonprofits TO disabled people, throughout disasters; and how disabled people can advocate for our own rights. Next.

Now we're gonna talk about disability civil rights!

In order to be able to protect your own and participants' ‑‑ and by participants, for people that aren't affiliated with Centers for Independent Living on this call, by participants we mean people who use services of Centers for Independent Living. Sometimes they're called consumers in other parts of the country. Or, just people who use centers. So in order to be able to protect your own and participants' rights throughout disasters, you need an understanding of those basic obligations. You can't just come in and say: I have a disability, and I must have a right to this. Or, I think I have a right to that. Or I SHOULD have a right to that. Probably, you should have a right? But you may or may not have a right! So you've got to be able to understand what the rights are. Next.

I realized a while ago, when we talk about disability rights are civil rights, we need to tell people what civil rights are ‑‑ remind people what civil rights are, I should say. Civil rights... are personal rights that are guaranteed and protected by the United States Constitution and federal laws enacted by Congress, SUCH as the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990. Civil rights include protection from unlawful discrimination. So when I say the ADA is civil rights law, that's what I mean.

Next.

Really, really important thing to know, if you leave here with nothing else today? Please understand that civil rights of people with disabilities are NEVER ‑‑ it's in all caps on purpose ‑‑ suspended, including during disasters. Because sometimes during disasters, people say, oh, we'd have interpreters here, but you gotta understand, it's a disaster! Or, we'd be accessible, but we didn't think about that, and you gotta understand, it's a disaster! Maybe we'll do better next time! We have rights, including during disasters, and they are never suspended.

Next.

So let's look at the disability civil rights laws!

And, I have a question for you. And I wanna know how familiar you are with the ADA and/or Section 504. Say the one you are most familiar with. 504 of the Rehab Act. How familiar are you? Not at all familiar, kinda familiar, or very familiar. And Priya's gonna do a poll.

PRIYA PENNER: This is Priya. As we... as we do the poll, and as you all fill it out, for folks who aren't able to access the poll and the poll is not accessible to you, we do have a link in chat for an alternative format. Please feel free to click the link in chat OR fill out the poll onscreen. You certainly don't need to do both.

MELISSA MARSHALL: You might notice that Priya does our tech stuff, meaning that I don't do tech stuff. (chuckles)

PRIYA PENNER: Dream team, as it were, Melissa.

MELISSA MARSHALL: Exactly, exactly. We're a team.

PRIYA PENNER: And as folks are filling out the poll, ah... we're gonna give it another couple of seconds here.

(silent pause)

And... (chuckles) Clearly, my cat, Maple here, for those who are accessing the screen visually, wants to be in on the webinar.

MELISSA MARSHALL: (chuckles)

PRIYA PENNER: Always. All right! So we're gonna go ahead and end the poll. And, just for visibility: We had about... 20% say not at all familiar. About 60% say kinda familiar. And about 20% saying very familiar.

MELISSA MARSHALL: Thank you so much. And especially for the people ‑‑ I wanna give the first set of fabulous prizes to the people who aren't at all familiar. And you are gonna get a little plastic bouquet of balloons that you can put at your desk. Just know that.

So, thank you for... owning that you're not familiar? Thank you for owning that you're kinda familiar. And thank you for saying you're very familiar. Because those are all kind of hard things to know, and really appreciate this. This just tells me a lot. So, I appreciate it!

Next, Priya?

Now! See, you thought \*I\* was gonna do all the work. You're gonna do some work here, too. I wanna know what your biggest question is about disability civil rights. Disability rights. Preferably during disasters; bonus points if you ask about disability rights during disasters. But what's the question you've either been too embarrassed to ask, or you've asked and you haven't been happy with the answer, or you asked and the answer didn't match with what you had, or you're just thinking about it now.

And those questions are done in the same way, Priya?

PRIYA PENNER: This is Priya. Thank you, Melissa. I was actually just about to jump in here. As a reminder for folks, please feel free to answer questions in chat. And if you would prefer, you can raise your hand, using the raise hand feature in Zoom, to come... off mute and on camera. I wanna make sure I'm saying that correctly!

We're gonna give folks a couple of minutes to respond there.

(silent pause)

This is Priya. Answers are trickling in here. Mike says: Sufficient access to needed medications during a disaster. Charles shares: How to ensure rights during the chaos of a disaster.

MELISSA MARSHALL: I'm nodding my head. Mm‑hmm!

PRIYA PENNER: Mel shares: Enforcement. How can we get enforcement when we, slash the people we serve, are still alive?

MELISSA MARSHALL: Thank you, Mel!

PRIYA PENNER: The answers are rolling in now! Brenda is sharing: Resources are limited for us in a disaster situation. Getting the needed resources is a challenge. Darryl shares: Why does crisis standard of care seem to marginalize people with disabilities in favor of able ‑‑ able‑bodied people? Desiree says: If a community is small and remote, accessible only by plane with population of a hundred or so, are they still responsible for accommodation, or does that fall to the state! Brent asks: At what point is there a threshold for deviation from standard practices, such as we see in the medical system for crisis standards of care? Brianna adds: Specifically ‑‑ excuse me. Specialty equipment, such as oxygen, wheelchairs, hospital beds, ventilators, and access. Courtney asks: Do individuals have a right to choose where they stay when a disaster hits? Jessie says: Are post‑disaster workers, first responders, and volunteers AWARE of civil rights and ADA rights? Samantha says: Priority on access to electricity. Stephanie asks: How to understand just because an area says it is handicapped‑accessible facility, it still isn't accessible to everyone. Cynthia shares: How to assure housing when the licensed home is in a disaster and no longer safe.

And the last couple of comments I'm gonna read here is, from Alyssa: Any needed considerations for facilities that house individuals with mental or intellectual disabilities in which they may choose not to follow evacuation procedures? And Brenda also shares: I would like to add, we see able‑bodied people wanting to help, and we want to give them the best guidance.

MELISSA MARSHALL: Thank you so much! I love all of these questions. And you are a great room. I can tell you're asking really good thoughtful questions. And I can tell you right now I'm not gonna get to all of them? I'm particularly not gonna get to crisis standards of care. But I'm gonna send you some resources where you can get answers to those questions, 'cause that's kinda beyond the scope. I will be answering your questions ‑‑ some of those will get answered automatically in the presentation, and some of them we'll be weaving in. And we'll have questions, we'll have Q&A periods where I'll get to some of those questions, too. So thank you so much for all of your questions! You guys rock!

And, give yourselves all... finger skateboards. They could be rainbow‑colored, they could be any color you want. They're skateboards you can use on your desk and pretend you're skateboarding during meetings. Just saying.

Next, please, Priya. Thank you.

So why is it important to understand disability rights? Why do you have to sit through this? Why do you have to learn about the law? We can't protect disability rights if we don't know them. If we think ‑‑ if they're a good idea we have, we need to know what the reality is. Some rights we have, some rights we still DON'T have yet!

Some misunderstand or ignore disability rights decades after the signing of the Americans with Disabilities Act and 50 years after the signing of the Rehabilitation Act. A number of you asked about enforcement. I think Mel asked something about enforcement that's like, um... enforcement is... does not happen nearly enough, well enough, has never happened well enough, there have never been enough resources dedicated to enforcement, and that's something we have to work on as an advocacy community, and we continue to work on it. That's a huge problem.

But by claiming our rights, we might be able to mitigate some of the effects of systemic ableism. Mmkay? So next, please?

We're gonna start with Section 504 of the Rehabilitation Act. Next, please.

So, Section 504 of the Rehabilitation Act applies to any agency/organization that gets money from the federal government, or anyone that gets money from ‑‑ a subrecipient! So if I get money from the federal government, and I give it to Priya's agency, which is a separate agency, they're subrecipients and they're covered as well.

So this includes state agencies getting money from the federal government; local government agencies, like cities, towns, counties, parishes, boroughs; businesses; nonprofits or other organizations. Anybody who gets federal money has obligations under 504. Even if they didn't have any obligations before that! Mmkay?

And if I'm unclear about anything or you don't get something, feel free to raise your hand and let me know. Next slide, Priya?

Section 504 of the Rehab Act requires that an organization, business, or agency, or anybody else, that gets federal money does not discriminate against people with disabilities! What does that mean! You can't just say "thou shalt not discriminate against people with disabilities." You've really gotta flesh out what that means. Among other things, it means programs and services must be accessible to people with disabilities! Good news for you is Section 504 obligations are nearly identical to Title II of the Americans with Disabilities Act. So you only have to learn one set of laws and regulations. So that cuts your work, by a lot. Next, please!

Title II and 504 obligations. Obligations under Title II of the ADA and 504 of the Rehab Act, like I said, are functionally identical. They have the same definition of disability and the same obligations. Next.

Now we're gonna go on to the Americans with Disabilities Act. Next.

The ADA. So what is the ADA! The ADA was passed in 1990. If anyone can put in the chat or the Q&A what date it was passed, you get a fabulous prize. The first one who does ‑‑ not the FIRST one. I don't want to discriminate based on time. To anyone who does that. Passed in 1990. It protects the civil rights of people with disabilities even when there's no federal money involved. So, for 504 you get federal money; ADA, you don't need any federal money! Next, please.

PRIYA PENNER: As we move ‑‑ this is Priya. As we move into the next slide here, just as a reminder ‑‑ and I'm seeing several folks responding July 26th. Wonderful. As folks are responding, please feel free to put answers in the chat box, and questions in the Q&A. And if neither are accessible to you, we are monitoring the e‑mail.

MELISSA MARSHALL: And for those of you that said July 26th, 1990 was the anniversary of the signing of the ADA, you get gold and silver super‑balls that you can throw really far or play with. So that is your fabulous prize. And if any of you, like me, was around for the signing of the ADA, you get a little plastic dinosaur. Mine's purple!

Okay, so the Americans with Disabilities Act has five titles, or sections. Title I is employment. Title II is state and local government entities ‑‑ by entities, they mean agencies, places. Title III is places of public accommodation. Title IV is telecommunications. And Title V is miscellaneous. Today, we're just gonna talk about Titles II and III. Employment's a whole other thing. Telecommunications established the video relay service that we all enjoy. And Title V is miscellaneous, where they mostly repeat things, saying be sure you remember this, be sure you remember that. But we're talking about Titles II and III today.

Next, please.

So now we have a chart, and it's a comparison of Section 504 and the ADA. So, 504 is for federally‑funded agencies, programs ‑‑ it's federally‑fund agencies, programs, and activities can't discriminate against people with disabilities. Even if you're a subrecipient getting it from someone, if there's any kind of federal fund connection, direct federal fund connection, you have the obligations. Under ADA, federal money does NOT have to be spent to trigger ADA obligations. Title II, which I just talked about, state and local government entities, including public schools, provides the same protections as Section 504. Next.

The goals of the ADA and the Rehab Act are the same. And they are to create a level playing field for people with disabilities through integration, full participation, and equal opportunity.

So if you're moving closer to those things, you're probably in compliance? You're probably going in the right direction, 'cause we'll get real nitpicky here? But if you're moving away from those three principles ‑‑ integration, full participation, and equal opportunity ‑‑ you might want to double‑check and look at what you're seeing, see if it's okay. Next.

What the ADA isn't! I find it really important for people to know this. And I always tell people what their ADA obligations are, and also what their ADA obligations and rights are and what they aren't? Because we need to know what the facts are. It's not a benefits program. People with disabilities don't get money from the ADA. Unfortunately. People with disabilities do not have to register to be protected under the ADA. The ADA is not a government agency. At one point, most of the work I did, people said I worked for the ADA. No, I'm a consultant. The ADA is a law. It also doesn't say you have to hire X number of people by X time like an affirmative action law. It just doesn't. Regardless of how you feel about that, it doesn't do that.

I want to tell you about a court decision that protects the right of people with disabilities during disasters! It's called the Olmstead decision, and it was in 1999. It's a Supreme Court decision that interpreted the Americans with Disabilities Act to require that people with disabilities must receive services in the most integrated setting appropriate to their needs. That's kind of a quote from the court; I would have said it differently, but they didn't ask me what I thought about how to say it. Most integrated setting appropriate to people's needs. We're gonna talk about this more in a little bit. Know that Olmstead is not a law; Olmstead is a Supreme Court decision that interprets a law, which is the Americans with Disabilities Act.

How does that apply during disasters? You're gonna see...! Next.

Any questions? If not, I'm gonna move on, 'cause I'd like us to move on if we could.

Priya, you wanna go to the next slide? And I can always ask questions later, is the thing you need to know.

So who's protected under the ADA? Who's considered disabled? Unlike other protected classes, for the most part, they don't have to go to a lot to prove they're a member of the class they're protected in. And for people with disabilities, it's really different. Next, please?

Here's the definition of disability under the ADA and the Rehab Act, Section 504. People with a physical or mental impairment that substantially limits one or more major life activities. We're gonna come back to that, don't worry. People with a record of having such impairment. Let's say I had cancer five years ago, and cancer is covered as a disability. And... do you think an employer might discriminate against me if I tell them I had cancer? Probably? Some might. So, Congress wanted people with a record of having an impairment to be covered. People regarded as having an impairment are also covered. Let's say I have scars from a burn all over my face. I'm not substantially limited in any major life activities. But I'm told I should go to the back of the shelter, or I shouldn't be up front, or I shouldn't be forward, I shouldn't be greeting ‑‑ I'm a volunteer, and I'm told I shouldn't be greeting people when they come to the trauma shelter because they don't want them to be traumatized by me? No. I'm protected, as that person.

So, what it means by substantial limit. What that means, and this is a quote, is it doesn't mean a severe condition. It means a condition that creates an impairment when compared to most people. And determining whether a condition is substantially limiting has to be done on a case‑by‑case basis. An example the Department of Justice gives is a mild allergy to pollen is not a substantially limiting condition. And I love that example? And I'm gonna use another example, because I think it augments it a little bit.

So let's say I get tired after walking two miles. Well, the American population isn't particularly fit, and pretty much everybody gets tired after walking two miles. So I'm not substantially limited in the major life activity of walking, compared to everyone else or most other people. But! This is the reality of the situation: If I get exhausted by walking from where I'm sitting now to my car, which is, you know, 80 feet away from here... then I'm substantially limited in the major life activity of walking. Because compared with, most other people can do that. You get that? Next, please.

And I'm gonna read through kinda quickly the major life activities. The ADA was amended in 2008, because people were decided that people were not disabled nearly enough, and people didn't even get to consider whether they were discriminated against. So major life activities now include, but are not limited to! Lawyer words. Caring for oneself; performing manual tasks; seeing, hearing, eating, sleeping, walking, standing, lifting; bending; speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and major bodily functions. What the heck are major bodily functions? We're about to find out.

Major bodily functions... include, but aren't limited to, functions of the immune system; normal cell growth; and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. And essentially, all of these things are in the ADA because they wanted to make it clear that people with HIV/AIDS are protected, people with cancer are covered, people with autoimmune disabilities are covered, people with things like Crohn's are covered, all of those things are covered. And it makes it really crystal clear.

Now, I saw a question come in the chat?

PRIYA PENNER: This is Priya. We have a couple of questions, one of which is: Will we get a copy of the slides? And yes, of course, you will get a copy of the slides in an accessible format, as well as a video recording of this webinar as well.

Another question I'm seeing in chat is: How do we talk about hidden disabilities, especially in a disaster situation? And should we have those records in our disaster bag, so we have that during the crisis?

MELISSA MARSHALL: Um, you're not required to have records on you. You're not required to prove that you have a disability. If you say you have a disability at a shelter, at a Disaster Recovery Center, you're not required to have those records. You can if you want to? But you're not required to have them. That's a great question. Thank you! And YOU get a little tiny ‑‑ you get a little tiny dragon! And it's green.

And so now, let's go on to see who has obligations under the ADA and 504! So we know who's protected. Who has obligations.

Entities! That means places. With obligations include: Cities, towns, county, borough, parish, state emergency management, public health, public schools, public hospitals, nursing facilities, day programs, places like that. The governor's office and the state legislature. Nonprofits, including the American Red Cross and Centers for Independent Living. Those are a few of the places that have obligations under the ADA, during disasters. You also have those obligations not during disasters as well, but I just wanted to specify. Next, please.

And, entities with obligations under 504 is anyone receiving federal funds. That includes religious entities and nonprofits receiving federal funds! Normally, religious entities do not have any obligations under ADA. But if I'm getting federal funds around disasters, then I have obligations around ADA. Around 504, excuse me. And city, town, state, and emergency management and public health that receive federal funds. And federal agencies have obligations under 504, including FEMA!

And, we already stopped just for questions, so if anyone has a question, please put it in, but if not I just wanna keep us moving, please?

PRIYA PENNER: This is Priya.

(silent pause)

Um... my apologies; I'm having some technical difficulties. And, I'm seeing a question in... the Q&A, from August, asking ‑‑ stating first: I have consumers ask this frequently. And asking: Is there such a thing as pocket‑sized cards that a consumer can get from any public entity so they are protected if they need to use the restroom, et cetera, and the place doesn't allow outside restroom use, so they're able to bypass that?

MELISSA MARSHALL: I am not aware of that. I know some people have doctors' notes? People that have bladder/bowel issues. Some people have doctors' notes. But I'm not aware of pocket‑sized cards that they can get from anywhere. That's not to say that they don't exist, at all! I'm not aware that an entity has to let you use their restroom under the ADA or 504. But that's a really good question.

You get one of those little cubes with letters in it, where you can make words? Like at a birthday party; remember those?

Should we go on to the next one, Priya?

PRIYA PENNER: Absolutely. I also just wanna read this question from Amanda from earlier.

MELISSA MARSHALL: Sure.

PRIYA PENNER: Just asked, from when you were asking what... questions folks had. And this is also a comment, as well, from Amanda: Understanding that interpreters are a right during disasters. We're lucky to have them in the day‑to‑day events. And, what are our options when they are not present and it is needed and no technology? So that's something Amanda is hoping to cover, as well.

MELISSA MARSHALL: And, I was, I was really with you and I had a good answer to that question until you said no technology. If there's technology and you don't have a live interpreter, you can use video interpreting. When we get to effective communication, I'll talk more about that, Amanda. Okay? Thank you, that's a great question.

Okay, let's look at obligations under ADA and 504 specifically around disasters! Next? Thank you.

Disaster‑related programs and services can't discriminate against people with disabilities! Yay! That's all of it in a nutshell! Now we have to figure out what that one sentence means!

These programs and services must comply with ADA and 504, as applicable. Only 504 if you get federal money. So, it's all your programs and services! It's not just the shelter; it's not just the Disaster Recovery Center, though those have obligations. It's during the exercises and drills you do before the disasters, which we all should be doing? The exercising. Planning meetings have to be accessible. That means physically accessible, interpretation available if needed, in accessible spaces. Disaster Recovery Centers, they're from FEMA and they have to be accessible. Points of Distribution. Places where people are given food, water, sometimes durable medical equipment, and sometimes they're inside, sometimes they're outside. They're called PODs. They have obligations. Disaster shelters; we're gonna talk a lot about that in just a minute. Transportation must be accessible, when it's provided to others without disabilities. And emergency alerts and notifications. And we're gonna go into that in a minute.

Next, please.

Um, structural... structural and program access must be provided. It means that programs and services must be accessible. Structural or facility accessibility requires an ADA‑compliant path of travel, restrooms, and areas where programs and services are provided. And we're gonna look at that RIGHT now, what that means. Next, please?

To comply with its obligations, covered entities, some of these obligations under ADA, like a shelter, like a Point of Distribution, has to provide structural and program access, equally effective communication, and nondiscrimination in operations. Next.

So what I mean by structural access or physical access. For path of travel, it's not just the path needs to be nice. It has to be nonslip ‑‑ it has to have a nonslip surface. No steps or high threshold. And again, the surface has to be firm, firm, ah... firm, solid, and slip‑resistant. No steps or high thresholds. There need to be accessible restrooms. Compliant ramps, including handrails, where necessary. Visual fire alarms or part of ADA‑compliant path of travel requirements. And tactile signage.

So notice! Not just about people who have mobility disabilities in wheelchairs. This also includes people with visibility disabilities and people with hearing disabilities. Next.

And people that are Deaf and Hard of Hearing, I should say.

To determine if a facility is ADA‑compliant, ask somebody who's familiar with the ADA and the state building code. 'Cause... whichever is stricter! The state, your state building code or the ADA guidelines, that prevails under ADA. So you want someone who understands the ADA requirements and state building code.

Don't assume competence to conduct access surveys based on disability status? If a random person uses a wheelchair, that doesn't mean they know anything about accessibility requirements or compliance. It might mean that they know where they can get to and where they can't get to. But that's not the same as all wheelchair users, and it's not the same as the law. It's complicated; it's something people have to study, and people have to learn, and not everyone has that particular skill. So don't assume someone has that skillset just because they have that disability. Also don't assume someone DOESN'T have that skillset because they aren't, they DON'T have a mobility disability. Some of the access surveyors I work with all the time don't have mobility disabilities. I work with lots of surveyors all the time, you might be able to tell, because I love this stuff.

And surveyors should be appropriately compensated as professionals. It's not just, oh, Sam, you use a chair; come give me 30 hours of your time and I'm not gonna pay you anything.

Also, please please please, please? Never assume any facility is accessible, even if it's new. There's places that should be accessible, that are required to be accessible ‑‑ like public schools? And all public schools aren't required to be accessible! And even if they ARE accessible, the areas where they provide shelter may not have the requirement to be accessible. So don't assume ANY place is accessible.

And it's really logical to say 34 years after the signing of the ADA, public schools should be accessible, wouldn't ya think? But no. Next, please.

Program access. Under Title II of the ADA. In existing construction ‑‑ by existing, I mean back in the dark old days of pre‑1991 ‑‑ all programs must be accessible. So if it's existing, an existing construction. Construction that was after 1991, all programs must be accessible. Regardless. However, not all buildings that are pre‑1991, or every PART of every building, has to be accessible. Programs can be moved to an accessible part of a building or to another building within a reasonable geographic proximity. New! And new means anything after 1991, so it really isn't new. Construction must be accessible. All the time, 100% of the time. Next, please?

Now. What is equally effective communication? This is where Amanda's question comes in. Communications with people with disabilities must be as effective as communication to people WITHOUT communication disabilities. Communication disabilities are visual disabilities, speech disabilities, and hearing disabilities. I just wanna add: That's it! Those are the communication disabilities. Someone might have a cognitive disability? That's not required as effective communication. It might be required as a modification of policy or practice, but not as effective communication.

Next, please?

So in order to provide equally effective communication, sometimes auxiliary aids and services ‑‑ that's what they're technically called, accommodations ‑‑ may be required. So it's not reasonable accommodations; auxiliary aids and services are technically correct. Reasonable accommodations are something that's confined to employment and schools. Next, please?

And... for emergency planners, equally effective communication means that planning meetings, activities, exercises, everything they DO, they must have equally effective communication... for all events, including outreach and follow‑up. And planners should really model compliance. For those of you that are involved in planning, it's a good idea to model compliance so that the community sees that you're serious about including us! Next.

Equally effective communication for people with visual disabilities! Some examples of auxiliary aids and services for people with visual disabilities include: Large print. Easy to do that now that we can print things out or have things be electronic. Readers ‑‑ and by reader, I mean a human being who can read a short document. A person. Screen reader‑accessible electronic material. And Braille! A small percentage of people use Braille, but it's important for those who need it.

Can I explain what's meant by modeling compliance. Some questions I see! Some go by me too quickly. What I mean by modeling compliance is... you wanna set an example, in showing what compliance looks like. You don't wait until you're ASKED to be compliant; you don't argue about compliance. You put it in your budget. And we're gonna talk more about that later. I hope that answers your question, Lisa. But thank you for that question, Lisa! Next, please.

PRIYA PENNER: This is Priya. I just wanna read this for folks, and then we can actually answer questions later. But, um. Jim shares: In Washington, Emergency Management Division had a gesture training class to help bridge communication gaps during the immediate aftermath of a disaster in the interim until professional interpreters are in place. Also, regular ASL classes are being offered.

MELISSA MARSHALL: Thank you, Jim House, for answering the question! We're gonna get there in just a second. And thank you, Jim House, I appreciate that.

So. Equally effective communication for people with speech disabilities can include: Allowing extra time. Using a communication board ‑‑ sometimes making one, if the person's lost their communication board. You can do that on paper. Utilizing their speech synthesizer. Pen and paper if that person can write. Or using any kind of electronic device, like tablets, pads, phones, and computers, that we take for granted now that we all use. Next.

Or most of ‑‑ many of us use, I should say.

Now! Equally effective communication for people with hearing disabilities! An example of auxiliary aids and services include: American Sign Language interpreters! Yes. Tactile interpreters that are often used by people that are DeafBlind. Oral interpreters that are used by people who are Hard of Hearing, and an oral interpreter will enunciate and articulate things more carefully than the person speaking. Video Remote Interpreting, VRI. VRI comes with come caveats: It's easier than having an interpreter there, BUT what lots of times happens, what people in the Deaf community tell me, is that... when power is low, communication breaks up or is interrupted and people go in and out. The other thing people tell me is video remote interpreters don't know local, cultural names and terms, and don't get things quite right, don't get things quite the same. For people on the call that are hearing, for people in this webinar that are hearing, think about when someone comes from out of state and they start reading your town names, like they're in for an emergency and they're mispronouncing everything and how jarring that is and how hard that is to understand. Also, communication access realtime translation, or CART, C‑A‑R‑T. Assistive listening systems. Videophones. Or using a microphone! That's really important for people that are Hard of Hearing. Using a microphone.

Now, what Amanda was saying is, okay, that's all well and good. What if the disaster's here and I can't get a sign language interpreter and all the power is down? And, Jim, you get a fabulous prize. Jim gets a new Lamborghini. It's silver. Jim gets a new car, because he answered the question. Which is by having people come in! (chuckles) By having people come in and teach you about gestures in emergencies. That's really important. Sometimes you use signs, about communicating with gestures? That's really important. And Jim also talked about some basic ASL training, American Sign Language training. Everybody should know that ASL is a language unto itself? It's not a code for English. It has its own grammar, its own syntax, and its own word order. So it's an entirely different language. So it's not something you can pick up in a couple hours or a couple days or a couple weeks. But everyone should know some words and some gestures. So thank you for that, Jim.

And I hear: Stay tuned for an e‑mail later today! Thank you, thank you, thank you! And we'll get that out to folks. Next, please, Priya?

Planning for effective communication! To provide effective communication, planners gotta be able to schedule sign language interpreters ‑‑ know where to call. If we don't know where to call, your independent living center can tell you where to call to get an interpreter, to set up interpreters. How to use Video Remote Interpreting. And how to create accessible electronic material or have material assessed for accessibility. You wanna make sure what you're putting up is accessible; you wanna have someone who's a professional check that. You know how I said you wanna have someone who's a professional check your access, and not everybody can do it? You wanna have someone who's a professional check your access for your screens.

I could go in, for example, to assess a building and do a really good job of that? A really credible job of that, I should say? I can't tell you anything about anything on your screen. So don't presume; you wanna make sure people are qualified. Next, please?

Okay! Now. You need to have nondiscrimination in general operations, and what that looks like is ‑‑ so we talked about structural access. We've talked about equally effective communication. Now we're gonna talk about general nondiscrimination obligations. And this is kinda... shrunk down a lot. We're talking about disasters. But these are some examples.

You can't have surcharges. You can never charge someone for their interpreter, for the ramp or anything like that. Service animals must be allowed in shelters! You can't have discriminatory eligibility criteria for shelter or any place else. And you're probably thinking: Who would have discriminatory eligibility criteria for a shelter or someplace like that? Um, I came across some shelters where... you couldn't be an IV drug user, or you couldn't take certain kinds of meds in order to stay in that shelter. And we had to share with them that no, that's not compliant with the ADA obligations and the obligations under 504. There also has to be equal opportunity to participate and benefit. So sometimes someone's doing something that doesn't fit under these categories, but there's not an equal opportunity to participate and benefit. That is not an equal opportunity under the ADA and 504! Next, please.

Programs and services must be in the most integrated setting appropriate to the needs of the person, per the Olmstead decision. We're gonna get to that in just a second when we talk about institutionalization. And there must be reasonable modifications to policies, practices, and procedures. What that basically does is, if it's reasonable, doing something different. Taking the paper off someone's straw. Doing something like that. Assisting someone... assisting someone and getting their food. Doing those kinds of things. Are required. So those reasonable modifications. Having a service animal is technically a reasonable modification ‑‑

PRIYA PENNER: This is Priya. I wanna pause for a moment. I am ‑‑ on my end, I'm seeing our interpreter freeze? Can we switch ‑‑ oh...

We're back. Do you mind backing up a little bit there, Melissa?

MELISSA MARSHALL: Not at all. Should I start with this slide?

PRIYA PENNER: Ah, just for ease, sure.

MELISSA MARSHALL: Of course. The requirements are: Programs and services must be presented in the most, provided in the most integrated setting appropriate to the needs of the person. That's under the Olmstead decision. We're gonna talk about that in a second, when we talk more about institutionalization.

There need to be reasonable modifications to policies, practices, and procedures. That could look like allowing a service animal, when your policy isn't to allow pets. That's a modification of policy, practice, and procedure that's a really, really, really important thing to know about. There's lots of modifications to policies, practices, and procedures, and we're gonna talk about that in a minute. Next, please?

Some examples of modifications to policies, practices, and procedures. Completing a form for someone who cannot write due to their disability. Allowing someone to have a personal assistant or support person with them. Allowing someone who's standing to advance in a line! Or providing them with a chair! If they have difficulty standing. Next?

Reasonable modifications to policies, practices, or procedures... include providing accessible transportation during evacuations and emergency situations! Reasonable modifications are not required when they fundamentally alter the nature of the program. Next?

PRIYA PENNER: This is Priya. I wanna read this comment slash question from Jessica, asking: Is there a resource you might recommend that provides an outline ‑‑ excuse me. Provides an outline of these regulation guidelines for emergencies that can be easily shared with disaster relief organizations? Perhaps a best practice document? I find that advocacy for accessibility can be MORE successful if there are additional resources about compliance to share.

MELISSA MARSHALL: We have resources through ‑‑ we have a couple of resource slides. And if those don't cover it, we can give you some more resource slides. There's also ADA.gov. That talks about some stuff during emergencies and disasters, and The Partnership has written a lot of materials that we have that are in our slides below. But thank you for asking that question.

PRIYA PENNER: Absolutely. And just as a note as we move into our next section here: If we do not cover your question, please know that... first, there's all of the content here, so we may cover your question. And second, if there are many questions after the fact, we certainly can provide resources... after the training, as well, to answer questions.

MELISSA MARSHALL: And you have my contact information in the last slide. Just saying.

Okay, let's look at obligations as they apply to disasters specifically. Next, please?

Equal access to disaster‑related programs and services! Let's look at obligations as they apply specifically to notifications. Notifications SHOULD... be ASL interpreted, but MUST be captioned. I didn't write the law; I'm just the messenger. Please know that? And, other things around notifications is alternatives to door knocks must be used, and maps must be accessible! Next, please?

Building evacuation and geographic evacuation must be accessible. This includes accessible ‑‑ information about evacuation must be in accessible format. Verbal instruction should be interpreted. And accessible transformation ‑‑ transportation, must be provided when provided for others. Next, please?

PRIYA PENNER: This is Priya. Can we pause once more? I'm so sorry. I AM seeing both interpreters onscreen, and that is a‑okay. Just wanted to confirm we're all set there? No one is freezing for anyone, on my end.

MELISSA MARSHALL: And that's true on my end as well.

PRIYA PENNER: Okay. I ‑‑ perfect. I think we're good to have just one interpreter up.

MELISSA MARSHALL: Okay. Obligations ‑‑

PRIYA PENNER: Oh, pause, pause, pause. So sorry, Melissa.

MELISSA MARSHALL: Sorry.

(silent pause)

NAKIA: Do you see me clearly?

MELISSA MARSHALL: Yes.

NAKIA: Okay. All right.

MELISSA MARSHALL: Are we good, Priya?

PRIYA PENNER: Taylor, all set?

TAYLOR: Oh, okay. Sorry, my entire screen is frozen. Just give me one moment. I'm gonna leave and come back in. I'm unable to... use any of the features on Zoom at the moment. Apologies for the interruption.

MELISSA MARSHALL: No worries.

PRIYA PENNER: No apologies necessary. Nakia, do you mind continuing while Taylor does that? Perfect. Go ahead, Melissa.

MELISSA MARSHALL: Okay. So let's go to the next slide after evacuation?

Let's get some obligations, let's look at some obligations as they apply to sheltering! Quiet areas must be provided; that's the law. Service animals, as I said before, must be allowed. Personal assistants must be allowed. Personal assistance services must be provided if you need them. Dietary accommodations must be provided as a reasonable modification of policy, practice, or procedure. And you can't have segregation or separation. Next?

Shelters must be structurally accessible, provide equally effective communication, and meet general nondiscrimination obligations, like every place else! Next?

And I know you don't use a lot of shelters in Alaska, but you haven't had the big disaster yet where you might need to, so just need to be prepared for this. Structurally‑accessible shelters must be ADA‑compliant, including their path of travel, their restrooms ‑‑ including the showers! That's really, really important. Registration. Eating areas. Sleeping areas, including accessible cots. Quiet areas, and other areas in the shelter. Next?

Equally effective communication includes on‑site interpreters or VRI ‑‑ Video Remote Interpreting. Print material in multiple formats. And tactile signage. Next?

Disaster‑related programs and services must be provided in the most integrated setting to the needs of the person! I'm gonna skip scenario 1. And, if we have time at the end, we'll get to it? But I wanna go to... unless there's questions, I wanna go to institutionalization, 'cause I don't wanna not cover that. Is that okay with everybody? If you have a burning question, please ask.

PRIYA PENNER: This is Priya. Ah... I'm just looking here. Um... I think we can hold this question until later.

MELISSA MARSHALL: Okay. So now, we're gonna look at institutionalization during and after disasters, because this is really, really important.

Next?

We all know the consequences of institutionalization, but I just wanna say them out loud so they're at the forefront of our mind. When somebody's institutionalized, they get lost, sometimes? Sometimes they get separated from their families. I remember during Hurricane Harvey, people got put in places where they didn't know where they were. Some of those people had dementia, many of them don't! They were just put in a van one day and told where they were going. And their family wanted to find them but they can't. People get sick in institutions, and we used to have to prove that theory, but COVID made it abundantly clear. People also lose their jobs, their homes, and their independence. What if they have personal assistants? Their personal assistants lose their jobs and aren't there for them when they get out. People die, earlier, in institutions. Next?

I wanna talk about institutional bias. And it's the unconscious or conscious individual belief and systemic practice that people with disabilities belong, or are better off, in institutions such as nursing facilities. Ageism is always but not often a factor. There's lots of young people in nursing facilities. There's children in nursing facilities; there's young people there. Next, please?

I'm gonna give you an example of this. Waivers are an example of institutional bias. In modern disasters, the Centers for Medicare and Medicaid, CMS, have issued what we call blanket 1135 waivers. One of the things ‑‑ a blanket waiver means a state doesn't have to apply for it; they just get it automatically? And one of the things an 1135 waiver does is it waives the three‑day opt stay before a person is transferred to a long‑term care facility! It also waives pre‑facility ‑‑ ah, nursing facility preadmission screening. And nursing facility preadmission screening isn't the best? It isn't at the highest level that we'd like it, but it's something? And then it's gone, under 1135. 1135 also does some good things, it's not all bad things, but there's negative aspects for the disability community in it. Next, please?

So, if you have a 1135 waiver and it waives the three‑day hospital stay before you go to a nursing home, that doesn't sound so bad. Until you think about it. What that means is someone with a disability could be sent to a nursing facility ‑‑ from their homes! If they don't have a personal attendant and they call 911. I can't use the bathroom, I can't get out of bed, I'm getting pressure sores, I'm calling 911 'cause it's a disaster and my personal assistant hasn't shown up. They send an ambulance to my house and they say, oh, the hospital's full; we're just sending you to a facility. From the nursing department, they can say this emergency room, this emergency department is too full; we're going to send you to a nursing facility. Or from a hospital room, if it will benefit another patient more, they can say someone else is sicker than you, we're going to send you to a nursing facility ‑‑ where typically they can't do that unless you've been there for three days. And people get in institutions, and they can't get out.

And, next, please?

And I'm gonna tell you about some advocacy resources that some of you may know about, some of you are just hearing about. And there are links attached here so you can get to your local one. Protection and advocacy agencies. They are established under the Developmental Disabilities Act, and they're organizations that do legal advocacy for people with all types of disabilities. They don't take every case; they only take cases that will affect large numbers of people. So they're really specialized in what they do. And every state has 'em. They're usually called like Disability Rights Alaska, Disability Rights Washington, those kinds of things. So if someone has a legal problem ‑‑ and during disasters, generally they'll take legal problems, because that's a pressing, urgent kind of thing. The majority of P&As will take something around a disaster all the time.

Your local Centers for Independent Living! Which many of you are familiar about! And Centers for Independent Living are run by and for people with disabilities to help us live independently in the community. They provide core services to do this. Nobody lives in a Center for Independent Living; the goal is to get us all living independently.

So, if you have a question, something comes up, and you're somebody trying to get into a shelter, you can call protection and advocacy if it's a legal problem. Or if you just need some resources and some support, you can call your Center for Independent Living.

You can also call your statewide Independent Living Council. They often have programs and are often very active in disasters.

You can also call The Partnership for Inclusive Disaster Strategies' Disability and Disaster Hotline. We will respond to your question. What we'll do is we will connect you with a local resource.

And if you have a question about the ADA ‑‑ and someone brought this up earlier. I think it might have been you, Amanda. I like going to the ADA National Network. When you click on this, you can get to your local ADA network, and that will give you information about the ADA specifically, and you can call them and they'll ask any and all ADA questions, including about disasters.

All of these protection and advocacy, Centers for Independent Living, statewide Independent Living Councils, and regional offices? If you click on that link, it will show you how to get ‑‑ there will be a map for you state; it'll show you how to get to your specific agency.

Okay, and I think what I'm going ‑‑ yes!

PRIYA PENNER: I think we should jump right to questions, 'cause we have a couple of questions from folks in chat. And... I think that makes a lot of sense. What do you think?

MELISSA MARSHALL: Perfect!

PRIYA PENNER: Great. A couple of folks are asking about... identifying and... understanding the differences between... knowing what a, ah. For example, Michael asks: Is there a guide for knowing what's a legitimate service animal and what's an emotional support animal. Ah, I believe Kiela is also asking how do you properly inquire the difference between a service animal and a quote‑unquote "support animal."

MELISSA MARSHALL: What ‑‑

PRIYA PENNER: Oh.

MELISSA MARSHALL: Go ahead, go ahead.

PRIYA PENNER: And Mike has asked ‑‑ shared, a service animal should be specifically trained to assist in a given situation; a support animal does not need to be specially trained to do anything in particular, in my opinion. And ‑‑

MELISSA MARSHALL: Okay. Let me tell you what you can ask and what you cannot ask. And, a service animal does not have to have specific ‑‑ a service animal doesn't have to have training from a company. It doesn't have to be certified. It doesn't have to wear a vest. People get ripped off, are scammed a lot of the time by charging people money for something you don't need.

A service animal is an animal that has been trained ‑‑ could have been trained by a owner or handler ‑‑ to perform tasks related to their disability that assist them. That can be everything from... leading them when they're blind, to... being able to smell when their medication levels are off and remind them that they need to take medicine. Mmkay? Service animals are either dogs, or in some cases miniature horses. Service animals, you may ask someone if... if ‑‑ if an animal's a service animal. If it's obvious ‑‑ if it's not obvious. You know, if someone's blind and they're using something, you can't ‑‑ you shouldn't really say, is that a service animal. It's, is that a service animal, and have they been trained to perform tasks to assist you with your disability. Those are the two questions you can ask. And we can send you some resources about that.

Emotional support animals are... not trained. Emotional support animals are allowed in shelters, under the Fair Housing Amendments Acts. Not under the ADA. But because it's a shelter where someone is living; they can be there. They can ask you for documentation about an emotional support animal. You canNOT ask for documentation about a service animal.

Does that answer your question?

PRIYA PENNER: As folks are responding to that question, Darryl does provide a couple of links from ADA.gov on service animal requirements, and sharing some quotes from there as well. Thank you, Darryl, for those resources in chat.

MELISSA MARSHALL: And make sure that anything you look at around service animals is up‑to‑date. And, what you will see is, you'll see something ‑‑ in lots of the materials, it'll say: Service animals are only allowed to be dogs, period; they can only be dogs. Service animals must be dogs. They say this like three times. And if you go down in the paragraph, it says: Miniature horses can be an exception sometimes. And there's legal reasons why they did that; it's just complicated. But just read the whole thing, and make sure it's the most up‑to‑date possible. So thank you!

Is that our questions, Priya, or do we have more?

PRIYA PENNER: This is Priya. Molly asks: Can Priya ‑‑ (chuckles) Excuse me! Molly asks: Can people charge people to be in the shelter? Public entities.

MELISSA MARSHALL: No.

...I don't often give one‑word answers, but no.

PRIYA PENNER: I was gonna say! Nice short and sweet answer. (chuckles)

That is, I believe, all the questions that I, ah, can see.

MELISSA MARSHALL: Okay! So we can go to slide 81, please?

What disabled people need to know. This is what disabled people need to know, what advocates need to know, what self‑advocates need to know, what everyone needs to know. As part of disaster preparation programs ‑‑ you know when you tell people how to have their go bag and their cell phone number and shelter‑in‑place kit. You know, what training groups might give. You know that training? As part of that program, you want to include training on the rights of disasters ‑‑ during disasters. That's part of prep. You're not prepared unless you know what your rights are.

I also suggest, we also suggest that you include instruction on accessing accurate information about rights of people on their phones or devices.

So I'm somebody with a service animal. I go to my shelter. And they tell me I can't come in with my service animal. I know where to access that on my phone or my device, and I can show it to them. They can say, oh! I guess that IS the law, since you're showing me this thing from the Department of Justice. That carries a lot of power with it. So those things are really important. Next, please?

And disabled people and advocates need to know that they need to have a seat at the planning table. Advocates can do this. And... disabled people can do this, consumers can do this, participants can do this, by asking to be notified of meetings and asking to be put on the list, the listservs. Asking for accommodations if they're gonna need them ahead of time. And inviting planners to disability community events!

Next, please?

What planners need to know! So let's say you're a planner. Next, please?

You wanna involve disabled people throughout the process. You don't wanna invite them to the activity as a last minute? The event, the exercise, as a last‑minute thing? You want them throughout the process. By the way, you never want people pretending or simulating the disabilities. You want people with the actual disabilities! And you don't want me as a wheelchair user pretending to be Deaf, just like you don't want someone who's Deaf to pretend to be a wheelchair use. That's the only way you can have an authentic experience.

Comply with disability rights laws before being asked. Don't make us say you have to have an interpreter, you have to do this. And a suggested way to do this is to include a line item for accommodations in your budget! FOR interpreters, FOR making electronic materials accessible, all of those. That makes sure it's in there before they're giving you the grant. They usually have that in there, but if they don't? Put that in there. And go beyond compliance when you can! Move towards disability justice.

Next, please?

After meeting legal obligations, work with people with disabilities to prioritize disabled people's experiences throughout disaster planning, mitigation, preparedness, response, recovery, and reconstruction!

...I'm gonna open up to questions now!

PRIYA PENNER: We have a fantastic question, as all of these questions are, from Aerius: How do you get major organizations, such as Red Cross, FEMA... excuse me. Red Cross and FEMA, to partner with local Centers for Independent Living in the event of a disaster?

MELISSA MARSHALL: You have an ARDIS, which is Regional Disability Integration Specialist, for your region. And I forget who it is now, but I know who it was. And the person who's for your region, talk to them? And also the State EOC, someone is saying; that's really important. And I think involve them, involve your local Red Cross. Talk to them, meet them, invite them! Invite them when there's fewer disasters ‑‑ we used to say blue sky times, but there aren't as many blue sky times. But invite them when there's fewer disasters to engage, to meet you, be at your tables, you be at their tables. Does that answer your question?

PRIYA PENNER: This is Priya. And folks are sharing that... the ARDIS who shared, the regional disability integration specialist who is taking Danielle's place, is PV, P as in Peter, V as in Victor, Jantz. And we will be putting a link to all of the ARDISs, the Regional Disability Integration Specialists, and their contact information, in chat for folks.

MELISSA MARSHALL: And I actually HAVE met PV on calls, and he is excellent. He has a really, really solid understanding of the ADA. And that's the highest compliment I can give any human being? (chuckles) He really gets it, he really understands it, he's a really good person. So get to know PV.

Other questions out there, Priya?

PRIYA PENNER: This is Priya. Yes. Um ‑‑

MELISSA MARSHALL: Lots of other scenarios and things we can do, if not, but feel free.

PRIYA PENNER: There are a couple of comments from folks that I would like to read, since we have a moment here. Someone shares: Often, training provided to service animals versus emotional support animals includes not barking. I have seen emotional support dogs bark and become aggressive when around other dogs. Can be harmful for service dogs specifically... trained.

MELISSA MARSHALL: And emotional support animals are not required to be trained in that way.

PRIYA PENNER: Absolutely. This is Priya again. August shares... that is one of my biggest pet peeves, when they are NOT including people with disabilities in planning and procedure. Our county is notorious for that.

MELISSA MARSHALL: And one of the things you wanna get your county to understand, that if you're there with them, it makes their life easier. You can make them look good, you can help them satisfy their customers ‑‑ which are the members of, of the county. People, the residents of the county. You can make them be good for their county; you can help them doing their jobs.

Also, if you're there and you see that they really, really tried to do something and weren't able to do it for whatever reason ‑‑ not that that's okay? But if you can kind of talk to the disability community and say, yeah, these folks really tried, they didn't just blow you off. That helps them, too. It's easier to have us with them than not with them, though it might not look like to them. Sometimes they don't know where to find people with disabilities? I don't know why that is? But we need to make ourselves known.

I see another comment that just went in, Priya?

PRIYA PENNER: This is Priya. We have a couple more comments, and a question. Brooke is responding to Aerius' question of how to get organizations like Red Cross and FEMA to partner with local CILs, Centers for Independent Living. And Brooke shares: Establishing relationships before the emergency or disaster.

MELISSA MARSHALL: Yes.

PRIYA PENNER: Inviting them to the CIL! Use the CIL as a venue to hold preparedness events!

MELISSA MARSHALL: Right. 'Cause you're accessible! That's one of the problems handled right there! You're accessible! And they can trust in that! You've got a free venue you can offer them. That is great!

PRIYA PENNER: This is Priya. Absolutely. Great, ah, great suggestions there.

I wanna turn to this question from Darryl. Darryl asks, wonderful ‑‑ ah, starts with: Wonderful presentation, yet all of the information presented has been addressed planning efforts for preparedness beforehand and recovery post‑disaster. How does ADA apply SPECIFICALLY during the actual time of rescue slash response?

MELISSA MARSHALL: It applies throughout. Like I was talking about notification ‑‑ it applies, always! It applies during rescue. They have to, when they come to notify you of the disaster, they have to use strobe lights; they, it applies throughout all of the rights you have to nondiscrimination, you also have during disaster ‑‑ during the actual disaster itself. It never doesn't apply.

Does that make sense?

(silent pause)

...not really? Helicopters do not have ramps. (chuckles) Yes. So to get someone into a helicopter, they'd evacuate you as they would anyone else ‑‑ I totally get that! I get that! Thanks, Darryl. I get that they move people into helicopters the same they would, way they would people that walk, or they use the same equipment that they would use to get someone in during a disaster. Does that...? Does anyone have anything else to say about this? 'Cause I'm not saying it in a way that's really clear. Is that people have to be provided assistance.

They do have lifters, though. Yes. They do have lifters. Thank you, Brent.

Yes.

Other thoughts and questions?

PRIYA PENNER: This is Priya. As folks are sharing other thoughts and potential responses here, I want to... turn to Brent's question of: What would be your recommendation for communities in Alaska that do NOT have the bandwidth or anyone in an official planning position to address ADA shortfalls in emergency planning?

MELISSA MARSHALL: ...It's hard having the bandwidth? What I would tell them is they've had the obligation for 34 years? And hopefully they can assign someone to give someone the bandwidth to learn about ADA and understand ADA; it's the law? Also they're receiving federal money, so it's the law under 504 of the Rehab Act. They need to start making room for that; they don't have to create a position if they can't afford that, but they need to start budgeting in? Making that into their budget. They need to create the bandwidth, because this has been a law they've had for almost three and a half decades.

Does that help?

PRIYA PENNER: A great question. Once again, as all these questions are, all these comments are.

Desiree asks: Many of these Alaskan communities are federally‑recognized tribes. Does that make a difference?

MELISSA MARSHALL: A federally‑recognized tribe does not have obligations under the ADA. It MAY have obligations under 504 of the Rehab Act, and I am going to look into that and confirm it and let you know. For that, for that. But they don't have obligations under ADA.

Lots of tribal nations, where I live in Connecticut, the tribal nations agreed to comply with the ADA? Even though they don't have that legal requirement, they agreed to do that. So they function as if they have obligations under the ADA. But it depends on the tribal nation.

That make sense?

And Priya! I just want to take a minute? Just literally a couple minutes, and go to slide 78, if we could?

PRIYA PENNER: 78?

MELISSA MARSHALL: 78! Scenario 2. See, I put in lots of scenarios, but you folks had so many good engaging questions, I couldn't, I didn't have to use them. Sometimes you put in scenarios when an audience is a little quiet? You weren't a little quiet, which is great! So you haven't missed anything; you'll see these scenarios.

But here's one. You have quadriplegia and use a power wheelchair for mobility. You need a personal assistant to transferring you ‑‑ transfer you ‑‑ to assist you in transferring you, and you need an accessible cot. You're told that you can sleep in your chair or go to a nursing facility. What should you do? Who do you contact?

Your thoughts. This is where it would be good to think about some of the resources I talked about earlier, like protection and advocacy, Centers for Independent Living, statewide councils, ADA centers, and... our hotline.

We seeing responses, Priya?

PRIYA PENNER: This is Priya. I think folks are still typing, which is a‑okay, no rush.

MELISSA MARSHALL: Yeah ‑‑

PRIYA PENNER: As a reminder, folks can put answers in the chat. The chat has been great, though, so. The folks that feel ‑‑ are very comfortable.

MELISSA MARSHALL: I see someone has typed go to the center manager. Meaning shelter manager? That's something you could certainly do. What if the shelter manager says, yeah, same thing; that's what you can do.

(silent pause)

Who would you contact?

You're not getting quiet at the very end, are you? (soft laugh) I should talk; I'm a really slow typist, so...

I see Lisa Bass saying she would contact the Disability Law Center in Alaska and The Partnership. And what The Partnership would do ‑‑ contact the Disability Law Center in Alaska, by all means. And what The Partnership would do is contact advocacy organizations. Absolutely. We try to do what we can.

And you might say, she's come up with this ridiculous example? They didn't tell her to go to a nursing facility specifically, but someone spent, I think, 10 days in her scooter, because there was no accessible cot. And once The Partnership got involved, it was with Red Cross together, and fixed it really quickly. But she spent 10 days. Think about the edema, the swelling, the potential for blood clots, not just to your back and your body. That actually happened to somebody. So you really need to know where to call. Protection and advocacy can really help you with these kinds of situations, The Partnership can help you. And again, protection and advocacy does the legal stuff close to you. And again, if you don't get to them, The Partnership has connections to protection and advocacy and we can call them. Again, sometimes they got lots of calls in disasters and they're prioritizing and really understaffed anyway.

PRIYA PENNER: This is Priya. I'm going to jump in. Seeing a lot of great comments from folks. One says use the resources list you just provided. Absolutely. One says contact, again, the P&A, Protection and Advocacy Agency. And then ACLU for long‑term. Short‑term, contact the EO...

MELISSA MARSHALL: Mm‑hmm. The Emergency Operations Center. Yep.

PRIYA PENNER: Yep. I am, apologies, losing visibility of my screen. One moment.

MELISSA MARSHALL: That's okay, because I have visibility in my chat where I usually don't. Mel is saying that hospital facilities have their own standards of care, but this isn't a hospital. You have to ask for them ‑‑

PRIYA PENNER: I just want to jump, I want to finish Mel's thought here, 'cause I believe that's connected to a separate thought, Melissa.

MELISSA MARSHALL: Okay, sorry.

PRIYA PENNER: No worries, no worries. Mel shares contact the P&A and ACLU for long‑term solutions. Short‑term solutions, contact your local emergency management, your local Center for Independent Living, and legislators, anyone and everyone, loudly.

MELISSA MARSHALL: Thank you, Mel! Yay.

PRIYA PENNER: And then, Desiree shares: During our earthquake disaster in 2018, I reached out to the state's senior and disability office and was unable to get assistance. The individual was left bedbound in a home with holes in the roof for over two months because they could not access shelter.

MELISSA MARSHALL: And you called protection and advocacy?

PRIYA PENNER: As Desiree responds to YOUR question, Melissa, Jesse suggests to document the issue. Absolutely. And also, contact the person in charge; reciting the law that applies to you; and then contact the law firm.

MELISSA MARSHALL: Contact a legal agency, contact protection and advocacy, contact The Partnership.

And I see we're right close to time. And, we will send ‑‑ if there's any questions we didn't get, let us know. That we didn't get to, we did as much as we could during 90 minutes. But I want to thank you all for your fabulous participation. I want you all to have a fabulous prize of your choice. And the SILC of Alaska, thank you again.

We have additional resources, that you can see on slide 90, which has, you know, other resources like the National Council on Disability, and a number of Partnership publications you can find on our website also, disability and immigrant rights in disasters, how to file an ADA complaint, accessibility reminders for Points of Distribution, and some considerations during planning. And there's a paper called Preserving Our Freedom: Ending Institutionalization of People with Disabilities During and after Disasters. They partner with organizations to write those papers, and The Partnership wrote that paper! We helped write that paper.

PRIYA PENNER: This is Priya. I just wanna jump in here with some last comments. And, as Melissa was saying, thank you so much, everyone, for joining us for this webinar. Your questions and comments have been absolutely fantastic. We really appreciate you also taking a couple of extra moments of your day to provide some feedback on the training. And that form is in the chat for folks. And it will be made available via e‑mail after the training. So please do take a couple moments to fill that out so we can continue to improve our trainings. Thank you.

MELISSA MARSHALL: And thank you to our interpreters today for making this event possible. We really, really appreciate you, so thank you for doing a great job. And again, thank you for coming. Have a great rest of your day, everybody!

Buh‑bye.