



Inclusive Planning Active Participation  
The Essential Elements to ensure Proper  
Response to People with Disabilities and  
Access and Functional Needs  
NYSEMA - February 14, 2019



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# Disability Inclusion Before, During and After Disasters



Marcie Roth, CEO

[www.disasterstrategies.org](http://www.disasterstrategies.org)



**“My experience tells me if we wait and plan for people with disabilities after we write the basic plan, we fail.”**



**Craig Fugate**  
**FEMA Administrator**

Washington, DC August 4, 2009 –  
testifying before the Senate Ad  
hoc committee on Disaster  
Recovery



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# Course Objectives

- Define access and functional needs and disabilities
- Define key terms related to inclusive planning
- Identify appropriate resources to assist in planning for, and with, adults and children with disabilities and others with access and functional needs
- Identify the essentiality of inclusive practices
- Learn how to incorporate access and functional needs in all phases of emergency management
- Understand disabilities as it pertains to emergency planning, preparedness, response, and recovery
- The Americans with Disabilities Act and Emergency Management



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# "Evacuate *Special Needs* Last"

The Texas School Safety Center is being charged by TX Governor Abbott to “provide training in the Standard Response Protocol and the Standard Reunification Method for school personnel” for K-12 schools and junior colleges. The training tools that are being used include statements such as:

“If there is a diverse special needs population, **consider evacuating that population last.**

Once evacuated, this population will demand additional resources”.

In addition to concerns about what is included in the training tool, the tool fails to consider any other aspects of evacuating students, teachers, staff or visitors with disabilities, and it fails to consider any of the physical and effective communications needs of parents and guardians with disabilities throughout the reunification process.

Kudos to the State of Texas Disability Task Force on Emergency Management and Disability Rights TX are challenging this directive. It appears that the State of TX isn't the only state directing their schools to evacuate students with disabilities last in emergencies...



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# The Right to be Rescued



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**Emergency Management**  
Disability Awareness Training

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# Litigation re: planning for People with Disabilities and Access and Functional Needs

Issues across lawsuits

- Building Evacuation
- Accessible Transportation
- Shelters and Evacuation Centers
- Power Outages
- Communications
- Recovery



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# Brooklyn Center for Independence vs Bloomberg

1. The failure of the evacuation plans to accommodate the needs of people with disabilities with respect to high-rise evacuation and accessible transportation
2. The failure of the shelter plans to require that the shelter system be sufficiently accessible
3. The failure of NYC to have a plan for ensuring that people with disabilities are able to access the services provided by the City after an emergency
4. The failure of plans to provide for accessible communications
5. The failure of NYC's outreach and education program to provide PWDs the same opportunity as others to develop a personal emergency plan
6. NYC's lack of sufficient plans to provide PWDs information about the existence and location of accessible services in an emergency



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# DOJ Guidance to State/Local Governments

The Americans with Disabilities Act and other laws apply in:

- Preparation
- Notification
- Evacuation and transportation
- Sheltering
- First aid and medical services
- Temporary lodging and housing
- Transition back to the community
- Clean up
- Other emergency and disaster-related programs, services, and activities

No State or local government, or its contractors, in providing services may, by law, policy, or contract, provide services below those standards without violating federal law.



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# Good Practices

- Planning is about integration
- Never separate planning to address access and functional needs
- Be specific about roles and responsibilities
- Work together and work smart



**Whole Community**

**People with  
Disabilities**

**People with Access  
& Functional  
Needs**



# Whole Community Planning

- Looks beyond traditional government-centric approach to emergency planning.
- Aims to dispel old thinking that government can solve challenges on its own.
- Engages and leverages community partner resources.
- Expands government reach.



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# Core Advisory Group

1. Disability advocacy organizations, service providers, individuals with disabilities, state level
2. Same as (1) but local level
3. Providing workshops at the local level, evident only when dedicated to principles of inclusive emergency management.
4. Personal planning within workshops or other venues

**Committee on Disabilities should exist in every municipality**



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# Checklist for Integrating IWDs and Access and Functional Needs

- ✓ Planning: community partners, Disability Integration Advisor/AFN Tech Specialist
- ✓ Communication
- ✓ Sheltering
- ✓ Evacuation, transportation
- ✓ Recovery
- ✓ Training, exercises, personal preparedness



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# Disability Impacts **ALL of US**

COMMUNITIES



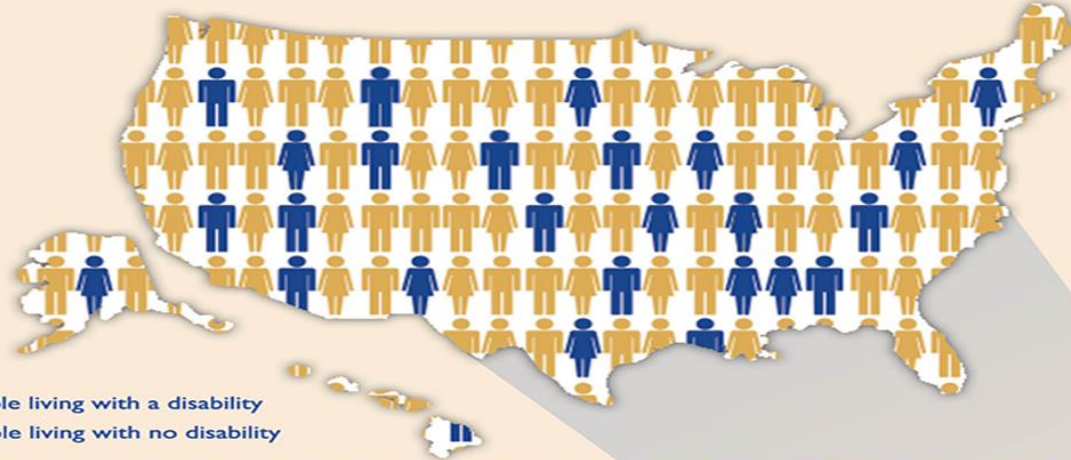
HEALTH



ACCESS



**61 million** adults in the United States live with a disability



 People living with a disability  
 People living with no disability

**26%**  
(1 in 4)

**of adults in  
the United States  
have some type  
of disability**

The percentage of people  
living with disabilities is  
highest in the South



**Join CDC and its partners as we work  
to improve the health of people living with disabilities.**

For more information go to [www.cdc.gov/disabilities](http://www.cdc.gov/disabilities)



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# Fast Facts:

- **FEMA-** roughly 47 million people were affected by Harvey, Irma, and Maria — eight percent of the entire U.S. population.
- **The Centers for Disease Control and Prevention-** 26% of the population has disabilities.
- **The Americans with Disabilities Act of 1990-** each of these individuals is entitled to civil rights protections. This means that almost 12 million of these disaster impacted individuals were children and adults with disabilities and civil rights protections.
- **The Rehabilitation Act of 1973-** prohibits discrimination on the basis of disability by the federal government, federal contractors, and by recipients of federal financial assistance. Requires any recipient or sub-recipient of federal funds to make their programs accessible to individuals with disabilities. Its protections apply to ALL programs and businesses that receive ANY federal funds.



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# Disproportionate Impact

According to the United Nations, children and adults with disabilities are 2-4 times more likely to be injured or die in a disaster due to a lack of planning, accessibility and accommodation, most are not due to diagnostic labels or medical conditions.”

The United Nations Sendai Framework for Disaster Risk Reduction recognizes that not only are persons with disabilities disproportionately affected by disasters, but – crucially – that their knowledge and leadership skills are essential for building resilient, inclusive and equitable societies.

-United Nations Sendai Framework for Disaster Risk Reduction - 2015-2030



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# Access & Functional Needs

Actions, services, accommodations, and programmatic, architectural and communication modifications that a covered entity must undertake or provide to individuals with disabilities.



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# Disability Definition

## Major life activities:

Include but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

## Major bodily functions :

Include but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.



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- Children and adults with physical, mobility, sensory, intellectual, developmental, cognitive, or mental disabilities
- Older adults
- People with chronic or temporary health conditions
- Women in the late stages of pregnancy
- People with limited English proficiency, low literacy or additional communication needs
- People with very low incomes
- People without access to transportation
- People experiencing homelessness
- Others



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# National Organizations

## PORTLIGHT STRATEGIES

**Portlight Strategies, Inc.** is a 501(c)(3) organization, founded in 1997 to facilitate a variety of projects involving people with disabilities, including post-disaster relief work. Portlight's longest running disaster recovery effort followed the devastation of Superstorm Sandy in the shore communities of New Jersey and parts of New York City, and lasted for 18 months.

## The Partnership for Inclusive Disaster Strategies

The Partnership mission is equal access and full inclusion for the whole community before, during, and after a disaster. It was established to identify and bridge gaps, increase sustainable relationships and grow the number of emergency preparedness actors committed to inclusive emergency management



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# The Partnership for Inclusive Disaster Strategies

We represent 61 million Americans with disabilities in every congressional district and virtually every community across the US.

Our mission is disability inclusive emergency management, equal access to emergency programs and services and whole community disaster resilience.

“We know how to get it right before, during and after disasters. We can help you get it right, too.”



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# The priorities of the Partnership for Inclusive Disaster Strategies:

- Community engagement and organizing
- Advocacy and public policy leadership
- Training and education
- Technical assistance before, during and after disasters.



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# The READI (Readying Elders and Americans with Disabilities Inclusively) for Disasters Act

- Use of Disaster Response Funds
- Training and Technical Assistance Disability and Aging Disasters
- National Commission on Disability Rights and Disasters
- Review of Department of Justice Settlement Agreements and Government Accountability Office Report

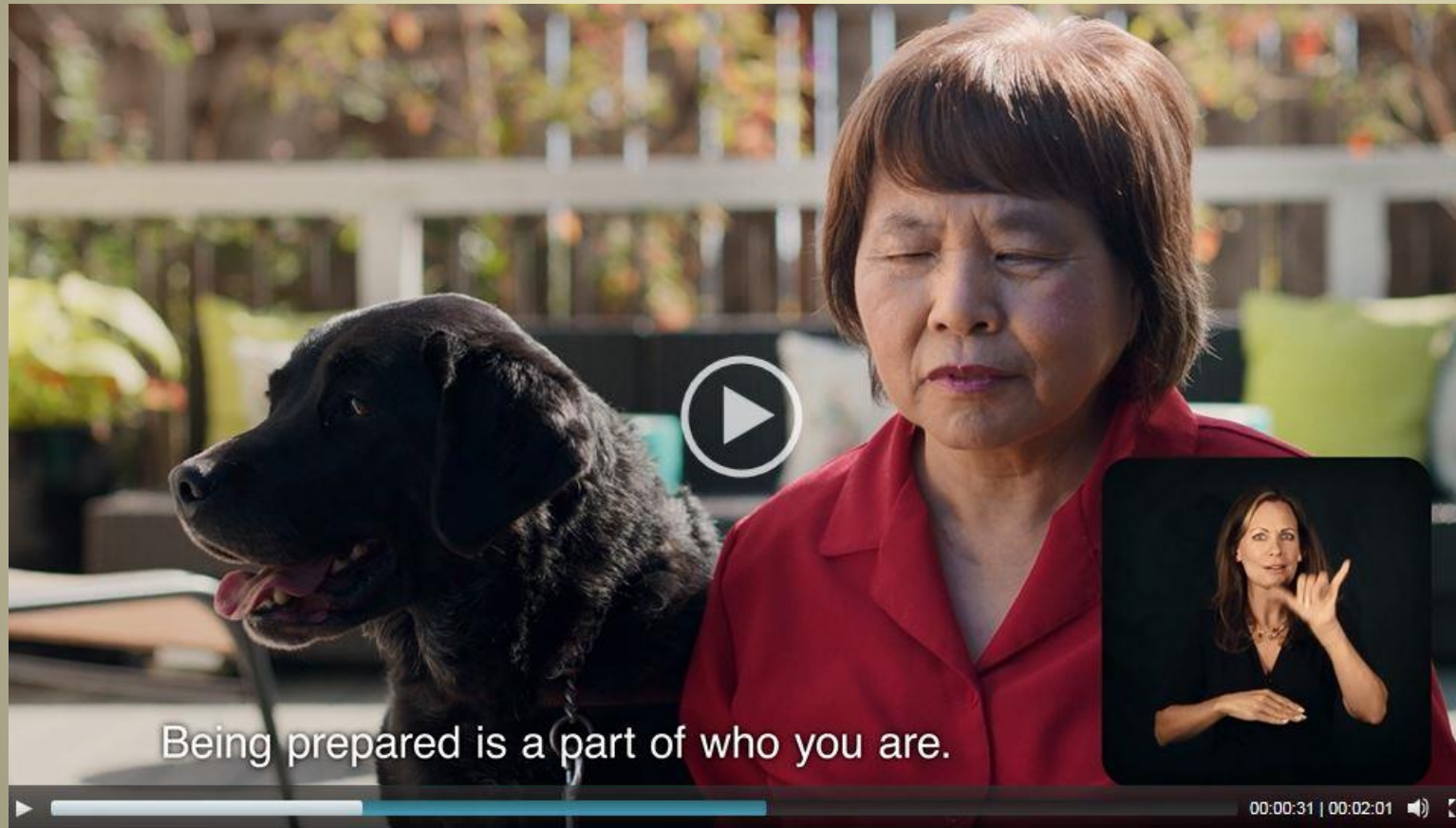




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# We Prepare Everyday



# Our Partners and Stakeholders

- Disability community leaders
- Community planners
- Emergency managers
- Public health and medical specialists
- Public safety officials
- Elected officials
- Government agencies
- Business and industry
- Private sector
- Faith-based and community organizations
- Other stakeholders across the country and around the world



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# Promising and Good Practices: Exercises

- Whole community practice for disasters
- People with a variety of access and functional needs must be included
- Actors should not be used
- People should pose real life challenges
- Goal is to teach people to anticipate the issues and build confidence in their ability to solve problems in unimaginable circumstances.





# Promising and Good Practices

- Accessibility is “baked in” to, explicitly stated and appropriately resourced throughout all aspects of preparedness, response, relief, recovery, mitigation and community resilience initiatives not an afterthought or annex
- “Nothing About Us Without Us”, people with disabilities are “at the table” and their role is real, not tokenized
- Qualified people with disabilities serve in leadership roles



# Community Resilience

Resilience is the ability to anticipate risk, limit impact, and bounce back rapidly through survival, adaptability, evolution, and growth in the face of turbulent change.

True resilience is only achievable with a full commitment to equal access and whole community inclusion.



# Emergency Preparedness Paying for Accessibility and Inclusion

Available funding for the FY 18 Homeland Security Grant  
Program:

\$1,067,000,000  
(\$1.07 billion)



# Homeland Security Grants

FEMA/DHS grant guidance “strongly encourages grantees to address how investments will provide equal access and increased effectiveness of emergency preparedness planning and response and to increase the involvement of disability inclusion experts as partners across all aspects of emergency management.”



# Homeland Security Grant Program

Examples of Allowable Use of Funds:

Inclusive meeting practices

Producing materials and tools

General population shelter planning, training, equipment and supplies

Accessible alert, warning and notification systems

Gap analysis

Resource tracking

Cross training

Analysis and evaluation of potential shelter locations

Planners

Neighborhood leadership development



# Office of Emergency Management Access and Functional Needs Progress Report-Audit of Findings

- Personnel trained in NYS Emergency Management Access and Functional Needs (AFN) Disability Awareness Training (DAT)
- Core Advisory Group
- Listing of Programs/Positions
- [Link to Audit tool](#)





# Trainings Conducted/EM presence\*

- Broome County
- Cattaraugus County\*
- Chemung County\*/Steuben County\*
- Erie County
- Livingston county\*
- Montgomery County\*/Fulton County\*
- Nassau County
- Niagara County\*
- Oswego County\*/Onondaga County\*/Madison County\*
- Warren County\*
- Wayne County\*



# 2019 Trainings Scheduled

- Orange County; March 28-29
- Oneida County; April 2-3 (Oriskany)
- Suffolk County; April 30-May 1
- Rockland County; May 2-3
- Clinton County; May 22-23

FUNDING ENDS OCTOBER 31st



# Related topics and responsibilities

- Disability Rights New York
- ADA Coordinator Report
- Municipality responsibility
- Project Civic Access



# Intermediate Care Facilities for Individuals with Intellectual Disabilities



Marcie Roth  
CEO, Partnership for Inclusive Disaster Strategies  
(301) 717-7447  
[marcie@disasterstrategies.org](mailto:marcie@disasterstrategies.org)  
[www.disasterstrategies.org](http://www.disasterstrategies.org)



# Niagara University

## Disability Awareness Training

- Website: [frdat.niagara.edu](http://frdat.niagara.edu) – links, community resources, training info
- Office phone: 716-286-7355
- One stop disability information center
- Also offer law enforcement, firefighter, emergency medical services, and 9-1-1 telecommunicators training



INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE. WE ARE  
CAUGHT IN AN INESCAPABLE NETWORK OF MUTUALITY, TIED IN  
A SINGLE GARMENT OF DESTINY. WHATEVER AFFECTS  
ONE DIRECTLY, AFFECTS ALL INDIRECTLY.

