

Accommodating Persons with Disabilities

This module provides suggestions and resources for service providers to assist persons with disabilities who need accommodations. Accommodations are often essential to enable sexual assault victims with disabilities to access and benefit from the programs and services available to them.¹

Key Points

- “An accommodation” is a broad term that is used to describe a modification to goods, services and structures that allows for inclusion and participation by persons with disabilities. Accommodations discussed in this module are mainly modifications to goods and services rather than to structures. Some common accommodation tools to modify goods and services include: auxiliary aids and services that promote effective communication, assistive technology used to perform tasks that would otherwise be difficult or impossible due to a disability, and personal services that assist individuals with daily living tasks that they cannot accomplish on their own.
- In order to find out if accommodations are needed and what accommodations are appropriate, service providers must ask all clients what works best for them.

C4. Accommodating Persons with Disabilities

Purpose

This module provides suggestions and resources for service providers to assist individuals with disabilities who need accommodations. All the *Disabilities 101* modules in this toolkit to some extent incorporate issues pertinent to accommodations, because accommodations are often essential to enable sexual assault victims with disabilities to access and benefit from the programs and services available to them.

NOTE: This module is NOT intended to be a guide for meeting the requirements of the Americans with Disabilities Act (ADA) of 1990. The requirements under this law vary based on criteria such as, but not limited to, whether the entity is public or private, the nature of the business and how that business or service provider is funded. (See *Disabilities 101. Disability Laws*.) If a service provider is working towards full compliance with the ADA, it is recommended that they seek the assistance of a qualified individual who is trained in the regulations specific to their entity. The Disability and Business Technical Assistance Center (DBTAC), Mid-Atlantic ADA Center in Rockville, MD is a resource for addressing compliance issues related to the ADA. Call 800-949-4232 or go to www.adainfo.org for assistance.

Objectives

Those who complete this module will be able to:

- Discuss resources that enhance access to services for persons with disabilities;
- Recognize common tools, equipment and aids available to increase independence, facilitate

communication and increase the ability of a person with disabilities to participate and/or benefit from programs and services; and

- Challenge the assumption that it is expensive and difficult to accommodate individuals with disabilities.

CORE KNOWLEDGE

What are accommodations?

An “accommodation” is a broad term that is used to describe a modification to goods, services and structures that allows for inclusion and participation by persons with disabilities. Accommodations discussed in this module are mainly modifications to goods and services rather than to structures, such as an interior or exterior of an office. Some common accommodation tools to modify goods and services include:

- **Auxiliary aids and services** is a term used by the U.S. Department of Justice to describe a wide range of services and devices that promote effective communication.²
- **Assistive technology (AT)** refers to any device used to perform a task that would otherwise be difficult or impossible due to a disability. We all use AT devices every day. An electric can opener is easier to use for some than a hand-held can opener. Glasses make it possible for those with less than perfect vision to read. Computers and technology assist us in communicating and in gaining knowledge without physically leaving our current locations. There is some overlap between auxiliary aids and AT devices.
- **Personal services** refer to a wide range of services and providers available to assist individuals with daily living tasks that they cannot accomplish on their own (e.g., an attendant from a home health agency may assist a person with physical disabilities with bathing and dressing).

These accommodations can help equalize the opportunity for persons with disabilities to access your services.

How do you find out what accommodations a person needs?

A valuable resource available to service providers to learn how to accommodate a client’s disability is the individual client.

“The key to finding low-cost solutions is to foster open communication with the person needing the accommodation and to think broadly about the possibilities and resources available to them and to your organization. Each individual will have a unique approach to his or her own disability. Recognize that finding reasonable adaptations is a process of creative problem solving.”³

It is important to note that not all people with similar disabilities will benefit from the same accommodation. The *Title II Technical Assistance Manual*, developed by the U.S. Department of Justice, provides an example as to why “one size doesn’t fit all.”⁴ Some individuals who were deaf at birth, or who lost their hearing before acquiring language, use sign language as their primary form of communication. They may be uncomfortable or not proficient with written

English, thus making use of a notepad an ineffective tool for communication. Individuals who lose their hearing later in life, on the other hand, may not be familiar with sign language and can communicate effectively through writing. This example demonstrates why it is critical to **ask each individual what works best for them. What is effective for one could be ineffective for another.**⁵ (See *Disabilities 101. Tips for Communicating with Persons with Disabilities.*)

FYI—Those providing accommodations to sexual assault victims with disabilities must be trained to maintain the confidentiality of the information shared, with the exception of cases where mandatory reporting is required by the state. (See *Sexual Violence 101. Confidentiality* and *Sexual Violence 101. Mandatory Reporting.*)

It is also important that service providers have a basic understanding of sexual assault victimization and work to avoid inadvertently re-traumatizing victims. For example, those providing personal services should understand that victims may be very cautious, distrustful and even afraid of them at first and may prefer a provider of a specific gender. Providers may need to learn what triggers emotional distress for each victim (e.g., if they were sexually assaulted by another caregiver, a victim may be anxious when someone new provides assistance with bathing, toileting and dressing). Providers also need to be efficient and caring, giving victims as much control as possible over how services are delivered. Interpreters must have the ability to dialogue about sexual victimization using accurate terms that avoid victim-blaming and to fully describe what is being discussed. They need to understand that it may be very difficult for victims to talk about the sexual violence. (See the *Sexual Violence 101 modules*, in particular *Sexual Violence 101. Understanding and Addressing Emotional Trauma.*)

What are examples of auxiliary aids/services and AT devices?

The following chart offers some examples of (1) auxiliary aids and services designed to promote effective communication and (2) AT devices used to perform tasks that would otherwise be difficult or impossible due to a disability. Note that technology is constantly changing; over time, examples on this list may become obsolete as more technologically advanced equipment is developed.

Examples of Auxiliary Aids/Services

Examples of Assistive Technology (AT)

Assistive listening device that amplifies sound.

A **wheelchair**, whether manual or power, that enhances a person's mobility.

A **Braille** that converts documents into Braille.

Computer software (e.g., screen reader programs) that allows for a person who is blind to use it through vocalization of the written word on the computer screen and/or use of Braille.

Large print materials, in at least 18 to 20 font, is best practice. It is important to determine what size font works best for a person with a

Speech synthesizer that allows a person who has speech difficulties to type her message into computerized equipment that then vocalizes

visual disability.

what she has typed.⁶

Captioning for televisions and visual presentations that can enhance visibility.

Communication board or device, accessed by a touch screen that can have words programmed into it.

A **TTY machine**, a telecommunication device used when communicating with someone who is deaf, allows the user to type and receive messages instead of speaking into or listening on a phone.

A **talking watch** or **calculator** and **books on often tape**.

Text messaging through cell phones is another economical way for a person who is deaf or hard of hearing to communicate.

A **flasher for a door bell** so an individual who is deaf will know that someone is at the door.

Video relay service uses a web camera and computer or video phone to transmit images to a video interpreter.

Raised letters or Braille on directional signage aids a person with a visual disability.

Qualified sign language interpreters aid in communication. Being able to sign does not guarantee that a person is a qualified interpreter. It does not certify that a person can process spoken communication into the proper signs, or that he or she possesses the proper skills to observe someone signing and change their signed or finger-spelled communication into spoken words. A qualified interpreter does not necessarily require certification; qualifications are linked more closely to the ability to interpret receptively and expressively.⁷

Writing guides are overlays that individuals with low vision can use for tasks. For example, a writing guide for check writing designates areas for dates, amounts of money and signatures.

Closed circuit television (CCTV) is a device that will enlarge text much like an overhead projector. Printed materials are placed on the magnifier, which enlarges and projects them onto a screen similar to a television.

A **magnifier**, for a television screen is placed on the floor in front of the television and magnifies the image.

A **tape recorder** can transform written documents, such as intake forms and agency policies, into an audio format that can be used by someone who is blind and does not read Braille..

A **decoder** helps individuals with older televisions have access to closed captioning. Most new televisions have decoder functions built into them.

A **modified eating** utensil that allows individuals with limited use of their hands to feed themselves.

FYI—“Professionals may assume that accommodating people with disabilities in their programs

will be prohibitively expensive. **In fact, accommodations are often cost-free or quite inexpensive.** There is not always a need for accommodations, as many people with disabilities own the equipment they need for everyday life and will need only minimal assistance from others.”⁸

What are examples of personal services?

As mentioned earlier, a variety of personal services are typically available in a community to assist individuals with the tasks of daily living. Tasks might include bathing, toileting, grooming, feeding and dressing oneself, getting in and out of bed, transferring in and out of a wheelchair, preparing meals, performing housework, taking medications, managing finances, communicating with others, going on errands and accessing activities outside of the home. Personal services are often coordinated by a range of community-based providers, depending upon the needs of the person with disabilities. Services are often provided by a spectrum of attendants, such as qualified certified nursing assistants (CNAs) for in-home care, housecleaning service employees for routine or seasonal cleaning, drivers for transportation services, senior nutrition program employees that prepare and deliver meals, advisors for financial management services, etc.

If your agency provides residential services, such as shelter or transitional housing, it is important to determine what resources are available within the community to meet your clients' needs for personal services. To ensure that persons with a disability can equally participate in all of the services you provide, meeting these basic needs is critical. Because of the personal nature of the services being provided, it is recommended that home health care agencies are utilized that allow individuals with disabilities to select their own attendants. Although agencies provide training for the staff that perform these duties, the best training is that which is provided by the individual who needs the service.

What key resources for accommodations are available to persons with disabilities in West Virginia?

Auxiliary aids/services and AT devices:

- The **West Virginia Commission for the Deaf and Hard of Hearing** can assist in locating qualified interpreters (www.wvdhhr.org/wvcdhh or 866-461-3578).
- The Federal Communications Commission (FCC) uses the 711 dialing code for access to the national **Telecommunications Relay Services (TRS)**. TRS enables persons who are deaf, hard of hearing or have a communication disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities who do not have a TTY.

Example: Martha, who is deaf, wants to call her doctor using TRS because her doctor does not have a TTY. Martha can use her TTY to dial 711. She will automatically be connected to a TRS operator. Martha will give the operator her doctor's phone number and a message. The operator will place a call to Martha's doctor. The operator serves as a link for the call, relaying the text from Martha's TTY messages in voice to the doctor, and converting to text for Martha what the doctor says in response.

For more on TRS or 711, go to <http://www.fcc.gov/cgb/consumerfacts/trs.html> and

<http://www.fcc.gov/cgb/consumerfacts/711.html>.⁹

- The **West Virginia University Center for Excellence in Disabilities** (CED) operates a program called Powerful Tools for Living as part of the WV Assistive Technology Services project. Through this project, there are AT resource centers throughout the state that serve as AT loan libraries and demonstration centers. These centers provide individuals with the opportunity to learn about and try AT prior to purchase to ensure that the AT is effective in addressing their needs. They are also resources for the community at large when seeking AT resources. To learn more, go to www.cedwv.org or call 877-724-8244.
- Many individuals with disabilities live on very limited incomes and have difficulty affording the assistive technology they may need. The **West Virginia Division of Rehabilitation Services** operates an assistive technology revolving loan fund, funded by the state legislature, which provides low interest loans to qualified individuals with disabilities to purchase AT. For more information, go to www.wvdrs.org or call 800-642-8207.

In addition, the **Centers for Independent Living** within the state operate a Community Living Services program that also provides funding to individuals with disabilities to purchase AT or pay for home modifications to improve accessibility. To locate service areas for the centers, go to www.mtstcil.org.

- Additional sources for purchasing simple solutions for AT needs are online stores such as **Maxi Aids** and **Independent Living Aids**. These companies provide aids to enhance independent living skills; www.maxiaids.com provides aids for all disabilities (800-522-6294) and www.IndependentLiving.com specializes in providing low vision and hearing loss aids (800-537-2118).

Personal services:

- The **WV Department of Health and Human Services** (DHHR) and the **Bureau of Senior Services** (BOSS) provide resources for personal assistance services. Qualified individuals may be able to gain in-home personal assistance services through two Medicaid waiver programs, one for persons with intellectual disabilities and one for seniors and persons with other disabilities. Go to www.wvseniorservices.org or call 877-987-3646.
- Those who do not qualify for the federally funded Medicaid programs may be eligible to receive support from a state funded personal assistance service called the Ron Yost Personal Assistance Services Program. Go to www.wvsilc.org for information on the **WV Statewide Independent Living Council** at or call 304-766-4624.

How can access to services be improved when structural barriers exist?

Although this module is not intended to address structural barriers, the following modifications are relatively inexpensive and easy to implement and can help to improve overall access to your services:

- A portable ramp can help if a few steps limit access to your agency.
- Rearranging tables, display racks, desks or other furnishings can increase space for individuals who use a wheelchair.

- A shower chair can increase independence for someone who may have difficulty standing to shower.
- Lowering shelves or racks holding printed materials or supplies can improve access.
- Providing services at an alternate, accessible location enables persons with physical disabilities to utilize your services.
- Putting blocks under a table to raise it up can allow someone using a power chair or wheelchair to fit comfortably at the table.

For additional information on taking the next steps in addressing physical barriers to services, the DBTAC, Mid-Atlantic ADA Center is a resource (see contact information on page C4.1 of this module). (Also see *Tools to Increase Access. Physical Accessibility Checklist for Existing Facilities.*)

Questions to consider:

1. What types of accommodations does your agency make?
2. What accommodations could be easily implemented to make your agency more accessible to sexual violence victims with disabilities?
3. What steps need to be taken to implement the process and acquire these accommodations?
4. What can your agency do to facilitate creative problem solving with every victim with a disability to identify any needed and appropriate accommodations?

(Also see *Tools to Increase Access. Programmatic and Policy Accessibility Checklist, Tools to Increase Access. Readiness to Serve Victims with Disabilities: A Review of Intake Practices,* and *Tools to Increase Access. Developing a Transition Plan.*)

These questions can be considered by individual readers and/or discussed with other agency employees.

Test Your Knowledge

Refer to the pages in this module as indicated to find the answer for each question.

1. What is an accommodation? *See page C4.2.*
2. In order to determine if accommodations are needed for a client and, if so, what accommodations are appropriate, what is a critical step for service providers to take? *See page C4.3.*
3. What accommodation tools are described in this module? *See page C4.3.*
4. What are examples of each of those tools? *See pages C4.3–C4.4.*
5. What resources for accommodations are available to persons with disabilities? *See pages C4.5–C4.6.*

West Virginia S.A.F.E. Training and Collaboration Toolkit—Serving Sexual Violence Victims with Disabilities

Project partners welcome the non-commercial use of this module to increase knowledge about serving sexual violence victims with disabilities in any community, and adaptation for use in other states and communities as needed, without the need for permission. We do request that any material used from this module be credited to the West Virginia Sexual Assault Free Environment (WV S.A.F.E.) project, a partnership of the West Virginia Foundation for Rape Information and Services, the Northern West Virginia Center for Independent Living and the West Virginia Department of Health and Human Resources (2010). Questions about the project should be directed to the West Virginia Foundation for Rape Information and Services at www.fris.org.

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¹Partnering agencies refer to the persons they serve as “clients,” “consumers” and “victims.” For convenience, “victims” and “clients” are primarily used in this module. Also note that the terms “sexual violence” and “sexual assault” are generally used in this module to encompass sexual assault, sexual abuse and other forms of sexual violence.

²The Americans with Disabilities Act, *Title II technical assistance manual II–7.1000*, Equally effective communication, through <http://www.ada.gov/taman2.html>. This and other online documents referenced in this module were available at the links provided at the time the module was written. It is suggested you check the sites for any updates or changes. If you experience difficulty accessing the documents via the links, another option for locating documents is doing a web search using titles.

³Mobility International USA, *Helpful tips for accommodating people with disabilities*, <http://www.miusa.org/idd/IDDresourcecenter/hrtoolbox/helptipstxt/view>.

⁴Title II technical assistance manual II–7.1100, Primary considerations.

⁵Title II technical assistance manual II–7.1100, Primary considerations.

⁶Although males and females are both victimized by sexual violence, most reported and unreported cases are females (see the endnotes in the *Toolkit User’s Guide* for a full citation). Therefore, in this module, victims are often referred to as female.

⁷Title II technical assistance manual, II–7.1200, Qualified interpreters.

⁸Mobility International USA.

⁹The information about TRS and 711 was drawn from these websites.