



U.S. Department of Homeland Security

Privacy Office

Plan for Improving Access to the Privacy Office's Public-Facing Programs and Activities for Individuals with Disabilities

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I. Introduction

The Department of Homeland Security (DHS) Privacy Office (PRIV) developed this plan to strengthen nondiscrimination for individuals with disabilities encountered and served by PRIV pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504). On September 25, 2013, the Department of Homeland Security (DHS) Under Secretary for Management issued Directive 065-01, *Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-Employment)*. Among other things, the Directive requires each DHS Component to designate a lead Disability Access Coordinator (and supporting Coordinators where needed), conduct a Self-Evaluation of its programs and activities to identify barriers and gaps in ensuring access for individuals with disabilities, and develop a Component Plan to address the results of the Self-Evaluation. PRIV appointed a disability access coordinator, conducted a Self-Evaluation, and began to take immediate steps to address barriers and gaps that were identified through the Self-Evaluation. This document is PRIV's Component Plan.

II. Executive Summary

Pursuant to DHS Directive 065-01 and the accompanying Instruction 065-01-001, *Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-employment)*, PRIV conducted its self-evaluation between July–September 2017. PRIV used the Self-Evaluation Tool contained within the Component Self-Evaluation and Planning Reference Guide to conduct interactive discussions with the entire staff. The results of these discussions indicate that staff possess a clear understanding of the obligation to provide access for individuals with disabilities in public-facing activities. Despite this awareness, the results of the Self-Evaluation indicated a need to develop written policy and guidance to improve consistency in how PRIV achieves accessibility to its programs and activities. It also identified PRIV's need to continue to invite disability stakeholder input to strengthen the accessibility and responsiveness of its public-facing programs/activities; our commitment to maintaining standardized procedures specific to the provision of auxiliary aids and services; and assurance that our web materials, email notifications to the public (including any Word or PDF attachments), and electronic communications with individuals are fully Section 508 compliant as they are generated.

The Self-Evaluation also indicated that no complaints had been filed against PRIV for failure to provide reasonable accommodations to members of the public during the three years prior to the Self-Evaluation.

PRIV is committed to ensuring nondiscrimination based on disability in the conduct of its programs and activities.

III. Component Plan to Address Barriers and Gaps

A. Responsible Staff

PRIV Lead Disability Access Coordinator (DAC): Chief Privacy Officer's Executive Administrative Specialist. Responsibilities: In conjunction with an assigned staff member from each division, serves as the central resource for PRIV's compliance with Section 504; coordinates PRIV's implementation of Directive 065-01 for its own programs and activities, including completing the Self-Evaluation, and preparing and carrying out the PRIV Plan.

PRIV Supporting Disability Access Coordinator: Director, Business Operations. Responsibilities: Fulfills the responsibilities of the lead DAC in their absence.

Associate Director, Communications and Training. Responsibilities: Coordinates communication with internal and external stakeholders.

Chief of Staff (COS). Responsibilities: PRIV COS directs the implementation of the DHS Directive 065-01, Non-discrimination for Individuals with Disabilities in DHS-conducted Programs and Activities (Non-employment) through creation of a Reasonable Accommodation SOP for staff to coordinate communication with external participants and attendees, establish practices for creating processes to permit self-identification of persons needing accommodation, and managing the process of responding to requests and, where reasonable, the resources necessary to provide the accommodation.

B. Privacy Office Overview

PRIV supports the Department's mission by evaluating Department programs, systems, and initiatives for potential privacy impacts, and providing mitigation strategies to reduce the privacy impact by:

- Assessing Department programs, systems, and initiatives for potential privacy impacts, and providing mitigation strategies to reduce the privacy impact;
- Conducting robust compliance and oversight programs to ensure adherence with federal privacy law and policy in all DHS activities;
- Promoting privacy best practices and guidance to the Department's information sharing and intelligence activities;
- Operating a Department-wide Privacy Incident Response Program to ensure that incidents involving personally identifiable information are properly reported, investigated, and mitigated;
- Responding to complaints of privacy violations and providing redress, as appropriate; and
- Training staff to sustain a culture of privacy across the Department.

Detailed information about PRIV is available at: <https://www.dhs.gov/topic/privacy>.

C. Program Interactions

During the initial stages of the Self-Evaluation, the PRIV DAC requested from PRIV's Associate Director of Communications, a list of the public-facing activities in which we participate. Listed below are examples of PRIV's major public-facing activities:

- Communication with the public through stakeholder meetings, in person and by phone;
- Interactions with complainants and others as part of PRIV's privacy incident process;
- Communications with internal stakeholders for training, education, and outreach, in person and by phone;
- Email communication with stakeholders; and
- Communication with the public through the PRIV website.

A complete list of public-facing activities PRIV identified is contained in Appendix A.

D. Addressing Existing Policy Gaps and Barriers

DHS Directive 065-01 established a policy that affirms the Department's commitment to the nondiscrimination obligations of Section 504, which applies to all PRIV-conducted programs and activities:

1. It is the policy of PRIV to ensure nondiscrimination based on disability in its conducted programs and activities, and for PRIV to provide equal opportunity for qualified individuals with disabilities served or encountered in its conducted programs and activities, through:
 - a. Program accessibility, including by providing equal opportunity to access programs, services, and activities and delivering these in the most integrated setting appropriate to the individual's needs;
 - b. Physical access, including by providing accessible new construction and alterations in accordance with the Architectural Barriers Act of 1968 (as amended) and the Department's Section 504 regulation; and
 - c. Effective communication, including by providing auxiliary aids and services for persons who are deaf or hard of hearing or are blind or have low vision, and by modifying practices and materials to ensure effective communication with persons with intellectual or developmental disabilities.
2. It is the policy of PRIV to provide any necessary modifications to afford a qualified individual with a disability full enjoyment of the program or activity, unless modifications of policies, practices, and procedures would fundamentally alter the nature of the program, service or activity, or result in undue financial and administrative burdens to PRIV. It is the policy of PRIV to engage in an interactive and individualized process to identify reasonable accommodations and modifications. In ensuring effective

communication with individuals with disabilities, it is the policy of PRIV to give primary consideration to the auxiliary aid requested by the individual with the disability.

For more information about the nondiscrimination obligations of Section 504 and about DHS Directive 065-01, please visit <https://www.dhs.gov/disability-access-department-homeland-security#content>.

E. Program Accessibility

Listed below are PRIV's methods, including removal of structural barriers, to improve access to programs and activities for individuals with disabilities in the most integrated setting appropriate.

- Improvement in verifying the accessibility of off-site meeting venues where PRIV staff are speaking or co-hosting meetings;
- Improvements in accessibility to the building in which PRIV office is leased, such as automatic door openers for the rest rooms;
- Improve PRIV sponsored training to assess registration processes and other means for permitting persons who have a disability to self-identify and request accommodation for their attendance, consistent with the format of the training; also review how those requests were addressed to ensure the accessibility of the event as part of its planned format;
- PRIV's Associate Director of Communications posts all PRIV products to our internal and external website. The Associate Director coordinates with the document owner and the DHS Office of Accessible Systems & Technology (OAST) to run the appropriate checks to ensure products are accessibility compliant prior to posting. If documents are not, the Associate Director works with the document owner to ensure accessibility compliance.
- PRIV will improve accessibility to our intranet and internet websites by staying abreast of OAST requirements related to section 508 of the Rehabilitation Act and ensure the adequacy of PRIV's inclusion of a statement noting that alternate formats (such as .pdf documents in text-based format (*e.g.*, MS Word), large print, or braille) of the posted materials are available upon request, along with phone and email contact information for making such a request; and
- Improve written procedures and practices for hosting international delegations and foreign dignitaries to assess the opportunity for members of the delegation or party being hosted to identify members who have a disability and require accommodation.

F. Interaction Procedures/Protocols

Listed below is PRIV's process for modifying existing or developing new procedures or protocols to improve access for individuals with disabilities encountered or served by PRIV:

- PRIV will adopt for use *CRCL's Guide for Interacting with People Who Have Disabilities*;

- PRIV will also direct staff to the DHS Disability Access web page for additional resources to assist with their meeting/planning efforts; and
- PRIV will conduct annual training, in coordination with CRCL for all staff and contractors to ensure they are abreast of any new compliance requirements related to DHS Directive 065-01 and Section 504.

G. Reasonable Accommodation Policies/Procedures

Listed below is PRIV's plan for modifying existing or developing new policies and procedures for providing reasonable accommodations and modifications to qualified individuals with disabilities.

- Development of a Reasonable Accommodation SOP for Conducted Programs and Activities, which will outline the steps to take upon receipt of requests for reasonable accommodations from individuals with disabilities. This new SOP will include:
 - An introduction and overview of PRIV's obligation under Section 504 to ensure equal access to public-facing programs and activities for individuals with disabilities;
 - Information on the interactive process and how it relates to the provision of reasonable accommodations;
 - A description of the process to be followed when a request for a reasonable accommodation is received;
 - Identification of key staff who will assist in obtaining a reasonable accommodation; and
 - A method of tracking all requests for reasonable accommodations received and how each request was handled.

While the Reasonable Accommodation SOP is being developed, the Associate Director of Communications and the DAC will solicit and receive reasonable accommodation requests from members of the public and will consult and coordinate with CRCL to support the provision of the reasonable accommodations.

H. Auxiliary Aids and Services Policies/Procedures

Listed below is PRIV's plan for modifying existing policies and procedures to furnish auxiliary aids and services as described to ensure effective communication for qualified individuals with disabilities.

- The Associate Director of Communications and Training will adapt *CRCL's Guide to Conducting Accessible Meetings* to provide guidance to staff on the requirements to conduct accessible meetings. The guidance will:
 - List and describe various types of auxiliary aids and services and how to acquire them for meetings;
 - Contain specific steps to obtain each of these aids and services; and

- List points of contact within the office who may be of assistance in obtaining these aids and services.

I. Dissemination of Policies and Procedures

PRIV's DAC will make resources related to Directive 065-01 and the link to the DHS Disability Access web site hosted by CRCL more readily available to our personnel who interact with or provide information to the public in conducted programs and activities.

In addition, upon completion and approval of the Reasonable Accommodation SOP on protocols for ensuring equal access for interacting with persons with disabilities, PRIV will distribute the SOP along with *CRCL's Guide to Interacting with People Who Have Disabilities* to the staff for use and guidance.

PRIV will coordinate with CRCL to provide training to its staff and contractors as noted in the section below.

J. Training

PRIV will take the following steps to provide training to managerial and program staff on disability access responsibilities:

- PRIV's DAC, with assistance from the supporting DAC, and Associate Director of Communications and Training, as needed, will provide training to PRIV staff and contractors using the methods described below:
 - For all new staff, including contractors and interns, PRIV will provide training and/or orientation on Section 504 obligations related to program, physical, and communication access.
 - PRIV will work in coordination with CRCL to provide training to staff on a recurring basis, and distribute tools and job aids. This training will also include training on the use of auxiliary aids and services.

K. Notification to the Public

To ensure accessibility to individuals with disabilities at public fora held by the Privacy Office, we publish on our website, in the *Federal Register*, if required, and in meeting invites, a notice to individuals who require assistance with facilities or services because of a disability, or reasonable accommodations, to contact the meeting point of contact as soon as possible for coordination. In addition, our websites – internal and public facing - provide information regarding an individual's rights under Section 504 of the Rehabilitation Act and how to file a Section 504 complaint with CRCL.

L. Resources

PRIV is committed to providing the resources necessary to ensure compliance with Section 504 and implementation of this Plan with respect to individuals with disabilities we encounter and serve. PRIV has resources in place to provide reasonable accommodations and auxiliary aids and services as requested by members of the public who have disabilities. As noted above, it is the policy of PRIV to provide any necessary modifications to afford a qualified individual with a disability full enjoyment of the program or activity, unless modifications of policies, practices, and procedures would fundamentally alter the nature of the program, service or activity, or result in undue financial and administrative burdens to PRIV.

M. Implementation Steps

1. Immediate actions to address policy gaps and barriers following PRIV's Self Evaluation

To address the results of its Self-Evaluation, PRIV took several immediate actions to improve access to PRIV programs and activities while also beginning work on its Component Plan. These actions included but were not limited to:

- Began to draft the Reasonable Accommodation SOP on protocols for ensuring equal access for interacting with persons with disabilities;
- Conducted training of PRIV staff on the requirements of conducting accessible meetings; and
- Posted evacuation procedures throughout and our current lease location is equipped with a speaker system for individuals who are blind or have low vision.

2. Timeframes, milestones, and responsible parties associated with the steps PRIV will take in implementing the remaining action items described in this Plan.

A. Policy Barriers (Section D above)

- Develop a Reasonable Accommodation SOP for Conducted Programs and Activities.
 - Responsible staff: COS
 - Timeline: **September, 2019**
- Adapt *CRCL's Guidance for Conducting Accessible Meetings* for use by PRIV.
 - Responsible Staff: Associate Director, Communications and Training
 - Status: **June, 2019.**

B. Program Accessibility (Section E above)

- Improvement in verifying the accessibility of off-site meeting venues where PRIV staff are speaking or co-hosting meetings

- Responsible staff: PRIV DAC in coordination with Associate Director of **Communications and Training**
 - Timeline: **Continuous**
- Improvements in accessibility to the building in which PRIV office is leased, such as automatic door openers for the rest rooms
 - Responsible staff: PRIV DAC in coordination with the Lessors
 - Timeline: Discussion with building management to occur **before end of year.**
 - Improve PRIV sponsored training to assess registration processes and other means for permitting persons who have a disability to self-identify and request accommodation for their attendance, consistent with the format of the training; also review how those requests were addressed to ensure the accessibility of the event as part of its planned format.
 - Responsible staff: Associate Director, Communications and Training
 - Timeline: **Completed.**
 - Improve accessibility to our intranet and internet websites by posting information on how to request alternate formats of documents or auxiliary aids and services because of a disability, or other reasonable accommodations, and who to contact for coordination. In addition, our websites – internal and public facing - provide information regarding an individual’s rights under Section 504 of the Rehabilitation Act and how to file a Section 504 complaint with CRCL.
 - Responsible staff: Associate Director, Communications and Training
 - Timeline: **Completed.**
 - Improve written procedures and practices for hosting international delegations and foreign dignitaries to assess the opportunity for members of the delegation or party being hosted to identify members who have a disability and require accommodation.
 - Responsible staff: Associate Director, Communications and Training
 - Timeline: **Completed.**

C. Dissemination of Policies and Procedures (Section I above)

- Upon completion of the development of key documents noted in the Plan and upon approval by the COS, the PRIV DAC will provide the Reasonable Accommodation SOP, PRIV’s *Guidance for Conducting Accessible Meetings*, CRCL’s *Guide to Interacting with People Who Have Disabilities*, and DHS Directive 065-01 to staff and contractors electronically and in hard copy, as needed.

D. Training (Section J above)

- Provide training and/or orientation on Section 504 obligations related to program, physical, and communication access.
 - Responsible staff: PRIV DAC in coordination with Associate Director of Communications and Training

- Timeline: **Continuous**
- Provide training to staff on a recurring basis, and distribute tools and job aids. This training will also include training on the use of auxiliary aids and services.
 - Responsible staff: PRIV DAC in coordination with CRCL
 - Timeline: Need to schedule – **Before end of 2019**
- Discussion between PRIV DAC, PRIV Director, Business Operations, and responsible PRIV Contracting Officer (CO) to discuss language in contracts regarding Section 504 obligations as well as training of contract personnel.
 - Responsible staff: PRIV DAC, PRIV Director, Business Operations, and PRIV
 - Timeline: Completed

E. Notification to the Public (Section K above)

- Publish on our website, in the Federal Register, if required, and in meeting invites, a notice to individuals who require assistance with facilities or services because of a disability, or to request a reasonable accommodation, to contact the meeting point of contact as soon as possible. In addition, post information regarding an individual's rights under Section 504 of the Rehabilitation Act and how to file a Section 504 complaint with CRCL
 - Responsible staff: PRIV DAC, and Associate Director of Communications and Training
 - Timeline: **Continuous**

APPENDIX A

PRIV Public-Facing Programs and Activities

- Communication with the public through stakeholder meetings and community engagement activities
- Communication with the public through the telephonic information line and through email
- Freedom of Information Act (FOIA) Requests/Privacy Act Requests
 - Telephone
 - Website information and forms
 - Responsive contacts – calls, letters, email
- Investigations
 - Use of experts – interviews
 - Onsite visits
 - Interviews – in person, video, telephone

- Other contacts – calls, letters, email
 - Closing documents – letters, memos
- Outreach/Training
 - Verbal presentations
 - Written presentations
 - Handouts
 - Meeting Minutes
- Website
 - Privacy Impact Assessments
 - System of Records Notices
 - Privacy Act Statement
 - Computer Matching Program
 - Privacy Compliance Reviews
 - Policy Directives and Documents
 - Reports
 - Memoranda and Guidance
 - Privacy Policy
- Email communication with stakeholders via the privacy@hq.dhs.gov inbox
- Data Privacy and Integrity Advisory Committee Meetings
- National Vetting Center
- Federal Privacy Council
- International Engagement and Outreach
- Conducting Fusion Center Training
- PRIV web content on DHS.gov
- PRIV-related blogs on DHS.gov
- PRIV Annual and Semi-annual Reports to Congress
- Public facing PRIV mailbox
- PRIV phone line
- Participating as speakers in conferences, roundtables, and other events that interface with the public.