



United States Coast Guard

Civil Rights Directorate

Plan for Improving Access to USCG Public-Facing Programs and Activities for Individuals with Disabilities

September 2019

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I. Introduction

The United States Coast Guard (USCG) Civil Rights Directorate (CRD) developed this plan to address any barriers and/or gaps created by existing policies and procedures that may impact individuals with disabilities encountered and served by USCG pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504). In 2003, the Department of Homeland Security (DHS) issued the regulations contained in 6 C.F.R. Part 15 to enforce Section 504 of the Rehabilitation Act of 1973. The regulations required DHS to evaluate its policies, practices, programs, and activities to provide individuals with disabilities equal access to DHS programs, communications, and facilities offered to the public. In 2013, DHS issued Directive 065-01, Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-Employment). In 2015, DHS followed up the Directive with Instruction 065-01-001. Taken together, the Directive and the Instruction served to strengthen compliance with Section 504 by requiring DHS Components to conduct a Self-Evaluation and prepare a Component Plan. CRD has completed USCG's Self-Evaluation and took immediate steps to address barriers and gaps that were identified. This document represents USCG's Component Plan.

II. Executive Summary

From June to August of 2017, CRD conducted its Self-Evaluation 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). The Self-Evaluation Tool (from the DHS Component Self-Evaluation and Planning Reference Guide) was slightly modified to facilitate interactive discussions with regions and areas throughout USCG. The Self-Evaluation Tool addressed three areas, (1) Accessibility of program policies and procedures; (2) Effective communication with individuals with disabilities; and (3) Physical accessibility of the built environment in which the program's interactions with individuals with disabilities take place. The results of the Self-Evaluation indicated that there is a clear understanding of the obligation to provide access for individuals with disabilities in public-facing activities. The results of the Self-Evaluation also indicated the need for written policy and guidance as well as staff training in order to improve how USCG achieves accessibility in its programs and activities.

In the area of accessibility of program policies and practices, the most significant gap the Self-Evaluation identified was the need to develop procedures and guidance that address how a member of the public may request a reasonable accommodation or how to address interacting with individuals with disabilities. Although there is a general understanding of reasonable accommodations and the importance of interacting with individuals with disabilities, there is a lack of clearly written guidance. In the area of effective communication, the significant gap the Self-Evaluation identified is how USCG communicates its information to individuals with disabilities. While information is regularly disseminated to individuals, there is no guidance on how to ensure it is accessible to all who need the information. With regard to physical accessibility, the Self-Evaluation found that although USCG is committed to achieving and maintaining compliance with the Architectural Barriers Act, there may be some instances in which greater accessibility may be provided.

CRD has used the results of the Self-Evaluation as a basis for improving and updating its Civil Rights Manual, which will be disseminated USCG-wide.

III. Component Plan to Address Barriers and Gaps

A. Responsible Staff

Disability Access Coordinator - People with Disabilities Program Manager (PWDPM): Senior Technical Advisor, Civil Rights Directorate, Solutions and Complaints Division.

Responsibilities: Administers the reasonable accommodations program Coast Guard-wide; Serves as deciding official on appeal of denial of reasonable accommodation requests; Maintains records on all reasonable accommodation requests; Submits consolidated reports on reasonable accommodation requests and activities report to the Department of Homeland Security Office for Civil Rights and Civil Liberties; Coordinates USCG's implementation of Directive 065-01 for its own programs and activities, including completing the Self-Evaluation, and preparing and carrying out the Component Plan.

The PWDPM coordinates and works with the Civil Rights Directorate as a whole, along with the Human Resources Office, and other relevant stakeholders in order to effectively administer the reasonable accommodations program.

B. United States Coast Guard Overview

USCG has eleven missions that encompass military and civil responsibilities in the U.S. maritime environment. This includes security of ports and waterways, safety of marine vessels (commercial and recreational), search and rescue operations (air and sea), drug and migrant interdiction on the sea, marine environmental protection, aids to navigation, marine life preservation, antiterrorism and other defense readiness activities, ice breaking operations, and other law enforcement responsibilities. In the course of executing mission and outreach activities, USCG interacts with the public through boarding commercial and recreational vessels (inspecting, intercepting or searching), rescuing or searching for mariners in distress, conducting in-person boat safety training courses, providing navigation aids and weather conditions at sea, producing electronic and print communications, conducting tours of USCG light houses, vessels and aircraft, and hosting special events such as air shows.

C. Civil Rights Directorate Overview

The USCG's Civil Rights mission is to proactively pursue a workforce that reflects the national labor force and a workplace climate that fully embraces USCG core values of honor, respect, and devotion to duty. USCG's commands achieve success through visible leadership commitment, program implementation within the chain of command, clear articulation of, and adherence to, program standards, and personal accountability.

CRD has a mandate to implement programs and policies consistent with anti-discrimination laws, regulations, and policies. This includes:

- Preventing discrimination in employment for employees and applicants for employment (through training, Alternative Dispute Resolution, and the use of climate surveys).
- Promoting the full realization of equal employment opportunity through a continuing affirmative employment program at each district (special emphasis programs, community outreach).
- Providing equal access to all individuals regardless of disability.
- Preventing discrimination in grants and contracts.

Detailed information about CRD is available at: <https://www.uscg.mil/Resources/Civil-Rights/>.

D. Program Interactions

During the initial stages of the Self-Evaluation, CRD reviewed USCG's main functions and key offices in order to create a list of public-facing activities. Listed below are examples of USCG's public-facing activities:

- Boarding commercial and recreational vessels for law enforcement, inspections, safety, rescue, or compliance;
- Tours of lighthouses, vessels, aircrafts, and other facilities;
- Communicating with the public through storm and hurricane forecasts and warnings; and
- Boating Safety Courses and voluntary Vessel Safety Checks.

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

E. Addressing Existing Policy Gaps and Barriers

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

1. It is the policy of USCG to ensure nondiscrimination based on disability in its conducted programs and activities, and for USCG 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
 - c. Effective communication, including by providing auxiliary aids and services for persons who are deaf, hard of hearing, blind, have low vision, or have any other impairment.

2. It is the policy of USCG to provide any necessary modifications to afford a qualified individual with a disability full enjoyment of a 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 USCG. It is the policy of USCG to engage in an interactive and individualized process with qualified individuals with a disability who request a reasonable accommodation. It is also the policy of USCG to give primary consideration to the auxiliary aid requested by an individual with the disability.
3. It is the policy of USCG to be proactive in monitoring and maintaining the effectiveness of its equal opportunity program. This is accomplished by taking regular surveys to ensure that management is engaged in the equal opportunity process and is in compliance with applicable laws, regulations, and policies.

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>.

F. Program Accessibility

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

- Improvement in verifying the accessibility of all meeting venues where USCG staff are speaking or co-hosting meetings;
- Exploration of the expansion of use of push-button door openers in order to assist those that may have difficulty navigating USCG Headquarters facility; and
- Exploration of improvements in accessibility to USCG Headquarters facility campus due to hills or uneven terrain which may pose a challenge for those in wheelchairs or who may otherwise have issues related to mobility.

G. Interaction Procedures/Protocols

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

- Development of the following new guidance:
 - *Guidance for Providing Equal Access to Public-Facing Activities*, which describes the regulations located in Section 504 of the Rehabilitation Act of 1973 and DHS Directive 065-01. The guidance is designed to assist with ensuring equal access when interacting with persons with disabilities;
 - *Guidance for Inaccessibility Due to Structural or Historical Conditions*, which describes accommodation strategies of how to achieve reasonable accommodation in which inaccessibility is due to features that can not change;

- *Guidance for Accessibility and Law Enforcement*, which describes strategies of how to appropriately address individuals with disabilities in a law enforcement context;
- Creation of a dedicated email inbox to address equal access and reasonable accommodation situations that may arise throughout USCG;
 - This email inbox will be communicated via CRD policy and guidance in addition to trainings held by CRD staff;
 - This email inbox will be maintained and operated by the PWDPM; and
- Regular training of all USCG staff regarding individuals with disabilities.

H. Reasonable Accommodation Policies/Procedures

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

- Creation of a procedure that will include the reasonable accommodation process for individuals with a disability that interact with USCG’s public-facing programs and activities. This will be similar to the existing reasonable accommodation process provided to employees. The procedure will include:
 - An introduction and overview of USCG’s obligation under the Rehabilitation Act 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.

I. Auxiliary Aids and Services Policies/Procedures

Listed below is USCG’s plan for modifying existing or developing new policies and procedures to furnish auxiliary aids and services to ensure USCG’s effective communication with qualified individuals with disabilities.

- Development of new guidance, *Guidance for Accessible Meetings*. This guidance:
 - Lists and describes various types of auxiliary aids and services;
 - Contains specific steps to obtain each of these aids and services; and
 - Lists points of contact within and outside USCG who may be of assistance in obtaining these aids and services.

J. Dissemination of Policies and Procedures

Listed below is USCG's plan to make resources related to Directive 065-01 more readily available to USCG personnel who interact with or provide information to the public in conducted programs and activities:

- Upon completion and approval of the updates to the Civil Rights Manual, and all other related guidance and materials, CRD will disseminate these materials to all CRD staff electronically. All material will also be available on demand in alternative formats. Examples of materials to be released are:
 - Directive 065-01;
 - CRD's Component Plan;
 - CRD's *Guidance for Providing Equal Access for Public-Facing Activities*;
 - CRD's procedure for accommodation related to public-facing activities;
 - CRD's *Guidance for Accessible Meetings*;
 - CRD's *Guidance for Accessibility and Law Enforcement*
 - CRD's *Guidance for Inaccessibility Due to Structural or Historical Conditions*
 - CRCL's *A Guide For Interacting With People Who Have Disabilities*; and
 - The link to the DHS Disability Access web site.

- CRD will provide training to USCG staff, with focus on personnel who interact with the public, as noted in the section below.

K. Training

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

- The CRD PWDPM will coordinate with other members of CRD and Human Resources to provide training to USCG staff and management by using the methods described below:
 - All staff, including interns, will be provided information on USCG's Section 504 obligations related to program, physical, and communication access. This will include information on tips in CRCL's *A Guide For Interacting With People Who Have Disabilities*; and the *Guidance for Accessible Meetings*.
 - CRD will provide regular recurring training to employees and management, focusing on personnel who regularly interact with individuals who may need accommodations, regarding USCG's obligations relating to Section 504. The training will also include information on how to solicit and meet requests for auxiliary aids and services.
 - CRD will provide information on who the lead Disability Access Coordinator is and how to contact them.
 - CRD will post all approved materials on its internal website and public-facing web pages.

L. Notification to the Public

CRD will take the following steps to provide and/or improve how it provides notice to members of the public of their rights under Section 504, how to request reasonable accommodations and modifications, and how to file a complete complaint under Section 504:

- Develop a FAQ that will be posted to the CRD website so that individuals with disabilities who interact with USCG will have knowledge of what they can expect regarding a request for reasonable accommodation. The FAQ will also inform individuals with disabilities regarding their rights and how to file a complaint.
- Post on the CRD website and make available in hard copy, and in alternative formats, the CRD Civil Rights Manual as well as other relevant guidance or documents. The CRD Civil Rights Manual will include information regarding the reasonable accommodation and complaint process.
- USCG will ensure that all materials and applications on USCG's website will be Section 508 compliant by coordinating with the Section 508 compliance team.

M. Resources

CRD, in coordination with USCG leadership as a whole, is committed to providing the resources necessary to ensure compliance with Section 504 and implementation of this Plan with respect to individuals with disabilities USCG encounters and serves. CRD currently has resources in place that can provide reasonable accommodations and auxiliary aids and services as requested by members of the public who have disabilities. However, over time, there may be a need for increased resource allocation if the need for reasonable accommodations and auxiliary aids rises. As noted above, it is the policy of USCG 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 USCG.

N. Implementation Steps

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

A. Policy Barriers (Section E/G above)

- Procedures to reflect the requirements of Section 504.
 - Responsible staff: CRD
 - Timeline: To be completed or have progress update by **September 2019**
- CRD's *Guidance for Providing Equal Access for Public-Facing Activities*.
 - Responsible staff: CRD
 - Timeline: To be completed or have progress update by **September 2019**
- CRD's *Guidance for Accessible Meetings*.
 - Responsible staff: CRD
 - Timeline: To be completed or have progress update by **September 2019**

- CRD’s *Guidance for Inaccessibility Due to Structural or Historical Conditions*.
 - Responsible staff: CRD and ABA staff
 - Timeline: To be completed or have progress update by **September 2019**
- CRD’s *Guidance for Accessibility and Law Enforcement*.
 - Responsible staff: CRD and Security
 - Timeline: To be completed or have progress update by **September 2019**
- Creation of dedicated email inbox to address USCG-wide issues.
 - Responsible staff: CRD and Information Technology
 - Timeline: To be completed or have progress update by **September 2019**
- Provide regular recurring training to staff regarding accommodation process.
 - Responsible staff: CRD and Human Resources
 - Timeline: To be completed or have progress update by **September 2019**

B. Program Accessibility (Section F above)

- Exploration of expanded use of push-button door openers in order to assist those that may have difficulty navigating USCG Headquarters facility.
 - Responsible staff: CRD and ABA staff
 - Timeline: To be completed or have progress update by **September 2019**
- Exploration of improvements in accessibility to USCG Headquarters facility campus due to hills or uneven terrain which may pose a challenge for those in wheelchairs or who may otherwise have issues related to mobility.
 - Responsible staff: CRD and ABA staff
 - Timeline: To be completed or have progress update by **September 2019**

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

- Upon completion and approval of the updates to the Civil Rights Manual, and all other related guidance and materials, CRD will disseminate these materials to all CRD staff electronically. Examples of other materials are:
 - Directive 065-01: Targeted completion date: **August 21, 2018**.
 - CRD’s *Guidance for Providing Equal Access for Public-Facing Activities*: Targeted completion date: **September 2019**.
 - CRD’s procedures that reflect the requirements of Section 504: Targeted completion date: **September 2019**.
 - CRD’s *Guidance for Inaccessibility Due to Structural or Historical Conditions*: Targeted completion date: **September 2019**.
 - CRD’s *Guidance for Accessibility and Law Enforcement*: Targeted completion date: **September 2019**.

- CRD's *Guidance for Accessible Meetings*: Targeted completion date: **September 2019**.
- CRD's *Guidance for Inaccessibility Due to Structural or Historical Conditions*: Targeted completion date: **September 2019**.
- CRCL's *A Guide For Interacting With People Who Have Disabilities*: Targeted completion date: **August 31, 2018**.
- The link to the DHS Disability Access web site: Targeted completion date: **August 31, 2018**.

D. Training (Section K above)

- All staff, including interns, will be provided information on USCG's Section 504 obligations related to program, physical, and communication access. CRD will provide information on who the lead Disability Access Coordinator is and how to contact them. This will include information on tips in CRCL's *A Guide For Interacting With People Who Have Disabilities*; and the *Guidance for Accessible Meetings*.
 - Responsible staff: CRD and Human Resources
 - Timeline: To be completed or have progress update by **September 2019**
- CRD will provide regular recurring training to employees and management regarding USCG's obligations relating to accommodation.
 - Responsible staff: CRD
 - Timeline: To be completed or have progress update by **September 2019**
- CRD will post all approved materials on its internal website and public-facing web pages.
 - Responsible staff: CRD and Information Technology
 - Timeline: To be completed or have progress update by **September 2019**

E. Notification to the Public (Section L above)

- Develop a FAQ that will be posted to the CRD website so that individuals with disabilities who interact with USCG will have knowledge of what they can expect regarding a request for reasonable accommodation.
 - Responsible staff: CRD and Information Technology
 - Timeline: To be completed or have progress update by **September 2019**
- Post on the CRD website and make available in hard copy, and in alternative formats, the CRD Civil Rights Manual.
 - Responsible staff: CRD
 - Timeline: To be completed or have progress update by **September 2019**

APPENDIX A

USCG Public-Facing Programs and Activities

- Boarding commercial and recreational vessels for law enforcement, inspections, safety, rescue, or compliance
- Tours of lighthouses, vessels, aircrafts, and other facilities
- Communicating with the public through storm and hurricane forecasts and warnings
- Communicating with the public through outreach and community engagement activities;
- Communicating with the public through visits, phone calls, letters, radio communications, and emails;
- Boating Safety Courses and voluntary Vessel Safety Checks
- Responding to FOIA and Privacy Act requests from the public
- Distributing written materials to stakeholders through the website, newsletter, and website postings
- Interactions with attorney or non-attorney representatives of complainants
- Intake / Correspondence and Complaints
 - Telephone
 - Complaint forms
 - 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
- Website
 - Complaint information
 - Complaint forms
 - Contact forms
- Compliance process for responding to 504 issues
 - Available resources
 - Consideration of accommodation requests
- CRD web content on USCG website
- Social media