



U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties

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

April 2018

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I. Introduction

The DHS Office for Civil Rights and Civil Liberties (CRCL) developed this plan to strengthen nondiscrimination for individuals with disabilities encountered and served by CRCL 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. CRCL 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 CRCL's Component Plan.

II. Executive Summary

CRCL 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)*, between August and October of 2016. CRCL used the Self-Evaluation Tool contained within the Component Self-Evaluation and Planning Reference Guide to conduct interactive discussions with staff from all of the Sections within the Office. 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 also indicate a need to develop written policy and guidance and subsequent staff training to improve consistency in how CRCL achieves accessibility to its programs and activities.

With regard to gaps in programmatic accessibility, the Self-Evaluation identified the need to develop a standardized reasonable accommodation process to address the accessibility needs of members of the public who have disabilities. In the area of effective communication, the Self-Evaluation identified the need for CRCL to develop written, consistent guidance for a number of processes that currently occur on an ad hoc basis (e.g., obtaining sign-language interpreters, arranging for on-site and remote captioning, and ensuring accessibility of electronic communications). With regard to physical accessibility, the Self-Evaluation noted a few areas for improvement; in one of these areas, CRCL will need to conduct discussions with building management from whom CRCL leases office space to address the few issues dealing with physical accessibility. The Self-Evaluation also indicated that no complaints had been filed against CRCL for failure to provide reasonable accommodations to members of the public during the three years prior to the Self-Evaluation.

CRCL has used the results of the Self-Evaluation as a basis for laying the framework for improvement in the provision of accessibility through the development of a CRCL-wide Reasonable Accommodation Policy for Conducted Programs and Activities, and the *CRCL Guidance for Conducting Accessible Meetings*.

III. Component Plan to Address Barriers and Gaps

A. Responsible Staff

CRCL Lead Disability Access Coordinator (DAC): Senior Policy Advisor, Antidiscrimination Group (ADG). Responsibilities: Works with representatives across CRCL's divisions and sections to serve as the central resource for CRCL's compliance with Section 504; coordinates CRCL's implementation of Directive 065-01 for its own programs and activities, including completing the Self-Evaluation, and preparing and carrying out the CRCL Plan.

The DAC consults and coordinates with the CRCL Disability Program Manager in the Headquarters Equal Employment Opportunity Office (EEO) when needed to assist in obtaining reasonable accommodations for meetings, and the Office of Accessible Systems and Technology (OAST) to ensure that electronic communications with members of the public are accessible to individuals with disabilities. The DAC will also coordinate with the CRCL Business Operations section, as needed.

CRCL Supporting Disability Access Coordinator: Senior Policy Advisor, ADG. Responsibilities: Fulfills the responsibilities of the lead DAC in their absence.

B. Office for Civil Rights and Civil Liberties Overview

CRCL supports the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law.

CRCL integrates civil rights and civil liberties into all of the Department's activities by:

- Promoting respect for civil rights and civil liberties in policy creation and implementation by advising Department leadership and personnel, and state and local partners;
- Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities, informing them about policies and avenues of redress, and promoting appropriate attention within the Department to their experiences and concerns;
- Investigating and resolving civil rights and civil liberties complaints filed by the public regarding Department policies or activities, or actions taken by Department personnel; and,
- Leading the Department's equal employment opportunity programs and promoting workforce diversity and merit system principles.

Detailed information about CRCL is available at: <https://www.dhs.gov/office-civil-rights-and-civil-liberties>.

C. Program Interactions

During the initial stages of the Self-Evaluation, the CRCL DAC requested that all CRCL sections provide a list of the public-facing activities in which they participate or for which they are responsible. Listed below are examples of CRCL'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 CRCL complaint process;
- Email communication with stakeholders;
- Communication with the public through the CRCL website; and
- Communication with the public through the CRCL newsletter.

A complete list of public-facing activities CRCL 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 CRCL-conducted programs and activities:

1. It is the policy of CRCL to ensure nondiscrimination based on disability in its conducted programs and activities, and for CRCL 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 CRCL 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 CRCL. It is the policy of CRCL 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 CRCL 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 CRCL'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 CRCL staff are speaking or co-hosting meetings;
- Expanded use of braille in CRCL elevators so that all elevator buttons, not just some, have this feature;
- Improvements in accessibility to the building in which CRCL offices are leased, such as a wheelchair accessible ramp and automatic door opener at the front of the building (front lobby security guards currently open the doors for individuals needing assistance); and
- Purchase and installation of a new TTY device, which remains a primary way for Immigration and Customs Enforcement (ICE) detainees to contact CRCL.

F. Interaction Procedures/Protocols

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

- Development of new guidance, *CRCL Guidance for Conducting Accessible Meetings*, which describes protocols for ensuring equal access for interacting with persons with disabilities, and its distribution, along with resources such as the *CRCL A Guide to Interacting with People Who Have Disabilities*, which is designed to assist DHS personnel, contractors, and grantees in their interactions with people who have disabilities; and
- Periodic training of all CRCL staff in the area of compliance with Section 504 in CRCL conducted activities.

G. Reasonable Accommodation Policies/Procedures

Listed below is CRCL'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 CRCL Reasonable Accommodation Policy for Conducted Programs and Activities, which will outline the steps to take upon receipt of requests for reasonable accommodations from individuals with disabilities. This will be distinct from the existing CRCL Reasonable Accommodation Policy, which is used to provide reasonable accommodations to employees. This new policy will include:

- An introduction and overview of CRCL’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.

H. Auxiliary Aids and Services Policies/Procedures

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

- Development of new guidance, *CRCL Guidance for Conducting 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 the office who may be of assistance in obtaining these aids and services.

I. Dissemination of Policies and Procedures

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

- Upon completion and approval of the CRCL Reasonable Accommodation Policy for Conducted Programs and Activities and all related guidance that CRCL develops subsequent to the CRCL Self-Evaluation, CRCL will disseminate these materials to CRCL staff electronically. Examples of other materials are:
 - Directive 065-01;
 - CRCL’s Plan for Improving Access to Conducted Programs and Activities for Individuals with Disabilities;
 - The *CRCL Guidance for Conducting Accessible Meetings*;
 - CRCL procedures for processing complaints from individuals alleging discrimination on the basis of disability, consistent with the DHS Section 504 regulation (6 C.F.R. Part 15);
 - CRCL’s *A Guide For Interacting With People Who Have Disabilities*; and
 - The link to the DHS Disability Access web site hosted by CRCL.
- CRCL will provide training to CRCL staff as noted in the section below.

J. Training

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

- The CRCL DAC, with assistance from the supporting DAC as needed, will provide training to CRCL staff using the methods described below:
 - For all new staff, including contractors and interns, CRCL will provide training and/or orientation on CRCL's Section 504 obligations related to program, physical, and communication access. This will include training and/or orientation on the CRCL Reasonable Accommodation Policy for Conducted Programs and Activities, the *CRCL Guidance on Accessible Meetings*; and CRCL's *A Guide to Interacting with People Who Have Disabilities*.
 - CRCL will post the Reasonable Accommodation Policy for Conducted Programs and Activities and all related guidance to the CRCL internal and public-facing web pages.
 - CRCL will 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

CRCL 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 and how to file a complete complaint under Section 504:

- Develop a "Know Your Disability Rights" fact sheet that will be posted to the CRCL website so that individuals with disabilities who interact with CRCL will have knowledge of what they can expect from CRCL in order to have a successful interaction, CRCL's reasonable accommodations policy, and how to file a Section 504 complaint. CRCL will also make the fact sheet available in hard copy, and in alternative formats, with other CRCL informational brochures in the CRCL lobby areas, and in CRCL engagements, conferences, and other meetings with the public.
- Post on the CRCL website and make available in hard copy, and in alternative formats, the CRCL Reasonable Accommodation Policy for Conducted Programs and Activities.

L. Resources

CRCL is committed to providing the resources necessary to ensure compliance with Section 504 and implementation of this Plan with respect to individuals with disabilities CRCL encounters and serves. CRCL 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 CRCL 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 CRCL.

M. Implementation Steps

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

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

- Began to draft the *CRCL Guidance to Conducting Accessible Meetings*. The guidance provides instructions and tips for staff on ensuring that all meetings and events conducted by CRCL are accessible to members of the public with disabilities.
- Initiated training of CRCL staff on conducting accessible meetings.
- Purchased a new TTY, which continues to be a need for communicating with immigration detainees, and provided instructions to staff on its use.
- Initiated the process of drafting a CRCL Reasonable Accommodation Policy for Conducted Programs and Activities.
- Developed a standardized “tag line” for requesting reasonable accommodations to be used across CRCL when issuing invitations to meetings and events that include members of the public.

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

A. Policy Barriers (Section D above)

- Develop a CRCL Reasonable Accommodation Policy for Conducted Programs and Activities.
 - Responsible staff: CRCL DAC and ADG Senior Staff
 - Timeline: Policy to be completed by **July 31, 2018**
- Develop *CRCL Guidance for Conducting Accessible Meetings*.
 - Responsible Staff: CRCL DAC, with input from CRCL staff
 - Status: Completed
- Modify or develop training modules on CRCL's obligations to ensure accessibility for members of the public with disabilities to be delivered to newly hired staff, including contractors and interns.
 - Responsible staff: CRCL DAC, with input from CRCL staff
 - Timeline: **September 30, 2018**

B. Program Accessibility (Section E above)

- Develop improved emergency drill information for all visitors to CRCL, including those with disabilities.

- Responsible staff: CRCL DAC, in collaboration with CRCL Business Operations
- Timeline: **May 31, 2018**
- Work to have all elevator buttons labeled with braille.
 - Responsible staff: CRCL DAC and CRCL Business Operations
 - Timeline: Discussion with building management to occur by **March 31, 2018**
- Work to have an automatic door opener installed at the M St NE building entrance.
 - Responsible staff: CRCL DAC and CRCL Business Operations Section
 - Timeline: Discussion with building management to occur by **March 31, 2018**
- Purchase and install TTY.
 - Responsible staff: CRCL DAC and Business Operations
 - 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, the CRCL DAC will provide the following policies, procedures, and guidance to staff electronically and in hard copy, as needed:
 - *CRCL Guidance for Conducting Accessible Meetings*: CRCL has provided a draft to senior staff as of December 2017. Training sessions have begun as of January 16, 2018. Targeted completion date for training of all CRCL staff is **May 31, 2018**.
 - CRCL's Plan for Improving Access to Conducted Programs and Activities for Individuals with Disabilities. **Completed**.
 - The CRCL Reasonable Accommodation Policy for Conducted Programs and Activities: Targeted completion date: **August 31, 2018**.

D. Training (Section J above)

- The CRCL DAC will conduct training on conducting accessible meetings for current staff of all CRCL sections.
 - Responsible staff: CRCL DAC
 - Timeline: Training to be completed by **May 31, 2018**
- Training of all CRCL staff on the CRCL Reasonable Accommodation Policy for Conducted Programs and Activities will occur following senior leadership approval.
 - Responsible staff: CRCL DAC
 - Timeline: Training to be completed by **October 31, 2018**
- Training of identified CRCL staff on use of TTY.
 - Responsible staff: Business Operations and Compliance staff
 - Timeline: to be completed by end of **April 2018**

- Discussion between CRCL DAC, ADG staff, and responsible CRCL Contracting Officer (CO) to discuss language in contracts regarding Section 504 obligations as well as training of contract personnel.
 - Responsible staff: CRCL DAC, ADG Senior staff, and CRCL CO
 - Timeline: Discussion to occur by end of **April 2018**.

E. Notification to the Public (Section K above)

- Develop a “Know Your Disability Rights” Fact Sheet.
 - Responsible staff: CRCL DAC
 - Timeline: Fact Sheet to be completed by **April 30, 2018**

APPENDIX A

CRCL 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
- Interaction with members of the public who are applicants for employment or former employees
- 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
- Documents (CRCL/Community Engagement (CE) training material.)
- Quarterly Community Engagement Roundtables
- Other Community Engagement Events
- Town hall meetings on specific issues (Hate Crimes, Immigration, etc.)
- Incident Communication Coordination Team (ICCT) Conference Calls
- Stakeholder meetings (CRCL Offices)
- Community Awareness Briefings (CABs)
- Community Resilience Exercises (CREXs)
- Cultural Competency Trainings
- International Delegation Meetings and Visits
- Email communication with stakeholders via the CRCLOutreach@hq.dhs.gov inbox
- CRCL monthly newsletter

- CRCL web content on DHS.gov
- CRCL-related blogs on DHS.gov
- Facebook postings
- CRCL Annual and Semi-annual Reports to Congress
- Public facing CRCL mailbox
- CRCL phone line
- Interactions with Facility Security Committee (FSC) made up of building tenants, JLL, and FPS Contractors
- Participating in Operation Warfighter Program internship fairs at Walter Reed, Bethesda and Ft. Belvoir.
- Monitoring of the DHS OWF@hq.dhs.gov mailbox. Program is advertised on DHS' external website at: <https://www.dhs.gov/homeland-security-careers/operation-warfighter>.
- The Diversity Management Section is in the process of developing an external webpage regarding Special Emphasis Programs (SEP) (Hispanic, African-American, Asian American and Pacific Islander, Women, Native American, and Disability Employment Program pages) to provide information on our SEPs and resources.
- Conducting Special Emphasis and Diversity outreach, may also include occasional participation with Employee Associations, Affinity Groups, and other related resource group activities.
- Engaging with community stakeholders in connection with disasters, to ensure protection of individuals with disabilities, diverse racial and ethnic communities, and LEP individuals through conference calls, webinar, in-person meetings.
- Providing support for complaint investigations involving Section 504 and/or Title VI/Executive Order (EO) 13166 concerns through participation in interviews with complainants and on-site investigations or reviews.
- Coordinating the Disability Access and Language Access webpages.
- Developing products that underscore the Department's commitment to full inclusion and equal opportunity for persons with disabilities in DHS programs and activities.
- Engaging stakeholders in public meetings and other forums on environmental justice issues that arise in the Department's programs, policies, and procedures in connection with CRCL's work to implement Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.
- Participating as speakers in conferences, roundtables, and other events that interface with the public.
- Managing the Accessibility Help Desk used to schedule Section 508 Training (online and classroom), provide technical assistance, accessibility reviews (web sites, e-learning & multimedia, IT applications, e-documents), Information and Referral (assistive technologies, disability related services), and worksite assessments. The services provided by AHD, although primarily for Federal Employees, include interaction with the general public via phone calls, email, and through our website.
- Working with the public to solve 508 issues that come to OAST's attention via informal complaints. If elevated to a formal complaint, resolution becomes the responsibility of CRCL's Compliance Section.

- Conducting the OAST training program, a very robust program and in high demand from both inside and outside of government, especially the Trusted Tester Certification Program and electronic documents program.
- Communicating with the general public via webinars, Adobe Connect sessions, and in person as invited speakers on OAST-related matters.