

L.I.F.E. Matters



*A Report of the Achievements and Accomplishments
of Florida's Americans with Disabilities Act Working Group*

The Americans with Disabilities Act Working Group

To achieve a barrier-free state by empowering people with disabilities, educating the public and providing recommendations and assistance for full and equal access to the community.

*L*ife experiences that are diverse and rewarding, and establish meaningful connections between individuals and their communities

*I*ndependence that encourages self-reliance and employment

*F*reedom to make choices about where you will live, work and play

*E*qual access to programs and services for Floridians with disabilities

“Florida has embraced the spirit and intent of the Americans with Disabilities Act. Making reasonable accommodations to expand access to employment, services, recreation and other areas improves the quality of life for Floridians with disabilities. In doing so, we have made Florida a great place to live, work and play – for everyone.”

Jeb Bush, Governor
State of Florida

“Florida has done a tremendous job of providing resources and technical assistance to make the ADA “real” in Florida. From accessing websites to voting booth accessibility, we have made significant strides in transforming Florida into a barrier-free state.”

Tom Lewis, Jr., Secretary
Department of Management Services

“There have been tremendous accomplishments since the implementation of the Americans with Disabilities Act, and there will be many more as we earnestly pursue integrated communities, government programs and services that are fully accessible by all Floridians.”

Linda Mills, Chairperson
ADA Working Group

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Table of Contents

Executive Summary	1
American Success Story: The Americans with Disabilities Act	3
Florida Responds	4
The ADA Working Group Method – Stakeholders are Key	6
Life Experiences	7
Independence	10
Freedom	14
Equal Access and Accessibility	20
On the Horizon	25
ADA Working Group Board of Directors	26
Works Cited and Other Resources	28

Executive Summary

The Americans with Disabilities Act (ADA) was America's first comprehensive civil rights law for people with disabilities, passed in 1990 during President George H.W. Bush's administration. The ADA prohibits discrimination against persons with disabilities in employment, local and state government services, public accommodations and telecommunications. By serving people with disabilities, the ADA Working Group's primary duty is to ensure that Florida is in compliance with the ADA for the purpose of forming a state that is "barrier-free," or accessible to all citizens.

The ADA Working Group's methodology and success in working toward a barrier-free state has been, and will continue to be, necessary for Floridians with disabilities to pursue "life, liberty and the pursuit of happiness."

With great care and deliberation, the ADA Working Group Board of Directors selected the acronym "LIFE" to frame this report on Florida's success in implementing the ADA. "LIFE" encompasses all aspects of a person's experiences and actions, hopes and dreams. All Floridians, including those with disabilities, desire opportunities for diverse life experiences. They expect to participate fully in community life and contribute economically as well as in service to others. Florida is committed to creating environments that meet these universal expectations – environments that are barrier-free. With the support of the Governor, the ADA Working Group has led the initiative to create an environment where all residents may expect:

*L*ife experiences that are diverse and rewarding, and establish meaningful connections between individuals and their communities

*I*ndependence that encourages self-reliance and employment

*F*reedom to make choices about where you will live, work and play

*E*qual access to programs and services for Floridians with disabilities



"Let the shameful walls of exclusion finally come tumbling down."

President George H. W. Bush
July 26, 1990

Executive Summary (continued)

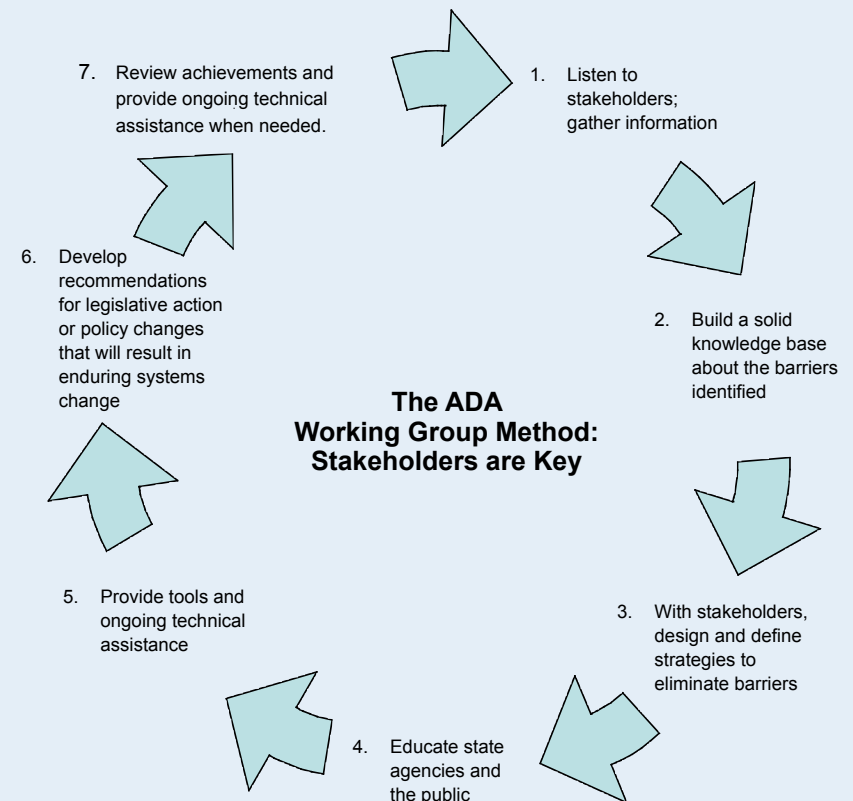
As an advocate for persons with disabilities, the ADA Working Group has made tremendous progress in both the public and private sectors of Florida. Key successes include:

- Established The Clearinghouse on Disability Information to provide person-centered assistance with information and resources, problem-solving, and advocacy guidance from disability specialists
- Commissioned a report that resulted in the establishment of the Florida Coordinating Council for the Deaf and Hard of Hearing, a state advisory and coordinating body that provides education, information and advocacy for the Deaf and hard of hearing population in Florida
- Assisted in making polling places and voting machines accessible
- Administered a \$2 million Real Choice Grant that effectively brought key government leaders together for cross-agency collaboration on disability-related systems change
- Commissioned a special report, *The Housing Needs and Household Characteristics of Persons with Disabilities in Florida: An Analysis of 2000 Census Data* by the University of Florida's Shimberg Center for Affordable Housing, a catalyst for dedicated funding in the construction of affordable and accessible housing for Floridians with disabilities

None of the numerous accomplishments would have been possible without the ADA Working Group's methodology.

At the heart of the ADA Working Group's methodology is its great propensity to listen. The Working Group listens for a variety of purposes: to examine the current environment in which persons with disabilities are living; to gather input from stakeholders; and to identify barriers.

The ADA Working Group is essential to the success of ADA compliance in Florida. It is the ADA Working Group's hope that readers of this report will recognize the Group's role in ADA compliance in Florida, and will embrace its commitment to creating a barrier-free environment for all Floridians.



American Success Story: The Americans with Disabilities Act

On July 26, 2006, the sixteenth anniversary of the Americans with Disabilities Act, President George W. Bush implored “all Americans to celebrate the many contributions of individuals with disabilities as we work towards fulfilling the promise of the ADA to give all our citizens the opportunity to live with dignity, work productively, and achieve their dreams.” It is only through the contributions of all citizens that America can continue to be a symbol of strength, freedom and diversity.

Until the early 20th century, families of individuals with disabilities were often uneducated about disability-related issues. With World War I veterans returning from service and a rise in industrial accidents, a significant portion of Americans with disabilities became candidates for rehabilitation. For the first time, government legislation was passed to provide guidance and job training for anyone with a serious physical disability.

While social programs continued to develop over the next forty years, services for people with disabilities focused on providing care instead of encouraging independence. It was not until the height of the Civil Rights Movement that attitudes started to change. Fellow Americans began to recognize that persons with disabilities are citizens who possess the competence and potential to govern their own lives and are entitled to the same American dream as the rest of the nation’s citizens.

The Rehabilitation Act of 1973 marked the modern age of social reform. It established Vocational Rehabilitation and Independent Living Centers, created a federal board to monitor access to public buildings and transportation, prohibited discrimination in employment, and required affirmative action in the hiring of people with disabilities by federal agencies and contractors. This Act established a standard in equal rights for people with disabilities, and necessitated the need for legislation to protect their rights.

On July 26, 1990, President George H.W. Bush signed into law the Americans with Disabilities Act of 1990 (ADA) — making the United States the first nation with a comprehensive civil rights law for people with disabilities. The Act prohibits discrimination against people with disabilities in employment, state and local government services, public accommodations and telecommunications. Described as the Emancipation Proclamation for People with Disabilities, the ADA is a tool that provides those with disabilities the freedom to have gainful employment, educational opportunities and independent lives in their communities.

Florida Responds

In 1993, Governor Lawton Chiles established the first organization to coordinate activities related to the ADA among state and private employers, business and industry leaders, educators, consumers, and advocates, which was reorganized and renamed the Americans with Disabilities Act Working Group (ADAWG) in 1997 by Executive Order.

Florida's vision then and now is to be a barrier-free state, where all residents and visitors have equal access to physical environments and are free to make choices about where they will live, work, play, and learn.

Governor Bush Makes Accessibility a Top Priority

Governor Jeb Bush has made accessibility and compliance with the ADA a top priority. In his 1999 Executive Order, Governor Bush expanded the responsibilities of the ADA Working Group to make it Florida's focal point for ADA information, education and technical assistance and called for the ADA Working Group to:

- Establish a repository of information for state agencies on the requirements of the ADA
- Act as a source of training and education that would ensure state employees understand the requirements of the ADA
- Provide a voluntary audit function to better evaluate compliance with the requirements of the ADA
- Coordinate information and referral services on accessibility, job accommodations, assistive technology, and other ADA issues
- Coordinate regional and statewide training

Florida is the nation's fourth most populous state, and also ranks fourth in the number of persons with disabilities, according to the U.S. Census Bureau.

Florida Responds (continued)

The ADA Working Group consists of a gubernatorially-appointed Board of Directors that meets quarterly to discuss current issues and events involving Floridians with disabilities. Staff are housed, administrated and supported by the Florida Department of Management Services.

Services provided by the Board include:

- Researches and analyzes Supreme Court cases, legislation, policy and state activities that effect the population of people with disabilities in Florida
- Trains, exhibits and presents on disability-related issues
- Assists with legislative proposals formulated by the ADA Working Group Board and incorporates comments from public forums
- Provides information and clarification regarding disability rights law, in response to inquiries from government and the public in general
- Provides technical assistance and resources to all facets of the public
- Provides information and assistance through the Clearinghouse on Disability Information
- Administers the Real Choice Partnership Project, funded by the Federal Centers for Medicare and Medicaid Services

Through its unfailing dedication and outstanding technical expertise, the ADA Working Group has successfully assisted Florida citizens, state agencies and private businesses in understanding the ADA, and educated these groups on how to become examples of accessible government and marketplaces. The ADA Working Group is comprised of experts who can provide immediate technical assistance, as well as design long term solutions for enduring change. While the immediate concern may be to address ADA problems as they arise, the ADA Working Group never loses sight of the ultimate goal – prevention by means of education and systems change. Members of the ADA Working Group examine every angle of an issue, listen to stakeholders, seek expert information, and then develop a statewide solution or recommendation.

1920	1960	1973	1990	1993	1996	1997	1997	1998	1999
Returning veterans have disabilities; America's charitable institutions respond with "help"	Civil Rights Movement — attitudes begin to change	Federal Rehabilitation Act	Congress passes the Americans with Disabilities Act	Florida Governor Lawton Chiles establishes the Florida Coordinating Council on the ADA	Florida's Disabled Parking Law was passed, making it illegal to park in a properly designated disabled parking space without a special permit	Florida Coordinating Council on the ADA is reorganized and renamed the Americans with Disabilities Act Working Group	Florida's Accessibility Code is certified by the Department of Justice	Florida Governor Jeb Bush is elected and makes accessibility and compliance with the ADA a top priority by mandating ADA Coordinators in all state agencies	Governor Bush expands the responsibilities of the ADA Working Group

The ADA Working Group

Method – Stakeholders Are Key

The ADA Working Group’s consistent and progressive steps are the hallmarks of its success. As the only cross-disability voice that focuses on issues from birth to death in State government, the ADA Working Group recognized very early in its history the importance of listening to those whom the ADA most affects.

The ADA Working Group uses two primary techniques for gathering information about the status of ADA awareness and compliance in Florida. First, from the beginning, public forums have been held in conjunction with quarterly meetings of the ADA Working Group’s Board. The twenty-nine public forums conducted since 1998 have provided invaluable insights about accessibility issues and the quality of life of Floridians with disabilities. On average, 41% of attendees seize the opportunity to testify at these forums. Second, the ADA Working Group analyzes inquiries to the Clearinghouse on Disability Information to identify patterns, trends and unresolved issues on countless topics, including housing, employment and access to community services. From this foundation of stakeholder information, accessibility barriers and contributing factors are identified and addressed in a systemic way.

Keys to Success

- A Cross-Disability Governing Body Comprised of Stakeholders
- Vested in the Florida Department of Management Services
- Frequent Public Forums Identifying Issues and the Potential Solutions
- One-Stop-Information Source: The Clearinghouse on Disability Information
- Trained ADA Coordinators in State Agencies
- Public Education and Awareness
- A Consistent and Representative Voice Bringing Disability Issues to Florida Public Policy Dialogue

2001	2001	2002	2002	2004	2005	2006
Governor Bush announces the establishment of the Clearinghouse for Disability Information at the first Florida ADA Conference	Rehabilitation Act is amended to provide people with disabilities access to electronic information provided by the federal government (Section 508)	Florida is named a Real Choice Grant recipient, receiving a three-year, \$2 million dollar grant	Florida Legislature establishes Florida’s Voting Accessibility Law	Florida Legislature establishes the Coordinating Council for the Deaf and Hard of Hearing	Florida Legislature passes a revision of Florida’s Service Animal Provisions	HB1503 is signed, creating provisions to require that all branches of state government provide accommodations for access to, and use of, electronic information and data

Life Experiences

For a person with a disability, experiencing life to its fullest takes a significant amount of planning and specialized information. The ADA Working Group works to eliminate barriers, enabling people with disabilities to enjoy enriching life experiences alongside those who do not have disabilities, not in separate, segregated arenas.

As a facilitator of life experiences for persons with disabilities, the ADA Working Group has:

- Established the Clearinghouse on Disability Information to provide person-centered assistance with information and resources, problem-solving, and advocacy guidance from disability specialists
- Commissioned a report that resulted in the establishment of the Florida Coordinating Council for the Deaf and Hard of Hearing, a state advisory and coordinating body that provides education, information and advocacy for Florida's Deaf and hard of hearing population
- Created a partnership with the Florida Fish and Wildlife Commission and the Florida Department of Environmental Protection's Division of State Parks to make Florida's great outdoors accessible to persons with disabilities

One-Stop Access to Reliable Information and Assistance

In 2001, Governor Jeb Bush called for the creation of a Clearinghouse for Disability Information (CDI) under the direction of the ADA Working Group. For the first time, there would be one place to receive accurate and thorough information on any matter related to the ADA, as well as how to access services in Florida. Calls are received from employers, builders, persons with disabilities, educators, elected officials, government employees, private businesses, caregivers, friends and family members of people with disabilities, and others. The Clearinghouse provides person-centered services to each caller. When an initial call comes into the Clearinghouse, a disability specialist listens to the individual’s inquiry and then uses comprehensive knowledge to assist the caller in problem solving, provides information and referral sources, and assists the caller with advocacy, as needed. At times, assistance can be accomplished with one phone call, other times, the disability specialist must research, make related calls and inquiries and then follow up with the customer.

Another innovative feature of the CDI is the legislative tracking report. The report monitors the progress of disability-related legislation in both the Florida House of Representatives and the Florida Senate. Eliminating the need to perform extensive research on a particular subject, the tracking report is a quick, efficient reference for the public, legislative staff and others. This is one of many ways the Clearinghouse serves as a resource for information directly impacting the lives of people with disabilities.

Expanding LIFE Experiences for the Deaf and Hard of Hearing

Committed to the task of systemic change, the ADA Working Group compiled and analyzed public testimony for the legislative report: *Recommendations Regarding Policies Addressing the Needs of Deaf, Hard of Hearing and Late-Deafened Persons*. The report proposed a state advisory and coordinating body that could provide education, information and advocacy to the Deaf population in Florida.

As a result of the report, the Florida Coordinating Council for the Deaf and Hard of Hearing (FCCDHH) was established. Since its inception in 2004, the FCCDHH has identified major issues that the Deaf and hard of hearing population faces, and implemented an action plan for addressing these needs.

The Clearinghouse on Disability Information responds to thousands of telephone inquiries each year

Year	# of telephone inquiries
2001-02	900
2002-03	3,752
2003-04	9,526
2004-05	10,840
2005-06	10,596
TOTAL:	35,614

Source: ADA Working Group

Florida's Great Outdoors

One of Florida's greatest resources is its beautiful landscape. From hiking rugged forests to picnicking on white sandy beaches, Florida's natural environment offers an array of exciting things to do. However, the splendor of Florida must be available for all to experience and enjoy. The Department of Environmental Protection's Division of State Parks, is dedicated to providing user-friendly facilities and programs for people with disabilities. Accommodations include, but are not limited to, all-terrain wheelchairs for people with disabilities, touch and feel nature tours, sign language interpreters, and transcribed copies of audio programs.

When the Florida Fish and Wildlife Commission (FWC) was created there were no recreational outdoor accessibility requirements at the federal level; therefore there were no existing guidelines for outdoor settings like trails and hunting. The ADA Working Group partnered with the FWC to ensure access to hunting, fishing and other recreational opportunities for persons with disabilities and assisted in an initial survey of the services and facilities that fell under the Commission's custody to determine compliance. The ADA Working Group also helped create a disability advisory board which enabled the Commission to function on its own. The Florida Fish and Wildlife Commission is now dedicated to providing programs that uphold the intent of the ADA.

Additionally, as home to some of the best theme parks in the country, Florida is one of the most popular destination for tourists from all over the world. When the ADA Working Group was first created, it addressed theme park accessibility by working with the respective guest relations departments to resolve issues.



"The ADA Working Group was the voice of reason. Their staff knew the law and could really guide us."

*—Cindy Hoffman, FWC ADA Coordinator
regarding the ADA Working Group*

*I*ndependence

Contrary to the charitable “care-for-you” model prevalent in the early 20th century, people with disabilities want to care for themselves and create their own opportunities. In Florida, the ADA Working Group has been instrumental in creating this environment by paving the way for accessible education, employment and environments.

As a group that promotes an independent lifestyle among persons with disabilities, the ADA Working Group has successfully:

- Assisted in making polling places and voting machines accessible to Floridians with disabilities
- Provided technical assistance and resources for the creation of disability-friendly work environments
- Ensured reasonable accommodations for students with disabilities
- Trained and educated state employees, managers, and business and community groups

A Secret and Independent Ballot for Everyone

The United States is a society built on the right to vote, and yet it was not until 2002 that Floridians with disabilities were granted the right to a secret and independent ballot. In 2000, the ADA Working Group began to hear testimony at its public forums about the inability to access polling places.

In 2001, the ADA Working Group was invited to serve on a task force appointed by Florida's Secretary of State's office to comprehensively review Florida's election laws and procedures. The Select Task Force on Voting Accessibility was charged with making recommendations to the Department of State regarding:

- Identifying voting obstacles persons with disabilities face in Florida's elections
- Developing and implementing solutions for overcoming these obstacles
- Creating a mandatory training program for all election officials and poll workers
- Suggesting a funding mechanism to carry out its work

As a result of the Task Force findings, proposed solutions were signed into law by Governor Bush in 2002.

As has been the case on other matters, the ADA Working Group championed changes to make voting accessible in Florida and took lead responsibility for writing the technical language on polling place accessibility and accessible voting machine requirements. Americans believe that all citizens deserve the right to a secret and independent ballot, and Florida can be proud that it was one of only a few states to resolve voting accessibility barriers with speed and determination. By setting its own standards for accessible voting prior to the federal Help America Vote Act (HAVA), Florida once again acted with a sense of urgency on behalf of Floridians with disabilities and took action to design and implement changes.

The ADA Working Group developed the ADA Polling Place Survey Checklist that was utilized by all Supervisors of Elections as the standard for compliance in all polling place contracts. The survey includes a detailed review of parking, drop-off areas, polling place entrances, entrances to polling rooms, and voting booth access and maneuverability. Sensitivity training on voters with disabilities is now a standard one-hour requirement to become a poll worker.

The Florida Independent Living Council named the ADA Working Group as an Advocate of the Year award recipient in 2002 for its work on voting accessibility.



“We all need to allow for the effect of freedom. Voting privately and independently is just such an effect that no longer must be restricted by our personal abilities. I am equal in the voting booth and nothing can top that feeling.”

Doug Towne

Florida Government: A Disability-Friendly Work Environment

A primary goal of the ADA Working Group is to make state offices barrier-free, and more specifically, disability friendly for the workforce. Thanks to trained ADA Coordinators located throughout state government, Florida's approach to human resource activities from recruitment to retirement now includes a thoughtful review of compliance under the ADA. Florida's Department of Management Services, through the ADA Working Group, developed statewide hiring and employment policies outlining the minimum requirements each state agency must observe. Several Florida agencies were highlighted in the U.S. Equal Employment and Opportunity Commission's 2005 Best Practices Report for their efforts to become sensitive to accessibility issues.

- The Florida Department of Transportation requires managers to connect employees with the Job Accommodation Network when needed, and to verify this in writing
- The Florida Department of State uses a Reasonable Accommodation Record to track accommodation requests and, for those that are denied, conducts a second review to help ensure that every reasonable option is pursued
- The Florida Agency for Health Care Administration requires that all hiring managers and supervisors receive ADA training, and other specialized ADA training related to the recruitment and hiring process

The ADA Working Group also provides technical assistance to individual employees and employers in the public and private sector who are unsure how to obtain or offer reasonable accommodations or modifications in the workplace.

Serious About School: Reasonable Accommodations for Students with Disabilities

At the federal level, the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind Act (NCLB) outline the requirements that must be followed by state and local educational agencies to be eligible for federal funds. To achieve the goals of the IDEA and NCLB, educators and governing bodies are responsible for providing reasonable assessment accommodations and access for students with disabilities. They must also ensure that tests measure a student's aptitude or achievement level, rather than reflect the student's disability.

In 2002, Governor Bush appointed a Blue Ribbon Task Force on Accommodations and Access for Students with Disabilities to review the Florida Comprehensive Assessment Test (FCAT) and make recommendations regarding expanded accommodations for test-takers with disabilities, while maintaining the validity and security of the test. The ADA Working Group was a key expert for the Task Force. As a result of the recommendations of the Blue Ribbon Task Force, Florida's students with disabilities are assured reasonable accommodations in test-taking, including large print and Braille, sign or oral interpretation of directions and all non-reading items, and other accommodations as may be requested by the student.

Education and Training

Since 2000, the ADA Working Group has provided training and technical assistance to over 42,500 individuals from state agencies, private businesses, non-profit groups, disability service providers, educators, and people with disabilities, their families and advocates. Many of the requests received by the Clearinghouse are for information related to employment topics. The ADA Working Group responds by providing employment assistance and training, improving lives as a result. Biennially since 2001, the ADA Working Group has held statewide training conferences, providing outstanding speakers and ADA experts on topics including employment, education, housing, voting, and electronic information technology. Attended by professionals, persons with disabilities and family advocates, the biennial conference hosts an average of 350 individuals. The conference is one way to ensure that a barrier-free Florida stays at the top of the agenda for government offices, educational institutions and the general public.



Stacia Woolverton started working for the ADA Working Group in July 1999 under the Division of Blind Services' Work Study Program. With the resources available under the ADA Working Group, Stacia was able to expand her duties and ultimately was hired by the ADA Working Group full time. Stacia credits her new world of opportunities and possibilities to being employed and provided accommodations.

Freedom

Most people take for granted the freedom to choose where they will learn, work, live, and play. With the support of many partners, the ADA Working Group has facilitated the removal of many barriers in Florida, creating greater freedom of choice for people with disabilities.

As proponents of freedom for all Floridians, the ADA Working Group has:

- Administered a \$2 million Real Choice Grant that effectively brought key government leaders together for cross-agency collaboration on disability-related systems change
- Commissioned a special report, *The Housing Needs and Household Characteristics of Persons with Disabilities in Florida: An Analysis of 2000 Census Data* by the University of Florida's Shimberg Center for Affordable Housing, a catalyst for dedicated funding in the construction of affordable and accessible housing for Floridians with disabilities
- Conducted a comprehensive review of the language written in Florida laws referring to persons with disabilities and trained legislative staff regarding appropriate word choices
- Improved access to government buildings, recreational sites and private businesses for service animal owners through initiation of an amendment to the Florida Statute on service animals
- Supported the elimination of the discriminatory nature of the Restriction K drivers license category

Florida's Partnership for Real Choice

The New Freedom Initiative was launched in February 2001 by President Bush as part of a nationwide effort to remove barriers to community living for Americans with disabilities. The goals of the Freedom Initiative are to:

- Increase access to assistive and universally designed technologies
- Expand educational opportunities
- Promote homeownership
- Integrate Americans with disabilities into the workforce
- Expand transportation options
- Promote full access to community life

The Freedom Initiative provided funding through the Centers for Medicare and Medicaid for states to develop and implement systems change grants with a goal of promoting full access and real choices for participating in community life for all persons with disabilities. Governor Bush appointed the ADA Working Group to oversee the development of a collaborative, cross-agency proposal. Florida was named a Real Choice Grant recipient in 2002, receiving a three-year, two million dollar grant.

The signature feature of Florida's Real Choice Partnership Project was an Interagency Coalition, bringing key government leaders together for true cross-agency collaboration for systems change. A unique study of Florida's Medicaid Waivers was also commissioned, analyzing Medicaid waivers across all agencies and constituent groups. The resulting Medicaid Waiver Analysis Report was identified as a best practice in systems change.

The Clearinghouse has also received national recognition as a best practice. Other states have used the ADA Working Group's models for their own initiatives. The State of New Jersey is using Florida's Medicaid Waiver Analysis Report as its model to create a continuum of care and the State of Georgia hopes to replicate Florida's Clearinghouse model to better serve their residents with disabilities, as well as the general public.

Systems Change

Systems change was an important outcome of the Real Choice Partnership, particularly in the area of housing. The lack of a thorough understanding of the housing needs of Floridians with disabilities became evident when the ADA Working Group began to hear about housing issues through the public forums held by the Real Choice Partnership Project. Through the Real Choice Partnership Project, the ADA Working Group commissioned a study by the Shimberg Center for Affordable Housing at the University of Florida. Released in 2004, the report entitled *Housing Needs and Household Characteristics of Persons with Disabilities in Florida: An Analysis of 2000 Census Data* helped to quantify the need for affordable and accessible housing for Floridians with disabilities.

Soon after the Shimberg Center report, the Florida Housing Finance Corporation (FHFC) set aside \$2.1 million for the construction of affordable housing for Floridians with disabilities. A year later, the FHFC allocated another \$4.4 million, this time for first time home buyers with disabilities. These activities formally addressed housing needs from a statewide perspective rather than as a local initiative; they are systemic changes in the area of housing finance and are a direct result of the Real Choice Partnership Project and the efforts of the FHFC to prioritize the lack of accessible and affordable housing in Florida.

Additionally, the United Way and other partners of the Palm Beach County Real Choice Partnership Collaborative will soon launch a local initiative to move residents age 18-60 from institutional settings to community settings. Many projects in Florida have successfully diverted primarily older residents from nursing homes to community-based alternatives. The Palm Beach model is the first time residents already residing in skilled care facilities are being given the choice to transition to less restrictive community-based settings. The Palm Beach initiative will demonstrate the viability and efficacy of real choices for Floridians with disabilities to live where they want to live in the least restrictive setting.

Another example of systems change at the local level is the City of St. Petersburg, which utilized the Shimberg Report as a foundation for its five year strategic plan. St. Petersburg's top priority identified in its strategic plan is to "provide and sustain affordable housing opportunities for persons and households at or below 150% of Median Family Income." The majority of people with disabilities who need accessible and affordable housing fall into this category.

Public Education and Awareness

The ADA Working Group's approach to public education is multi-faceted. In addition to the biennial conference, the ADA Working Group also uses proactive strategies, taking the information to the public rather than hoping consumers will attend training or contact the Clearinghouse. An example of this proactive style was piloted in 2001 when the ADA Working Group collaborated with the Secretary of State's Division of Corporations and local government offices responsible for issuing occupational licenses. Included with each county's annual renewal notice or new application for occupational licenses was a brief Public Access Advisory.

The Advisory conveyed three basic messages:

1. Private businesses have an obligation to comply with the ADA.
2. There are possible penalties if they fail to comply.
3. Technical assistance and resources are available to help them become accessible to Floridians with disabilities.

This innovative public education strategy has not gone unnoticed by other states. Hearing about this local-state collaboration, the State of Ohio requested information from the ADA Working Group to replicate it. Once again, Florida has gained the attention of other states because of the innovative methods used by the ADA Working Group to make Florida barrier-free.

Additionally, in 1999 the ADA Working Group conducted a comprehensive review of the language written in Florida statutes. Recognizing that an effective way to conquer discrimination is to increase awareness by changing the words people use, the ADA Working Group began to offer government offices Disability Etiquette Training. As a result of this sensitivity training, legislative staff began working toward the elimination of stigmatizing language in disability-related laws. The ADA Working Group continues to monitor proposed legislation to prevent the use of negative terms.

Florida's Torch Relay

To commemorate the 10th anniversary of the Americans with Disabilities Act, the American Association of People with Disabilities (AAPD) hosted a cross-country relay throughout the summer of 2000. The Spirit of ADA Torch Relay began in Houston and ended in New York City. Tallahassee was selected as one of the stops on the 24-city tour due to the efforts of the Division of Vocational Rehabilitation and the ADA Working Group. This honor reflects Florida's historical significance in the disability rights struggle. More than 70 Floridians with disabilities took part in this once-in-a-lifetime opportunity, passing the torch through the ten-mile journey around the city. Ceremonies were held at Tallahassee Community College, Florida State University, the state Capitol, and Florida A&M University to celebrate this momentous occasion. As the first national event that put people with disabilities in the forefront, the ADA Torch Relay instilled a sense of pride in all of the participants. Paul Martell, a Florida participant, said that it was probably the single most important event in his lifetime.



“The Torch Relay made me feel that the issue of equality was in the forefront of the state and nation. For me, it was probably the single most important event that helped me feel that I belonged to a bigger community. That particular showing of professional and community members, especially here in Florida with the ADA Working Group’s support -- really culminated in a sense of solidarity within Florida and the nation.”

– Paul Martell, ADA Torch Bearer, 2000

The Cause for Paws: Florida's Service Animal Legislation

The ADA Working Group initiated a rewrite of the current Florida statute regarding service animals. Governor Bush signed legislation in 2005 which brought Florida's statute into compliance with the ADA.

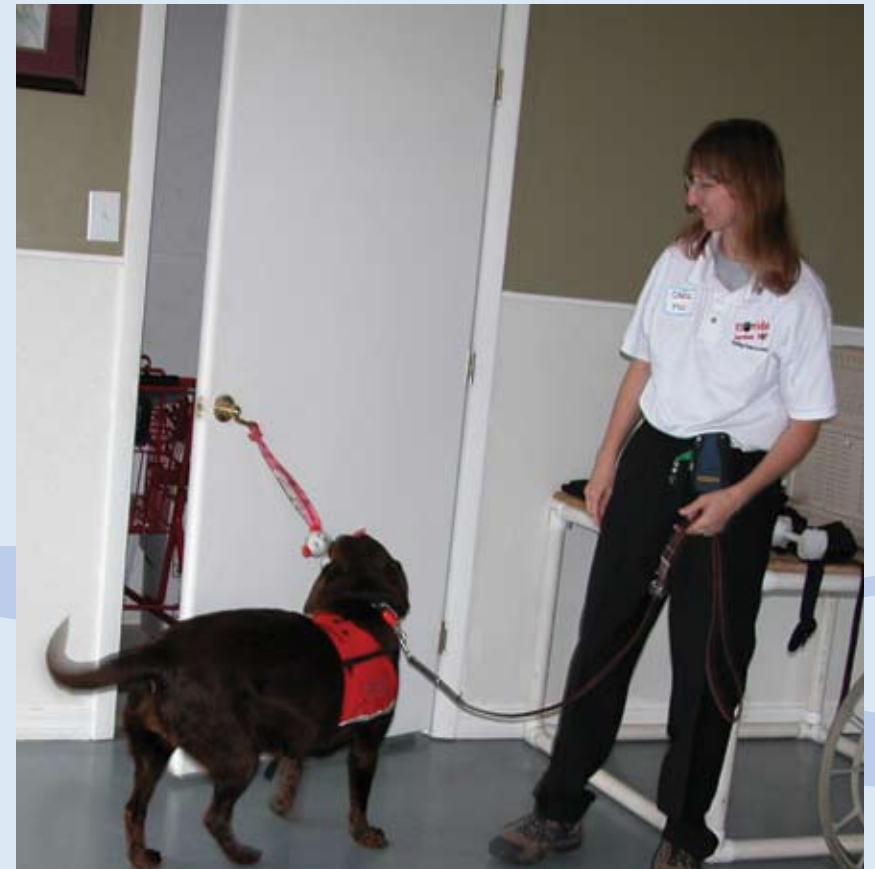
Features include:

- A comprehensive definition of a service animal
- Functions service animals provide
- The rights of individuals who use service animals
- The criminal penalties to deny access, interfere, injure, or kill a service animal

Once the legislation passed, the ADA Working Group created an informative brochure educating businesses and law enforcement that denying public access to a person with a disability using a service animal is a crime.

"Restriction K": Inadvertent Discrimination

In Florida, a drivers license can be obtained by taking a road rules test, a driving test and a vision test. The ability to hear, however, is not tested or required to be licensed as a driver. Drivers who were hard of hearing were issued "Restriction K" licenses and were required to use a hearing aid while driving. This restriction, originally implemented by the Department of Highway Safety and Motor Vehicles (DHSMV) for commercial licensees only, was inappropriately assigned to any hard of hearing licensed driver. As a result, any driver with a "Restriction K" license could be subject to fines when driving without a hearing aid. The ADA Working Group was apprised of this situation at public forums and shared its findings with the Florida DHSMV. Since hearing is not a required skill for driving, the Restriction K category was found to be discriminatory. Effective January 2004, "Restriction K" was eliminated for any Class D, E or Learner licenses in Florida, but retained for commercial licenses.



Equal Access and Accessibility

Independence and freedom for people with disabilities depends upon equal access and accessibility to everything that a community has to offer, including government services. The ADA Working Group's work to identify and remove barriers to access in Florida is therefore pivotal to creating life experiences that are characterized by independence and freedom.

The ADA Working Group has improved equal access and accessibility for Floridians with disabilities through such means as:

- Establishing closed captioning on The Florida Channel and for emergency broadcasts
- Training ADA Coordinators
- Implementing design standards for websites to improve the accessibility of public information
- Designing the method for law enforcement officers to regulate accessible parking

The Florida Channel and Emergency Broadcasting — Closed Captioning 365 days a year

WFSU-TV provides coverage of the legislative process in Florida through The Florida Channel. The Florida Channel is committed to serving the people of Florida with quality legislative coverage - bringing the people closer to their government. Due to the lack of captioning, Deaf and hard of hearing Floridians were not receiving the benefits of this service. The ADA Working Group partnered with the Florida Channel to define the needs of the Deaf and hard of hearing community and express the need for systems change to the Legislature. The ADA Working Group played an instrumental role in making Florida the first state to caption its state legislative channel, 365 days a year. Additionally, the Florida Channel offers real-time captioning that enables equal access to live broadcasts.

The Deaf and hard of hearing not only rely on captioning for news, but for emergency announcements as well. The Florida Channel is responsible for producing and providing accessible coverage for the State during emergencies. This coverage is critical in conveying emergency preparedness and recovery information to individuals with disabilities.



“The “big push” began in 2003, when we began to hammer out the details of a proposal to send to the Legislature. The proposal centered on funding that would allow WFSU-TV/The FLORIDA Channel to offer all its programming with closed captioning. During the 2004 Legislative Session, the allocation was made and in January 2005, The FLORIDA Channel became the first public affairs network in the country (dedicated to the coverage of state government) to fully caption its programming.

At our national conference, in the Spring of 2005, when all the other state networks were wondering how they would be able to address the issue of captioning, we were able to proudly step up to say that Florida had faced and met the challenge! We, at WFSU-TV/The FLORIDA Channel, are proud to be part of the effort and because of the hard work of the Legislature and our collaboration with the Governor’s ADA Working Group, we were able to claim the title of “First (and Only) in the Nation.”

Beth Switzer, Executive Director , WFSU-TV/The FLORIDA Channel

The Courthouse: America's Point of Access for Government For the People, By the People

A new initiative to make Florida's 138 state and local court facilities barrier-free began in 2006 under the leadership of Florida Supreme Court Chief Justice Fred Lewis. Chief Justice Lewis has set a course to make Florida's courts barrier-free. Access to Florida's courthouses means more than access to a courtroom. Historically, county courthouses throughout the nation have served as the central location for citizens to register and vote, pay taxes, attend judicial trials and hearings, acquire licenses, etc. When a courthouse is not accessible, persons with disabilities are denied the right to access these critical government services and programs that should be readily available to all citizens.

After passage of the ADA in 1990, state courts conducted self-evaluations and developed transition plans focusing on program accessibility. While improvements have been made, Chief Justice Lewis is seeking a re-evaluation of the structural accessibility of court facilities, in addition to programs and services of the court.

The ADA Working Group will serve as a technical advisor to the Office of the State Courts Administrator (OSCA) and will make available its tools and strategies that have been so effective in helping Florida become a barrier-free state.

"I can assure you that our OSCA is going to be seeking increased access for all Floridians for everything that the court system does, including equipment purchases, IT systems, and filing systems. We are going to be involved in education. We are going to be moving forward. And we are going to all say, at the end of the day: 'We don't want your pity. We don't need it. Just remove the barriers.' And that will be the mantra of the Florida Supreme Court."

Chief Justice Fred Lewis, as quoted in Inside Bar News, August 1, 2006

Responsibilities of an ADA Coordinator:

- Plan and coordinate overall ADA compliance efforts for their office
- Conduct a self-evaluation using a standard survey tool developed by the ADA Working Group
- Implement a transition plan to come into compliance
- Receive and investigate grievances from individuals with regard to programs, facilities, services, practices and employment associated with their office.
- Conduct ongoing self-evaluations to ensure, on an annual basis, continued compliance with the ADA
- Serve as the point of contact with the ADA Working Group for education and technical assistance on an ongoing basis

ADA Coordinators: Making Florida Government More Accessible, Day by Day

There are currently 38 state agency ADA Coordinators, 33 county/city ADA Coordinators and 65 College and University ADA Coordinators working to make Florida more accessible.

One of Governor Bush's first initiatives was to demonstrate his personal commitment to ADA compliance. He issued a letter to all agency heads outlining his recommendations for the qualifications, responsibilities and duties of each agency ADA Coordinator. One of the ADA Working Group's early and most significant contributions was the development of training standards for ADA Coordinators and a Facility Survey to identify areas where changes were needed to become accessible to persons with disabilities. The ADA Working Group followed-up with education and technical assistance to assist with the necessary improvements. The ADA Working Group continues to support agencies' requests for architectural improvements.

Website Accessibility: Build it Into the Design

For many Americans, accessing the Internet has become an essential part of life. The Rehabilitation Act of 1973 was amended in 2001 to provide people with disabilities access to electronic information provided by the federal government. As a state with advanced accessibility initiatives, Florida has taken steps to improve the level of accessibility to state government information that is equal to the standards applicable to the federal government.

The ADA Working Group launched Florida's ADA compliance with accessible electronic information and technology. In June 2000, the ADA Working Group presented its first set of recommendations for fully accessible web pages to Governor Bush, with information gleaned from comments made at the ADA Working Group's quarterly public forums. An accessibility testing group was created to provide feedback on program and web page design.

In June 2005, Governor Bush signed Executive Order #05-133 creating the Governor's AelT Task Force to further promote the accessibility of state government information and technology. The Task Force cited nineteen recommendations for legislative action, including setting standards and compliance.

Testing and reporting on accessibility is a crucial component of the success of the AelT program. The ADA Working Group purchased web page accessibility testing licenses to assist state agencies in their efforts to design accessible web pages. So far, 36 licenses have been distributed to state entities.

On June 23, 2006, Governor Bush signed HB1503 creating provisions requiring the executive, legislative, and judicial branches of state government to provide equal access to and use of electronic information and data to individuals with disabilities.



“As we continue to move into the electronic age, it is important that state government be fully accessible to all Floridians...I applaud the Governor, Legislature and the many advocates for working together to make this landmark legislation a reality.”

Tom Lewis, Secretary
Department of
Management Services

Parking: The Key to Access for Floridians with Mobility Limitations

In 1996, Florida's disabled parking law was revised to set new criteria for eligibility, to standardize enforcement, and in some situations, to create an arrestable offense for illegally parking in a spot reserved for persons with disabilities. The ADA Working Group realized the importance of enforcing the law and created a training program for law enforcement officers. A free training program called the "Awareness and Enforcement of Florida's Disabled Parking Laws" was developed and taught by a seasoned law enforcement officer at police and sheriffs' departments across Florida.

When an accessible parking space is not available to a person with a disability, they have no choice but to leave.



Subcontractors as ADA Partners: The Florida Lottery Story

There are 11,415 Florida Lottery retail sites across Florida, operated through subcontracts to independent business owners. Accessibility concerns were first brought to the ADA Working Group's attention by the Advocacy Center for Persons with Disabilities. With the ADA Working Group's assistance, the Florida Lottery developed an accessibility survey. Each retailer must pass the survey or remove identified barriers within a designated time period to become a lottery provider.

On the Horizon: Emerging Issues and Opportunities

The accomplishments highlighted throughout this report and the stories from real Floridians are compelling examples of how the ADA Working Group has made a positive impact on the lives of people with disabilities. Although many improvements have been made since the passage of the ADA, the ADA Working Group recognizes there are still many challenges left on the horizon.

Florida needs all of its citizens to be fully engaged in community life and contributing members to Florida's economic stability, and Floridians with disabilities are eager to participate.

Florida Supreme Court Chief Justice Fred Lewis' daughter is a person with a disability, and in his remarks about the new court access project, he shared his family's guiding principle. This principle is a challenge to all Floridians, those with disabilities and those without... *"We do not want your pity. We do not need your pity. Just remove those artificial barriers and watch us perform."*



ADA Working Group Board of Directors

C. RAY CARPENTER uses a wheelchair due to an automobile accident that rendered him a quadriplegic at the age of 17. He is also a skier, marathoner, glider pilot, and sky diver. A certified information and referral specialist and certified crisis counselor, Ray works as a system administrator at 2-1-1 in Tampa Bay.

VELIAH DIAZ is an exceptional special education teacher at Wildwood High School in Bushnell, and volunteers as a Special Olympics coach. Veliah is hard of hearing and represents this population on the Board, as well as special needs children. Veliah is married, has 2 grown children, 4 grandchildren, and is also the caregiver for her mother.

JOHN GAFFNEY is a nationally recognized expert regarding the transportation requirements of the ADA. His works have been recognized as “best practices” by transportation providers in meeting these requirements. John is a paraplegic as the result of an automobile accident.

J.R. HARDING is a two-time quadriplegic. Dr. Harding is an expert in the areas of employment, transportation, and building code compliance for people with disabilities. He is employed by the Department of Education’s Vocational Rehabilitation program and volunteers at Leadership Tallahassee, Youths with Disabilities and the Florida Disability Outdoor Association.

LINDA MILLS is the Director for Special Olympics of Broward County. She has over 30 years of experience with Special Olympics and is a member of the Special Olympics Florida Hall of Fame. A trained mediator by the Justice Center of Atlanta, Linda mediates for the Florida Department of Education.

GAIL MONAHAN is the Executive Director of the Alachua County Housing Authority and is an expert regarding the housing needs of people with disabilities. As the parent of three children with disabilities, Gail also has first-hand knowledge of caregiver and family concerns.

CARLOS MONSERRATE is an ardent advocate for persons with hearing loss, and is employed by the Agency for Workforce Innovation. He was appointed to the Florida Coordinating Council on the ADA in 1993 and the ADA Working Group in 1999. He has held many positions in local, state and national organizations serving persons with hearing loss.

CARLOS MONTAS was born with a visual impairment, and uses a service animal. A college graduate, 23 year-old Carlos offers first-hand experience regarding the problems facing persons who are blind, especially on issues related to transportation, accessible electronic information and technology, and education.

LOIS N. MARONEY who is late-deafened, is a licensed mental health counselor; her specialty is serving individuals and family members experiencing the impact of hearing loss. She is nationally recognized in the late-deafened community through her work with the Association of Late-Deafened Adults. She was a recipient of the JC Penny Golden Rule Award in 1998 for initiating services for late-deafened people in her community.

PAULA C. ROSE has worked in the mental health field for almost 20 years and currently serves as a mental health counselor in Wakulla County. Paula understands living with a mental health disability, having been diagnosed with Post Traumatic Stress Disorder.

ADA Working Group Board of Directors (continued)

CHARLOTTE TEMPLE has a daughter with Downs Syndrome and has been an advocate for persons with disabilities for over 13 years. She was appointed by the Florida Commissioner of Education to the State Advisory Committee on Exceptional Student Education, and is the Director of Advocacy for persons with disabilities at The ARC of Jacksonville.

GREG VENZ works for the Department of Children and Families in Tallahassee as Assistant General Counsel. Greg has expertise and significant experience regarding legal affairs and governmental operations. Greg also offers a unique perspective on many policy issues as he is a person with a severe physical disability, Muscular Dystrophy.

CHRISTOPHER WAGNER is the Executive Director of the Community Center for the Deaf and Hard of Hearing, serving Sarasota and Manatee counties. Deaf since birth, he is a passionate leader and advocate for equal accessibility and quality services for Deaf and hard of hearing individuals. Chris has held many leadership positions, including Trustee for the Florida School for the Deaf and the Blind and Chair of the Florida Coordinating Council for the Deaf and Hard of Hearing.

EVAN WAINWRIGHT attends Tallahassee Community College, where he is a student senator and a volunteer for Disability Support Services. He has experience in transition and educational issues facing students with disabilities. Evan, who has cerebral palsy and uses a wheelchair, plays the drums, sings and writes songs. He is an active young man, who has won medals at the Special Olympics in the bowling and track and field competitions.

ANGEL WATSON is the Accessibility Coordinator for Caring & Sharing Center for Independent Living, Inc., where she provides training, technical assistance and conducts accessibility surveys related to Florida's Accessibility Code for Building Construction. After a snow skiing accident in 1988 ended her military and civilian careers, Angel, a wheelchair user, obtained a Bachelor's degree in 1992. In addition to serving on national, state and local boards, Angel is the mother of a beautiful daughter.

Former Board Members

Barbara Burkhardt
George Conn
Frank Corso
Berthy De La Rosa-Aponte
Joan Camezon Haber
Edward Montaigne
Hilda Olexa
Kurt Ponchak
Michael Van Randen

Works Cited and Additional Resources

WORKS CITED

- ADA Working Group. Florida's ADA Convention 2001 Program. Tallahassee, FL: ADAWG. Aug. 2001.
- ADA Working Group. Service Animal Brochure. Tallahassee, FL: ADAWG (undated).
- ADA Working Group. The AelT Task Force Report. Tallahassee, FL: ADAWG. 31 Jan. 2006.
- Agency for Persons with Disabilities. Report of the Governor's Blue Ribbon Task Force on Accommodations and Access for Students with Disabilities. APD, Tallahassee, FL: 15 December, 2004.
- Florida Coordinating Council for the Deaf and Hard of Hearing. State Agencies in Florida and the Accessibility Needs of Deaf, Hard of Hearing and Late-Deafened Persons: A Report on Requirements, Current Status and Recommendations. Tallahassee, FL: FCCDHH, 2004.
- Florida Demographic Estimating Conference. Florida Profiles for 1997, 2000, and 2006.
- Florida Housing Finance Corporation. Current State Initiatives to Provide Affordable Housing for People with Disabilities. PowerPoint presentation by Nancy Muller. (date not available).
- Florida Statutes, Chapter 282, Part III. Florida Accessible Electronic and Information Technology Act of 2006.
- Florida Tax Watch. 101 Adaptable Achievements for Increased Taxpayer Savings from the 2004 Davis Productivity Awards. Tallahassee, FL: FTW, May 2004.
- Hoffman, Cindy. Florida Wildlife Commission ADA Coordinator. Telephone Interview. 6 Sept. 2006.
- Martell, Paul. Telephone interview with Julie Shaw. 5 Oct. 2006.
- Pudlow, Jan. "Lewis: The Time is Now to Make Access a Priority." Inside Bar News 1 Aug. 2006.
- Ray, Anne L., et al. Housing Needs and Household Characteristics of Persons with Disabilities in Florida: An Analysis of 2000 Census Data. Gainesville, FL: Florida Housing Data Clearinghouse Shimberg Center for Affordable Housing, University of Florida, 2004.
- State of Florida, Office of the Governor, Executive Order Number 99-80.
- State of Florida, Office of the Governor, Executive Order Number 03-137.
- Towne, Doug. Email communication to Julie Shaw regarding voting. 2 Oct. 2006.
- U.S. Americans with Disabilities Act. 1990.
- U.S. Census Bureau. "Florida Quick Facts." 8 June, 2006 (<http://quickfacts.census.gov/qfd/states/12000.html>).
- U.S. Equal Employment Opportunity Commission. Best Practices for the Employment of People with Disabilities in State Government. Washington, DC: EEOC, 31 October 2005.
- U.S. Rehabilitation Act. 1973.
- Woolverton, Stacia. Email communication to Julie Shaw regarding employment. 5 Sept. 2006.

ADA WORKING GROUP DATA AND RESOURCES PROVIDED

ADA Working Group Board, Compiled Board Member Questionnaire Responses. Aug. 2006.
ADA Working Group Board, Facilitated Discussion Session. Sarasota. 22-23 Aug. 2006.
ADA Working Group Staff Discussion Session. Tallahassee, 1 Aug. 2006.
ADA Working Group, Ad Hoc Report of Public Forum Attendance in Excel Spreadsheet Format, 1998 – 2006. Tallahassee, FL: ADAWG.
ADA Working Group, Performance Measures of People Trained, 2005-2006 LBR and 06-10 LRPP.
ADA Working Group. “List of Statewide ADA Coordinators.” 8 Aug. 2006.
ADA Working Group. ADA Florida Wins: Americans with Disabilities Act Working Group Initial Report 1997. Tallahassee, FL: ADAWG, 1997.
ADA Working Group. ADA Florida Wins: Americans with Disabilities Act Working Group Annual Report 1998. Tallahassee, FL: ADAWG, 1998.
ADA Working Group. Americans with Disabilities Act Working Group Annual Report Fiscal Year 1998-1999. Tallahassee, FL: ADAWG, 30 July, 1999.
ADA Working Group. Guide to Qualifications, Authority & Responsibilities of an ADA Coordinator, Tallahassee, FL: ADAWG, February 1999.
ADA Working Group. State Agency ADA Survey Instrument. Tallahassee, FL: ADAWG, March 2001.
ADA Working Group. Training Program: Awareness and Enforcement of Florida’s Disabled Parking Laws – Final Report, 2000. January 2001.
Core, Patty. Fax to Julie Shaw regarding Restriction K Removal on Drivers Licenses. 30 Jan. 2004.
Executive Order Number 03-137, Governor Jeb Bush.
Florida Department of Management Services Division of Facilities Management. ADA Survey Checklist. Tallahassee, FL: FDMS (undated).
Florida Department of State Division of Elections. ADA Polling Place Survey Checklist. Tallahassee, FL: Florida Department of State.
Florida Department of State. Secretary of State Select Task Force on Voting Accessibility: Final Report. Tallahassee, FL: Florida Department of State, November 2001.
Florida Lottery, ADA Guidelines: Checklist for Lottery Retailers.
Shaw, Julie. Personal Interviews. 18 July, 2006, 28 July, 2006, 1 Sept. 2006.

ADDITIONAL RESOURCES

Switzer, Beth. Executive Producer of the Florida Channel. Telephone interview. 1 Sept. 2006
Breslin, Brian. Brevard County ADA Coordinator. Telephone interview. 17 Aug. 2006.
Florida State Courts System, Access to the Courts for Persons with Disabilities: Renewing the Judicial Branch Commitment. Tallahassee, FL: FSCS, 2006.
National Conference of State Legislatures, “The States’ Response to the Olmstead Decision: A 2003 Update.” 2003 (<http://www.ncsl.org/programs/health/forum/olmstead/2003/fl.htm>).
U.S. Census Bureau. Disability Status: 2000. US Census, Washington, DC: March 2003.

This report is dedicated to the memories of
George A. Conn
Frank Corso
Hilda Olexa

These individuals were tireless advocates for
Floridians with disabilities and contributed hundreds of hours
of volunteer service as members of the
Board of Directors of the
Americans with Disabilities Act Working Group



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Many thanks to Florida
for eight years of outstanding performance
identifying and removing barriers
and to all Floridians with disabilities
for their outstanding contributions for helping make
Florida a barrier-free state where
LIFE
can be experienced by all of its citizens.