



# FEMA Section 504 Implementation Plan

August 12, 2019  
*Office of Equal Rights*



FEMA

THIS PAGE IS INTENTIONALLY LEFT BLANK

# Executive Summary

---

FEMA's Section 504 Implementation Plan sets forth concrete steps to strengthen the Agency's approach to providing equal access to individuals with disabilities under Section 504 of the Rehabilitation Act. The Plan is based on data collected during a six-month self-evaluation process that assessed FEMA's public-facing programs and activities and their compliance with Section 504.

## **What is Section 504 of the Rehabilitation Act?**

The Rehabilitation Act of 1973 is the federal statute that prohibits discrimination on the basis of disability. Under Section 504, FEMA, as a department or agency within the Federal government, must ensure nondiscrimination on the basis of disability in all its programs and activities.

Based on the results of the FEMA Self-Evaluation, below are the **overarching potential shortfalls in program access for individuals with disabilities and opportunities for strengthening compliance with Section 504**:

1. Public information and platforms for distributing information, including public events and meetings, may be inaccessible;
2. Trainings and exercises may not be inclusive of people with disabilities;
3. Publicizing the rights of people with disabilities in connection with FEMA's public-facing programs and activities, including those carried out by contractors, may be inconsistent and not widely distributed, displayed, and understood;
4. Disaster assistance and recovery programs may not consistently meet the disability-related needs of disaster survivors; and
5. Facilities may not be fully accessible.

The Plan covers these five potential shortfalls in program access for individuals with disabilities and offers strategies to address each of them and to strengthen compliance with Section 504. For each of the five potential shortfalls and corresponding actions, FEMA offers a proposed timeline and the FEMA program offices responsible for addressing it.

The Office of Equal Rights has designated staff with support from its Equal Rights Cadre to work with other FEMA program offices to carry out the Plan.

Funding to address the potential gaps and barriers to program access for individuals with disabilities and to strengthen compliance with Section 504 must be designated annually as a line item for use by program offices with public-facing activities. Some programmatic changes required to address potential gaps in program access for individuals with disabilities and to strengthen compliance with Section 504 may also require expenditure of funds.

# Contents

Executive Summary .....	ii
<b>What is Section 504 of the Rehabilitation Act?</b> .....	ii
Introduction.....	1
Purpose of FEMA’s Section 504 Implementation Plan .....	3
Responsible Staff .....	3
Timeline .....	5
Potential Shortfalls to Program Access for Individuals with Disabilities.....	6
Existing Policies to Address Potential Shortfalls.....	6
Disability Integration and Inclusive Emergency Management.....	6
Title VI Civil Rights Program.....	7
Implementation Plan .....	8
Potential Shortfall 1: Public Information and Platforms May be Inaccessible.....	8
Summary of Desired Outcome.....	8
Specific Potential Gaps or Barriers to be Addressed .....	8
Potential Shortfall 2: Training and Exercises May Lack Disability Inclusion .....	12
Summary of Desired Outcome.....	12
Specific Potential Gaps and Barriers to be Addressed.....	12
Potential Shortfall 3: Rights of People with Disabilities May Not Be Clearly Noticed .....	14
Summary of Desired Outcome.....	14
Specific Potential Gaps or Barriers to be Addressed .....	14
Potential Shortfall 4: Disaster Assistance and Recovery Programs May Not Be Accessible ..	17
Summary of Desired Outcome.....	17
Specific Potential Gaps or Barriers to be Addressed .....	18
Potential Shortfall 5: Facilities May Not Be Accessible .....	21
Summary of Desired Outcome.....	21
Specific Potential Gaps or Barriers to be Addressed .....	21
Resources .....	22
Conclusion .....	23
Appendix A: FEMA’s Self-Evaluation.....	24
<b>Section 504 of the Rehabilitation Act</b> .....	24

Methodology and Approach .....	24
Approach.....	24
Data Collection .....	24
Results of the Self-Evaluation .....	26
Potential Gaps and Barriers .....	26
Appendix B: Civil Rights Notice.....	28

# Introduction

---

The Federal Emergency Management Agency’s (FEMA’s) mission is “Helping people before, during, and after disasters.”

A Presidential declaration may include financial or direct assistance from FEMA for individuals or households affected by the disaster. Coordinating government-wide relief efforts is FEMA’s responsibility under the Stafford Act.<sup>1</sup> FEMA’s purpose is to bring an orderly and systematic means of federal disaster assistance for state, local, tribal, and territorial governments in carrying out their responsibilities to aid disaster-impacted communities.

FEMA’s ten Regional offices support the development of all hazards operational plans to prepare states, tribes, territories, and communities for disasters. During a disaster, respective Regional offices will also coordinate with and support field offices, *e.g.*, Joint Field Offices or Recovery offices. Regional offices are expected to adhere to programmatic and administrative guidance provided by FEMA Headquarters’ components to maintain a consistent application of national initiatives.

FEMA is committed to helping *all* people by including and integrating the needs of people with disabilities while carrying out its coordination role and responsibilities.<sup>2</sup> It strives to be inclusive of people with disabilities by providing equal program access, including physical access, and effective communication access throughout its public-facing programs and activities. Public-facing programs and activities are programs and activities carried out by FEMA (or on behalf of FEMA by a contractor) where members of the public, including individuals with disabilities, are encountered or served. Examples include:

- Providing disaster assistance, conducting house inspections, providing temporary housing units;
- Administering the National Flood Insurance Program;
- Responding to inquiries from, and/or sharing information with, members of the public through regular mail, by telephone, and by internet (*i.e.* email and/or social media);
- Seeking advice from, or consulting with, external community organizations, advocacy groups, experts, academic communities, etc.;
- Operating information booths, engaging in public speaking, or engaging in similar activities at public events on behalf of FEMA;
- Providing on-line and classroom training;
- Hosting events to which one or more members of the public are invited; and
- Conducting contracting and procurement activities that involve solicitation and/or performance of work from private companies, vendors, and/or individuals.

---

<sup>1</sup> The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. §§ 5121 *et seq.* (Stafford Act) authorizes the President to provide financial and other assistance to state, local, tribal, territorial, and insular area governments, as well as Federal agencies, to support Response and Recovery efforts in the wake of emergency or major disaster declarations.

<sup>2</sup> Stafford Act §§ 308 and 309; 42 U.S.C. §§ 5151-52; 44 C.F.R. Part 16; 44 C.F.R. § 206.11.

Strengthening compliance with Section 504 of the Rehabilitation Act supports FEMA’s commitment to inclusive emergency management throughout the whole community.<sup>3</sup>

Inclusive emergency management means FEMA programs incorporate equal access for and inclusion of individuals with disabilities and others with access and functional needs<sup>4</sup> throughout FEMA policies and guidance and the policies and guidance provided to federal, state, local, tribal, and territorial partners. Incorporating universal accessibility upfront as a baseline standard throughout all FEMA-conducted programs and activities optimizes physical, programmatic, and effective communication accessibility and serves the whole community. This decreases the need for time-consuming reactive modifications. Inclusive emergency management fosters effective program delivery.

---

<sup>3</sup>“Whole community” is defined in the National Preparedness Goal as a “focus on enabling the participation in national preparedness activities of a wider range of players from the private and nonprofit sectors, including nongovernmental organizations and the general public, in conjunction with the participation of all levels of government in order to foster better coordination and working relationships.” In addition, the National Preparedness Goal states: “Whole community contributors include children; older adults; individuals with disabilities and others with access and functional needs; those from religious, racial, and ethnically diverse backgrounds; people with limited English proficiency; and owners of animals including household pets and service animals.” [National Preparedness Goal](#)

<sup>4</sup> Individuals having access and functional needs may include, but are not limited to, people with disabilities, older adults, and individuals with limited English proficiency, limited access to transportation, and/or limited access to financial resources to prepare for, respond to, and recover from the emergency. Federal civil rights law and policy require nondiscrimination, including on the bases of race, color, national origin, religion, sex, age, disability, English proficiency, and economic status. See FEMA Directive 123-29, Disability Integration and Inclusive Emergency Management dated December 9, 2016.



## Purpose of FEMA’s Section 504 Implementation Plan

The purpose of FEMA’s Section 504 Implementation Plan is to strengthen the Agency’s capacity to carry out public-facing programs and activities inclusive of people with disabilities. The Plan will also strengthen compliance with Section 504 of the Rehabilitation Act. This Plan addresses the results of a six-month Section 504 self-evaluation examining FEMA’s public-facing programs and activities.<sup>5</sup> It lays out strategies to address and resolve the specific potential shortfalls in program access for individuals with disabilities identified through the self-evaluation. Implementing the Plan will strengthen the Agency’s ability to help *all* people – including people with disabilities – before, during, and after a disaster.

## Responsible Staff

On February 27, 2018, the FEMA Chief of Staff issued a memorandum to Associate Administrators and Regional Administrators providing FEMA’s Section 504 Self-Evaluation results. The memorandum also requested FEMA headquarters and Regional program offices with public-facing programs and activities to designate supporting Section 504 and Access Coordinators<sup>6</sup> and senior leader sponsors within each program office who are responsible for working with the Office of Equal Rights to facilitate the programmatic changes needed to address potential gaps and barriers. The Office of Equal Rights is leading the effort in connection with FEMA’s Section 504 Implementation Plan.

The Office of Equal Rights,<sup>7</sup> provides policy, procedures, and technical assistance to FEMA leadership and program offices about the Agency’s civil rights obligations, including its responsibilities to provide equal access to FEMA programs and benefits under Section 504 of the Rehabilitation Act. The Office of Equal Rights monitors compliance with Section 504, other Federal civil rights laws, and nondiscrimination provisions in the Stafford Act. The Office of Equal Rights also administers civil rights compliance and enforcement procedures for the Agency to ensure that disaster survivors are not denied the benefits of, deprived of participation in, or discriminated against in any program or activity conducted by or receiving financial assistance from FEMA.

The Office of Disability Integration and Coordination is supporting the Section 504 Plan by carrying out the responsibilities of the Disability Coordinator under 6 U.S.C. § 321b. Section 321b(b)(1) provides that it is the responsibility of the Disability Coordinator to provide

---

<sup>5</sup> For information about FEMA’s Section 504 Self-Evaluation, including a description of where FEMA encounters individuals with disabilities in its public-facing programs and activities, and the results of the Section 504 Self-Evaluation, please see footnote 3 and Appendix A.

<sup>6</sup> Designated supporting Section 504 and Access Coordinators and senior leader sponsors from program offices are envisioned as liaisons between the program office and the Office of Equal Rights for implementation of strategies and force multipliers within their organizations to enhance compliance with Section 504. This term “supporting Section 504 and Access Coordinator” is not an official title. It is a means of designating staff to enhance FEMA program offices’ participation in carrying out FEMA’s 504 Implementation Plan. In addition, this term has no connection to the Disability Coordinator outlined under 6 U.S.C. § 321b. The responsibilities of the Disability Coordinator are carried out by the Director of FEMA’s Office of Disability Integration and Coordination.

<sup>7</sup> The Office of Equal Rights carries out the following functions throughout the Agency: Administers the informal and formal complaint processes in connection with employee-related discrimination complaints, partners with program offices to provide reasonable accommodations to qualified applicants and employees with disabilities, supports a work environment free of harassment, including a complaint process for allegations of harassment, oversees FEMA’s Diversity and Inclusion program, and manages the Equal Rights Cadre, personnel who deploy to disaster sites.



“guidance and coordination on matters related to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism or other man-made disaster.” Section 321b(b)(3) states it is the Disability Coordinator’s responsibility to consult with “organizations that represent the interests and rights of individuals with disabilities about the needs of individuals with disabilities in emergency planning requirements and relief efforts . . .” Section 321b(b)(5) states it is the responsibility of the Disability Coordinator to ensure the “development of training materials and a curriculum for training of emergency response providers, State, local, and tribal government officials and others on the needs of individuals with disabilities.”

As required by DHS Directive 065-01, FEMA will provide the Section 504 Implementation Plan to disability stakeholders by posting it on FEMA’s public web pages.

## Timeline

The following is the current timeline of due dates for the self-evaluation and planning process:

Due Date	DHS Office for Civil Rights and Civil Liberties (CRCL) and FEMA Actions
June 7, 2016	CRCL convened the Kick Off Meeting for the Component Self-Evaluation process
August 7, 2016	FEMA submitted an Evaluation Methodology to CRCL for review
September 7, 2016	CRCL provided comments to FEMA's Methodology
November 30, 2016	FEMA addressed CRCL comments; FEMA began the Evaluation
August 31, 2017	FEMA conducted the Evaluation; involved the disability community; submitted the completed Evaluation to CRCL
December 31, 2017	CRCL completed review of the Evaluation; CRCL provided comments to FEMA; FEMA addressed CRCL comments
July 13, 2018	FEMA submitted a Draft Implementation Plan to CRCL
November 13, 2018	CRCL provided comments on FEMA's Draft Implementation Plan
May 15, 2019	FEMA addressed CRCL's comments and submitted the updated FEMA Section 504 Implementation Plan to CRCL for approval
Six months following CRCL approval	FEMA to implement the Plan; FEMA to share the final approved Plan with the disability community; FEMA to coordinate with CRCL as needed; FEMA to submit the Implementation Report to CRCL demonstrating progress

## Potential Shortfalls to Program Access for Individuals with Disabilities

Based on the results of the FEMA Self-Evaluation, below are the identified potential shortfalls<sup>8</sup> in program access for individuals with disabilities and opportunities for strengthening compliance with Section 504:<sup>9</sup>

1. Public information and platforms for distributing information, including public events and meetings, may be inaccessible;
2. Trainings and exercises may not be inclusive of people with disabilities;
3. Publicizing the rights of people with disabilities in connection with FEMA's public-facing programs and activities, including those carried out by contractors, may be inconsistent and not widely displayed and understood;
4. Disaster assistance and recovery programs may not consistently meet the disability-related needs of disaster survivors; and
5. Facilities may not be fully accessible.

The Plan lays out five sets of strategies to address these specific potential shortfalls. The Plan also outlines responsible parties and a timeline for completion.

## Existing Policies to Address Potential Shortfalls

### *Disability Integration and Inclusive Emergency Management*

FEMA Directive 123-29, Disability Integration and Inclusive Emergency Management dated December 9, 2016,<sup>10</sup> provides:

1. FEMA will ensure nondiscrimination on the basis of disability in its programs and activities and provide equal access and opportunity for qualified individuals with disabilities served or encountered in FEMA-conducted programs and activities through:
  - a. Program accessibility, by providing equal opportunity and access to programs, services, and activities and delivering these in the most integrated setting appropriate to the individual's needs;
  - b. Physical access, by providing accessible new construction and alterations in accordance with the Architectural Barriers Act of 1968, as amended, and by ensuring all facilities where FEMA-conducted programs and activities are provided, such as disaster recovery centers, are physically accessible; and
  - c. Effective communication access, by providing auxiliary aids and services such as communication access real-time translation (CART), sign language interpreters, translation services, or other forms of alternative communication techniques,

---

<sup>8</sup> FEMA will report on its progress through an Implementation Report due to DHS Office for Civil Rights and Civil Liberties six months following CRCL approval of the Plan.

<sup>9</sup> Each potential shortfall summarizes several related potential gaps and barriers identified in the Section 504 self-evaluation. See Appendix A, Table 1 for more information.

<sup>10</sup> The Office of Disability Integration and Coordination is undertaking a revision of FEMA Directive 123-29 and is involving the Office of Equal Rights and others with disability access roles in FEMA program offices to participate in this revision.

technologies, or resources; modifying practices and materials to ensure accessible and timely communication; and ensuring accessibility of electronic devices, documents, and all other communication.

2. FEMA will modify policies, practices, and procedures to afford individuals with disabilities equal access to programs, services, and activities, unless such modifications would fundamentally alter the nature of the program, service, or activity, or result in undue financial and administrative burdens to FEMA, pursuant to DHS Instruction Number: 065-01-001, Instruction on Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-employment).

#### *Title VI Civil Rights Program*

FEMA Directive 112-11, Title VI Civil Rights Program dated July 10, 2015,<sup>11</sup> provides:

1. It is FEMA's policy to ensure that the civil rights of all persons receiving services or benefits from agency programs and activities are protected. No person shall, on the grounds of race, color, national origin, sex, sexual orientation, religion, age, disability, English proficiency or economic status, be denied the benefits of, be deprived of participation in, or be discriminated against in any program or activity receiving financial assistance from FEMA. In particular, all personnel carrying out Federal major disaster or emergency assistance functions, including the distribution of supplies, the processing of the applications, and other relief and assistance activities, shall perform their work in an equitable and impartial manner without discrimination. It is Agency policy to prohibit such discrimination in any programmatic guideline, procedure, or other directives.

All valid complaints of Civil Rights violations will be investigated promptly, and any settlement will be enforced, if necessary, by administrative, legal or judicial means.

---

<sup>11</sup> The Office of Equal Rights is currently updating FEMA Directive 112-11 to make it broader than Title VI and to include obligations under the Stafford Act and Section 504 of the Rehabilitation Act and compliance procedures for federally-conducted and federally-assisted activities. The Office of Equal Rights also plans to update FEMA Manual 112-11-1, Civil Rights Compliance and Enforcement Program dated July 13, 2015, as soon as FEMA Directive 112-11 is completed.

# Implementation Plan

---

## Potential Shortfall 1: Public Information and Platforms May be Inaccessible

### *Summary of Desired Outcome*

***Accessible information and accessible platforms for distributing information, including public events and meetings:*** FEMA has a responsibility under Section 504 to ensure that all the information it provides to the public is accessible to people with disabilities. Plain language, including conceptual language and pictograms, used appropriately, will increase the effectiveness and delivery of actionable information to the public. Using respectful and appropriate person-first language and including information relevant to the needs of people with disabilities are also critical. Additionally, the platforms for distributing this information (websites, social media, videos, publications, brochures, flyers, alerts and warnings, press briefings, interviews, meetings, events, etc.) must be accessible for people who have disabilities. When public information is simple, clear, relevant, and actionable, it streamlines FEMA's program delivery and makes it easier to navigate and understand for the disaster survivor including disaster survivors with disabilities.

### *Specific Potential Gaps or Barriers to be Addressed*

1. FEMA-hosted and FEMA-supported events and meetings may not be consistently accessible to the whole community.
2. Information for the public may not be consistently written in plain language to reach people with disabilities.
3. Alternate formats and auxiliary aids may not be consistently available for members of the public in a timely fashion.
4. Person-first, inclusive language may not be consistently used in FEMA publications, trainings, and other public facing activities.
5. Some of FEMA's electronic platforms may not be fully compliant with Section 508 of the Rehabilitation Act.
6. FEMA surveys and feedback mechanisms may not be accessible to some people with disabilities.
7. FEMA's recruitment of employees may not be fully inclusive of people with disabilities.

## Strategies

1. The Office of Equal Rights will work with FEMA program offices throughout the Agency and through the Equal Rights Cadre at disaster sites to use an abbreviated version of the Civil Rights Notice in announcements for webinars, trainings, and meetings involving members of the public<sup>12</sup> as follows:

The meeting/training site is required to be fully accessible to people with disabilities and the electronic version of meeting or training materials will be accessible to people with disabilities. If you need a reasonable accommodation (sign language interpreters, Braille, CART, etc.), please make your request by [DATE]. Last minute requests will be accepted but may not be possible to fulfill. Send an e-mail to **[insert email from program office hosting the event/meeting]** or call **XXX-XXX-XXXX**.

2. The Office of Equal Rights will work with the Office of External Affairs to include this requirement of publicizing the Civil Rights Notice (see Appendix B) and the abbreviated Notice in the Office of External Affairs' communication access standard operating procedure;
3. The Office of Equal Rights will work with the Office of External Affairs to develop an Agency-wide written process, including a plain language and accessibility sign off prior to publicizing, for finalizing and delivering public information using multiple communication methods;
4. The Equal Rights Cadre will be trained on the protocol for consistently and routinely ensuring the publication – in hard copy and electronically – of the Civil Rights Notice at disaster operations, *e.g.*, in Disaster Recovery Centers, through press releases and social media and working with program offices to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public;
5. The Office of Equal Rights will educate FEMA program offices with public-facing activities – carried out directly by FEMA or through contractors – about the need to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public and how to fulfill a request for an accommodation or modification from an individual with a disability;
6. The Office of Equal Rights will finalize guidance on accessible meetings and make available the DHS Office for Civil Rights and Civil Liberties *Guidance for Conducting Accessible Meetings*, published in March 2018;
7. The Office of Equal Rights will engage the Communication Access Specialist within the Office of External Affairs to promote and assist with the use of plain language and conceptual language, as appropriate, in FEMA public information and messaging during disaster operations so that it is actionable and usable for disaster survivors. They will provide technical assistance on the use of video format including American Sign Language, captioning, and audio description in public messaging;

---

<sup>12</sup> In the context of this Section 504 Implementation Plan, members of the public include state, local, tribal, and territorial representatives.



8. The Office of Equal Rights will continue to engage the Communication Access Specialist in the Office of External Affairs and the Section 508 Coordinator and program offices to enhance 508 compliance with electronic platforms and to provide access through accommodations or modifications, as needed;
9. The Office of Equal Rights will engage the Office of the Chief Component Human Capital Officer to discuss recruitment and talent acquisition activities to confirm FEMA is providing Notice to prospective participants and considering program access (this includes physical accessibility to venues) and communication access with respect to recruitment events and materials; and
10. The Office of Equal Rights will promote the use of inclusive language outlined in *Language Guidelines for Inclusive Emergency Management* developed and published by the Office of Disability Integration and Coordination in June 2017 and *A Guide to Interacting with People who have Disabilities*<sup>13</sup> published by the DHS Office for Civil Rights and Civil Liberties in FEMA publications, trainings, and other public facing activities.

### **Responsible Parties**

- Office of Equal Rights to lead, with support from:
  - Office of Chief Counsel;
  - Regional leadership;
  - Regional Disability Integration Specialist;
  - Office of Response and Recovery, Recovery Directorate, Individual Assistance Division, Individuals and Households Program, Disaster Recovery Centers;
  - Flood Insurance and Mitigation Administration, Integration Office;
  - Office of the Flood Insurance Advocate;
  - Office of External Affairs;
  - Office of the Chief Component Human Capital Officer;
  - National Preparedness Directorate / Individual and Community Preparedness Division;
  - Center for Domestic Preparedness; and
  - National Emergency Training Center.

### **Timeline and Completion Date**

- The Office of Equal Rights will work with FEMA program offices throughout the Agency and at disaster sites to use an abbreviated version of the Civil Rights Notice in announcements for webinars, trainings, and meetings involving members of the public by October 31, 2019;
- The Office of Equal Rights is currently working with the Office of External Affairs, Communication Access Specialist, to include this requirement of publicizing the Civil

---

<sup>13</sup>[DHS Guide to Interacting with People who have Disabilities](#)

Rights Notice and the abbreviated Notice in the Office of External Affairs' communication access standard operating procedure;

- The Equal Rights Cadre will receive training about the protocol for consistently and routinely ensuring the publication of – in hard copy and electronically – the Civil Rights Notice at disaster operations, *e.g.*, in Disaster Recovery Centers, through press releases and social media and working with program offices to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public by October 31, 2019;
- The Office of Equal Rights with help from the Equal Rights Cadre at disaster operations, will educate FEMA program offices with public-facing activities – carried out directly by FEMA or through contractors, for example, housing inspections – about the need to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public and how to fulfill a request an accommodation or modification from an individual with a disability by October 31, 2019;
- The Office of Equal Rights will finalize guidance on accessible meetings and make available the DHS Office for Civil Rights and Civil Liberties *Guidance for Conducting Accessible Meetings* published in March 2018 by October 31, 2019;
- The Office of Equal Rights will engage the Communication Access Specialist within the Office of External Affairs to promote and assist with the use of plain language and conceptual language, as appropriate, in FEMA public information and messaging during disaster operations so that it is actionable and usable for disaster survivors. They will provide technical assistance on the use of video format including American Sign Language, captioning, and audio description in public messaging by October 31, 2019;
- The Office of Equal Rights will continue to engage the Communication Access Specialist in the Office of External Affairs and the Section 508 Coordinator and program offices to enhance 508 compliance with electronic platforms and to provide access through accommodations or modifications, as needed, on an ongoing basis;
- The Office of Equal Rights will promote the use of inclusive language outlined in *Language Guidelines for Inclusive Emergency Management* developed and published by the Office of Disability Integration and Coordination in June 2017 and *A Guide to Interacting with People who have Disabilities* published by the DHS Office for Civil Rights and Civil Liberties in FEMA publications, trainings, and other public facing activities by October 31, 2019; and
- The Office of Equal Rights will engage the Office of the Chief Component Human Capital Officer to discuss recruitment and talent acquisition activities to confirm FEMA is providing Notice to prospective participants and considering program access (this includes physical accessibility to venues) and communication access with respect to recruitment events and materials by July 31, 2019.

## Potential Shortfall 2: Training and Exercises May Lack Disability Inclusion

### *Summary of Desired Outcome*

***Trainings and exercises inclusive of people with disabilities:*** To build a culture of preparedness and to ready the nation for catastrophic disaster—as laid out in FEMA’s 2018-2022 Strategic Plan—FEMA’s training, exercises, and preparedness tools must integrate the needs of individuals with disabilities. National Qualification System (NQS) trainings and exercises should involve disability stakeholder and partner organizations during development to provide subject matter expertise and input on behalf of the people they serve and represent. FEMA should include disability-related community-based and non-profit organizations in training delivery as participants to help them reestablish or continue service delivery following disasters.<sup>14</sup> Similarly, Federal Qualification System (FQS) trainings and exercises should provide the federal incident workforce with the tools, knowledge, and ability to quickly and efficiently administer and manage programs and activities that are accessible to people with disabilities.

Additionally, FEMA should continue to strive to understand and look like the people it serves. As FEMA has outlined, in the Strategic Plan, this “requires the implementation of new hiring and training approaches that focus on developing diverse leaders with a broad scope of knowledge about FEMA’s programs to better support disaster survivors.”<sup>15</sup> FEMA should develop leaders and managers who understand the needs of people with disabilities and recruit people with disabilities themselves.

### *Specific Potential Gaps and Barriers to be Addressed*

1. FEMA-administered and sponsored trainings and exercises may not consistently include and integrate the needs of people with disabilities; and
2. FEMA may not be providing enough trainings and guidance on available contracts and mechanisms that provide effective communication access to people with disabilities.

### **Strategies**

1. The Office of Equal Rights will revise modules within the new employee orientation relating to Section 504 rights and the Agency’s responsibilities, the web-based mandatory course IS-21.18: Civil Rights and FEMA Disaster Assistance, and training provided at the Joint Field office setting forth Section 504 rights and responsibilities including how to use contracts and other mechanisms to provide effective communication access using FEMA-specific examples;
2. The Office of Equal Rights will provide Section 504 training to the Regional offices, upon request;

---

<sup>14</sup> Objective 1.3 Performance Measures of Strategic Goal 1: Build a Culture of Preparedness, FEMA 2018-2022 Strategic Plan: “Deliver training to community-based and non-profit organizations to help them continue service delivery following disasters.”

<sup>15</sup> FEMA Strategic Plan 2018-2022, Page 22: [FEMA Strategic Plan 2018-2022](#).

3. The Office of Equal Rights will support the Office of Disability Integration and Coordination to carry out its responsibilities under 6 U.S.C. § 321b(b)(5) by engaging the National Exercise Division and the FEMA Planning and Exercise Division to facilitate disability stakeholder input in planning for and participating in upcoming exercises; and
4. The Office of Disability Integration and Coordination, Office of Equal Rights, Office of External Affairs, Communication Access Specialist, among others with Section 504 and disability-related expertise, must be engaged in FEMA-led and other exercises to advise senior leaders during exercise play.

### **Responsible Parties**

- Office of Equal Rights to lead, with support from:
  - Office of Disability Integration and Coordination;
  - Office of External Affairs;
  - Regional leadership;
  - Regional Disability Integration Specialist;
  - Office of Response and Recovery/Response Directorate/Planning and Exercise Division;
  - National Preparedness Directorate/National Training and Education Division and National Exercise Division; and
  - National Emergency Training Center.

### **Timeline and Completion Date**

- The Office of Equal Rights will revise modules within the new employee orientation relating to civil rights and Section 504 rights and the Agency's responsibilities, the web-based mandatory course IS-21.18: Civil Rights and FEMA Disaster Assistance, and training provided at the Joint Field office setting forth Section 504 rights and responsibilities including how to use contracts and other mechanisms to provide effective communication access using FEMA-specific examples by April 2020;
- The Office of Equal Rights will provide Section 504 training to the Regional offices, upon request by October 31, 2019;
- The Office of Equal Rights will support the Office of Disability Integration and Coordination to carry out its responsibilities under 6 U.S.C. § 321b(b)(5) by engaging the National Exercise Division and the FEMA Planning and Exercise Division to facilitate disability stakeholder input in planning for and participating in upcoming exercises by April 2020; and
- The Office of Disability Integration and Coordination, Office of Equal Rights, Office of External Affairs, Communication Access Specialist, among others with Section 504 and disability-related expertise, must be engaged in FEMA-led and other exercises to advise senior leaders during exercise play by April 2020.

## Potential Shortfall 3: Rights of People with Disabilities May Not Be Clearly Noticed

### *Summary of Desired Outcome*

***Prominent and consistent publicizing of the rights of people with disabilities for the public and for contractors:*** FEMA can reduce the complexity of assistance programs and streamline the survivor experience by ensuring people with disabilities have full knowledge of their rights and the steps they can take to safeguard those rights, without wasting time. FEMA can achieve this outcome by prominently and consistently providing notice to the public of the rights of people with disabilities on all media platforms, including their right to request reasonable accommodations and modifications at any point in the FEMA disaster assistance delivery process. Also, a clear, understandable, and accessible intake and civil rights complaint process is essential for maintaining public trust and ensuring the public is aware that a means for recourse is available if they feel they have been discriminated against. This civil rights information must be easy to understand, easy to use, and easy to find.

Additionally, FEMA must ensure that contractors carrying out FEMA's public-facing programs and activities understand their obligations under Section 504 to provide equal access to people with disabilities. All FEMA contracts for public-facing activities and service must explicitly outline the rights of people with disabilities under the contract and take into consideration potential programmatic barriers that must be addressed on an individualized basis.

### *Specific Potential Gaps or Barriers to be Addressed*

1. FEMA may not consistently provide public notice of the right of people with disabilities to request accommodations or modifications to access FEMA programs and activities.
2. FEMA's civil rights complaints process and the rights of the public under Section 504 may not be well understood or publicized.
3. Contracts for carrying out FEMA's public-facing activities may not explicitly convey obligations and requirements under Section 504.
4. FEMA's hiring processes may not be fully accessible to potential employees with disabilities.

### **Strategies**

1. FEMA has updated its Civil Rights Notice (please see Appendix B), including Section 504 rights and the right to request an accommodation and file a civil rights complaint. The Office of Equal Rights will coordinate with the Office of External Affairs to ensure translation of the Civil Rights Notice into the appropriate languages for a disaster and to publicize and post the notice in designated locations and mediums;
2. The Equal Rights Cadre will engage the External Affairs Officer at disaster operations to publicize the updated Civil Rights Notice, including Section 504 rights, in all disaster operations through press releases and social media, informing the public of their right to request an accommodation or modification to access FEMA's public-facing programs and activities and the right to file a civil rights complaint;

3. The Office of Equal Rights will work with FEMA program offices throughout the Agency and through the Equal Rights Cadre at disaster sites to use an abbreviated version of the Civil Rights Notice in announcements for webinars, trainings, and meetings involving members of the public<sup>16</sup> as follows:

The meeting/training site is required to be fully accessible to people with disabilities and the electronic version of meeting or training materials will be accessible to people with disabilities. If you need a reasonable accommodation (sign language interpreters, Braille, CART, etc.), please make your request by [DATE]. Last minute requests will be accepted but may not be possible to fulfill. Send an e-mail to [insert email from program office hosting the event/meeting] or call XXX-XXX-XXXX.

4. The Office of Equal Rights will work with the Office of External Affairs to include this requirement of publicizing the Civil Rights Notice and the abbreviated Notice and to ensure translation of them into the appropriate languages for a disaster in the Office of External Affairs' communication access standard operating procedure;
5. The Equal Rights Cadre will be trained on the protocol for consistently and routinely ensuring the publication of – in hard copy and electronically – the Civil Rights Notice at disaster operations, *e.g.*, in Disaster Recovery Centers, through press releases and social media and working with program offices to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public;
6. The Office of Equal Rights will educate FEMA program offices with public-facing activities – carried out directly by FEMA or through contractors, for example, housing inspections – about the need to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public and how to fulfill a request for an accommodation or modification from an individual with a disability;
7. The Office of Equal Rights will update of FEMA Directive 112-11, Title VI Civil Rights Program to include Section 504-related information and will revise FEMA Manual 112-11-1, Civil Rights Compliance and Enforcement Program to explicitly include Section 504 compliance procedures and information;
8. The Office of Equal Rights will make the Civil Rights Notice and the abbreviated Notice available on its internal Section 504 web page and on [www.fema.gov](http://www.fema.gov);
9. The Office of Equal Rights will work with the Office of the Chief Procurement Officer to include standard language about Section 504 rights and responsibilities in all contracts and task orders involving public-facing activities;
10. The Office of Equal Rights will work with the Office of the Chief Procurement Officer to educate Contracting Officer Representatives on Section 504 and the need for compliance checks in advance and when the contract is implemented; and
11. The Office of Equal Rights will engage the Office of the Chief Component Human Capital Officer to discuss recruitment and talent acquisition activities to confirm FEMA is providing Notice to prospective participants and considering program access (this includes physical

---

<sup>16</sup> In the context of this Section 504 Implementation Plan, members of the public include state, local, tribal, and territorial representatives.



accessibility to venues) and communication access with respect to recruitment events and materials.

### **Responsible Parties**

- Office of Equal Rights to lead, with support from:
  - Office of Chief Counsel;
  - Office of the Chief Procurement Officer;
  - Regional leadership;
  - Regional Disability Integration Specialist;
  - Regional Contracting Office;
  - Office of Response and Recovery, Individual Assistance Division, Individuals and Households Program, Disaster Recovery Centers;
  - Flood Insurance and Mitigation Administration, Integration Office;
  - Office of the Flood Insurance Advocate;
  - Office of External Affairs;
  - Office of the Chief Component Human Capital Officer;
  - National Preparedness Directorate / Individual and Community Preparedness Division;
  - Center for Domestic Preparedness; and
  - National Emergency Training Center.

### **Timeline and Completion Date**

- The Equal Rights Cadre will engage the External Affairs Officer to publicize the updated Civil Rights Notice at disaster operations by October 31, 2019;
- The Office of Equal Rights will work with FEMA program offices throughout the Agency and the Equal Rights Cadre will engage program offices at disaster sites to use an abbreviated version of the Civil Rights Notice in announcements for webinars, trainings, and meetings involving members of the public by October 31, 2019;
- The Office of Equal Rights is currently working with the Office of External Affairs, Communication Access Specialist, to include this requirement of publicizing the Civil Rights Notice and the abbreviated Notice in the Office of External Affairs' communication access standard operating procedure;
- The Equal Rights Cadre will receive training about the protocol for consistently and routinely ensuring the publication of – in hard copy and electronically – the Civil Rights Notice at disaster operations, *e.g.*, in Disaster Recovery Centers, through press releases and social media and working with program offices to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public by October 31, 2019;
- The Office of Equal Rights will educate FEMA program offices with public-facing activities – carried out directly by FEMA or through contractors – about the requirement to include the abbreviated Notice in announcements for webinars, trainings, and meetings involving members of the public and how to fulfill a request an accommodation or modification from an individual with a disability by October 31, 2019;

- The Office of Equal Rights will update of FEMA Directive 112-11, Title VI Civil Rights Program to include Section 504-related information and will revise FEMA Manual 112-11-1, Civil Rights Compliance and Enforcement Program to explicitly include Section 504 compliance procedures and information by January 31, 2020.
- The Office of Equal Rights will make the Civil Rights Notice and the abbreviated Notice available on its internal Section 504 web page and on [www.fema.gov](http://www.fema.gov) by October 31, 2019;
- The Office of Equal Rights is working with the Office of the Chief Procurement Office about including Section 504 language in all new contracts in which the contractor is carrying out public-facing programs and activities and providing training to Contracting Officer Representatives and will confirm Section 504 contract language and complete training by October 31, 2019; and
- The Office of Equal Rights will engage the Office of the Chief Component Human Capital Officer to discuss recruitment and talent acquisition activities to confirm FEMA is providing Notice to prospective participants and considering program access (this includes physical accessibility to venues) and communication access with respect to recruitment events and materials by July 31, 2019.

## Potential Shortfall 4: Disaster Assistance and Recovery Programs May Not Be Accessible

### *Summary of Desired Outcome*

***Disaster assistance and recovery programs that consistently meet the disability-related needs of survivors:*** The Agency must offer disaster survivors with disabilities the opportunity to self-identify and accommodate their access needs from registration throughout the delivery of assistance. Creating a field within the database that stores this information (the National Emergency Management Information System) to receive information about a survivor’s access need is required by Section 504. Registration intake questions should be clear and simple and guide the survivor to provide FEMA clear, actionable information on the immediate, critical and unmet needs of survivors with disabilities. The data collection system must capture the information and display it in ways that make it easy to understand and prioritize by FEMA staff, including contracted housing inspectors who may need to provide an auxiliary aid or service to a survivor with a disability. Direct temporary housing operations must standardize the process for delivering commonly requested accommodations and modifications.

Additionally, long-term recovery strategies must draw on the experiences and input from services and support organizations that understand the needs of people with disabilities. These organizations should be supported during a disaster with advice on how to participate in FEMA long-term recovery activities, including Disaster Case Management Grants, Interagency Recovery Coordination, and the Public Assistance grant program. And Long-term Recovery Groups should be systematically connected with local disability organizations.

### *Specific Potential Gaps or Barriers to be Addressed*

1. FEMA's delivery of assistance to survivors may not consistently address the disaster-related needs of survivors with disabilities.
2. FEMA's Direct Housing programs may not consistently provide people with disabilities appropriate and accurate reasonable accommodations and modifications.
3. FEMA may not consistently integrate the needs and perspectives of people with disabilities in community-related recovery programs.

### **Strategies**

1. The Office of Equal Rights, Office of Disability Integration and Coordination, and Office of External Affairs, Communication Access Specialist are working with the Office of Response and Recovery, Individual Assistance Division to overcome barriers survivors with disabilities experience in providing relevant disability-related information to FEMA during registration intake as outlined below:
  - a. Because a disaster survivor may not self-identify as a person with a disability and the current registration intake disability-related question (often referred to as Question 24) is not as effective as FEMA desires, the Agency has established a work group to address it. The purpose of the work group is to revise the registration intake question to provide an opportunity for a disaster survivor with a disability to ask for assistance (*e.g.*, sign language, language other than English,<sup>17</sup> document in alternative format such as Braille or large print, etc.) with registration and/or access to disaster assistance programs and activities;
  - b. Revised language for Question 24 has been submitted to the Office of Management and Budget for approval. This revised language makes the question about disaster-related losses in connection with a survivor's disability easier to understand;
  - c. The National Processing Services Center will employ Direct Video Communication and this technology will enhance communication access for people who are deaf;
  - d. The Office of Disability Integration and Coordination and the Office of Equal Rights will work together to train Individual Assistance staff, including staff responsible for administering Direct Housing, about assisting people with disabilities and others with access and functional needs (such as people who are deaf, people with cognitive disabilities, older adults, or people with low literacy) with FEMA registration and/or program access.
2. The Equal Rights Cadre is responsible for providing civil rights-related technical assistance to leadership at disaster operations and ensuring compliance during disaster operations, including Section 504-related technical assistance and compliance. The Equal Rights Cadre will engage the Office of Disability Integration and Coordination Cadre to provide disability-

---

<sup>17</sup> While limited English proficiency is not a disability, the question will be designed to capture this data to provide communication access to people with limited English proficiency.

related expertise, as appropriate. This focus of the Equal Rights Cadre will bring to bear significantly more field staff engaging disability stakeholders, providing technical assistance to FEMA program offices, including Individual Assistance, and handling civil rights compliance functions;

3. The Office of Equal Rights is developing a written standard operating procedure to help program offices to address requests from members of the public for accommodations or modifications and/or to furnish auxiliary aids and services to qualified individuals with disabilities in real time;
4. The Office of Equal Rights is tracking timelines and actions regarding disability-related civil rights complaints consistent with 44 C.F.R. Part 16 and 6 C.F.R. Part 15 as well as requests from members of the public for accommodations or modifications;
5. The Office of Equal Rights is building the Equal Rights Cadre's Section 504-related skills and knowledge by:
  - a. Providing a series of 504-related webinars to equip the Cadre to offer technical assistance to program offices at disaster operations about proactive ways to provide equal access and supporting program offices in providing accommodations or modifications and/or furnishing auxiliary aids and services to individuals with disabilities;
  - b. Strengthening the implementation and tracking procedures for disability-related civil rights complaints including investigations, findings of fact, and informal resolutions through the updated civil rights policy manual, training, and data collection; and
  - c. Building the required 504-related competencies related to technical assistance about proactive ways to provide equal access and consistent processes for providing accommodations or modifications and/or furnishing auxiliary aids and services to qualified individuals with disabilities and civil rights compliance into performance metrics and Position Task Books.
6. The Office of Equal Rights will analyze data from FY19 disability-related civil rights complaints to create a trend analysis and inform FEMA leadership and program offices of 504 deficiencies and make necessary changes in program delivery to prevent future deficiencies in 504 compliance;
7. The Office of Equal Rights will work with program offices as needed to make necessary changes to prevent future deficiencies in compliance with Section 504 and to provide access to individuals with disabilities;
8. The Office of Equal Rights will provide trend data to the Office of Disability Integration and Coordination to enhance the Agency's capacity to address program access accommodations and modifications and make changes to build them into program delivery upfront; and
9. The Office of Equal Rights will provide quarterly data on disability-related civil rights complaints to DHS Office for Civil Rights and Civil Liberties to support its obligations to ensure overall Departmental compliance with Section 504, as required by DHS Secretary Delegation 19003.

## **Responsible Parties**

- Office of Equal Rights to lead, with support from:

- Office of Response and Recovery/Recovery Directorate/Individual Assistance Division;
- Office of Response and Recovery/Recovery Directorate/Recovery Reporting and Analytics Division;
- Office of Response and Recovery/Logistics Management Directorate;
- Office of External Affairs;
- Regional leadership;
- Regional Disability Integration Specialists;
- Office of Disability Integration and Coordination;
- Office of Chief Counsel; and
- National Preparedness Directorate, National Preparedness Assessment Division, Continuous Improvement Integration.

### **Timeline and Completion Date**

- The Office of Equal Rights will report on progress in connection with Strategies 1-4 listed above by October 31, 2019, and provide estimated dates for completion of each strategy that has not been completed at that time;
- Building the Equal Rights Cadre's Section 504-related skills and knowledge is ongoing;
- The Office of Equal Rights will engage the National Preparedness Directorate/National Preparedness Assessment Division, Continuous Improvement Integration and Office of Response and Recovery/Recovery Directorate/Recovery Reporting and Analytics Division, as needed, to analyze data from FY19 disability-related civil rights complaints to create a trend analysis and inform FEMA leadership and program offices of 504 deficiencies and make necessary changes in program delivery to prevent future deficiencies in 504 compliance by December 31, 2019;
- The Office of Equal Rights will work with program offices as needed to proactively prevent future deficiencies in compliance with Section 504 and providing access to individuals with disabilities by December 31, 2019;
- The Office of Equal Rights will provide trend data to the Office of Disability Integration and Coordination to enhance the Agency's capacity to address program access accommodations and modifications and make changes to build them into program delivery upfront by December 31, 2019; and
- The Office of Equal Rights will provide quarterly data on disability-related civil rights complaints to DHS Office for Civil Rights and Civil Liberties to support its obligations to ensure overall Departmental compliance with Section 504, as required by DHS Secretary Delegation 19003 by December 31, 2019.

## Potential Shortfall 5: Facilities May Not Be Accessible

### *Summary of Desired Outcome*

**Accessible facilities:** Under Section 504 of the Rehabilitation Act, FEMA has an obligation to ensure its facilities and built environments are accessible to people with disabilities.<sup>18</sup> To accomplish this, DHS Guide 065-01-001-01 recommended that Components assess priority features within the built environment to include: accessible parking, accessible paths of travel (internally and externally), accessible approach and entrance (exterior routes), access to goods and services (interior routes), public service areas and assembly spaces, toilet rooms and water fountains, Emergency Plans/Continuity of Operations – Evacuation and Sheltering-in-Place.<sup>19</sup>

Facilities in the field, such as Disaster Recovery Centers (DRCs) and Community Recovery Centers (CRCs) must be accessible. FEMA Directive 128-1, Real Property Asset Management, FEMA Instruction 128-1-1, FEMA Real Property Asset Management, and FEMA Form 143-3-0-1 must be followed to ensure accessibility. Other field offices, such as Joint Field offices and Branch offices, frequently host members of the public as visitors and as state and local government partners. All these facilities must be accessible to people with disabilities.

### *Specific Potential Gaps or Barriers to be Addressed*

1. FEMA leased and managed facilities including DRCs and CRCs at disaster operations, may not be fully accessible for people with disabilities.
2. FEMA Occupant Emergency Plans may not consistently consider occupants and visitors with disabilities who need accessible alerting and evacuation.

### **Strategies**

1. The Equal Rights Cadre will ensure the updated Civil Rights Notice is prominently displayed at DRCs, CRCs, and in other places and mediums to notify the public of their right to bring a civil rights complaint if public facilities are not physically accessible;
2. The Equal Rights Cadre has the responsibility to perform site inspections for physical accessibility at disaster operations pursuant to FEMA Directive 128-1, Real Property Asset Management, FEMA Instruction 128-1-1, FEMA Real Property Asset Management, and FEMA Form 143-3-0-1 and the Office of Disability Integration and Coordination may provide disability-related guidance upon request; and
3. The Equal Rights Cadre will engage the Safety Officer at disaster operations to confirm Occupant Emergency Plans consistently consider occupants and visitors with disabilities who need accessible alerting and evacuation.

### **Responsible Parties**

---

<sup>18</sup> Standards issued under the Architectural Barriers Act apply to facilities designed, built, altered, or leased with certain federal funds. [Architectural Barriers Act Standards](#)

<sup>19</sup> “Guide 065-01-001-01, Component Self-Evaluation and Planning Reference Guide,” CRCL, DHS: June 6, 2016: p. 35.



- Office of Equal Rights to lead, with support from:
  - Office of Response and Recovery/Recovery Directorate/Individual Assistance Division;
  - Office of Response and Recovery/Field Operations Directorate;
  - Office of the Chief Administrative Officer/Facilities/Support Services Facilities Management and Environmental, Safety, and Health Divisions;
  - Regional leadership;
  - Regional Disability Integration Specialists;
  - Office of Disability Integration and Coordination and the Office of Equal Rights will ensure the updated Civil Rights Notice is prominently displayed at DRCs, CRCs, and in other places and mediums to notify the public of their right to bring a civil rights complaint if public facilities are not physically accessible.

### **Timeline and Completion Date**

- The Equal Rights Cadre will ensure the updated Civil Rights Notice is prominently displayed at DRCs, CRCs, and in other places and mediums to notify the public of their right to bring a civil rights complaint if public facilities are not physically accessible by October 31, 2019;
- The Equal Rights Cadre has the responsibility and is currently performing site inspections for physical accessibility at disaster operations pursuant to FEMA Directive 128-1, Real Property Asset Management, FEMA Instruction 128-1-1, FEMA Real Property Asset Management, and FEMA Form 143-3-0-1 and the Office of Disability Integration and Coordination may provide guidance upon request; and
- The Equal Rights Cadre will engage the Safety Officer at disaster operations to confirm Occupant Emergency Plans consistently consider occupants and visitors with disabilities who need accessible alerting and evacuation by December 31, 2019.

## **Resources**

FEMA is committed to addressing potential gaps and barriers to access and recognizes the need for staff training and development and allocation of funding to promote compliance with Section 504. Many of the strategies identified in the Plan do not require additional funding, however, others do require funding, for example, furnishing certain accommodations, modifications, and auxiliary aids and services. The Office of Equal Rights and responsible parties will continue to gather information and data on existing budgets to determine the additional funding required to create policy and programmatic changes in the Agency. FEMA senior leadership will explicitly support this message across the Agency to carry out the Agency's Section 504 responsibilities.

# Conclusion

---

The strategies set forth above demonstrate FEMA's commitment to enhancing compliance with Section 504 of the Rehabilitation Act and promoting inclusive emergency management in accordance with the Section 504 Implementation Plan.

# Appendix A: FEMA’s Self-Evaluation

---

In 2013, DHS’s Office for Civil Rights and Civil Liberties (CRCL) celebrated the 40<sup>th</sup> Anniversary of the Rehabilitation Act of 1973 and issued DHS Directive 065-01, “Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-Employment).” Under this directive and an accompanying instruction, all DHS components, including FEMA, are required to conduct a self-evaluation to strengthen compliance with Section 504 of the Rehabilitation Act.

CRCL kicked off the DHS Component Section 504 Self-Evaluation in May 2016, establishing the timeline and parameters of the assessment project. Per DHS directive, DHS components were required to seek input and feedback from disability stakeholder and partner organizations and to incorporate that feedback into its evaluation. Each component was required to prepare a report, containing its findings—identifying potential gaps and barriers to compliance with Section 504.

## **Section 504 of the Rehabilitation Act**

The Rehabilitation Act of 1973 is the federal statute that prohibits discrimination on the basis of disability. Under Section 504 of the Rehabilitation Act, FEMA is responsible for ensuring nondiscrimination on the basis of disability within FEMA-conducted programs and activities. The policy and mechanisms to implement Section 504 within DHS include the following principles:

- Equal physical access to facilities
- Equal program accessibility by ensuring equal opportunities; and
- Equal effective communication access to information.

In addition, implementation of Section 504 requires modifying policies, practices, and procedures upon request to provide individuals with disabilities equal access.

## Methodology and Approach

### *Approach*

FEMA approached the Section 504 Self-Evaluation as an opportunity to educate FEMA leadership and program offices and increase awareness about the rights and responsibilities under Section 504 of the Rehabilitation Act and the principles of disability-inclusive emergency management. In addition to identifying gaps and barriers to equal access through the self-evaluation, the Agency included practices to build upon. These practices effectively and proactively consider and provide equal access for individuals with disabilities. Highlighting these effective practices contextualized the gaps and barriers and acknowledged the ongoing process of enhancing equal access throughout FEMA’s public-facing programs and activities.

### *Data Collection*

To maximize the scope of evaluation, FEMA designated Disability Access Coordinators from each region and program office with public-facing programs and activities. The points where

FEMA encounters and serves individuals with disabilities in its public-facing programs and activities as follows:

1. **Public Events and Meetings:** real-time events and meetings either hosted or attended by FEMA where FEMA information is provided to the public, including webinars, workshops, conferences, town halls, press conferences, information booths/tables, and kick-off and other meetings.
2. **Public Information, Content, and Alerts:** information, content, and alerts for distribution to the public, including printed publications, social media updates, websites, electronic files, press releases, newsletters, and published reports.
3. **Training and Exercises:** the presentation of information and materials delivered in-person or virtually (electronically) through training curricula and the exercise of response and recovery activities and plans, including tabletop exercises and staged deployment events.
4. **Customer Service and Assistance Delivery:** delivering disaster assistance to disaster survivors as well as State, Local, Tribal, and Territorial (SLTT) governments, administering the National Flood Insurance Program, receiving and responding to inquiries from the public.
5. **Facilities Management:** maintenance of leased or owned facilities, including accessibility features to provide equal physical access, the administration of screening for security, admittance of visitors, and the development and implementation of occupant emergency plans and procedures. DHS suggested Components assess priority features within the built environment to include: accessible parking, accessible paths of travel (internally and externally), accessible approach and entrance (exterior routes), access to goods and services (interior routes), public service areas and assembly spaces, toilet rooms and water fountains, Emergency Plans/Continuity of Operations – Evacuation and Sheltering-in-Place.<sup>20</sup>
6. **Contracts and Procurement:** education and outreach to prospective vendors for contracts through requests for proposals and industry fairs, the establishment of contracts, and the mechanisms to convey and implement responsibilities under Section 504 to contractors carrying out public-facing activities.
7. **Human Resources:** recruitment of personnel through job fairs and advertisement of positions and administration of the hiring process, including screening applications, facilitating the interview process (requiring coordination between the Office of the Chief Component Human Capital Office and program offices), and handling applicant inquiries.
8. **Complaint and Claims Processing:** notifying members of the public about their right to file a complaint (including civil rights complaints) or appeal (*e.g.*, disaster assistance determination), communicating with the complainant or appellant about the complaint or appeal process (*e.g.*, recoupment process), receiving and processing complaints or appeals, resolving complaints or appeals at an informal level, and adjudicating formal complaints or appeals.
9. **Technical Assistance:** technical assistance related to all aspects of the emergency management cycle through communications provided to and received from SLTT

---

<sup>20</sup> “Guide 065-01-001-01, Component Self-Evaluation and Planning Reference Guide,” CRCL, DHS: June 6, 2016: p. 35.

governments and other organizations including through the State Preparedness Report data, and in connection with grants, public assistance, and hazard mitigation activities.

FEMA modified the DHS Self-Evaluation questionnaire<sup>21</sup> to reflect FEMA’s public-facing activities and collect data with respect to the three pillars of accessibility:

1. **Equal physical access:** Reviewed its facilities and built environments
2. **Equal program access:** Reviewed policies or practices to see whether individuals with a disability are excluded from participation in or are being denied benefits of services.
3. **Equal effective communication access:** Reviewed whether individuals with disabilities receive the same actionable information at the same time as all members of the public.

During the self-evaluation, FEMA’s Office of Equal Rights (OER) and Office of Disability Integration and Coordination (ODIC) reviewed FEMA’s public-facing activities in two phases: (1) at the headquarters and regional levels; and (2) at the operational level in the field. For the operational review, FEMA selected recent disaster operations that reflected diversity in geography, disaster type, and FEMA response type. FEMA evaluated the following disaster operations as part of the Section 504 Self-Evaluation:

1. DR-4237: Severe storms, straight-line winds, and flooding in the Pine Ridge Indian Reservation with the Oglala Sioux Tribe (May 2015);
2. DR-4277: Severe storms and flooding in Louisiana (August 2016);
3. DR-4285: Hurricane Matthew in North Carolina (October 2016); and
4. EM-3375: Contaminated water in Michigan (January 2016).

After the assessment period, OER and ODIC analyzed the information, identified potential gaps and barriers, and grouped them into distinct categories. For the Implementation Plan, OER reviewed each potential gap and barrier and worked with individual programs, offices, and regions to develop strategies for addressing each.

## Results of the Self-Evaluation

### *Potential Gaps and Barriers*

Table 1 lists the potential gaps and barriers to accessibility indicated by the data collected during the Section 504 Self-Evaluation, by category of public-facing activity. These are composite findings and reflect accessibility gaps or barriers identified consistently at the headquarters, regional, and disaster operations levels.

No.	Activity Type	Summary of Potential Gap or Barrier
1	Public Information, Meetings, and Events	FEMA-hosted and FEMA-supported events and meetings may not be consistently accessible to the whole community.

<sup>21</sup> DHS included a questionnaire, “Component Self-Evaluation Tool,” as Appendix B in the “Component Self-Evaluation and Planning Reference Guide.” The questionnaire is a series of 47 questions grouped into three separate categories: (1) accessibility of program policies and practices; (2) effective communication; and (3) physical accessibility, to assess the accessibility of each program office.

No.	Activity Type	Summary of Potential Gap or Barrier
2	Public Information, Meetings, and Events	Information for the public may not be consistently written in plain language to reach people with disabilities.
3	Public Information, Meetings, and Events	Alternate formats and auxiliary aids may not be consistently available for members of the public in a timely fashion.
4	Public Information, Meetings, and Events	Person-first, inclusive language may not be consistently used in FEMA publications, trainings, and other public facing activities.
5	Public Information, Meetings, and Events	Some of FEMA's electronic platforms may not be fully compliant with Section 508 of the Rehabilitation Act.
6	Public Information, Meetings, and Events	FEMA surveys and feedback mechanisms may not be accessible to some people with disabilities.
7	Public Information, Meetings, and Events	FEMA's recruitment of potential employees may not be fully inclusive of people with disabilities.
8	Training and Exercises	FEMA provided and sponsored trainings and exercises may not consistently include and integrate the needs of people with disabilities.
9	Training and Exercises	FEMA may not be providing enough training and guidance on available contracts and mechanisms that provide effective communication access to people with disabilities.
10	Publicizing of Rights and Obligations	FEMA may not consistently provide public notice of the right of people with disabilities to request accommodations or modifications to access FEMA programs and activities.
11	Publicizing of Rights and Obligations	Contracts for carrying out FEMA's public-facing activities may not explicitly convey obligations and requirements under Section 504.
12	Publicizing of Rights and Obligations	FEMA's hiring processes may not be fully accessible to potential employees with disabilities.
13	Publicizing of Rights and Obligations	FEMA's civil rights complaints process and the rights of the public under Section 504 may not be well understood or noticed.
14	Customer Service and Assistance Delivery	FEMA's delivery of assistance to survivors may not consistently address the disaster-related needs of survivors with disabilities.
15	Customer Service and Assistance Delivery	FEMA's Direct Housing programs may not consistently provide people with disabilities appropriate and accurate reasonable accommodations and modifications.
16	Customer Service and Assistance Delivery	FEMA may not consistently integrate the needs and perspectives of people with disabilities in community-related recovery programs.
17	Facilities Management	FEMA leased and managed facilities may not be fully accessible for people with disabilities.
18	Facilities Management	FEMA Occupant Emergency Plans may not consistently consider occupants and visitors with disabilities who need accessible alerting and evacuations.

Table 1: Accessibility Gap or Barrier Matrix

# Appendix B: Civil Rights Notice

---

## FEMA CIVIL RIGHTS NOTICE FOR MEMBERS OF THE PUBLIC

FEMA may provide or fund programs to support the public before, during, and after a disaster. These programs must comply with Federal civil rights laws and nondiscrimination requirements in the Stafford Act.

FEMA does not discriminate against individuals based on their race, color, national origin, sex, sexual orientation, religion, age, disability, English proficiency, or economic status.

FEMA provides free aids and services to people to help them communicate with us and understand FEMA programs:

- Information available in Braille, large print, or audio
- Information available in accessible electronic formats on FEMA's website
- Qualified sign language interpreters
- Qualified multilingual interpreters
- Information written in other languages

If you need assistance to access a FEMA program or service or a program or service funded by FEMA, please contact FEMA at 800-621-3362 (TTY: 800-462-7585), [ADD ERAD's NUMBER IF AT A DISASTER SITE], or [civilrightsoffice@fema.dhs.gov](mailto:civilrightsoffice@fema.dhs.gov).

If you have a complaint, you must report it within 180 days of the alleged discriminatory act. To report a concern or complaint of discrimination, please

- call FEMA at 202-212-3535 and press 1 for Civil Rights
- send an email to [civilrightsoffice@fema.dhs.gov](mailto:civilrightsoffice@fema.dhs.gov); or
- send a letter explaining the issue to:

FEMA OFFICE OF EQUAL RIGHTS

Civil Rights Section

500 C Street, SW

Room 4SW-0915

Washington, DC 20472

For questions about disaster assistance, please call FEMA's Helpline at 800-621-3362 (TTY: 800-462-7585). FEMA's Helpline is available to all disaster survivors, including those whose primary language is not English. Press 2 for Spanish or stay on the line for more language options.