

ADA 20th Anniversary – July 2010
Dubuque Human Rights Commission
Activity Summary Report

This report summarizes efforts by R.R.S. Stewart and Katrina Wilberding of the Dubuque Human Rights Commission (DHRC) and Abi Cahak, AmeriCorps VISTA with DHRC, to celebrate and address the issues surrounding the 20th anniversary of the Americans with Disabilities Act (ADA) in July 2010. It highlights the various activities planned, and discusses their organization, coordination, and outcomes.

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1. Americans with Disabilities Act / Fair Housing Act / Individuals with Disabilities Education Act Online Survey

Throughout June and July 2010, the DHRC gathered information from Dubuque residents, via an online survey, regarding the impact of the ADA and the state of affairs in our city for those living with a disability. It asked for information regarding four areas: transportation, housing, employment, and education. This survey sought feedback as to how far citizens believed Dubuque has progressed since the ADA’s passage 20 years ago. It also gauged the level of interest in a potential DHRC initiative, the creation of a stable and functional Center for Independent Living.

Abi Cahak, AmeriCorps VISTA with the DHRC, in collaboration with Commissioner R.R.S. Stewart created the online survey. Ms. Stewart supplied the survey link to various service providers and community members. The results were provided at the roundtable and helped generate discussion. They are also provided below. Written submissions were also accepted and are included.

Note: Response #1 to question #1 is the same respondent as response #1 to question #2, #3, etc...

Q1: What are the challenges with transportation you see facing people with disabilities?

1. The lack of public transportation in evenings and weekends limits the independence of persons with disabilities
2. Parking, curb height, people using handicap permits that aren't theirs.
3. Students attending classes at more than one college campus in Dubuque must rely on RTA.
4. Lack of public transit at night and on Sunday
5. Dubuque has limited public transportation. The mini-bus is limited in area & accessibility.
6. Unsure. Is the bus system here in Dubuque accommodating? It seems as if motorists are overly aggressive and generally unwilling to yield to any pedestrians
7. The economy has severely impacted federal, state, county and local budgets creating a domino effect on funding reductions directly impacting transit providers ability to deliver essential services to passengers with disabilities. All levels of funding are under stress and cannot offset funding reductions without further passing on reductions eventually down to the consumer.

Q2: What are the challenges with education you see facing people with disabilities?

1. For my agency's field -- the issue is finding persons with the right training or experience to teach people with intellectual disabilities.
2. The doors into most buildings are difficult to open; location accessibility without help is not achievable.
3. There needs to be more interpreters in the Dubuque area available to college students, who are deaf or hard of hearing.
4. I wish I could have used some of the tools I used in college in high school
5. Not sure.
6. How are the accommodations at the educational institutions here in Dubuque?
7. The ability to access adequate transportation. Education and employment transportation are particularly challenging due to the frequency of the trips and the time sensitivity for arrival times.

Q3: What are the challenges with housing you see facing people with disabilities?

1. Mainly we see typical accessibility issues; such as cabinet handle placements, narrow hallways, etc.
2. Discrimination against the disabled by people who aren't; mindsets that are in one's face.
3. Accessible housing near colleges
4. Landlords willing to accept Section 8 on a case by case basis. They either accept or don't accept it. Landlords are still scared to rent to PWDs
5. I don't hear of any complaints.
6. Unsure. New to this community.
7. Affordable housing has really spiked with the shortage of available rental units in our community.

Q4: What are the challenges with employment you see facing people with disabilities?

1. For us, the challenge comes in finding companies or people willing to give the individuals we serve a chance or a willingness to job carve. Especially with the

- current economy - in which we have seen more individuals with disabilities laid off than persons without disabilities. Fortunately there are a number of good companies in town willing to work with us.
2. It's most challenging to access Iowa Work Force in DBQ, elevator doesn't go to top floor in parking ramp, steep hill on outside to come in through NICC in front; where does one park if using the Main St entrance? Parking on street is for short time frames and usually not open. Employers often have discriminating interview questions.
 3. Employers need to look beyond prospective employee's challenges and look at the person's strengths. Sometimes persons with disabilities need help with social skills and job interview techniques.
 4. Everything
 5. Some employers are afraid to deal with people with disabilities.
 6. Same response as to number 3.
 7. The ability to access adequate transportation. Education and employment transportation are particularly challenging due to the frequency of the trips and the time sensitivity for arrival times.

Q5: The Americans with Disabilities Act (ADA) strives to ensure that people with disabilities have equal opportunity to participate in employment, government, and places of public accommodation. Other laws similarly address equality of opportunity in housing and education. What progress do you think Dubuque has made with equal opportunity in last 20 years?

1. I think Dubuque, much like the nation, has made great strides in the way the public views people with disabilities. Supporting organizations such as Area Residential Care and Proudly Accessible Dubuque are equally important and integral to our community. I would like to see more progress in community education to address misperceptions and the rampant use of the word "retard" in place of stupid.
2. Putting curb cuts with ramps is good. Awareness has improved.
3. Increased accessibility in public places and sidewalks etc. Good awareness and accommodation for K-12 students with disabilities.
4. Very slow in the first 15 years, but lately, the city is becoming aggressive at ensuring access to a quality life. I'm not sure what the city can do for employment
5. Not sure.
6. Same response. So new to the community, unable to respond.
7. All of Dubuque's public transit services are ADA accessible. While the schedules and availability of the services may be less than desired, the fleet of bus equipment in use is 100% accessible.

Q6: Centers for Independent Living (CILs) are non-profit organizations run BY people with disabilities FOR people with disabilities. CILs provide four core services to consumer partners: information and referral, peer support, independent living skills training, and individual and systems advocacy. Would you like to see such a Center in Dubuque?

1. I would be interested in learning more about CIL's and the ways in which they would or wouldn't work with the local nonprofits which provide some of these services.
2. Yes, this would be good for DBQ; I would like to be part of such a center.
3. YES!!!

4. Yes
5. We already have 2 centers. Tri-State Independent Blind Society at 3333 Asbury Road is for blind and low-vision clients and we are a teaching center for Braille, bill paying, cane travel, computer (basic skills along with Jaws and Zoom Text), food preparation & cooking classes, Independent Living classes. The second center to my knowledge is not active. We tried to join forces with no luck.
6. Absolutely!
7. Yes

2. Additional Emails to Dubuque Human Rights Department and Commission, which address the survey topics:

Original email from a Dubuque Resident:

I'm disappointed at the apparent lack of enforcement of the law, which requires property owners to set aside properly marked spaces for persons with disabilities. Asbury Square being a case in point. They used to have moveable signs, because permanent signs got in the way when they plowed snow. Unfortunately, I haven't seen those signs replaced in the past few years.

Police enforcement appears to be all but non-existent. Perhaps some community minded citizen might provide the funding for a few hours of overtime, enabling police to spot check restricted parking and cite those who either have no permit or who abuse the permit, i.e. the 16 yr old kid, who hangs his grandmother's permit in the window. Permits can to be checked via computer to determine to whom they were issued.

Finally, and perhaps most importantly, the message needs to be sent to everyone that these tickets should not be dismissed. There was a time, when one officer, now retired, would routinely dismiss them, because they cost so much and it was such a "minor" violation.

If a few people got tickets and the TH published that fact and maybe even their names, it would go a long way toward reducing the problem.

Response to Resident from Katrina Wilberding, DHRC Commissioner:

Resident,

The Human Rights Department forwarded your e-mail to us. We are an independent organization working with the City and businesses to improve accessibility. You bring up some good points.

- Since January, 2009, the city has a part-time ADA inspector. Part of his job is to inspect parking lots for accessible spaces and signage required. A brochure explaining their program is available at <http://www.cityofdubuque.org/index.aspx?NID=414>. Look for the "Is Your Business Accessible?" brochure. Asbury Square parking lot is a difficult situation primarily because it is located on such a slope. They are currently under construction for the new Hartig Drug and other building renovation. Once it's all complete I think you will be very happy with the accessible parking and signage there.
- The primary job of our Police Department is not, of course, to write parking tickets. They are, however, fully aware of their ability to ticket violators of accessible spaces even on

private lots. You are welcome to report any violators by calling the non-emergency number, 589-4415. If there is an officer in the area who is free they will respond.

The City Parking Division is also proactively enforcing accessible parking laws. Their officers have regular routes which include private parking lots throughout the city as well as the metered parking, especially downtown. The fine for violators of accessible parking is \$100. I know that there have been a number of tickets issued because, much like this e-mail to you, I am occasionally asked to comment.

In general, the City of Dubuque takes accessibility very seriously in all their departments. Please see the attached press release.

- I agree that we could raise awareness of the parking situation. The TH has a section called "Ask the TH". As a private citizen, you could submit a question to help raise awareness. Just go to www.THonline.com/asktheTH.

Thank you for your comments. We are always looking for volunteers to help in our efforts.

Counter-response to Commissioner Wilberding from Resident:

Thanks for the quick response. I understand the priorities of the Police Department...I'm a retired Dubuque cop. The situation at Asbury Square hasn't changed in several years, but is certainly not the only area.

I did "ask the T-H" about enforcing the sign/space laws, several months ago, specifically citing Asbury Square as an example. They never answered.

Enforcement of the law would be somewhat time consuming, i.e. you'd have to watch someone enter or exit the vehicle and then check to see if they are the person assigned the permit. Confronting the person would require the authority of a sworn officer and the citation should issue to the abuser, not the vehicle. Thus my suggestion that this might be funded as an overtime project...perhaps a specific grant from the DRA or a concerned citizen or organization. I don't expect on duty cops to have the time to devote to this, but believe that some effort should be made.

I might mention that, although disabled, I have not seen the need to seek a permit, because I believe that those spaces should be reserved for those that are unable to walk or at least have great difficulty doing so. Seeing a teenager bounce out of a car and trot into a store, while parked in a spot reserved for the disabled, offends me.

Since parking complaints are low priority, i.e. sometime before the end of shift, it's unlikely that the offender will still be there, when the officer shows up and they do have more important things to do.

3. Summary of ADA Anniversary Roundtable

In late April 2010, Commissioner R.R.S. Stewart proposed a roundtable discussion to commemorate the 20th anniversary of the passing of the ADA. The idea was to expand upon and

apply the lessons learned from DHRC's previous forum in April 2010 which addressed fair housing. Abi Cahak, AmeriCorps VISTA with DHRC, joined Ms. Stewart and fellow Commissioner Katrina Wilberding in several meetings to discuss the feasibility of the project. Through the group's collective experience and connections they built an agenda and support network for the event. Marilyn Althoff, Executive Director of Hills and Dales, a residential, child care, and community center specializing in serving those with severe and profound mental and physical disabilities, served as an early supporter and generously offered up space and equipment.

The event included panelists and distinguished guests from various service providers, businesses, and other organizations as well as several elected officials. Including the general public, 48 people attended the roundtable.

The event began with a short video from Senator Tom Harkin, ADA author, introducing the ADA and commemorating its 20th anniversary. The following panelists were then invited to speak on an area which was addressed and impacted by the passage of the ADA: Gary Blosch, ADA Inspector, City of Dubuque Building Services, accessibility; Myra Benzer, Coordinator of Disability Services, Clarke College, education; Brooke Gassman, Parent and Education Coordinator, Keystone Area Education Agency, education; Mark Munson, Regional Transit Authority Director, East Central Intergovernmental Association, transportation; Keith Bibelhausen, President, Hartig Drug, employment; Marilyn Althoff, Executive Director, Hills and Dales, housing; Rep. Pat Murphy, Speaker of the Iowa House, state-level action. A summary of the thoughts and comments shared at the roundtable is offered below:

Panelist Contributions:

- Gary Blosch, City of Dubuque, ADA Inspector, speaking on accessibility:
 - Looks at businesses in Dubuque, plans new buildings, general site layouts to make sure we achieve accessibility; readily achievable program has been fairly successful. Uses a three tier system to improve accessibility – first year is access to building, second year is interior, third year is elevators, etc. Generally good response from businesses here. We have about 388 businesses inspected and out of that have 30% compliant now with first tier; 20% passed all three tiers; some working through them and trying to come up with solutions to barriers and get those removed.
- Myra Benzer, Clarke College, Coordinator of Disability Services, speaking on education:
 - Goal is to provide a supportive caring atmosphere for people with documented disabilities to meet potential. Faculty and staff, career services, outside social service agencies, voc rehab, physicians, and psychologists are all consulted to support the student. Goal is to find the best fit for the student to succeed in college. Tries to come up with best intervention or accommodation for the student. Accommodation can be anything from using a calculator to having a peer tutor to having another student in class take notes – idea is not to give leg up but to level the playing field.
- Brooke Gassman, Keystone Area Education Agency, Parent and Education Coordinator, speaking on education:
 - ADA over past twenty years has made makeup of classrooms very different, i.e. visual picture schedules on the wall and sensory issues more readily addressed. ADA also helps determine what a disability is; sometimes children with physical disability

- stand out more and those with health problems or intellectual disabilities may have been overlooked in the past but now there are more opportunities. A lot more focus on transition, too, into learning, living, and working starting at middle school age; team of people collaborating with child with disability – what will they do, what career, are they going to go to college – tremendous improvement into lives of people with disabilities.
- Mark Munson, Regional Transit Authority Director, East Central Intergovernmental Association, speaking on transportation:
 - The biggest area of progress since the ADA is the amount of equipment that is now accessible; today 100% of the fleet is accessible, thanks in large part to elected officials making it possible for us to fund and afford the infrastructure of our business. The bad news is the inability to deliver services and meet the demand faced with every day; made more difficult by economy and subsequent budget cuts. We have a crisis at the moment and can't think about growing and expanding because we're struggling to survive, but honored to be in this business.
 - Keith Bibelhausen, President, Hartig Drug, speaking on employment:
 - Worked with Commissioner Wilberding and Proudly Accessible Dubuque to walk through and see what works and does not work in our stores. Noticed things like difficulty with opening doors; reaching aspirin on five foot tall shelf if using a wheelchair; so looked at lots of things could improve. This also transferred to things we do in running our business. List of don'ts for hiring managers – don't assume persons with disabilities don't want to work; don't assume that your workplace is accessible – look at it every day; don't assume you don't have job a person with disability can do; don't assume your current management will need special training; don't ask person if they have a disability during an interview; don't assume with people with disabilities are unemployable.
 - Marilyn Althoff, Executive Director, Hills and Dales, speaking on housing:
 - Independent living one of four promises of the ADA; adequate and accessible housing is needed in order to meet potential. According to Housing Dept, at the end of April, 136 Section 8 housing units available and half of those occupied by individuals with disabilities or elderly; right now moratorium on Section 8 housing but people with disabilities do get preference on any that become available. As of July 1 there are 100 people with disabilities on waiting list for Section 8 housing. Beyond Section 8 other rental units identified as accessible, too. We could work on a way of identifying where accessible units are located; collaboration is necessary. Hills and Dales has entered into partnership with Step by Step to operate the renovated building on Bluff Street to clients we serve who are seeking to transition from residential to community living. Other barriers: not many units with first floor access and multiple bedrooms; accessible bathrooms and wide doorways and hallways missing, etc...
 - Rep. Pat Murphy, Speaker of the House of Representatives, Iowa, speaking on state-level action:
 - Still lots of work to be done around accessibility – education is still probably single most important thing so get job opportunities – IDEA is federal law that requires school districts and AEAs to test people who have disabilities so they can get extra learning they need, be placed in least restrictive environment so get same education as

everyone else; can continue to get assistance through higher education. In the area of public transit – last year the state gave the city \$177,000. This year Dubuque will get less money in the state allocation – that cuts down on city/county ability to assist people who are disabled with transportation that can impact work opportunities; local government has to bear cost to make these services available – need to continue to work on it. Legislature this year addressed autism for state employees only for health insurance – why only state employees? Only way to get the votes – but can use as pilot and if can show insurance bills did not increase then work to expand in private sector. Also mental health parity for veterans – again not everyone because needed to get votes – number of veterans coming back with PTSD who need long term treatment and we wanted to make sure if employers offering health insurance these get assistance they need; if this does not raise rates, it gives us good argument to do it for everyone else.

Many of these areas were also addressed in the online survey. The results of the survey were provided to roundtable attendees and comments from the survey were used to spark discussion. The floor was then opened for panelists, distinguished guests, and the public to submit comments and statements to the DHRC. Representatives from the following organizations took part as distinguished guests:

- Area Residential Care (Marketing & Public Relations Director Laura Rannals)
- ARK Advocates (Johna Freylin Butler and Aulanda Krause)
- Durrant Group Incorporated Architects and Engineers (Architect Chris Wand)
- East Central Intergovernmental Association (Mobility Coordinator, Bridget Bartlett, MSW)
- Iowa Vocational Rehab Services (Counselor Helen Blatz)
- Mercy Hospital (Architect James Schroeder)
- Office of U.S. Representative Bruce Braley (John Murphy)
- Office of U.S. Senator Charles Grassley (Mary Day)
- Office of U.S. Senator Tom Harkin (Linda Lucy)
- State Representative Chuck Isenhardt (in person)
- State Senator Pam Jochum (in person)
- Tri-State Independent Blind Society, Inc (Low Vision Specialist Catherine Sauser)
- University of Dubuque Student Life (Dean Michael Miyamoto, PhD)

Main Ideas from Q&A/Discussion and Possible Ideas for Future Action:

- For many changes to occur, individuals with disabilities must speak up. This is intimidating but necessary for services to be tailored to their needs.
- Navigating the system and finding out about the resources available is crucial. Perhaps a sort of one-stop-shop should be created to serve as a resource center. There are currently a few such centers in the Dubuque area but they are primarily geared towards specific disabilities (i.e. Tri-State Independent Blind). There should be a more consistent cooperative effort to coordinate between all organizations.
- Universal design efforts should be supported and promoted to encourage greater accessibility. Can Dubuque go beyond state-mandated building code requirements?
- Transportation needs are not being met, especially on nights and weekends.

- Creating a more cooperative attitude with business is important. We must get businesses on board and demonstrate how compliance and support of individuals with disabilities is in their best interest. Perhaps offer more sensitivity training to encourage this.

The discussion brought out several very interesting points which DHRC will use in future initiatives. The roundtable was also part of a continued effort to find efficient and worthwhile community outreach methods. The DHRC is always looking to increase its visibility and effectiveness. As such, participants were asked to complete a short questionnaire on the roundtable and its format following the end of the event. The results of those evaluation forms are provided below. The DHRC's annual goal-setting meeting takes place in September, and undoubtedly many of the thoughts expressed during the event, as well as in the roundtable evaluation forms, will be invaluable for future goals, initiatives, and outreach efforts.

ADA Roundtable Evaluation Form Results							
	Agree 1	2	3	4	Disagree 5	Rating Average	Response Count
This roundtable has been informative for me as an individual.	11 (84.6%)	2 (15.4%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	1.15	13
The roundtable was well thought-out and structured.	7 (53.8%)	5 (38.5%)	1 (7.7%)	0 (0.0%)	0 (0.0%)	1.53	13
Information and topics discussed during the roundtable were relevant to my interests and my organization's activities.	10 (76.9%)	2 (15.4%)	1 (7.7%)	0 (0.0%)	0 (0.0%)	1.30	13
Information Discussed during the roundtable will be used by my organization and will be taken into consideration in the future.	9 (69.2%)	4 (30.8%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	1.30	13
I would like to see similar forums/roundtable in the future, which discuss topics relevant to the DHRC's mission and vision.	10 (76.9%)	3 (23.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	1.23	13
If you have any suggestions for future DHRC forums/roundtables, please note any topics you would like to see going forward here:							

	<ol style="list-style-type: none"> 1. One stop – navigator; NAMI; set aside % of new housing that reflects % of persons with disabilities that incorporates universal design 2. Awareness to others = PR; listings where to go or who or what organizations to go to
<p>Feel free to share any other thoughts, suggestions, or comments you may have regarding the roundtable.</p>	
	<ol style="list-style-type: none"> 1. Thank you for the panel. 2. www.arkadvocates.org to support people with disabilities; financial support 3. A good session; public needs a list of services available 4. Provide list of services; available to public

5. Inspector Blosch’s follow up on compliance issue raised at the roundtable

Date: Fri, 9 Jul 2010 12:29:04 -0500
From: Gary Blosch, ADA Inspector
City of Dubuque, 50 W. 13th Street, Dubuque, Iowa 52001
563-589-4150, gblosch@cityofdubuque.org,

First of all, thank you for letting me participate in the round table discussion yesterday, as you might have been able to tell I am not well versed in public speaking but I enjoyed the session. There were two issues brought up that needed my immediate attention. The first was the parking issues at the Iowa street ramp. As I promised that was my first stop today and I have good news to report. Although the third level of the ramp is leased parking, the three accessible parking spaces that are right by the connecting bridge are available for the general public to use for accessible and close access to the Workforce facility. I spoke with Dianne in the parking Division and suggested that there is a need for signage telling the public of the extra accessible spaces on that level.

The next issue was the doors at the mall, specifically at Borders Bookstore. I checked the exterior doors first and found them to be well under the maximum allowable opening and operating pressure. The interior vestibule doors were the next doors that I checked and I found that one of the doors was perfect and one was out of adjustment so the manager is having it adjusted to bring it back into compliance. As far as the automatic or low energy operators, there is no mandatory requirement to have them installed at the various businesses in the mall or any other business in the city. There are however requirements for operation of those types of units if a business chooses to install them. My thought would be to petition the mall or Borders to install a low energy operator.

4. ADA Roundtable Video and Channel 8 Outreach

Abi Cahak, AmeriCorps VISTA with the DHRC, approached the City of Dubuque Cable TV Dept. regarding using Channel 8 (public access) as an outreach tool in her ADA anniversary efforts. Through conversations with Craig Nowack, Cable TV Coordinator, and Kelly Larson Human Rights Dept. Director, it was decided to air footage from the ADA roundtable which was produced into a short summary video of the day’s discussion. In the video, Kelly Larson introduces each panelist who then speaks on their assigned topic. The following panelists and topics are featured: Gary Blosch, ADA Inspector, City of Dubuque Building Services,

accessibility; Myra Benzer, Coordinator of Disability Services, Clarke College, education; Brooke Gassman, Parent and Education Coordinator, Keystone Area Education Agency, education; Mark Munson, Transportation Coordinator, East Central Intergovernmental Association, transportation; Keith Bibelhausen, President, Hartig Drug, employment; Marilyn Althoff, Executive Director, Hills and Dales, housing; Rep. Pat Murphy, Speaker of the Iowa House, state-level action. The video can be watched at:

<http://www.cityofdubuque.org/index.aspx?NID=215>

6. Media Attention for Dubuque Human Rights Commission and ADA Activities

KWWL: DHRC Roundtable (6/28/10) –

<http://www.kwwl.com/Global/story.asp?S=12723137>

Telegraph Herald: Progress for disabled citizens examined (6/28/10) –

<http://www.thonline.com/article.cfm?id=287502>

KDTH Voices of the Tri States (7/7/10). The information R.R.S. Stewart gave Tom Berryman appears halfway through his talk with Mayor Roy Buol. <http://www.kdth.com/voices.cfm>

Telegraph Herald: Commission evaluates Dubuque accessibility (7/9/10)

<http://www.thonline.com/article.cfm?id=288607>

Telegraph Herald: Much has changed in 20 years for people with disabilities (7/26/10)

<http://www.thonline.com/article.cfm?id=290449>

7. “My View” Editorial in TH

Commissioner R.R.S. Stewart, with help and feedback from Commissioner Wilberding, wrote and submitted an editorial “My View” article, which discusses the DHRC’s ADA compliance efforts as well as highlights the ADA roundtable. The article can be found at

<http://www.thonline.com/article.cfm?id=288861> as well as below.

Sunday, July 11, 2010

Accessibility for all remains a priority in Dubuque

BY R.R.S. STEWART

With four commissioners appointed in December and another one added in June, the Dubuque Human Rights Commission has been working to raise its visibility and impact. To help address the needs of this changing and dynamic city, the commission has held two forums in four months.

In April, we offered residents the opportunity to comment on the status of fair housing in Dubuque, discuss any barriers people face and address how to prevent discrimination and the most pressing obstacles. The forum asked residents to address three questions (available at www.surveymonkey.com/s/2PDCYH3): The commission is currently working to draft a letter to the City Council and the Iowa Civil Rights Commission explaining the action we support following that forum.

The weekend immediately before this forum I was at the American Planning Association's conference in New Orleans. When I shared what I learned at a session on Americans with Disabilities Act compliance with the commission, we decided to hold a roundtable marking 20 years since the signing of the ADA.

The ADA addresses equal opportunity for qualified individuals with disabilities in employment, state and local government activities, public transportation, public accommodations and Telecommunications Relay Services. Other laws (the Fair Housing Act as amended in 1988, and the Individuals with Disabilities Education Act, IDEA, formerly called the Education for all Handicapped Children Act of 1975) similarly address equality of opportunity in housing and education. (More information is available at <http://www.ada.gov/cguide.htm>). In 2000, the Dubuque commission became concerned about the pattern of unresolved issues, in particular in the area of structural accessibility. The Accessibility Subcommittee of the Human Rights Commission was formed and over the course of the next few years, proactive educational options designed to get voluntary compliance were developed here in Dubuque.

In August 2006, the commission held a work session with the City Council to discuss its concerns. In response to the commission's information, the City Council made improved compliance with the physical accessibility requirements of the ADA a top priority. It retains importance in 2010. In a collaborative effort involving city staff and the private volunteers on the commission, we began to identify problems and possible ways of addressing them before enforcement becomes necessary.

While there remain growing pains with this process, we have found the partnership to be beneficial on many levels. It is helping us to improve access for people with disabilities, while at the same time educating the public and gaining increased voluntary compliance. In Dubuque, the Human Rights Department enforces a local civil rights ordinance that includes language nearly identical to Titles I (employment) and III (public accommodations) of the Americans with Disabilities Act. This ordinance allows members of the public to file a complaint for investigation if they believe an employer or a place of public accommodation has subjected them to disability discrimination. Now we need to do more.

The purpose of the commission's roundtable July 8 at Hills and Dales Community Center was to discuss how far our community, state, and society have come since the passage of these acts and to establish where we can go from here to continue to support those living with disabilities in Dubuque. The roundtable addressed questions focusing on accessibility, education, employment, housing, transportation and whether Dubuque should have a Center for Independent Living. Stewart was appointed to the Human Rights Commission on Dec. 22, 2009. She welcomes e-mails at countess14@hotmail.com.

8. ADA Anniversary Proclamation

DHRC Commissioner Katrina Wilberding, assisted by Proudly Accessible Dubuque, led the charge to create and submit a proclamation to the Dubuque City Council which would acknowledge and reaffirm the city's commitment to the ADA and its residents with disabilities. The submitted proclamation was adapted from a draft created by the 2010 by 2010 Campaign, which seeks to promote ADA 20th anniversary awareness. Mayor Roy Buol signed it on Monday, July 19, 2010. The proclamation was also submitted to Dubuque County leadership and was signed on Monday, August 2, 2010. The text of the proclamation can be read below.

PROCLAMATION

WHEREAS, on July 26, 1990, President George H. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities. This legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions and increasing full participation in community life. However, the full promise of the ADA will only be reached if public entities remain committed in their efforts to fully implement the ADA; and

WHEREAS, the City of Dubuque has remained committed to full compliance of the American's with Disabilities Act since the City Council designated it a Top Priority in 2006; and

WHEREAS, on the 20th anniversary of the Americans with Disabilities Act, the City of Dubuque celebrates and recognizes the progress that has been made by reaffirming the principles of equality and inclusion and recommitting our efforts to reach full ADA compliance.

NOW THEREFORE, I, ROY D. BUOL, MAYOR OF THE CITY OF DUBUQUE, IOWA, ON BEHALF OF THE CITY COUNCIL, STAFF AND CITIZENS OF DUBUQUE DO HEREBY REAFFIRM OUR COMMITMENT TO WORK TOWARD FULL ADA COMPLIANCE IN THE CITY OF DUBUQUE.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the City of Dubuque to be affixed this 19th day of July, 2010.

Roy D. Buol, Mayor
Attest:

Jeanne F. Schneider, CMC, City Clerk

2010: Submitted and accepted by Katrina Wilberding, Proudly Accessible Dubuque

9. Multicultural Family Center Activities

This section highlights additional ADA activities planned by Abi Cahak, AmeriCorps VISTA with the DHRC, in conjunction with the Dubuque Multicultural Family Center (MFC). While these activities are not directly affiliated with the functions of the DHRC, they are emblematic of its goal to increase ADA and disability awareness and as such are given a place in this report.

As part of Ms. Cahak's DHRC duties, she regularly staffs and assists in the operations of the MFC. Because of this existing partnership, collaboration on community-oriented ADA awareness events was a natural progression. Plans for two such awareness events emerged.

Field Trip to Hills and Dales Community Center:

The initial concept for this activity emerged from a meeting between Ms. Cahak, Commissioner R.R.S. Stewart and Marilyn Althoff, Executive Director of Hills and Dales. Hills and Dales is a residential, child care, and community center specializing in serving those with severe and profound mental and physical disabilities. This meeting was the result of an email from Casey Leist, Referral and Activities Coordinator with Hills and Dales, regarding possible collaboration on an ADA awareness event. Discussion focused on both Hills and Dales' participation in the ADA roundtable as well as a possible collaboration on a community-oriented outreach activity. The idea to create a fieldtrip for youth from the MFC emerged from this meeting.

On July 15, 2010, 16 children (grades 3-8) and two adults were brought to the Hills and Dales Community Center near Kennedy Mall. The two-hour event included a lunch service followed by sensitivity training for the youths. Activities included a wheelchair obstacle course, a blindfolded obstacle course, limited-sensory object recognition, and a residential living simulation. The activities demonstrated to the children, many of whom may not have had significant interaction with individuals with disabilities, some of the difficulties and challenges such individuals deal with on a daily basis. It was important to physically bring the children to Hills and Dales so that they gain experience and comfort being in such an institution. The lunch service and socializing time before the sensitivity activities allowed the children to become comfortable in a setting they may not have encountered previously.

Family Movie Night:

Ms. Cahak collaborated with Tara Velez, Executive Director of the Dubuque Multicultural Family Center, to plan an outreach activity aimed at spreading ADA and disability awareness in the community served by the MFC. It was important that this activity be entertaining, interesting, and thought-provoking. The MFC agreed to host a family movie night showing of *Simon Birch*, the popular film about the life of a boy with disabilities. It is hoped that the topics raised in the film might spark some discussion in the families which attended. The movie night took place on July 26, 2010, the exact date of the ADA 20th anniversary.

10. Additional Information about Centers for Independent Living

Dubuque does have great resources in the Tri-State Independent Blind Society, Inc. and Hills and Dales Lifetime center services for Services for the Elderly & Disabled. A Center for Independent Living would build upon existing partnerships and be composed of community members with and without disabilities working towards the following goals:

- To foster the culture of individuals with disabilities
- To provide learning opportunities
- To ensure a completely accessible environment
- To increase the level of disability awareness
- To work as a resource for community members with and without disabilities alike
- To serve as a social area for students
- To work with other organizations providing services to people with disabilities

They are run primarily by volunteers, with a board (including a CFO or Administrative Coordinator in addition to all regular board members) responsible for all decision-making, operational and programming activities, a Director (or Co-Directors) whose primary duties are to

make broad plans for the organization's future and manage its financial activities and a Chair (or Co-Chairs)-of-the-Board who acts as leader of the organization and the entire board. A Center for Independent Living would be committed to helping the surrounding communities become more welcoming and open environments for everyone.

Dubuque's Independent Living Council has been working to start a satellite Center for Independent Living in Dubuque. They were in talks with the Central Iowa CIL (Des Moines) and the Illinois/Iowa CIL (Davenport/Moline) and a partnership with the later has been agreed to. Joel Lightcap, Adele Lenane, Linda Robinson, and David Tranel currently make up the board for Dubuque's CIL (or DUCIL, as they call it). The Board has submitted an application for tax exempt status (501c3 not-for-profit) and is waiting to hear back from the Quad Cities CIL about how money will be divided between it and the DUCIL. They hope to have DUCIL up and running by the beginning of 2011, and hope to expand the board to nine members. If you would be interesting in joining the DUCIL Board, or helping them and the Independent Living Council out in other ways, contact Joel Lightcap, LHMC, President of the Board, 799 Main Street, Suite 310, Dubuque, Iowa, 52001-6825; Tel: 563-583-5627; Fax: 563-583-5666; joellightcap.lmhc@yahoo.com.

Link e-mailed to Mary Day (in Grassley's office), Jule Reynolds (in Harkin's office) and Kelly Larson (Director of Dubuque's Human Right's Department) having to do with starting a Senior Center that might be adaptable to a general Center for Independent Living.

FW: Online Toolkit for Serving Diverse Communities --
From: Mary Day, Regional Director, Senator Charles E. Grassley
150 1st Avenue NE, Suite 325, Cedar Rapids, IA 52401
319.363.6832, 319.363.7179 (fax), mary_day@grassley.senate.gov

Here is the link to the "Toolkit for Serving Diverse Communities" which I brought yesterday. I hope you will find it helpful in your work. Thank you for such a good conference, and for the opportunity to network.

From: Linn_Disability_Info@yahoogroups.com On Behalf Of Sandler, Leonard
Sent: Friday, June 11, 2010 10:44 AM
To: [ICRC]; [DVRS]; [DHS]; [DHR]; Reynolds, Jule (Harkin); [IDPH]; [IDA];
'Iowa_Disability_Advocates@yahoogroups.com'; [DVRS]; 'Kelly Larson';

AoA just released an online "Toolkit for Serving Diverse Communities." This Toolkit provides the Aging Network and its partners with a replicable and easy-to-use method for providing services for any diverse community.

The Toolkit consists of a four-step process and a questionnaire that assists professionals, volunteers and grassroots advocates with every stage of program planning, implementation and service delivery for older adult communities, their families and caregivers. The core principles of the toolkit include respect, inclusion and sensitivity as the hallmarks of quality service.

This Toolkit is an invitation to agencies and their partners to make a cultural shift in service provision, to learn, to grow and fully appreciate the diverse community of older adults they serve.

The Toolkit can be found at:

http://www.aoa.gov/AoAroot/Press_Room/For_The_Press/pr/archive/2010/June/DiversityToolkit.aspx

Best, Len Sandler

11. History of readily achievable work in Dubuque, submitted 11 May 2010 by Kelly Larson, Executive Director of the City of Dubuque Human Rights Department

City Hall Annex, 1300 Main St, Dubuque, IA 52001, Phone: 563.589.4190

TDD/TTY: 563.589.4193, <http://www.cityofdubuque.org/index.aspx?NID=215>

The Human Rights Department enforces a local civil rights ordinance that includes language nearly identical to Titles I (employment) and III (public accommodations) of the Americans with Disabilities Act. This ordinance allows members of the general public to file a complaint for investigation if they believe an employer or a place of public accommodation has subjected them to disability discrimination. Based on years of contact with the general public the Human Rights staff became concerned about a pattern of unresolved issues in the area of structural accessibility in particular. First, members of the public would often call the office to report a physical accessibility barrier at a local business. They were not interested in personally filing a complaint – they wanted government to resolve the issue on their behalf. Second, buildings continued to be constructed and altered in ways that often were not fully compliant, due to a variety of factors including lack of education among contractors and architects, and misplaced assumptions that inspections under the local building code would include ADA requirements. Third, most people seemed to believe that buildings that were in existence prior to the passage of the ADA had no legal obligation to remove accessibility barriers – in other words, there was a lack of familiarity with the readily achievable requirements of the law.

In January 2002, after hearing about these concerns from staff, the Human Rights Commission began taking on occasional commissioner-initiated complaints in response to phone calls alleging accessibility violations at public accommodations where the person who called did not want to be the one to file the complaint. Several complaints were mediated and/or investigated using this process. The Department continues to use this enforcement mechanism when other, more proactive options have failed. Over time, however, pro-active educational options designed to get voluntary compliance have been developed here in Dubuque. The purpose of this summary is to highlight those programs.

Beginning in 2003, the Human Rights Commission established a subcommittee of community volunteers to begin educating businesses in hopes of improving voluntary compliance. They developed survey strategies, formed three accessibility survey teams, conducted ADA research, created an ADA survey tool, and developed written introductory and follow-up letters to businesses. The group made contact with numerous business using a personal touch, and performed approximately a dozen surveys from 2004-2006. Their work was not without

challenges – they found it to be very time consuming, they struggled with legal technicalities, they often confronted a lack of responsiveness from businesses contacted. In addition, changes in volunteers over time necessitated additional training in a very complex process, which interfered with progress.

In August 2006, the Human Rights Commission held a work session with the City Council to discuss their concerns and what they had learned over two years of conducting surveys. In response to the Commission's information, the City Council made improved compliance with the physical accessibility requirements of the ADA a City Council priority.

In a collaborative effort involving City staff and private volunteers, we began to identify problems and possible ways of addressing them before enforcement becomes necessary. We focused on two categories of buildings, those currently under construction or renovation and those already in existence. For current construction, we focused on increased staff training and improved staff coordination as well as offering education out in the community to raise awareness among contractors and architects of their responsibility to meet requirements.

For buildings already in existence, we focused in on educating businesses about the requirement for readily achievable changes and the reason that improving accessibility makes good business sense. We searched for ways to work with businesses one-on-one to improve their understanding of the law and the reasons behind it, and to try to come to a mutual understanding of the changes that needed to be made. We recognized, however, that ultimately enforcement might remain necessary. Consequently, the options for enforcement through the Human Rights Department remained in place and we added an additional enforcement mechanism through the Building Services Department.

The City's Building Services asked the City Council to establish a position of part-time ADA inspector. The City Council approved this in the spring of 2007 as part of the fiscal year 2008 budget. In January 2008, the Building Services Department hired their part-time inspector. The inspector's program was laid out specifically to help businesses remove barriers where that removal was readily achievable. It also, however, had an enforcement mechanism.

The City adopted a local accessibility ordinance as part of the building code, codifying the requirements that businesses make readily achievable changes, developing a proactive inspection process, and allowing enforcement in circumstances where businesses do not make good faith efforts to comply. The program was modeled after a similar program in Joliet, Illinois. The inspector makes personal contact with business owners, conducts an inspection, and discusses with readily achievable changes to be made. Changes are suggested in tiers, with a focus on parking lots and entrances in year 1, shelves/counters/public restrooms during year 2, and lifts/elevators/restrooms in year 3. The inspector meets with business owners, walks them through the requirements, informs them of tax benefits, and assists them to identify low-cost solutions. Businesses are provided the opportunity to contest the need to make the changes. Those who do not follow through are subject to municipal citation and the associated fines for each day they remain out of compliance.

In the meantime, the Human Rights Commission partnered with others in the community in a collaborative effort among various businesses and community organizations to raise awareness amongst businesses about the necessity and benefits of improving access. This effort resulted in the establishment of Proudly Accessible Dubuque, an independent organization focused on educating business about lost market share and the benefits of accessibility, tax incentives, common barriers and low-cost ways to address them. Proudly Accessible Dubuque created an educational video and hosted a keynote speaker on accessibility solutions for the Chamber quarterly luncheon in 2007. The speaker then held afternoon workshops for businesses and City staff. The PAD website was created and contains a self-survey for businesses. Businesses who complete the survey and address barriers identified are recognized by PAD with a certification. PAD also serves as a liaison to help businesses understand the improvements being mandated by the City.

While there remain growing pains with this process, we have found the partnership to be beneficial on many levels. It is helping us to improve access for people with disabilities while at the same time educating the public and gaining increased voluntary compliance.

12. Additional Resources

Guides to Disability Information, Referrals, Related Programs and Services in Iowa
<http://www.iowacompass.org> Voice: 1-800-779-2001 TTY: 1-877-686-0032
<http://harkin.senate.gov/resource/disability.cfm> disabilities@harkin.senate.gov

U.S. Department of Justice's Information and Technical Assistance on the Americans with Disabilities Act / Fair Housing Act / Individuals with Disabilities Education Act
<http://www.ada.gov/cguide.htm> Voice: 1-800-514-0301 TTY: 1-800-514-0383

For Technical Assistance, Training, and Materials on All Areas of the Americans with Disabilities Act and Related Disability Laws
<http://www.adaproject.org> Voice: 1-800-949-4232