

DRAFT Proposal for a new iteration of the Portland Commission on Disability (PCOD)

Submitted by Commissioner Amanda Fritz and the Office of Equity and Human Rights

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Introduction

With the 2016 ADA Title II Compliance Audit, Michael Szporluk's 2018 report, and the 2018 Use of Data & Technology to Improve Government Outcomes Report (UDTIGOR) as catalysts, Commissioner Fritz and the Office of Equity and Human Rights propose new direction for continuing to make Portland a more accessible, equitable city for people with disabilities.

This proposal has been drafted with four primary goals in mind:

- Provide additional capacity for developing ADA Title II policy and providing bureaus with technical assistance as they work to become more compliant with ADA Title II
- Create more diversity in the community members providing guidance to City Council on behalf of the disability community
- Support and encourage more City bureaus to solicit input from more people, across disabilities, who have specific interest and subject matter expertise
- Support more City bureaus in deepening engagement with people with disabilities

The following three strategies are proposed to help accomplish the above goals:

- Establish the Accessibility Commission (AC), to be housed in the Office of Equity and replace the Portland Commission on Disability
- Hire a full-time staff person to support the AC

- In addition to staffing the AC, the new position would advise and support bureaus in creating their own advisory bodies of people with disabilities based on the services being provided by a given bureau

The Accessibility Commission

Under the Transition Plan adopted by Council, bureaus are required to report on ongoing efforts to remove physical barriers to access. The UDTIGOR noted poor compliance with both reporting and achieving outcomes. Under the AC plan, bureaus would receive advice and training on requirements and be required to track and report on progress.

The Accessibility Commission would be housed in the Office of Equity and would have four primary functions:

- Assist Bureaus in their obligation to maintain a reasonable schedule of barrier removal as specified by the City's ADA Title II Transition Plan
- Support regular evaluations of program access
- Monitor citywide progress on ADA Title II compliance
- Review and advise on ADA Title II citywide policy development

The AC would serve as both a body of technical experts and an advisory body providing City Council with reports on bureaus' progress on ADA Title II accessibility.

In its role as a body of technical experts, AC would assist the Office of Equity in policy development and would assist bureaus with technical advice on complying with the City's ADA Title II obligations.

In its role as an advisory body, AC would issue bureau-specific report cards detailing ADA Title II compliance. In serving Council, AC would submit an annual report to Council outlining bureaus' compliance efforts, successes and shortcomings.

AC membership could include:

- The ADA Title II Coordinator
- The Disability Resources and Employment specialist in BHR
- The Disability Program Coordinator for Community and Civic Life's Disability Program
- Bureau-based ADA coordinators
- A representative from the Office of the Auditor
- A representative from the Office of the City Attorney
- At large members from the community with a high degree of demonstrated technical expertise in the ADA – community membership would be proportionate to the number of staff

Every effort should be made to ensure the at-large positions are filled by community members who represent a wide range of the disability spectrum, and also reflect a broad spectrum of the community, including at least the following factors: areas of expertise, advocacy experience, community involvement, profession, education, race, ethnicity, gender, gender identity, sexual orientation, national origin, age, religion and geographic identification. Where possible, staff positions should prioritize diverse identities and lived experience. Given the Commission's voting members will include both City staff and community volunteers, meeting times could potentially alternate between business hours and evenings.

[Bureaus Creating Internal Design and Review Bodies](#)

The Portland Commission on Disability has historically been a valuable sounding board for bureaus on projects they wanted vetted by the disability community. PCOD's existing structure has left it unable to meet the level of need bureaus have for design and review, despite enthusiastic participation by current PCOD members.

Alongside the AC, we propose that bureaus create committees of people with disabilities to advise on mission-specific issues. These committees could be modeled on Portland Parks & Recreation's Accessibility Advisory Committee, which includes both City staff and community members. This approach provides opportunities to expand what has been done under the current configuration of PCOD:

- More community members can advise bureaus
- Bureaus can get as much review and design as they need, in a timely manner
- Bureaus can recruit for community members whose backgrounds and skills fit the work being done by individual bureaus
- More City employees will have the opportunity to work with people with disabilities
- More people with disabilities will have opportunities to participate in City government

While current PCOD members will be welcome to apply for membership on the Accessibility Commission, it is hoped that some will consider serving instead on bureau-specific Accessibility Advisory Committees, following the topic area(s) of most interest to each community member. The bureau-based Accessibility Advisory Committees could greatly benefit from the experienced leadership of current PCOD members.

Staffing

Background

The following statistics help illustrate the persistent, systematic marginalization faced by Oregonians with disabilities:

- Twenty percent of Portlanders have a disability.

- Oregonians of color are more likely to have a disability than are white Oregonians.
- In 2017, only 14% of Oregonians with disabilities had a bachelor's degree.
- In 2017, 28.3% of Oregonians with disabilities were living in poverty.
- In 2017, 21.2% of Oregonians with disabilities worked a full-time job for the entire year.
- In 2017, 37% of Oregonians with disabilities achieved gainful employment.

The referenced statistics for Oregon in 2017 came from the American Community Survey (ACS). ACS did not have a Portland-specific breakdown.

The statistics demonstrate that we must do more to improve both accessibility to government and equitable outcomes from government services, contracts, and hiring.

The Creation of a new Position

This proposal seeks the creation of a new 1.0 FTE staff position in the Office of Equity at the Coordinator I level, to provide full support to AC and to assist bureaus in developing internal bodies comprised of people with disabilities designed to assist individual bureaus in meeting their specific needs for design and review of projects. The position's allocation is proposed as follows:

Daily Coordination and Management of PCOA (0.8 FTE):

- Recruitment
- Onboarding
- Training
- Accommodating members and public attendees with disabilities
- Communication between AC and bureaus and Council

The new staffer will also assist AC with general support including:

- Creating agendas and minutes
- Preparing documents and presentations for Council
- Support AC in the drafting of letters and reports

Bureau support and technical assistance (0.2 FTE):

In helping bureaus develop their internal advisory committees for design and review of projects, the staff member could advise on the following:

- Recruiting
- Onboarding
- Training
- Accommodating members and public attendees with disabilities
- Ensuring citywide consistency as ADA improvements are implemented
- Elevating bureau policies to AC for consideration as citywide policies

[Current Staffing](#)

The Office of Equity’s Disability Program has two full-time positions (2.0 FTE). At the current staffing level, 1.5 FTE is dedicated to Title II compliance and .5 FTE has supported the Portland Commission on Disability.

With the addition of a new position, the current ADA Title II and Disability Equity Manager (1.0 FTE) would continue current work, focused on:

- Establish, implement, evaluate and report to council on ADA Title II Compliance for all City bureaus
- Providing recommendations around new policies to bureaus and City Council offices (for example, in major City-wide policies like Private-for-Hire and Single-Use plastic reduction)
- Provide recommendations regarding ADA Title II-related lawsuits
- Manage the ADA Title II and Disability Equity Program and Staff
- Coordinate City-wide effort to meet the Disability Equity goals laid out in the Portland Plan and Comprehensive Plan
- Support OEHR leadership toward an intersectional model of focus on race and disability

- City-wide coordination of ADA Title II complaints and accommodation
- Provide resources and training for City-wide ADA Title II compliance and Disability Equity

The Disability Equity Program Specialist (1.0 FTE), a role that previously supported PCOD, would become the ADA Title II Coordinator, with increased capacity to pursue Citywide technical assistance and policy development work. While PCOD has been on hiatus, this position has pursued and initiated new bureau partnerships and projects, including:

- Developing an accessible City website policy
- Creating guidance for bureaus on planning accessible events
- Collaborating with the Office of Community and Civic Life to develop a training for staff liaisons to City boards and commissions to support the participation of people with disabilities on these volunteer advisory bodies
- Joining and presenting to the Technology Executive Steering Committee (TESC)
- Participating in the Smart Cities Committee and its Open Data Project

Under this proposal, the new ADA Title II Coordinator would have additional capacity to pursue:

- Addressing the mandated Self-Evaluation (broad-scale assessment of City activities, programs, and services for accessibility)
- Strengthening Office of Equity's relationship with bureaus and Equity Managers to determine how the Office of Equity can better integrate disability into ongoing, bureau-based projects.
- Increase outreach to community-based disability organizations, soliciting input via listening sessions for how to bureau improvements can positively impact community outcomes.

This level of citywide policy development support and technical assistance on disability and accessibility issues can only be sustained by shifting responsibilities associated with staffing a newly envisioned commission to a new, full-time position. With the addition of a new full-time position as outlined above, existing staff would have long-needed, additional capacity to help grow the reach and impact of the Office of Equity's Disability Equity Program.

Conclusion

This proposal responds to the recommendations offered by Michael Szporluk after consultation with PCOD and the community, assessment of the tasks mandated by the ADA in relation to staff capacity, and evaluation of available resources including community volunteers, in a shared desire to continue making Portland more accessible and equitable for all. Council and community feedback is invited and welcome.