

## Disability Equity Action Plan

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June 30, 2021



**King County**

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## I. Proviso Text

### Ordinance 19210, Section 19, Office of Equity and Social Justice, P1

Of this appropriation, \$125,000 shall not be expended or encumbered until the executive transmits a disability equity action plan and a motion that should acknowledge receipt of the action plan and a motion acknowledging receipt of the action plan is passed by the council. The motion should reference the subject matter, the proviso's ordinance number, ordinance section and proviso number in both the title and body of the motion.

The action plan shall be developed through an engagement and co-creation process with the disability community, and shall include, but not be limited to, the following:

- A. An assessment of county staffing needs for Americans with Disabilities Act ("ADA") coordination and disability equity functions and a recommendation for how those staffing needs will be met, either through the redeployment of existing FTE positions or through a proposal to add new FTE positions;
- B. A plan to coordinate ADA and disability equity functions with the efforts to establish a King County Human and Civil Rights commission, based on the recommendations developed for the feasibility study required by Ordinance 19047;
- C. A proposal for ongoing engagement with the disability community in carrying out ADA coordination and disability equity functions;
- D. A prioritized list of recommendations for action, with a proposed cost and timeline for each, including, but not limited to, the following:
  - 1. Coordination and enhancement of ADA functions, compliance and reporting in King County agencies;
  - 2. A strategy to address disability equity in King County plans and policy documents, including a plan to examine the linkages of disability to the determinants of equity and to incorporate disability equity into the equity and social justice strategic plan;
  - 3. A summary of King County training programs that address disability equity and a strategy to provide additional opportunities for King County employees to receive disability equity training; and
  - 4. A review of disability equity practices within individual King County agencies based on the role of each agency; and
- E. Any legislation necessary to implement the recommendations in the action plan.

The executive should electronically file the action plan and motion required by this proviso no later than May 27, 2021, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the committee of the whole, or its successor.

## II. Executive Summary

This plan was developed by staff from the Office of Equity and Social Justice (OESJ) in partnership with disability community advocates including: The Alliance of People with disAbilities, the Arc of King County, the Northwest ADA Center, and the King County Disability Consortium. OESJ staff continue to meet with these advocates regularly to provide updates on the development and progress of this Plan.

### Background

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008, prohibits discrimination on the basis of disability in all areas of public life.<sup>1</sup> King County, as a public entity with more than 50 employees, is subject to compliance with Title II of the ADA, and must designate at least one employee responsible to coordinate compliance with the ADA. The Civil Rights Program within the Office of Equity and Social Justice is tasked with advancing and enforcing civil rights in unincorporated King County. It is also charged with investigating and enforcing anti-discrimination laws within King County government as an employer.

*King County Section 504/ADA Advisory Committee:* King County Code (KCC) 2.55.010 established the King County Section 504/ADA Advisory Committee. This Committee serves as the advisory body to the Executive in developing strategies, systems and guidelines in implementing the 504/ADA workplan and monitoring affirmative action progress made in the employment of persons with disabilities in the County's workforce.<sup>2</sup> The Advisory Committee has been inactive for approximately 10 years.

*Executive Disability Access Policy - PER 22-2-2:* PER 22-2-2 provided executive branch departments with a model for countywide ADA compliance and policy-driven decision making.<sup>3</sup> It outlined a model where executive departments appoint liaisons who coordinate with OESJ's Title II coordinator to ensure uniformity and compliance with ADA requirements.<sup>4</sup> While this policy expired in early 2021, it remains the structure for the executive branch ADA approach. Work is underway to update the policy, including language to be more inclusive of disability equity principles.

*Disability Advocates Outreach:* On October 1, 2020, Executive Directors of the Alliance of People with disAbilities and The Arc of King County submitted a letter to King County leaders and report entitled, "Still Left Out After 30 Years of the ADA: King County is Failing the Disability Community."<sup>5</sup> The letter and report was signed by 38 organizations and over a hundred community members and leaders in the disability community. The letter and report provided several recommendations and actions for the County to consider and implement, which are reflected in this plan.

*Key Concepts:* This report includes a number of concepts and definitions included to provide a common understanding of key elements of the plan. Ranging from "ableism" to "transition plans and self-evaluations", these concepts guide OESJ and the Executive's approach to ADA and disability equity.

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<sup>1</sup> 42 USC §12010, *et seq.*

<sup>2</sup> KCC 2.55.010, *et seq.*

<sup>3</sup> King County Disability Access Policy: Access to Programs, Services, Activities and Physical Facilities by Qualified Individuals with Disabilities, PER 22-2-2. This policy only applied to executive departments, not to offices of separately elected officials or other branches of King County government. Appendix A.

<sup>4</sup> *Id.* 7.3.1.

<sup>5</sup> Still Left Out After 30 Years of the ADA: King County is Failing the Disability Community. Appendix B.

ADA Title II sets forth specific requirements for local government’s legal compliance. These requirements represent the floor or the minimum requirements of what local governments should do to ensure equitable access to programs, facilities, and services. Compliance is the baseline of this Plan. More importantly, this Plan outlines initial steps taken to date to advance disability equity and inclusion as a core value of making King County a welcoming community where all can thrive.

**Report Requirements**

Summarized below, pursuant to the Proviso requirements, are key findings included in this Plan based on analyses conducted by OESJ and recommendations made by disability advocates.

Note: This Plan provides data for executive branch departments and offices only.

*A. Assessment of, and recommendations to address, staffing needs for ADA coordination and disability equity functions:*

- Eight existing ADA full time equivalent (FTE) and term limited temporary (TLT) positions, located across executive branch departments and office, not including departmental staff detailed to supporting ADA work as part of existing bodies of work;
- Recommended to add two additional FTE ADA coordinators and convert one grant funded TLT disability specialist to county funded FTE.

*B. Plan to coordinate ADA and disability equity functions with efforts to establish a King County Human and Civil Rights Commission:*

Ordinance 19047 would have created a new Human and Civil Rights Commission that would have assumed the current ADA-related responsibilities of OESJ’s Civil Rights Program. No legislative action was taken by the King County Council by required deadline established in Ordinance 19047; therefore, coordination with the proposed Commission is not addressed in this report.

*C. and D. Proposal for ongoing engagement with the disability community in carrying out ADA coordination and disability equity functions; prioritized list of recommendations for action, with a proposed cost and timeline for each*

- Outreach to disability community advocates resulted in their recommendation that the County reactivate its Section 504/ADA Advisory Committee with an updated scope. Currently, the County does not have an active body or commission specifically designed for and focusing on people with disabilities.
- Community members and disability advocates recommend that KCC 2.55.010 be amended to formalize the purpose of the Committee to advance disability justice and equity, and not just address legal compliance matters.
- OESJ will continue to meet regularly and partner with advocates and community leaders to co-create approaches that address these important needs.

This plan’s seven recommendations are summarized in the table below:

<b>Recommendation 1:</b>	<i>Continue development, utilization, and support of internal liaison network</i>
<b>Recommendation 2:</b>	<i>Continue to utilize disability equity consultant for review of internal county policies and practices</i>
<b>Recommendation 3:</b>	<i>Fund two FTE ADA Coordinator positions</i>
<b>Recommendation 4:</b>	<i>Establish interbranch workgroup in collaboration with legislative and judicial branches</i>

<b>Recommendation 5:</b>	<i>Reactivate Section 504/ADA Advisory Committee</i>
<b>Recommendation 6:</b>	<i>Create &amp; fund disability specialist FTE when funding for NACCHO grant ends</i>
<b>Recommendation 7:</b>	<i>Establish an affinity group for county employees with disabilities</i>

*Any Legislation Necessary to Implement the Recommendations in the Action Plan*

Appropriation legislation is needed for recommendations three and six, which are expected to be transmitted with the 2021 mid-biennial budget supplemental and the 2023-2024 proposed biennial, respectively. Recommendation six, proposed amendment to KCC 2.55.010, requires consultation with community. Development of potential amendments to KCC require further focused community engagement which could not be undertaken in the time frame given to complete this Proviso response due the challenges of COVID-19.

The Executive and OESJ are committed to working with community, County employees, and the Council, to ensure the work of this Plan moves forward, and that equitable anti-ableist policies become actionable pillars of all County operations. This Plan is another major step towards making King County a welcoming a community where every person can thrive.

### III. Background

**Department Overview - Office of Equity and Social Justice**

The 2016-22 King County Equity and Social Justice plan defines equity as “an ardent journey toward well-being as defined by those most negatively affected”. To strive towards this ideal and advance equity, the Office of Equity and Social Justice (OESJ) was established in 2015 as part of the Office of the Executive.<sup>6</sup> OESJ’s goal is the full and equal access to opportunities, power, and resources so that all people may achieve their full potential.<sup>7</sup> To achieve this goal, OESJ supports County departments to invest upstream where needs are greatest, in community partnerships, and in County employees. OESJ works across all county departments, agencies, and other branches of King County Government in furtherance of the goals and objectives of the King County Equity and Social Justice Strategic Plan.<sup>8</sup>

In June 2020, the County Executive appointed a Chief Equity and Inclusion Officer (CEIO). The CEIO serves as the director of OESJ and is a member of the Executive’s Senior Leadership Team, leading the development and implementation of King County’s equity and social justice policies and strategies. The CEIO provides leadership to ensure that the County’s commitments to equity, social and racial justice are realized in County operations, policy, planning, budgets, community engagement, and communications.

*Civil Rights Program*

The Civil Rights Program resides in the Office of Equity and Social Justice. It is the administrative body tasked with advancing and enforcing civil rights in unincorporated King County. It is charged with investigating and enforcing anti-discrimination laws within King County government as an employer. The Civil Rights Program’s statutory responsibilities include:

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<sup>6</sup> King County Equity and Social Justice Strategic Plan, 2016-2022. [\[LINK\]](#).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

- Receiving complaints, investigating, and enforcing the County’s anti-discrimination ordinances in contracting, employment, housing, and public places of accommodation (collectively, “the Anti-Discrimination Ordinances”);<sup>9</sup>
- Receiving complaints and investigating violations of King County Code (KCC) Chapter 2.15, the Citizenship and Immigration Status Ordinance;<sup>10</sup>
- Assisting departments with compliance with the American with Disabilities Act (ADA), federal Rehabilitation Act of 1973, Section 504, and all other legislation and rules regarding access to county programs, facilities and services for people with disabilities;<sup>11</sup>
- Serving as the County’s ADA coordinator relating to public access per Title II of the ADA, and investigating complaints under the ADA;<sup>12</sup>
- Providing staff support to the Section 504/ADA Advisory Committee;<sup>13</sup>
- Providing staff support to the Civil Rights Commission;<sup>14</sup>
- Serving as the County federal Civil Rights Act Title VI coordinator;<sup>15</sup> and
- Coordinating County responses to federal Civil Rights Act Title VI issues and investigating complaints filed under Title VI.<sup>16</sup>

As part of OESJ, the program regularly engages in policy analyses and consults on the development and management of a variety of programs that advance equity within King County government.<sup>17</sup>

### Legal and Historical Context

*Federal Law:* The Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008, prohibits discrimination on the basis of disability in all areas of public life.<sup>18</sup> The ADA is divided into five titles that relate to different realms of protection. Most pertinent to this report are Title I, covering employers with 15 or more employees and Title II covering programs and services provided by public entities.<sup>19</sup>

Title I of the ADA prohibits covered employers, such as King County, from discriminating against qualified individuals on the basis of their disability in all phases, terms, conditions, and privileges of employment. This includes, among other things, that the employer provides reasonable accommodations in the workplace that do not cause the employer undue hardships.<sup>20</sup>

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<sup>9</sup> See, respectively, Ordinance 13981 codified in KCC §12.17.002; Ordinance 7430 codified in §12.18.010; Ordinance 5280 codified in §12.20.010; and Ordinance 8625 codified in §12.22.010.

<sup>10</sup> Ordinance 18665 codified in KCC §2.15.100.

<sup>11</sup> KCC §2.16.035(H)(2).

<sup>12</sup> KCC §2.16.035(H)(3); 28 CFR § 35.107. [\[LINK\]](#)

<sup>13</sup> KCC §2.55.010(D).

<sup>14</sup> KCC §2.16.035(H)(4).

<sup>15</sup> KCC §2.16.035(H)(5).

<sup>16</sup> KCC §2.16.035(H)(6).

<sup>17</sup> King County Equity and Social Justice Strategic Plan, 2016-2022.

<sup>18</sup> 42 USC §12010, *et seq.*

<sup>19</sup> Title III covers public accommodations and services by private entities; Title IV covers telecommunications and accessibility of federally funded public service announcements; and Title V contains miscellaneous provisions. *Ibid.*

<sup>20</sup> 42 USC §12112.

Title II of the ADA prohibits public entities, such as King County, from discriminating against or excluding qualified individuals with a disability from participation in its services, programs, or activities or denying the benefits of same.<sup>21</sup> Title II also covers public transportation offered by local government entities.<sup>22</sup> Title II regulations specifically require that public entities designate an ADA Title II Coordinator, perform self-evaluations of its services, policies, and practices, provide public notice about the ADA, establish a grievance procedure, and develop transition plans if structural and physical changes are required for program accessibility.

Section 504 of the Rehabilitation Act (Section 504) is similar to Title II of the ADA, but specifically prohibits discrimination against qualified individuals with a disability regarding their participation in any program or activity receiving federal financial assistance.<sup>23</sup> Government agencies may be subject to distinct regulations depending on the nature of its programming and federal granting agency requirements.

*ADA Title II Coordinator Position:* King County, as a public entity with more than 50 employees, is subject to compliance with Title II of the ADA, and must designate at least one employee responsible to coordinate compliance with the ADA. The coordinator is also responsible for investigating complaints of Title II violations. The coordinator duties are assigned to the Office of Civil Rights.<sup>24</sup> In 2017, the duties of the coordinator were assigned to staff in the County's Civil Rights Program within OESJ. The County's coordinator is responsible for working with the departmental liaisons to coordinate training, complete evaluations, corrective action and transition plans. The coordinator is also responsible for ensuring that self-evaluations, corrective action and transition plans are updated at least every five years and for receiving Title II grievances.<sup>25</sup>

*King County Section 504/ADA Advisory Committee:* KCC 2.55.010 established the King County Section 504/ADA Advisory Committee. This Committee serves as the advisory body to the Executive in developing strategies, systems and guidelines in implementing the 504/ADA workplan and monitoring affirmative action progress made in the employment of persons with disabilities in the county's workforce.<sup>26</sup> The Advisory Committee has been inactive for approximately 10 years.

*Executive Disability Access Policy - PER 22-2-2:* PER 22-2-2 provided executive branch departments with a model for countywide ADA compliance and policy-driven decision making.<sup>27</sup> While this policy expired in early 2021, it remains the structure for the executive branch ADA approach. Work is underway to update the policy, including language to be more inclusive of disability equity principles.

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<sup>21</sup> 42 USC §12132.

<sup>22</sup> 42 USC §12141, *et seq.*

<sup>23</sup> 29 USC §701, *et seq.* Individual federal agencies have their own sets of regulations that apply specifically to their programs and recipients of funds.

<sup>24</sup> KCC §2.16.035(H)(3).

<sup>25</sup> *Id.* 7.8, 9.

<sup>26</sup> KCC 2.55.010, *et seq.*

<sup>27</sup> King County Disability Access Policy: Access to Programs, Services, Activities and Physical Facilities by Qualified Individuals with Disabilities, PER 22-2-2. This policy only applied to executive departments, not to offices of separately elected officials or other branches of King County government. Appendix A.



PER 22-2-2 outlined a model where executive departments appoint liaisons who coordinate with OESJ's Title II coordinator to ensure uniformity and compliance with ADA requirements.<sup>28</sup> Departmental liaisons, among other duties, are required to:

- Perform self-evaluations of physical facilities and programs;
- Create disability corrective action and transition plans to address issues identified in the self-evaluation; and
- Update the self-evaluations and corrective action and transition plans at least every five years.<sup>29</sup>

### Current Context

*The Korematsu Report and Ordinance 19047:* In early 2019, the Council commissioned the Seattle University School of Law Korematsu Center for Law and Equality to draft a report including recommendations for the advancement of civil rights in King County including approaches for restructuring its existing Civil Rights Commission.<sup>30, 31</sup>

Informed by the recommendations of the Korematsu Center Report, Council adopted Ordinance 19047.<sup>32</sup> Ordinance 19047 would have made significant changes to the administrative enforcement of the County's Anti-Discrimination Ordinances and federal civil rights laws through decommissioning the existing King County Civil Rights Commission as well as the Civil Rights Program and the ADA Coordinator and transferring all of the respective responsibilities and activities to a new commission in the Legislative Branch. The time frame for Ordinance 19047 to take effect has lapsed.

*COVID-19:* The COVID-19 pandemic has and continues to significantly impact the lives of King County residents, families, businesses, and communities. King County government is also experiencing the effects of COVID-19 on operations. Likewise, COVID-19 has shifted the priorities of many community partners as they assist their communities in critical areas, including but not limited to housing, food security, financial assistance, healthcare, and COVID-19 testing and vaccinations.

COVID-19 has also significantly changed how OESJ is able to engage and interface with stakeholders and community members, with digital communication serving as the primary mode and replacing face-to-face meetings, including outreach and engagement events. As a result of social distancing orders and limitations on how and where people may physically congregate, all Civil Rights program staff interactions with community groups and members have been virtual. While digital engagement works for some, it poses a barrier to equitable outreach for others, as access to technology in itself can be a barrier to participation for those living with disabilities of King County. This is especially true when working with community partners representing and supporting the disability community who may require more accessible means of communication, communication access real-time translation (CART) or American Sign Language interpretation services, for example.

*Disability Advocates Outreach:* On October 1, 2020, Executive Directors of the Alliance of People with disAbilities and The Arc of King County submitted a letter to King County leaders and report entitled,

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<sup>28</sup> *Id.* 7.3.1.

<sup>29</sup> *Id.* 7.4.

<sup>30</sup> [\[LINK\]](#).

<sup>31</sup> Korematsu Report at 1. [\[LINK\]](#).

<sup>32</sup> Ordinance 19047 [\[LINK\]](#).

“Still Left Out After 30 Years of the ADA: King County is Failing the Disability Community.”<sup>33</sup> The letter and report was signed by 38 organizations and over a hundred community members and leaders in the disability community.

The letter and report provided several recommendations and actions for the County to consider and implement. The recommendations most pertinent to this plan include:

- Hire two ADA coordinators to, “begin the internal process of inclusion and the external engagement of the disability community;”
- Naming “ableism” and “disability” in the Equity and Social Justice Strategic Plan;
- Examine the linkages of disability to all Determinants of Equity and develop strategies for data collection to inform King County services and programs;
- Perform self-assessments and create transition and action plans to remedy issues identified in the self-assessments; and
- Require disability equity and inclusion training for all County employees.<sup>34</sup>

*ADA Coordination Activities:* To continually advance disability equity and ensure coordinated county-wide access to programs, services, activities, and physical facilities by people with disabilities, the Executive is employing the liaison model with executive branch departments as outlined in King County Disability Access Policy, PER 22-2-2.<sup>35</sup> The liaison structure is an organizational model where executive departments appoint liaisons to coordinate with the OESJ ADA Title II coordinator for countywide uniformity and compliance with ADA requirements, as well as for training and collaboration purposes.<sup>36</sup>

Under this model, the Executive has required that each executive department identify at least one ADA liaison to work with OESJ to complete an initial departmental self-assessment, self-evaluation, and transition/improvement plan. This initial self-assessment will inform next steps, including the strategic order in which agencies will complete their full self-assessment which will include all public facing programs and services. The purpose of these department-specific evaluations is to ensure that plans to improve access to county programs and services is tailored to the unique and diverse lines of business and public offerings provided by the County.

In April 2021, OESJ conducted the first round of ADA liaison training for several county departments.<sup>37</sup> ADA Liaisons were trained on the purpose and requirements of the ADA, current ADA and disability equity efforts, the purpose of the self-assessment, and how to complete the required survey.<sup>38</sup> Initial self-assessments for this round were due in June 2021 and have been received.

In addition to deployment of the ADA liaison model, to increase accessibility across specific agencies, OESJ has identified three major areas to be analyzed further to ensure ADA compliance: (1) County websites are designed and tested for accessibility to online information; (2) physical structures and buildings with public access are ADA compliant with physical barriers removed; and (3) standard County contract language is reviewed and revised as necessary to ensure alignment with federal anti-

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<sup>33</sup> Still Left Out After 30 Years of the ADA: King County is Failing the Disability Community. Appendix B.

<sup>34</sup> *Id.* at 2-3.

<sup>35</sup> PER 22-2-2.

<sup>36</sup> *Id.* 7.3.1.

<sup>37</sup> Disability Equity Action Plan – Liaison Network Training. [\[LINK\]](#).

<sup>38</sup> ADA Title II Initial Assessment Survey. Appendix C.

discrimination law and the ADA. OESJ will work with King County Information Technology (KCIT), Finance and Business Operations Division of the Department of Executive Services (FBOD), and the King County Prosecutor’s Office (PAO) respectively to create a more narrowly tailored assessment and improvement process for these specific areas.

*Current OESJ Community Engagement Activities:* In early July 2020, OESJ met with leaders from the disability community to discuss ADA compliance and disability equity at King County. Representatives included the Executive Directors of the Alliance of People with disAbilities, the Arc of King County, and Open Doors for Multicultural Families. OESJ Civil Rights Program staff have continued to meet with these leaders on a bi-weekly basis and attend bi-weekly community gatherings of the King County Disability Consortium (KCDC). It was through these early meetings that this plan was developed, utilizing a collaborative co-creation process with intentional engagement by community advocates and members of the disability community of King County.

In January 2021, the KCDC and OESJ partnered to host an online virtual event, “Understanding Ableism: Part I – Nothing About Us Without Us!”<sup>39</sup> KCDC has continued to host listening sessions on a monthly basis with the aim to educate community stakeholders, and King County leaders, on the systemic nature of ableism, and to provide a practical knowledge base to better serve of people with disabilities.

*2021-2022 Adopted Budget Expenditure Restriction:* In addition to the Proviso calling for this plan, an Expenditure Restriction (ER) was included in the amended 2021-2022 adopted budget.<sup>40</sup> The ER restricted \$125,000 of OESJ’s appropriation, “Of this appropriation, \$125,000 shall be expended or encumbered solely for the action plan described in Proviso P1 of this section for King County’s work related to Americans with Disabilities Act coordination and disability equity.” Utilization of these funds are addressed in the recommendation section.

## Key Concepts

The concepts and definitions outlined below are included to provide a common understanding of key elements of this Plan; namely, compliance with federal law and advancing disability equity within the county. Principles that guide OESJ and the Executive’s approach to ADA and disability equity work are also included.

### *Ableism*

Systemic discriminatory practices that mistreat and exclude people who are have or are perceived to have disabilities. Ableism overtly and subversively favors those deemed as “able bodied” in employment, housing, and access to public services, programs, and facilities.<sup>41</sup>

### *Disability Community and People with Disabilities*

The phrases “disability community” and “people with disabilities” encompass people and groups with vastly different lived experiences. The terms as used in this Plan are meant to be as inclusive as possible and includes, but is not limited to, all physical, sensory, and mental disabilities – seen and unseen, acquired, and developmental. OESJ and the Executive honor and respect that some individuals may wish

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<sup>39</sup> KCDC Event Recordings. [\[LINK\]](#).

<sup>40</sup> Ordinance 19289

<sup>41</sup> Understanding Ableism: Nothing About Us Without Us! Part I. Video Webinar, Alliance of People with disAbilities. [\[LINK\]](#).

to be referred to in identify-first language, *i.e.*, “disabled people”. Nothing in this Plan should be construed to limit who should benefit or who should be included with regard to the contents of this Plan.

#### *Compliance with the ADA versus Disability Equity and Inclusion*

ADA Title II sets forth specific requirements for local government’s legal compliance. These requirements represent the floor or the minimum requirements of what local governments should do to ensure equitable access to programs, facilities, and services. Compliance is the baseline of this Plan. More importantly, this Plan outlines initial steps taken to date to advance disability equity and inclusion as a core value of making King County a welcoming community where all can thrive.

Equity, inclusion, and belonging for people with disabilities requires moving beyond compliance. It requires co-creation and power sharing with the disability community. It also requires data-driven policy development and on-going consideration of the impacts of King County’s policies and services specifically for people with disabilities.

#### *Intersectionality*

The lived experiences of a person cannot be defined by one immutable characteristic or facet of their identity. Intersectionality recognizes the deep complexities of socially constructed characteristics that compound against people with multiple marginalized elements of social identities. For example, members of BIPOC and/or LGBTQIA communities with disabilities face racism, sexual orientation discrimination, gender expression discrimination as well as ableism and the compounded deleterious impacts of the intersection these.

#### *Self-Assessments/Self-Evaluations*

ADA Title II requires local governments to perform self-assessments (interchangeably called self-evaluations) of accessibility in its programs, services, communications, and facilities. The self-assessments are intended to identify barriers to access and areas for improvement.<sup>42</sup> PER 22-2-2 states that these assessments should be performed every five years at both departmental and County-wide level.<sup>43</sup>

#### *Transition Plans and Corrective Action Plans*

Based on the self-assessments, the County is required to develop specific plans to address the identified barriers and areas for improvement. Transitions plans outline the accessibility of a public entity's policies, programs, and facilities, and developing a transition plan to remove barriers and other proactive steps to ensure ADA compliance. Transition plans include a schedule of activities necessary to remove identified barriers in order to improve program accessibility or accessibility to public facilities and spaces.<sup>44</sup> Corrective action plans address what activities need to be completed to meet the accessibility requirements defined by PER 22-2-2 in county programs, services, and activities.<sup>45</sup>

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<sup>42</sup> CFR 35.105. [\[LINK\]](#).

<sup>43</sup> PER 22-2-2, 5.5.

<sup>44</sup> CFR 38.150(d). [\[LINK\]](#).

<sup>45</sup> *Id.* 5.6, 7.

## Report Methodology

This report was developed by OESJ staff with input from community and executive branch departments. Its development is based on the following:

- **Applicable Federal Law and Regulations.** The ADA and Section 504 provide the minimum compliance requirements for local governments and entities receiving federal funds to ensure accessibility in programs, services, communications, and facilities. The compliance-related elements of this Plan are based on these requirements and best practices for implementation.
- **Applicable Sections of the King County Code and Existing Policy.** The King County Code (KCC) and the King County Disability Access Policy, (PER 22-2-2), articulate the statutory obligations of OESJ’s Civil Rights Program including the role of the ADA coordinator and the structure to ensure ADA compliance efforts within the County.
- **Community Engagement and Co-Creation.** OESJ engaged several community groups and participated in multiple meetings with disability advocates as part of its community engagement to inform this Proviso response. Organizations include: The Arc of King County, the Alliance of People with disAbilities, the King County Disability Consortium, and the Northwest ADA Center. The development and recommendations of this Plan were informed by these representatives of the disability community who are provided regular updates to the Plans execution.
- **Coordination with County Departments and Agencies.** Discussions with several departments are underway to ensure coordination and compliance with the ADA. The Department of Human Resources, as the main administrative department overseeing much of Title I of the ADA regarding employment, is a major partner in this work and has provided input informative to this Plan. The Metro Transit Department and the Department of Local Services also contributed to this Plan.
- **ADA Compliance - Current State Analysis.** In late October 2020, a high-level current state analysis of ADA efforts was conducted with the following departments: Adult and Juvenile Detention, Community and Human Services, Executive Services, Local Services, Natural Resources and Parks, Public Defense, Public Health, Information Technology, Metro Transit, and the Office of Labor Relations.

## IV. Report Requirements

This report is organized to address the requirements of Ordinance 19210, Proviso 1, Section 19.<sup>46</sup> Please note that requirements C and D are jointly addressed in a shared section. Please also note that all recommendations are addressed in subsection C/D, *Prioritized List of Recommendations*, below.

This plan provides data for executive branch departments and offices only.

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<sup>46</sup> Ordinance 19210, Section 19, Office of Equity and Social Justice, P1. [\[LINK\]](#).

### A. Assessment of County Staffing Needs for ADA Coordination and Disability Equity

This section provides an overview of centralized ADA staffing resources for executive branch departments and offices. ADA staffing resources for the legislative and judicial branches of King County government are not included in this document. Recommendations for future staffing needs are addressed in subsection C/D, Recommendation 2.

The table below provides a summary of ADA associated staffing across the executive branch, including position, department, and functions. The positions in the table reflect existing positions at the time of the writing of this report and are accompanied by a description of functions as related to this Plan.

#### Current Executive Branch ADA Staffing and Functions

Position Title	Department or Agency	FTE TLT	Key Functions
<b>Equity and Civil Rights Manager</b>	OESJ	1.0 FTE	<p>Serves as an ADA coordinator performing the following duties:</p> <ul style="list-style-type: none"> <li>Investigate allegations of ADA Title II violations</li> <li>Respond to appeals of Metro ADA Title II decisions<sup>47</sup></li> <li>Coordinate and provide technical assistance on ADA Title II and Section 504 compliance</li> <li>Supervise ADA positions and bodies of work in OESJ</li> <li>Oversee work of disability consultants</li> <li>Staff the Section 504/ADA Advisory Committee</li> <li>Collaborate with community partners</li> <li>All other ADA related statutory duties as outlined in Section III, above</li> </ul>
<b>Civil Rights Program Manager</b>	OESJ	1.0 FTE	Support the Equity and Civil Rights Manager in operation of the Civil Rights Program, including the duties of ADA Coordinator (see above) <sup>48</sup>
<b>Disability and Leaves Services</b>	DHR	5.0 FTE	<p>The Disability Services and Employee Assistance Program is comprised of five FTE positions:</p> <ul style="list-style-type: none"> <li>1.0 disability and leaves manager</li> <li>1.0 supported employment program manager</li> <li>1.0 disability services coordinator</li> <li>2.0 disability services consultant<sup>49</sup></li> </ul>

<sup>47</sup> Metro, as a condition of its federal funds, has its own ADA services administrator. The OESJ equity and civil rights manager responds to appeals from Metro’s ADA services administrator.

<sup>48</sup> For a complete list of the statutory duties of the Civil Rights Program, see Section III, Civil Rights Program, pages 6-7.

<sup>49</sup> The five person DHR team is part of the Disability Services & Employee Assistance Program in the Disability and Leaves, Central Employee Services Division. [\[LINK\]](#).

Position Title	Department or Agency	FTE TLT	Key Functions
			<p>As pertinent to this Plan, the Disability and Leaves Services team performs the following duties countywide:<sup>50</sup></p> <ul style="list-style-type: none"> <li>Engage employees seeking disability-related reasonable accommodations</li> <li>Coordinate with the disability equity consultant to provide recommendations to internal County policies and employment practices to advance disability equity</li> <li>Engage employees related for disability affinity group</li> </ul>
<b>ADA Services Administrator</b>	Metro	1.0 FTE	<ul style="list-style-type: none"> <li>Receive and responds to public requests for reasonable modifications</li> <li>Receive and resolve grievances filed against Metro for allegations of ADA Title II violations</li> <li>Coordinate with OESJ to review and respond to appeals of grievance decisions<sup>51</sup></li> <li>Chair Metro’s ADA Transition Plan Committee and oversees completion of the ADA Title II annual report</li> </ul>
<b>NACCHO Disability Specialist<sup>52</sup></b>	OESJ	1.0 TLT	<ul style="list-style-type: none"> <li>Work with Public Health – Seattle and King County (PHSKC) and the Department of Community and Human Services (DCHS), and OESJ to ensure people with disabilities can access County run COVID vaccination and testing sites</li> <li>Provide subject matter expertise and guidance to other County agencies during the COVID-emergency response</li> <li>Draft countywide best practices for serving people with disabilities in emergency situations</li> </ul>
<b>Disability Action Plan Position<sup>53</sup></b>	OESJ	1.0 TLT	Support OESJ and the Civil Rights Program in the ADA coordination and disability equity efforts set forth in this Plan, including:

<sup>50</sup> Disability Services performs other duties outside the scope of this Plan; complex absence cases, for example. [\[LINK\]](#).

<sup>51</sup> Metro ADA Services Administrator and Grievance Procedure. [\[LINK\]](#).

<sup>52</sup> Seattle/King County (PH) received grant from the National Association of County and City Health Officials (NACCHO) for funding to support a disability specialist. This position focuses on assisting people with disabilities with emergent planning, mitigation, and recovery efforts related the COVID-19 crisis.<sup>52</sup> Public Health received an award of \$83,000 to fund this position through June 2022; additional funding to bring this position to full time for 18 months was provided by OESJ and the Department of Community and Human Services (DCHS).

<sup>53</sup> Ordinance 19289, Section 5, ER3 Expenditure Restriction.

Position Title	Department or Agency	FTE TLT	Key Functions
			<ul style="list-style-type: none"> <li>• Coordinating countywide coordination ADA Title II compliance</li> <li>• Engaging with the disability community to provide updates and receive feedback</li> <li>• Facilitating and supporting consultant work</li> <li>• Supporting the NACCHO Disability Specialist’s duties (above)</li> </ul>

**B. A plan to coordinate ADA and disability equity functions with the efforts to establish a King County Human and Civil Rights commission, based on the recommendations developed for the feasibility study required by Ordinance 19047**

On December 11, 2019, Council adopted Ordinance 19047.<sup>54</sup> If enacted, Ordinance 19047 would have made significant changes to the administrative enforcement of the County’s Anti-Discrimination Ordinances and federal civil rights laws by transferring all related responsibilities, including those of the ADA Coordinator to a new Human and Civil Rights Commission.

No legislative action was taken prior to the required deadline established in Ordinance 19047; therefore, coordination with the proposed Commission is not applicable.

**C/D. Proposal for Ongoing Community Engagement and Co-creation and Prioritized List of Recommendations**

Because the proposal for ongoing community engagement is also a recommendation, this subsection is designed to respond to Proviso requirements C and D.

***Community Engagement and Co Creation Proposal/Recommendation: Reactivate Section 504/ADA Advisory Committee***

Outreach to disability community advocates resulted in their recommendation that the County reactivate its Section 504/ADA Advisory Committee with an updated scope. Currently, the County does not have an active body or commission specifically designed for and focusing on people with disabilities. As written, the King County Code language for the Committee focuses largely on legal compliance; it does not contemplate how this body can assist the County in developing equitable practices and outcomes for people with disabilities; nor the does code speak to how this body will be resourced to accomplish its goals.<sup>55</sup>

Community members and disability advocates recommend that KCC 2.55.010 be amended to formalize the purpose of the Committee to advance disability justice and equity, and not just address legal compliance matters. The reactivation of this Committee and a potential expanded scope will provide a formal venue for ongoing community cocreation, transparency and accountability.

<sup>54</sup> Ordinance 19047. [\[LINK\]](#).

<sup>55</sup> KCC 2.55.010. [\[LINK\]](#).



Community advocates also noted the need for data informed policies to improve social and health outcomes for people with disabilities, but that data on this community is lacking. Community partners suggest utilizing funds allocated to this work by the expenditure restriction to support research and consulting to connect the needs of the disability community to the social determinants of health.

OESJ will continue to meet regularly and partner with advocates and community leaders to co-create approaches that address these important needs.

**Prioritized List of Recommendations**

The recommendations below ensure King County, as a whole, continues to meet federal ADA requirements as well as advance the County’s ability to partner with community and meet community needs. These recommendations provide a path for greater coordination and enhancement of the County’s ADA functions, in service to making King County a welcoming community where every person can thrive.

Please note that the timeframes and cost projections shown below are estimates and are subject to change.<sup>56</sup> Estimated timelines are driven by staffing capacity, existing bodies of work and deliverables, COVID impacts and recovery, and community participation. Additional funding and staffing resources would speed up timelines.

<b>Recommendation 1: Continue development, utilization, and support of liaison network</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>Enables next phase of the County’s ADA work, including departmental self-assessments, transition and improvement plans</li> <li>Addresses the legal requirement of Title II of the ADA to ensure all county programs, services, communications, and facilities are accessible to people with disabilities</li> <li>Creates a system for regular review of all County programs for compliance with the ADA and Section 504</li> </ul>
<i>Proviso Element Addressed</i>	D1. Coordination and enhancement of ADA functions, compliance and reporting in King County agencies D3. A summary of King County training programs that address disability equity and a strategy to provide additional opportunities for King County employees to receive disability equity training; and D4. A review of disability equity practices within individual King County agencies based on the role of each agency
<i>Estimated Cost</i>	Currently supported by existing funds and FTE; requires additional FTE and funding - see Recommendation 2 below
<i>Estimated Timeline</i>	<ul style="list-style-type: none"> <li><b>Underway in executive branch</b></li> <li>All County agencies, departments, branches complete self-assessments and implement improvement and transition plans within five years</li> </ul>

<sup>56</sup> Office of Performance, Strategy, and Budget has reviewed the financial information provided.

<b>Recommendation 2: Continue to utilize disability equity consultant for review of internal County policies and practices</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>• Epiphanies of Equity LLC (EoE) has been selected as the consultant after a competitive process<sup>57</sup></li> <li>• EoE was initially contracted for \$45,000 to perform the scope of work; based on complexities of King County government and breadth of analyses needed, the contract must be expanded at an additional cost of \$20,000</li> <li>• EoE provides “training and guidance to organizations ... on the importance of evaluating how each stage of daily functioning – from psychological frames to institutional frames – contribute to persistently inequity in systems, beliefs, policies, and other social structures.”<sup>58</sup></li> </ul>
<i>Proviso Element Addressed</i>	<p>D2. A strategy to address disability equity in King County plans and policy documents, including a plan to examine the linkages of disability to the determinants of equity and to incorporate disability equity into the equity and social justice strategic plan</p> <p>D3. A summary of King County training programs that address disability equity and a strategy to provide additional opportunities for King County employees to receive disability equity training; and</p> <p>D4. A review of disability equity practices within individual King County agencies based on the role of each agency</p>
<i>Estimated Cost</i>	\$65,000 – utilizing existing funds from OESJ restricted expenditure amount
<i>Estimated Timeline</i>	<b>Underway</b> EoE began work Q2 2021 and is expected to complete work by Q4 2021

<b>Recommendation 3: Fund two FTE ADA coordinator positions</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>• Community stakeholders recommend at least two additional ADA Coordinator positions to coordinate countywide ADA compliance and disability equity efforts based on the size and complexity of County government</li> <li>• Current staffing must be enhanced to fulfill all statutory duties of the ADA and Civil Rights Program requirements, expand and continue community outreach, and fulfill the recommendations of this Plan</li> <li>• In coordination and collaboration with OESJ, these positions will: <ul style="list-style-type: none"> <li>○ Develop and implement community engagement strategies with the disability community and advocates</li> <li>○ Launch an interbranch workgroup to collaboratively develop and implement countywide ADA Title II requirements including training for all King County departments, branches, and separately elected offices</li> <li>○ Work with community to develop 504 Committee proposal</li> <li>○ Coordinate assessments, transition and improvement plans as part of the Liaison Network</li> </ul> </li> </ul>

<sup>57</sup> Request for Quotes: Racial and Disability Equity Consultant. Appendix D.

<sup>58</sup> Epiphanies of Equity, Strategic Action Plan. Appendix E.

	<ul style="list-style-type: none"> <li>○ Support advancing legal compliance efforts while simultaneously introducing anti-ableist principles in County policies and practices</li> <li>○ with OESJ to provide updates and integrate disability equity review of County plans and polices, including ESJ Strategic Plan</li> <li>○ Provide strategic guidance and technical support to departments to ensure that training programs address disability equity and is incorporated into county employee training</li> <li>○ Provide leadership and technical assistance with departments on review of disability equity practices within individual King County agencies</li> </ul> <ul style="list-style-type: none"> <li>● Resolves issue of 1.0 FTE authority provided in adopted 2021-22 budget without commensurate funding</li> </ul>
<i>Proviso Element Addressed</i>	<p>D1. Coordination and enhancement of ADA functions, compliance and reporting in King County agencies</p> <p>D2. A strategy to address disability equity in King County plans and policy documents, including a plan to examine the linkages of disability to the determinants of equity and to incorporate disability equity into the equity and social justice strategic plan</p> <p>D3. A summary of King County training programs that address disability equity and a strategy to provide additional opportunities for King County employees to receive disability equity training; and</p> <p>D4. A review of disability equity practices within individual King County agencies based on the role of each agency</p>
<i>Estimated Cost</i>	\$121,500 annually per position
<i>Estimated Timeline</i>	Q3 2021 - Potential inclusion in mid-biennium budget update

<b>Recommendation 4: Establish interbranch workgroup in collaboration with legislative and judicial branches</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>● Provides a forum for and enables countywide ADA coordination including trainings, departmental self-assessments and transition and improvement plans</li> <li>● Supports systemic review of all County programs for compliance with ADA and Section 504</li> </ul>
<i>Proviso Element Addressed</i>	D1. Coordination and enhancement of ADA functions, compliance and reporting in King County agencies
<i>Estimated Cost</i>	New body of work would be supported by existing funds and FTE and also requires additional FTE and funding - see Recommendation 3
<i>Estimated Timeline</i>	Launch group Q1 2022

<b>Recommendation 5: Reactivate Section 504/ADA Advisory Committee</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>● Reestablishes active formal County commission dedicated to the issues affecting the disability community</li> <li>● Responds to advocates and community feedback recommending its reactivation with expanded the focus beyond legal compliance towards disability equity issues</li> </ul>

	<ul style="list-style-type: none"> <li>Responds to advocates and community feedback recommending the Committee be resourced to gather data and information as it relates to the social determinants of health and to inform equitable policy development for County agencies and policy documents guide the above work</li> </ul>
<i>Proviso Element Addressed</i>	<p>D2. A strategy to address disability equity in King County plans and policy documents, including a plan to examine the linkages of disability to the determinants of equity and to incorporate disability equity into the equity and social justice strategic plan</p> <p>D3. A summary of King County training programs that address disability equity and a strategy to provide additional opportunities for King County employees to receive disability equity training; and</p> <p>D4. A review of disability equity practices within individual King County agencies based on the role of each agency</p>
<i>Estimated Cost</i>	\$30,000 – utilizing existing funds from OESJ restricted expenditure amount for consulting resources to support data and information gathering as it relates to the social determinants of health, and to inform equitable policy development for County agencies and policy documents
<i>Estimated Timeline</i>	<ul style="list-style-type: none"> <li>Q4 2021 - begin work with disability advocates and community to develop potential amendments to KCC 2.55.010</li> <li>Q-1-2 2022 – develop potential appointee candidate list</li> <li>Q3 2022 – transmit proposed amendment legislation to King County Council</li> <li>Q4 2022- complete appointment process and convene first meeting (pending action by the King County Council on proposed legislation)</li> </ul>

<b>Recommendation 6: Create &amp; fund disability specialist FTE when funding for NACCHO grant ends</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>Resolve funding gap for vital body of work when NACCHO grant funding ends in July 2022 (OESJ funding the position through end of 2022)</li> <li>Continue to serve the needs of ADA community related to the vast, public facing bodies of work Public Health Department (DPH) and Department of Community &amp; Human Services (DCHS) similar to Metro which has its own ADA position</li> <li>Create and refine equitable best practices for how the County can better serve people with disabilities in emergency situations, such as COVID-19,</li> <li>Serve as a primary disability equity and compliance resource</li> </ul>
<i>Proviso Element Addressed</i>	<p>D2. A strategy to address disability equity in King County plans and policy documents, including a plan to examine the linkages of disability to the determinants of equity and to incorporate disability equity into the equity and social justice strategic plan</p> <p>D4. A review of disability equity practices within individual King County agencies based on the role of each agency</p>
<i>Estimated Cost</i>	<ul style="list-style-type: none"> <li>\$121,500 annually is needed to fund this position as an FTE</li> </ul>

	<ul style="list-style-type: none"> <li>Currently OESJ is utilizing \$25,000 in existing funds from OESJ restricted expenditure to support this position in partnership with DPH and DCHS</li> </ul>
<i>Estimated Timeline</i>	. Q4 2022 - May be proposed as funded FTE in the 2023-2024 proposed budget

<b>Recommendation 7: Establish an affinity group for county employees with disabilities</b>	
<i>Basis of Recommendation</i>	<ul style="list-style-type: none"> <li>Employee Resource Groups (ERG), also known as Affinity groups, support employees of protected categories of people; however, no Affinity Group currently exists for people with disabilities<sup>59</sup></li> <li>DHR survey of possible interested employees to join the proposed affinity supports the creation of this Affinity Group</li> <li>Additional technological resources will be required to proactively ensure that this group’s meetings and communications are accessible to people with disabilities</li> </ul>
<i>Proviso Element Addressed</i>	<p>D2. A strategy to address disability equity in King County plans and policy documents, including a plan to examine the linkages of disability to the determinants of equity and to incorporate disability equity into the equity and social justice strategic plan</p> <p>D4. A review of disability equity practices within individual King County agencies based on the role of each agency</p>
<i>Estimated Cost</i>	\$5,000 utilizing existing funds from OESJ restricted expenditure
<i>Estimated Timeline</i>	Q4 2021

## E. Any Legislation Necessary to Implement the Recommendations in the Action Plan

Proposed legislation will be necessary to implement recommendations three, five, and six.

Appropriation legislation is needed for recommendations three and six, which are expected to be transmitted with the 2021 mid-biennial budget supplemental and the 2023-2024 proposed biennial, respectively.

Recommendation six, proposed amendment to KCC 2.55.010, requires consultation with community. As described above, disability community and advocates recommended reactivation of the Section 504/ADA Advisory Committee. They also voiced the need for potential amendments reflective of the community’s desire for the Committee to be actively engaged in developing and advancing equitable initiatives rather than focusing solely on legal compliance. Development of potential amendments to KCC require further focused community engagement which could not be undertaken in the time frame given to complete this Proviso response due the challenges of COVID-19.

## V. Conclusion

This Plan was created in partnership with advocates from the disability community. It reflects the County’s commitment to ensure equitable treatment for all residents of King County, including those

<sup>59</sup> The Executive Department currently supports eight Affinity Groups: Native American Leadership Council, Asian Pacific Islander, Anti-Racist White Action Group, Black/African, Black/African Women, Latinx, LGBTQ+, and Military/Veteran. [\[LINK\]](#).

with disabilities. This Plan is firmly rooted in protecting the rights of people with disabilities through compliance with the ADA. At the same time, this Plan acknowledges that compliance with ADA is the minimum criterion to be met, and that equitable strategies and shifts in culture are necessary to ensuring people with disabilities are welcomed, included, and respected throughout the King County enterprise.

King County has defined equity as the ardent journey toward well-being as defined by those most negatively affected.<sup>[1]</sup> The Executive recognizes that King County government and the residents of the county have faced an unprecedented time in history during the COVID-19 pandemic. As the transition to recovery begins, King County has an extraordinary opportunity to make an even more inclusive and equitable version of itself. The goal is not to return to an ableist status quo, but to create, together with community, something better.

The Executive and OESJ are committed to working with community, County employees, and the Council, to ensure the work of this Plan moves forward, and that equitable anti-ableist policies become actionable pillars of all County operations. This Plan is another major step towards making King County a welcoming a community where every person can thrive.

## VI. Appendices

- Appendix A:** King County Disability Access Policy: Access to Programs, Services, Activities and Physical Facilities by Qualified Individuals with Disabilities, PER 22-2-2
- Appendix B:** Still Left Out After 30 Years of the ADA: King County is Failing the Disability Community
- Appendix C:** ADA Title II Initial Assessment Survey
- Appendix D:** Request for Quotes: Racial and Disability Equity Consultant
- Appendix E:** Epiphanies of Equity, Strategic Action Plan

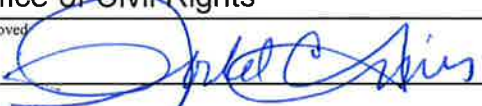
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<sup>[1]</sup> King County Equity and Social Justice Strategic Plan, 2016-2022. [\[LINK\]](#)



King County  
**Administrative Policies and Procedures**

Executive Orders,  
 Policies & Procedures

<small>Title</small> King County Disability Access Policy: Access to Programs, Services, Activities and Physical Facilities by Qualified Individuals with Disabilities	<small>Document Code No.</small> PER 22-2-2
<small>Department/Issuing Agency</small> Office of Civil Rights	<small>Effective Date.</small> MAY 10, 2003
<small>Approved:</small> 	

1.0 SUBJECT TITLE: Section 504 and ADA Title II - Public Services Implementation

1.1 EFFECTIVE DATE: Ten (10) days after Executive signature MAY 10, 2003

1.2 TYPE OF ACTION: Superseding PER 22-2-1 (AEP), "504 Implementation" dated 4/20/00.

1.3 KEY WORDS: Disability, Disability Access, Disability Discrimination, Accessibility, Non-discrimination, People with Disabilities, Reasonable Accommodations, Program Modifications, Program Accessibility, Barrier-Free Design, Corrective Action Plan, Transition Plan, ADA, Disability Compliance

2.0 PURPOSE:

To reaffirm King County's Executive Branch policy and practice that physical facilities, and programs, services and activities of King County government are accessible to members of the public, including qualified individuals with disabilities. The Executive Branch policy on accommodations for employees with disabilities is set out in PER 22-4-1, "Disability Accommodation in Employment."

3.0 ORGANIZATIONS AFFECTED:

All King County Executive Branch Departments, Divisions, Offices and Agencies.

4.0 REFERENCES:

4.1 Americans with Disabilities Act of 1990 (ADA)

4.2 Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)

4.3 Chapters 2.42, 49.60, and 70.84 of the Revised Code of Washington (RCW)

4.4 Washington State Building Code: Chapters 19.27, 51.40, and 70.92 of the Washington Administrative Code (WAC)

4.5 Sections 3.10.080 and 12.22 of the King County Code (K.C.C.)

4.6 Regulations promulgated under Section 504 include those by the U.S. Departments of Agriculture (7 CFR 156), Education (34 CFR 104), Health and

Human Services (45 CFR 84), Justice (28 CFR 42), Interior (43 CFR 17), Housing and Urban Development (24 CFR 8), Labor and Transportation (49 CFR 27) implementing the ADA and Section 504 Requirements

- 4.7 Regulations promulgated by Washington State agencies implementing state disability non-discrimination laws

5.0 DEFINITIONS:

- 5.1 “Qualified individual with a disability”: An individual with a disability who meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided to the public by King County, with or without reasonable modifications to rules, policies, or practices, the removal of architectural or communication barriers, or the provision of auxiliary aids and services (Section 504 of the Rehabilitation Act of 1973, as amended, 42 U.S.C. Section 12131 *et seq.*, 28 CFR Part 35, the Americans with Disabilities Act of 1990, and RCW 49.60).
- 5.2 Barrier-free design: Design that gives users the opportunity for movement without restriction. By using principles of barrier-free design, people with disabilities will be able to participate fully and avail themselves equally of the opportunities to benefit from King County programs and services.
- 5.3 Usability: Within facilities constructed prior to the passage of the ADA, some architectural elements may not meet current codes and requirements for accessibility. If a barrier to access by people with disabilities does not result, the facility is usable and complies with this policy. In other cases, though requirements of the applicable laws, codes, and regulations have been met, a barrier may exist to a qualified individual with a disability. In such cases, it may be necessary to modify the element in the facility to make the facility usable by qualified individuals with disabilities.
- 5.4 Overall Program Accessibility: The ADA requires that programs as a whole be accessible to people with disabilities, taking into account how the program’s elements work together as a whole and how services are delivered.
- 5.5 Self-evaluation: The evaluation of policies, practices, and physical facilities to identify potential barriers to accessibility and corrective actions to reduce or eliminate those barriers.
- 5.6 Disability Corrective Action Plan for Programs, Services and Activities: A written plan which states what activities need to be completed to meet the requirements of this policy as it relates to programs, services and activities provided by King County. This plan also includes timelines for completion.



- 5.7 Disability Transition Plan for Physical Facilities: A written plan which outlines identified physical barriers and a schedule of activities to remove those barriers and improve program accessibility. A transition plan must contain:
- 1) a list of physical barriers that limit accessibility to county programs, activities or services;
  - 2) a detailed outline of the methods which will be used to remove the barriers and make the facility more accessible;
  - 3) the schedule for taking the necessary steps to achieve improved compliance (if the time period is longer than one year, interim steps should be identified); and
  - 4) the name of the management staff responsible for the plan's implementation.

## 6.0 POLICIES:

6.1 In accordance with Title II of the ADA and its implementing regulations, Section 504, WAC 51-40, and RCW 49.60 (collectively called the "disability non-discrimination laws"), no qualified individual with a disability shall, on the basis of such a disability, be subjected to discrimination or be excluded from participation in, or denied the benefits of the services, programs, activities or physical facilities which King County provides to the public.

6.1.1 King County's Executive Branch shall comply with the provisions of the disability non-discrimination laws regarding access applicable to Executive Branch programs, activities, services, and physical facilities.

6.1.2 To the extent possible, King County's Executive Branch will ensure that physical facilities are usable by qualified individuals with disabilities. Where physical facilities cannot be made usable, overall program accessibility must be ensured.

6.1.3 Physical facilities owned by King County shall comply with the applicable regulations on barrier-free design and physical accessibility.

6.1.4 The County will seek to lease space that complies with the applicable regulations on barrier-free design and physical accessibility.

6.1.5 The construction and renovation of County facilities shall comply with applicable regulations on barrier-free design and physical accessibility.

6.1.6 Public meetings will be held at accessible locations and in such a manner that qualified people with disabilities are able to participate fully.

6.1.7 Qualified people with disabilities shall not be discriminated against in participation on boards, commissions, or on advisory and planning committees.

6.1.8 All King County offices and programs shall be accessible to users of TTYs (teletypewriters), either by having a TTY to provide direct TTY access or by using the Washington Relay Service, also known as the "TTY Relay Service."

6.1.9 Individuals with disabilities accompanied by service animals will be afforded access to all King County facilities, programs, services, and activities as are open to other members of the public, unless the service animal's presence or behavior creates a fundamental alteration to the program or service being provided or presents a direct threat to safety. In addition, as a matter of policy, not compliance, King County will afford access to individuals, with or without a disability, accompanied by service animals-in-training. Individuals and their accompanying service animals-in-training will be subject only to the conditions and limitations established by law and applicable alike to individuals with disabilities and their service animals.

6.1.10 Upon advance request, reasonable steps will be taken to furnish appropriate auxiliary aids and services (e.g., assistive listening devices, sign language interpreters, Braille) to afford a qualified individual with a disability an equal opportunity to participate in and enjoy the benefits of the services, programs, activities, and physical facilities provided to the public by King County. Primary consideration will be given to the requests of the qualified individual with a disability unless another equally effective accommodation is available, or the use of the means requested would result in a fundamental alteration of the service, program, activity or in undue financial or administrative burden.

6.1.11 All King County contractors, except contractors providing tangible goods, shall comply with the requirement of K.C.C. 12.16.060(D) and submit a Section 504/ADA Disability Assurance of Compliance, unless an accessibility waiver is obtained. Minority/Women Business Enterprises & Contract Compliance (M/WBE) shall ensure compliance.

6.1.12 All King County contracts in which a contractor, other than another government, provides programs, services, or activities to the public shall require the contractor to comply with the Section 504/ADA requirements applicable to governments. The contracting Department shall monitor their contracts for compliance with Section 504/ADA.

6.1.13 An internal OCR grievance procedure will provide an avenue for prompt and equitable resolution of grievances alleging discrimination on the basis of disability in the County's provision of programs, services, and activities, and access to physical facilities.

7.0 PROCEDURES:

Action By:

King County Executive

Office of Civil Rights (OCR)  
Disability Compliance Specialist(s)

Department Directors

Action:

7.1 Designate ADA Coordinator(s). OCR Disability Compliance Specialist(s) shall be designated ADA Coordinators.

7.2 Work with Disability Compliance Liaisons to coordinate training sessions, complete the evaluation of all County facilities, programs, services, and activities, and write Disability Corrective Action Plans and Disability Transition Plans for any accessibility non-compliance issues.

7.2.1 Review the Disability Corrective Action Plans for Programs, Services, and Activities, and the Disability Transition Plans for Physical Facilities every year.

7.2.2 Coordinate the updating of the County's disability self-evaluation every five years.

7.2.3 Provide technical assistance to King County departments on disability access issues and disability non-discrimination laws regarding access.

7.2.4 Receive, coordinate activities, and assist in the resolution of grievances alleging discrimination based on disability by King County in the provision of programs, services, and activities, and access to facilities. (See Grievance Procedure; copy available from OCR.)

7.3 Appoint a representative to be the Disability Compliance Liaison for each Department and/or division. Ensure that actions called for by Disability Corrective Action Plans and Disability Transition Plans are completed.

7.3.1 Monitor contractors to ensure

contract provisions requiring compliance with disability non-discrimination laws regarding access are satisfied. (Note: Contractor paperwork includes a section regarding disability access – “504/ADA Assurance of Compliance.”)

Department Disability Compliance Liaison

7.4 Update self-evaluation of Department programs, services, and activities at least every five years and develop a Disability Corrective Action Plan. OCR encourages Departments and Divisions to conduct annual reviews to better ensure on-going compliance. Any new facilities, programs, services, or activities should be evaluated to ensure disability access issues are addressed.

7.4.1 Monitor progress on completion of items and timetables established in Department Disability Corrective Action Plan for programs, services and activities, and the Disability Transition Plan developed by Departments with responsibility for facilities.

7.4.2 As appropriate, participate in training activities organized by OCR on compliance with disability non-discrimination laws regarding access.

King County Departments with responsibility for any owned or leased facilities.

7.5 Ensure King County owned and leased facilities are evaluated to determine compliance with the applicable regulations on barrier-free design and physical accessibility and ensure that they are usable by qualified individuals with disabilities whenever possible. Overall program accessibility must exist if a facility cannot be made usable.

7.5.1 Write a Disability Transition Plan for evaluated facilities, and ensure that activities noted in the Plan are completed.

King County Departments with responsibility for any owned or leased facilities.

7.6 Any space being considered for lease by a King County agency will be evaluated by staff knowledgeable about disability non-discrimination laws regarding access, regulations, and codes. OCR Disability Compliance Specialists are available to consult or to conduct on-site evaluations. If a County Department must lease space in a building that is not accessible to qualified individuals with disabilities, the Department will provide written justification to the OCR prior to entering into the lease. The letter of justification will include corrective actions that will be taken to make the building as accessible as possible and usable by qualified individuals with disabilities. If usability is not possible, the letter of justification will include how overall program accessibility will be achieved. OCR will approve the leasing or work further with the Department to ensure compliance with disability non-discrimination laws regarding access.

504/ADA Advisory Committee

7.7 Advise the King County Executive in developing strategies, systems, and guidelines in implementing the 504/ADA Compliance Work Plan.

Grievant

7.8 Initiate grievance by contacting the Disability Compliance Specialist in the OCR and by filing a written grievance according to the OCR grievance procedures.

ADA Coordinator (Disability Compliance Specialist in OCR)

7.9 Assist the Grievant, as needed, in filing the grievance.

7.9.1 Work with the Department to respond to and resolve the grievance, providing technical assistance as necessary.

7.9.2 Monitor any agreements resulting from grievance resolution.

8.0 RESPONSIBILITIES:

- 8.1 The King County Executive is responsible for ensuring the County's compliance with disability non-discrimination laws regarding access. Under the law, King County is required to have at least one designated ADA coordinator. The Executive has designated the OCR Disability Compliance Specialist(s) as the ADA Coordinator(s) to facilitate the County's efforts to comply with disability non-discrimination laws regarding access.
- 8.2 Executive Branch Directors are accountable to the King County Executive for ensuring compliance with the requirements of disability non-discrimination laws regarding access, and with this policy and related procedures. Executive Branch Directors or their designee(s) are responsible for working with the OCR to ensure compliance with this policy and disability non-discrimination laws regarding access. Compliance-related activities include documenting:
- 1) disability accessibility accommodations made within their Departments;
  - 2) participation in the evaluation of programs, services, activities, and physical facilities to identify potential barriers to accessibility;
  - 3) the preparation of necessary Disability Corrective Action Plans and/or Disability Transition Plans; and,
  - 4) the coordination of budget approval to implement such plans.
- 8.3 The OCR Disability Compliance Specialist(s) will provide technical assistance to King County personnel on disability access issues.
- 8.4 The OCR shall establish and implement internal grievance procedures to receive and resolve grievances from the public alleging non-compliance with disability non-discrimination laws regarding access.
- 8.5 OCR shall also develop such other policies and procedures necessary to improve accessibility of programs, services, activities, and physical facilities of King County government.

9.0 APPENDICES:

These appendices are available from the Office of Civil Rights.

- 9.1 Disability Access Grievance Procedure

## STILL LEFT OUT AFTER 30 YEARS OF THE ADA: KING COUNTY IS FAILING THE DISABILITY COMMUNITY

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KIMBERLY MECK, EXECUTIVE DIRECTOR, ALLIANCE OF PEOPLE WITH DISABILITIES &  
ROBIN TATSUDA, EXECUTIVE DIRECTOR, THE ARC OF KING COUNTY  
OCTOBER 1, 2020

### BACKGROUND

King County is progressive; many governments look here for best practices in serving residents. However, **King County is failing the disability community!** The COVID-19 pandemic has magnified the alarming amount of systemic and institutional ableism on behalf of King County towards people with disabilities and more so to those individuals of color with disabilities. Ableism is the discrimination of and social prejudice against people with disabilities based on the belief that disability is a defect rather than a dimension of human diversity. At its heart, ableism is rooted in the assumption that disabled people require ‘fixing’ and defines people by their disability, inhibiting their access to and power within institutional structures including health care, employment, housing, education, the legal system, government, etc..<sup>1</sup>

Though solutions are slow moving, King County has recently made strides in identifying external (societal) and internal (institutional) issues by declaring racism as a public health crisis, yet ableism has yet to be recognized as the debilitating institutionalized and systemic issue it is. In the 1970’s after more than 100 years of isolation in institutions a movement began, that continues to this day, to transition people with disabilities back into society - *deinstitutionalization*. The results: more people with disabilities are now IN their community, but they are not OF their community, and have little sense of belonging. Now, over 40 years later and over 30 years since the passage of the Americans with Disabilities Act (ADA), discrimination and isolation are still unrelenting because ableism still exists. In King County, it is excruciatingly apparent that people with disabilities are not **OF** their communities, in the fact that the disability community is not included in equity conversations.

**Disability is universal.** Disability knows no national, societal, or cultural boundaries. Anyone can become disabled regardless of age, class, race, or gender—through birth, accident, illness, war, poverty, or advanced age. Most individuals will experience disability at some point in their lives, particularly as they grow older. According to the Centers for Disease Control (CDC), 25% of adults experience life with a disability.<sup>2</sup> The Behavioral Risk Factor Surveillance System<sup>3</sup> (BRFSS)

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<sup>1</sup> Eureka! Inclusive. (n.d.). *Inclusion Elevates All – Ableism*. <https://inclusionelevatesall.org/ableism>

<sup>2</sup> Centers for Disease Control and Prevention. (n.d.) *Disability Impacts All of Us* – Infographic. <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>

<sup>3</sup> The Behavioral Risk Factor Surveillance System (BRFSS) is the nation’s premier system of health-related telephone surveys that collect state data about U.S. residents regarding their health-related risk behaviors, chronic health conditions, and use of preventive services. Established in

data as cited in King County’s 2018-2019 Community Health Needs Assessment indicates “nearly 1 in 4 King County adults reported having a physical, mental, or emotional impairment or condition that limits their function or ability to perform major activities of life”.<sup>4</sup> Additionally, the World Health Organization (WHO) recognizes that disability disproportionately affects women, older people, and poor people; because indigenous communities and ethnic minorities often experience generational poverty, they experience increased rate of disability compared to white peers. The intersection of disability with other marginalized identities compounds experiences with discrimination and creates even greater barriers in achieving equity.

King County is home to over 2.2 million people, approximately 563,000 of whom have a disability. The 2018/2019 King County Community Health Needs Assessment provides the following about disability:

- The King County population is aging, by 2040 almost one in four King County residents is projected to be age 60 or older – up from 1 in 7 in 2000.<sup>5</sup> Disability prevalence increases with age – from 13% for the youngest adults to 40% for those 65 and older.<sup>6</sup>
- At 26%, disability rates are highest in South King County, exceeding the overall rate of the county.<sup>7</sup>
- Adults who identify as bisexual are significantly more likely to report disability than those who identify as heterosexual.<sup>8</sup>
- Disability is lowest among Asian and Hispanic residents, compared to most other racial/ethnic groups<sup>9</sup> (32% American Indian/Alaskan Native, 27% Black, 28% multiple ethnicities<sup>10</sup>).
- Lower income is associated with higher disability rates.<sup>11</sup> Adults with the lowest incomes were at least twice as likely as those with the highest incomes to have a disability, or diagnoses of diabetes or asthma.<sup>12</sup>

**Individuals with disabilities experience adverse outcomes.** Disability impacts all determinates of equity. Where people with disabilities intersect with all other communities and systems, barriers exist. Consider the following outcomes:

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1984 with 15 states, BRFSS now collects data in all 50 states as well as the District of Columbia and three U.S. territories. BRFSS completes more than 400,000 adult interviews each year, making it the largest continuously conducted health survey system in the world.

<sup>4</sup> King County Community Health Needs Assessment 2018/2019. (n.d.). p. 15. <https://www.kingcounty.gov/depts/health/data/community-health-indicators/~media/depts/health/data/documents/2018-2019-Joint-CHNA-Report.ashx>

<sup>5</sup> King County Community Health Needs Assessment 2018/2019. (n.d.). p. 15. <https://www.kingcounty.gov/depts/health/data/community-health-indicators/~media/depts/health/data/documents/2018-2019-Joint-CHNA-Report.ashx>

<sup>6</sup> Ibid. p. 51

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid. p. 17



### Economic:

- In Washington State, people with disabilities earn about one-third less and are twice as likely to live in poverty as people without disabilities. Lower earnings are attributable to both low hourly wages and less than full-time work.<sup>13</sup>
- People with disabilities in Washington State earn an average of \$27,052 annually with median earnings of \$12 per hour and \$19,682 annually.<sup>14</sup>
- Nearly 18% of people with disabilities in Washington State live below the federal poverty level and more than 28% of people with disabilities have incomes below 150% of the poverty level.<sup>15</sup>

### Education:

- People with disabilities are nearly twice as likely to lack a high school diploma or equivalency and about half as likely to have a bachelor's degree or higher.<sup>16</sup>
- Students with disabilities are suspended and expelled from early learning and K-12 education at 2.5 times the rate than non-disabled peers, and even worse for boys of color with disabilities (1 in 4 receives out of school suspension).<sup>17</sup>
- While children with disabilities represent only 12% of students enrolled in public schools, they compose nearly 75% of students subjected to physical restraint and 58% of students subjected to seclusion in schools.<sup>18</sup>

### Housing:

- 64% of the King County homeless population had some form of disability in 2019, up from 53% in 2018, and 50% in 2017.<sup>19</sup>

### Violence:

- People with disabilities are 1.5 times more likely to be victims of nonfatal violent crimes than people with no disability.<sup>20</sup>
- Adults with Developmental Disabilities experience sexual violence at 7 times the rate of the general population.<sup>21</sup>

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<sup>13</sup> Washington State Department of Social & Health Services Division of Vocational Rehabilitation. (2019) *2019 Comprehensive Statewide Needs Assessment*. <https://www.dshs.wa.gov/sites/default/files/dvr/2019CSNAFinal.pdf>

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Nova, C. and Malik, R. (2018). *Suspensions Are Not Support*. Center for American Progress. [www.americanprogress.org/issues/early-childhood/reports/2018/01/17/445041/suspensions-not-support/](http://www.americanprogress.org/issues/early-childhood/reports/2018/01/17/445041/suspensions-not-support/)

<sup>18</sup> US Department of Education Office for Civil Rights (2014). *Civil Rights Data Collection – Data Snapshot: School Discipline*, Issue Brief No. 1 (March 2014). <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>

<sup>19</sup> Applied Survey Research. (n.d.). *Seattle/King County Point-In-Time Count of Persons Experiencing Homelessness 2018*. <http://allhomekc.org/wp-content/uploads/2018/05/FINALDRAFT-COUNTUSIN2018REPORT-5.25.18.pdf>

<sup>20</sup> Hahn, E., Magasi, S., Carlozzi, N., Tulsy, D., Wong, A., Garcia, S., Lai, J., Hammel, J., Miskovic, A., Jerousek, S., Goldsmith, A., Nitsch, K. & Heinemann, A. (2017). *Health and Functional Literacy in Physical Rehabilitation Patients*. *HLRP: Health Literacy Research and Practice* 1:2, e71-e85.

<sup>21</sup> NPR (2018). *Special Series: Abused and Betrayed*. <https://www.npr.org/series/575502633/abused-and-betrayed>

- Children with developmental disabilities experience 2-4 times the rate of abuse and neglect compared to non-disabled peers.<sup>22</sup>

#### Crime:

- A person with a disability is 7 times more likely to be the victim of a crime<sup>23</sup> and people with severe mental illnesses are over 10 times more likely to be victims of violent crime than the general population.<sup>24</sup>

#### Transportation:

- Thirty-one percent of people with disabilities report having insufficient transportation compared to 13 percent of the general population.<sup>25</sup>

#### Resources:

- People with disabilities experience a digital divide with less access to the Internet than individuals without disabilities (54% vs 85%).<sup>26</sup>

#### Police and Incarceration:

- 50-80% of an officer's encounters are with a person with a disability<sup>27</sup> and 1 in 10 police encounters involve a person with mental illness.<sup>28</sup>
- One-third to one-half of all people killed by police are disabled.<sup>29</sup>
- Officer's lack of awareness has led to department's being sued, bad public relations, and unwarranted arrest or even death of individuals with disabilities.<sup>30</sup>
- An estimated 32% of prisoners and 40% of jail inmates reported having at least one disability.<sup>31</sup>

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<sup>22</sup> Baladerian, N., Coleman, F. & Stream, J. (2013). *Abuse of People with Disabilities: Victims and Their Families Speak Out – A Report on the 2012 National Survey on Abuse of People with Disabilities*. Published by Spectrum Institute: <http://bit.ly/1VZFMAH>

<sup>23</sup> Askley, J., Mann, P., & Whalen, D. (n.d.) *Disability Awareness Training: A Train the Trainer Program for First Responders*. The Arc of the United States. <https://thearc.org/wp-content/uploads/forchapters/NCCJD%20webinar.pdf>

<sup>24</sup> MentalHealth.gov. (n.d.) *Mental Health Myths and Facts*. <https://www.mentalhealth.gov/basics/mental-health-myths-facts#:~:text=Most%20people%20with%20mental%20illness,crime%20than%20the%20general%20population.>

<sup>25</sup> DisabilityScoop. (n.d.) *Transportation Hurdles Keep Many With Disabilities Homebound*. <https://www.disabilityscoop.com/2012/05/09/transportation-homebound/15576/>

<sup>26</sup> Abimanyi-Ochom, J., Mannan, H., Groce, N. & McVeigh, J. (2017). *HIV/AIDS knowledge, attitudes and behaviour of persons with and without disabilities from the Uganda Demographic and Health Survey 2011: Differential access to HIV/AIDS information and services*. PLOS ONE 12:4, e0174877.

<sup>27</sup> Askley, J., Mann, P., & Whalen, D. (n.d.) *Disability Awareness Training: A Train the Trainer Program for First Responders*. The Arc of the United States. <https://thearc.org/wp-content/uploads/forchapters/NCCJD%20webinar.pdf>

<sup>28</sup> Carter-Long, L. & Perry, D. (2016 March) *The Ruderman White Paper on Media Coverage of Law Enforcement Use of Force and Disability*. Ruderman Foundation. p. 8. [https://rudermanfoundation.org/wp-content/uploads/2017/08/MediaStudy-PoliceDisability\\_final-final.pdf](https://rudermanfoundation.org/wp-content/uploads/2017/08/MediaStudy-PoliceDisability_final-final.pdf)

<sup>29</sup> Ibid. p. 4.

<sup>30</sup> Askley, J., Mann, P., & Whalen, D. (n.d.) *Disability Awareness Training: A Train the Trainer Program for First Responders*. The Arc of the United States. <https://thearc.org/wp-content/uploads/forchapters/NCCJD%20webinar.pdf>

<sup>31</sup> Office of Justice Programs. (2015) *Bureau of Justice Statistics: Disabilities Among Prison and Jail Inmates 2011-12*. <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=5500>

### Suicide:

- Autistic adults are 9 times more likely to attempt or complete suicide compared to the general community, and suicidal ideations are more likely to go undetected.<sup>32</sup>

### Parenting:

- There is a critical lack of publically funded resources for low-income parents with disabilities and their children; for instance, housing and transportation earmarked for people with disabilities doesn't reflect attention to parenting needs; personal assistance services usually cannot be used for parenting; babyscare adaptations are usually not funded.<sup>33</sup>
- One of the most alarming barriers to parenting for people with disabilities is the heightened risk of having custody of a child challenged or removed based on bias regarding a parent's disability status. This is a particular concern for poor parents who cannot secure private legal counsel, as well as parents with highly stigmatized disabilities such as intellectual or psychiatric disability.<sup>34</sup>

### Health:

- Adults with disabilities are 4 times more likely to report their health to be fair or poor than people with no disabilities (40.3% vs 9.9%).<sup>35</sup>
- Adults with disabilities are 2.5 times more likely to report skipping or delaying health care because of cost.<sup>36</sup>
- People with disabilities consistently report higher rates of obesity, lack of physical activity, and smoking.<sup>37</sup>
- People with disabilities have higher rates of newly diagnosed cases of diabetes, and their percentages of cardiovascular disease are 3 to 4 times higher.<sup>38</sup>
- Although they have higher rates of chronic diseases than the general population, adults with disabilities are significantly less likely to receive preventive care.<sup>39</sup>

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<sup>32</sup> Krahn, G. L., Hammond, L., & Turner, A. (2006). A cascade of disparities: Health and health care access for people with intellectual disabilities. *Mental Retardation and Developmental Disabilities Research Reviews*, 12(1), 70-82. <https://doi.org/10.1002/mrdd.20098>

<sup>33</sup> Kirshbaum, M. (2016, June 17) *Parenting with a Disability: A New Frontier of Disability Rights*. Administration for Community Living. <https://acl.gov/news-and-events/acl-blog/parenting-disability-new-frontier-disability-rights#:~:text=It's%20important%20for%20parents%20to,face%20in%20putting%20together%20supports.&text=One%20of%20the%20most%20alarming,regarding%20a%20parent's%20disability%20status.>

<sup>34</sup> Ibid.

<sup>35</sup> Haas, M. & Reves, R. (2019). Strong Community–Public Health Partnerships May Help Us Move Closer to Tuberculosis Elimination. *American Journal of Public Health* 109:7, 958-959.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Dixon-Ibarra, A., Nery-Hurwit, M., Driver, S. & MacDonald, M. (2017). Using health promotion guidelines for persons with disabilities to develop and evaluate a physical activity program for individuals with multiple sclerosis: A feasibility study. *Evaluation and Program Planning* 61, 150-159.

<sup>39</sup> Eisenberg, Y., Vanderbom, K., & Vasudevan, V. (2017). Does the built environment moderate the relationship between having a disability and lower levels of physical activity? A systematic review. *Preventive Medicine* 95, S75-S84

**Disability is intersectional.** When disability barriers are compounded through the intersection with racism these inequities have devastating results. Disability rights and racial equity are inextricably intertwined. Consider these examples:

- Labor force participation is lower for Black people with disabilities (17.7%) compared to those who are white (21%).<sup>40</sup>
- Black children with disabilities lose more days of instruction from school suspension (121 days/100 students), compared to white students with disabilities (43 days/100 students).<sup>41</sup>
- Students of color are disproportionately overrepresented among children with disabilities: black students are 40 percent more likely, and American Indian students are 70 percent more likely, to be identified as having disabilities than are their peers.<sup>42</sup>
- 25% of Black students with disabilities never graduate high school, compared to 16% of non-Hispanic white students.<sup>43</sup>
- The cumulative probability of arrest by age 28 is 55.17 for Black individuals with disabilities, compared to 39.7 for white individuals with disabilities.<sup>44</sup>

### AREAS OF IMMEDIATE CONCERN AND PROPOSED SOLUTIONS

**King County is currently, and has been for years, failing the disability community.** The Disability Consortium has identified the following areas of immediate concern:

#### **1. King County does not include the disability community in equity work.**

In 2008, King County launched the Equity and Social Justice (ESJ) Initiative, to use an equity lens throughout the County's policies and decisions, organizational practices, and engagement with the community. The adoption of the King County's 2010-2014 Strategic Plan: Working together for One King County<sup>45</sup> and passage of the Fair and Just Ordinance<sup>46</sup> saw King County moving towards a performance and accountability system to implement and achieve the fair and just principle into all County operations. The Fair and Just Ordinance states that individuals experience participation in their society based on the ability to access determinates of equity.

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<sup>40</sup> The Arc of the United States. (2019, August 23). *Empower*. <https://myemail.constantcontact.com/Empower--COVID-19-Advocacy-Update--Airbnb-Online-Experiences---more-.html?soid=1125064766967&aid=DtFc5UkOnM>

<sup>41</sup> Ibid.

<sup>42</sup> Harper, K. (2017, January 12) *5 things to know about racial and ethnic disparities in special education*. Childtrends. <https://www.childtrends.org/publications/5-things-to-know-about-racial-and-ethnic-disparities-in-special-education>

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> King County Council. (2010, October 11). *King County Signature Report October 11, 2010 Ordinance 16948*. <http://www.ci.richmond.ca.us/DocumentCenter/View/8657/KC-ordinance-16948?bidId=>

<sup>46</sup> King County. (2010, July 26). *King County Strategic Plan 2010-2014: Working Together for One King County*. <https://www.kingcounty.gov/~media/depts/executive/performance-strategy-budget/documents/pdf/2014/2010-2014-KCStratPlan.ashx?la=en>

The determinates of equity, based on determinants of health, are defined as the “social, economic, geographic, political and physical environment conditions in which people in our county are born, grow, live, work and age that lead to the creation of a fair and just society”.<sup>47</sup> The ordinance indicated an individual’s ability to participate and be part of their community is defined by their ability to access 14 determinates of equity. In 2015 the County issued *The Determinates of Equity*<sup>48</sup> report identifying indicators to establish a baseline of equity in King County. This report provided a framework to measure progress on ensuring equity for all, except those with disabilities. King County went on to use all of this combined information to create the 2016-2022 King County Equity and Justice Strategic Plan<sup>49</sup> which is to be a “blueprint for change”<sup>50</sup> outlining the process to ensure all individuals are able to equally access determinates of equity. In all of these documents, disability is not considered.

The most recent King County effort towards equality created ordinance 19047<sup>51</sup> to establish a King County Human and Civil Rights Commission. This commission will have the primary responsibility to enforce anti-discrimination ordinances and assist County departments with anti-discrimination compliance of the Americans with Disabilities Act (ADA). The commission will be appointed the ADA Coordinator for the County and respond to grievances filed under Section 504 of the Rehabilitation Act and ADA. The idea that persons with disabilities must wait for action on their requests or resolution of grievances to process under committee structure is another disregard of the rights of disability community. This ordinance is not to take effect until April 2021 but only after the “Executive collaborates with the Equity and Social Justice staff and leverage robust community engagement ... to assess the feasibility of establishing the Human and Civil Rights Commission”.<sup>52</sup> Enacted December 2019, it has now been over 9 months and there has been little engagement with the disability community regarding feasibility. Besides representatives from Alliance of People with disAbilities and The Arc of King County working with the King County Department of Civil Rights to coordinate an ask to the Executive for two ADA Coordinators in the biennial budget, there has been no other engagement with the disability community regarding our needs and solutions.

**King County must be explicit about the importance of fully including people with disabilities and must name disability as a community with all considerations for inclusion and equity.**

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<sup>47</sup> King County Council. (2010, October 11). *King County Signature Report October 11, 2010 Ordinance 16948*. p. 1. <http://www.ci.richmond.ca.us/DocumentCenter/View/8657/KC-ordinance-16948?bidId=>

<sup>48</sup> Beatty, A., Foster D., & King County Office of Performance, Strategy and Budget. (2015 January). [https://www.kingcounty.gov/~media/elected/executive/equity-social-justice/2015/The\\_Determinants\\_of\\_Equity\\_Report.ashx](https://www.kingcounty.gov/~media/elected/executive/equity-social-justice/2015/The_Determinants_of_Equity_Report.ashx)

<sup>49</sup> King County Office of Equity and Social Justice & Office of King County Executive Dow Constantine. (n.d.). *Equity and Social Justice Strategic Plan 2016-2022*. <https://aqua.kingcounty.gov/dnrp/library/dnrp-directors-office/equity-social-justice/201609-ESJ-SP-FULL.pdf>

<sup>50</sup> Ibid. p. 4.

<sup>51</sup> King County Council. (2019, December 11). *King County Signature Report Ordinance 19047*. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=4223080&GUID=5EA195C2-5086-4985-89DD-06C886FFB3F5&Options=&Search=>

<sup>52</sup> Ibid. p. 103-4.

***Nothing about us, without us!*** Inclusion of people with disabilities as a community within King County is the first step in developing practices and policies designed to identify and remove barriers such that hamper individuals' ability to have full participation in society, the same as people without disabilities. King County must acknowledge, understand, and embrace the widespread nature of disability. Disability touches every demographic category – gender, age, race, sexual orientation, etc. and affects most people eventually through accident, illness or aging.

### **Recommendations:**

#### **A. Recognize ableism as a public health crisis.**

In accordance with the World Health Organization (WHO) the Disability Consortium recognizes disability as a public health issue, a human rights issue and a development priority.<sup>53</sup> Disability is a public health issue because people with disabilities face barriers and discrimination in accessing health and other programs. Disability is also a human rights issue because people with disabilities face “stigmatization, discrimination and inequalities”.<sup>54</sup> Disability is a development priority because disability and poverty are inextricably linked. Poverty can increase an individual's likelihood of developing a disability because of poor nutrition or lack of healthcare. Individuals with disabilities can have a lower standard of living because of unequal access to resources.

#### **B. Name disability in the Equity and Social Justice Strategic Plan and examine the linkages of disability to all Determinates of Equity.**

Healthy People 2020 organized social determinates of health (equity) into five domains: Economic Stability, Education, Social and Community Context, Health and Health Care and Neighborhood and Built Environment.<sup>55</sup> The fourteen determinates of equity chosen by King County are encompassed within these categories and all are impacted by disability. Within each of these domains, compared to individuals without disabilities, individuals with disabilities are more likely to experience challenges, such as challenges finding a job, barriers to receiving preventive health care services, difficulties being able to visit homes in their neighborhood, reduced access to using fitness facilities, challenges using health information technology, and limited options for obtaining sufficient social-emotional support. Disabilities effect all aspects of life (including access to health care, employment, housing, social participation, transportation and education) and predict health outcomes for people with disabilities and other groups who may be disadvantaged.

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<sup>53</sup> World Health Organization (WHO). (2015). *WHO Global Disability Action Plan 2014-2021 Better Health for All People with Disability*. p. 1. [https://apps.who.int/iris/bitstream/handle/10665/199544/9789241509619\\_eng.pdf;jsessionid=E019BE137FFB8BF4B01FC72F74A59D34?sequence=1](https://apps.who.int/iris/bitstream/handle/10665/199544/9789241509619_eng.pdf;jsessionid=E019BE137FFB8BF4B01FC72F74A59D34?sequence=1)

<sup>54</sup> Ibid.

<sup>55</sup> U.S. Department of Health and Human Services: Office of Disease Prevention and Health Promotion. (n.d.). *Social Determinants of Health*. <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health>

**C. Engage the disability community in authentic leadership positions.**

The disability population must be represented in leadership and throughout King County staff. People with disabilities have valuable insight and experience to share as it pertains to disability inclusion (as well as to every other issue apart from disability). Just like when organizations take on issues that affect people of different racial, ethnic, or other backgrounds, people with disabilities should be involved in working on matters that affect them.

**D. Engage disability community in a solution driven process.**

- i. Hire Community Leaders to provide advisory support and subject matter expertise on inclusion strategies;
- ii. Create a King County Disability Commission to inform, educate and recommend inclusion strategies and ensure the disability community is engaged in policy decisions.

**E. Be intentional about disability inclusion.**

- i. Engage the disability community in proactive conversations;
- ii. Show people with disabilities in photographs, infographics and other images on King County websites, in social media, and other materials;
- iii. Share disability information/data in King County reports and on dashboards;
- iv. Do not relegate accessible information to an “Accessibility Section”, make all information accessible when it is produced;
- v. Develop and implement a plan to ensure all community events, meetings (virtual and in person), including King County Council meetings, are accessible for all.

**2. King County is non-compliant with Title II of the Americans with Disabilities Act.**

King County is currently lacking an ADA Coordinator for countywide systemic issues addressing the needs of the disability community. There is no coordination between King County departments to identify, address, and mitigate ADA concerns. This lack of coordination is readily apparent in the lack of coordination for accessibility in the materials and information especially the COVID response. The lack of understanding of need and lack of incorporating accessibility into King County programs, services, and activities is apparent when queried about accessibility considerations, County employees frequently respond with, “We typically don’t think about those things.” While several County departments have an ADA Coordinator (e.g. King County Metro), there is no singular individual as a point of contact for accessibility issues. This places undue burden on not only the departmental ADA Coordinators to address issues outside their area of expertise but also on persons with disabilities when identifying a point of contact.

In May of 2003, the King County Executive appointed the Office of Civil Rights as the Title II Americans with Disability Act Coordinator. The specific individual designated in the role of ADA Coordinator possessed not only the necessary skills and knowledge to produce results but also

the ability to build strong alliances with the disability community. This important position eliminated in December 2017 has not been replaced; instead, the duties of the ADA Coordinator were unceremoniously designated to the two staff remaining in the Office of Civil Rights.

Through the 2017-2018 Biennial Budget (Ordinance 18409), the council moved the functions of the Office of Civil Rights (OCR) to the Office of Equity and Social Justice (OESJ), which administratively changed OCR to a civil rights program. Proposed Ordinance 2018-0485 was transmitted by the Executive to formalize this administrative change; however, the Council did not take action on this item and the legislation has lapsed thus leaving ADA coordination in King County floundering in further ambiguity. Without proactive and effective coordination of ADA efforts King County is out of compliance with this federal law.

The two ADA Coordinators, requested through budget recommendations from the Office of Equity and Social Justice in collaboration with community representatives, were not included in the Executive's budget released on September 22, 2020. However, one ADA Coordinator position was included in the recently produced Human and Civil Rights Commission Feasibility Study and Recommendations Status Update Report<sup>56</sup> required in Ordinance 19047. Unfortunately, there is no guarantee this position will be realized and if it is, the expected implementation date is at least 18 – 24 months away.

The updated report cites several lessons learned from the Seattle Office of Civil Rights (SOCR) community engagement process, however, what is not noted is the Seattle effort had no focused engagement with the disability community; its only focus was on racial justice. Building off lessons learned from SOCR's process and limitations due to the COVID pandemic, King County intends to focus their outreach on contacting subject matter experts to inform recommendations for the final feasibility report.

The statement "Engagement efforts are on-going to identify best practices to ensure the County is not just compliant with the ADA, but actively seeking ways it can better serve the disability community"<sup>57</sup> from the ordinance 19047 update is interesting for several reasons. First, engagement efforts with the disability community occurred only when Alliance of People with disAbilities reached out to the King County Office of Civil Rights (OCR) through their website requesting information on Ordinance 19047. Second, it does not address the fact that King County is currently not fully compliant with Title II of the ADA. Finally, the most telling, is that it acknowledges a problem of lack of inclusion of the disability community on behalf of King County.

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<sup>56</sup> King County Council. (2019, December 11). *King County Signature Report Ordinance 19047*. <https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=4223080&GUID=5EA195C2-5086-4985-89DD-06C886FFB3F5&Options=&Search=>

<sup>57</sup> Ibid.



The extent of the County's noncompliance is an unknown because there is no staff to make such an assessment. The United States Department of Justice (DOJ) is responsible for the enforcement of the provisions of the ADA under Title V. The DOJ's regulations implementing Title II of the ADA dictate that local governments and public agencies such as King County must evaluate their services, programs, policies, and practices, and identify barriers (attitudinal, communication, physical, policy, programmatic, social, and transportation) that may limit accessibility for individuals with disabilities, and develop transition plans describing how they will address identified barriers. Evidence exists and is cited in documents written by the previous King County ADA Coordinator that portions of the County's operations have undergone self-evaluations for accessibility however; public records requests have failed to produce any evaluations, transition plans or action plans for any King County program since 2014. Anecdotally, social service agencies contracted with King County have not been required to conduct a 504/ADA evaluation within the last 5 years (possibly longer).

### **King County must fully comply with Americans with Disabilities Act (ADA) Title II.**

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive, wide-ranging rights and protections to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. The goal of the ADA is to ensure equality of opportunity, full participation, and independent living to all individuals including those with disabilities; it expressly prohibits all state and local governments and most private businesses from discriminating on the basis of disability. The ADA provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

Title II of the Americans with Disabilities Act (ADA) requires King County as a public entity to designate *at least* one employee as an ADA Coordinator. An ADA Coordinator's duties include coordinating efforts to comply with the ADA and investigate any complaints of violations of the ADA. Additionally, the Coordinator serves as the point of contact for individuals with disabilities to request auxiliary aids and services, policy modifications, and other accommodations or to file a complaint with the entity; for the general public to address ADA concerns; and for other departments and employees of the public entity.

An ADA Coordinator's role is complex and requires specialty knowledge. King County currently has 52 people, and in some cases only offices or job titles, identified as Disability Liaisons (*very few have the title ADA Coordinator*) spread throughout multiple departments. With rare exception, as in the case of Metro's ADA Coordinator, those identified do ADA as an additional part of their duties. Compliance with the ADA should be the primary role of an ADA Coordinator and not an auxiliary duty of another position(s).

Failure to comply with the ADA further marginalizes the disability community – a group that has historically been denied equal treatment and dignity under the law and by society – even 30 years after the passage of this landmark legislation.

## Recommendations:

- A. **Hire two County ADA Coordinators.** It is not enough to simply designate a single individual as the ADA coordinator. The sheer size and complexity of King County programs, services and activities combined with the scope of work for ADA Coordinators demands that two individuals are hired specifically for these roles. Individuals in these positions must possess the qualifications suggested in the ADA Toolkit<sup>58</sup> and have the knowledge to ensure people with disabilities have meaningful participation, accessibility and appropriate accommodations to access the services provided by King County, inclusive of employment opportunities. These positions must be independent and located outside of the Executive's office and have the authority to design and implement policies and practices that ensure county ADA compliance, to coordinate activities between departmental ADA coordinators, and engage the community. It is highly recommended that all ADA coordinators also have personal knowledge of experiencing life with a disability.
- B. **Undertake a Self-Assessment for accessibility** for all County departments' programs services and activities.
- C. **Create Transition plans** to address physical barriers in King County programs, services, and activities.
- D. **Create Action plans** to provide remedy for non-structural barriers in King County programs, services, and activities.
- E. **Develop a protocol for accessibility** for all County activities (virtual or in-person).
  - a. Implement standards of practice for basic accessibility that includes ASL interpretation, CART transcription, and documents in accessible formats;
  - b. Identify a process for individuals to request accommodations.
- F. **Develop an accessible communication plan** to ensure people with all forms of disabilities are able to access content created by King County.
  - a. Do not relegate accessible information to an "Accessibility Section".
  - b. Ensure all online content is WCAG 2.1 accessible.
    - i. Use captions on all audio and video files and ensure websites work with screen readers;
    - ii. Add text descriptions, often called "alt text" or "alternative text," to charts, graphs, images and maps so they are discernible by assistive technology;
    - iii. Ensure all online public meetings are accessible for people with disabilities;

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<sup>58</sup> The ADA Toolkit was developed to assist businesses in ADA implementation. It specifically lists the following suggested knowledge and skills for an ADA Coordinator: (1) familiarity with the state or local government's structure, activities, and employees, (2) knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, (3) experience with people with a broad range of disabilities, (4) knowledge of various alternative formats and alternative technologies that enable people with disabilities to communicate, participate, and perform tasks, (5) ability to work cooperatively with the local government and people with disabilities, (6) familiarity with any local disability advocacy groups or other disability groups, (7) skills and training in negotiation and mediation, (8) organizational and analytical skills.

<https://www.ada.gov/pcatoolkit/chap2toolkit.htm#:~:text=The%20ADA%20Coordinator%20is%20responsible,be%20provided%20to%20intersted%20persons>

- iv. Conduct usability studies for King County websites to verify that they work effectively with screen reading and other assistive technology;
  - v. Create a plan to ensure that social media postings are accessible, including blog posts and newsletters.
- G. **Publish public notice** regarding compliance with ADA Title II and accessibility of King County programs, services, and activities.
- H. **Publish a grievance policy** for ADA accessibility for King County programs, services, and activities.

### **3. King County lacks a coordinated method for data collection on disability.**

King County currently does not have a coordinated approach to collecting or tracking data on persons with disabilities who participate in County programs, services, or activities. While some King County programs collect data internally for their own purposes (e.g. Developmental Disabilities & Early Childhood Supports Division (DDECS); Veterans, Seniors, and Human Services Levy (VSHSL), Best Starts for Kids (BSK), Youth & Family Homelessness Prevention (YFHPI), and Coordinated Entry for All (CEA)) each of these programs/departments collect data on disability differently and in ways that do not allow for census comparison. It does not appear that their data collection methods are informed by the disability community.

Without this data, King County has no coordinated knowledge of the impact, positive or negative, of their programs, services and activities on/for persons with disabilities. For the programs that do collect disability data (e.g. Coordinated Entry for All), there is no evidence that King County uses the disability data to inform practices to better serve the disability community. An example of this is readily apparent in the homelessness response. With the exception of the 2019 report, the King County Point in Time Count<sup>59</sup> compares all demographics of the homeless population to the general King County demographics in all areas except disabilities. Without this knowledge, King County does not consider the need to include accessibility in their programs, services, and activities for almost two-thirds (64%) of the homeless population.

**King County must develop and support coordinated data collection on disability and use data to inform programs, services, and activities.**

Aside from non-coordinated program specific actions, disability is largely absent from data collection and monitoring within King County programs, services, and activities. The invisibility of people with disabilities in the narrative has resulted in interventions unintentionally leaving out people with disabilities. Lack of data about disability means that decision makers and policy are more likely to leave out disability. It has contributed to the false impression that people with disabilities are a very small group that can be taken care of as an afterthought, if at all.

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<sup>59</sup> Applied Survey Research. (n.d.). *Seattle/King County Point-In-Time Count of Persons Experiencing Homelessness 2019*. [http://allhomekc.org/wp-content/uploads/2019/05/2019-Report\\_KingCounty\\_FINAL.pdf](http://allhomekc.org/wp-content/uploads/2019/05/2019-Report_KingCounty_FINAL.pdf)

**Recommendations:**

- A. Develop a universal strategy for disability data collection to be used across all King County services, activities and programs that is informed by the disability community.** Ensure the disability data collection aligns with population-level data to better track disability representation.
  - B. Include disability data in King County reports and dashboards** both for internal County use as well as public facing information.
  - C. Ensure disability data is considered and addressed** when identifying disparities and solutions throughout King County programs, activities, and services.
  - D. Include qualitative data collection from the community.** Data analysis will not mean anything unless the numbers are contextualized with stories from the communities represented.
- 4. King County lacks training for all County employees on disability equity, inclusion and accessibility.**

A public records request regarding any and all training provided to King County employees on disability equity, inclusion, and accessibility revealed that since 2016, there has been very little to no training on these topics. According to the King County Department of Human Resources, they try to host at least one training per year on reasonable accommodations for employees in management positions. Besides that, there appears to have been only one two-part training on disability oppression history since 2017 and one additional training presented by King County Metro, *Disability, Language and Microaggressions* in 2019. None of these trainings however are required for employees and there are no trainings for County employees who work directly with the public. In direct reflection of the lack of training, when the Executive's office was contacted to identify the ADA coordinator, the individual who answered the phone blankly stated, "What's ADA?" then proceeded to provide inaccurate and outdated contact information for an individual who left County employment in December of 2017.

**King County must establish anti-ableist trainings and ensure all County employees receive training.**

Just as individuals experience their own internal biases that perpetuate structural and institutional racism, ableist biases exist and must be addressed. Ableism is a result of discriminatory beliefs about disability that result in discriminatory actions perpetuating power imbalance and adverse outcomes for the disability community. As with racism, every individual needs to examine their own disability biases in order to create an anti-ableist society.

**Recommendations:**

- A. Hire community leaders** to provide advisory support and subject matter expertise on training topics.

- B. **Develop internally or contract with subject matter experts** to deliver anti-ableist, disability equity trainings.
- C. **Require disability equity and inclusion training** for all employees of King County.

**5. King County EEO/AA policy for 2018 - 2021 fails to address actionable steps to promote the hiring of qualified individuals with disabilities**

The goal of the 2018-2021 Equal Employment Opportunity/Affirmative Action (EEO/AA) plan for King County is to “develop a workforce that embraces diversity and practices inclusion”.<sup>60</sup> The plan identifies two main areas of focus for affirmative action recruitment. The first includes people of color and women, while the second includes people with disabilities. There are actionable steps outlined for the recruitment of people of color as well as women including placement goals for all ethnic categories and women however, the plan lacks equal detail in recruitment of persons with disabilities.

All of the 14 department implementation plans described their course of action to increase hiring of persons with disabilities in one of three methods. The first method states they will have their employees attend the *Disability Awareness Workshop Series*. As previously explained, this workshop series does not currently exist and likely has not for some time based on the training records obtained through public disclosure. In speaking to miscellaneous County employees, none have ever heard of this training let alone received this training.

The second method used to promote hiring of persons with disabilities states the department will work with the supported employment program to identify supported employment positions within their department. While the supported employment program provides meaningful work opportunities for individuals with developmental disabilities, it is only for those with qualifying developmental disabilities. Not all disabilities are developmental disabilities and this method does nothing to address the recruitment, hiring, and retention of otherwise qualified individuals with disabilities in positions other than supported employment. Third, some departments outline their plans for hiring persons with disabilities only speaking to providing temporary work assignments for injured employees returning to work. These may be modified or light duty jobs that enable a person to return to work following an injury. This solution does not include any individual who was not already employed by King County.

The EEO/AA Action Plan August 30, 2019 Progress Report, obtained through public records disclosure, reports on the progress of the steps outlined in the 2018 – 2021 EEO/AA plan. This report mentions disability exactly 5 times. The first mention is in the executive summary which includes disability in the definition of protected class. Three additional mentions are specific departments, Department of Executive Services (DES), Department of Judicial Administration (DJA) and King County Department of Information Technology (KCIT) all state they will

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<sup>60</sup> King County Department of Executive Services Human Resources Division. (n.d.). King County Equal Employment/Affirmative Action Plan 2018-2021 Executive Department. p. 4. <https://www.kingcounty.gov/~media/audience/employees/diversity-services/2018-2021-EEOA-Plan.ashx?la=en>

encourage staff to attend the *Disability Awareness Workshop Series*, which we have found no evidence of existence. The final mention was again to include disability in a definition of protected classes. Eleven of the named departments within the original 2018-2021 EEO/AA plan did not even provide mention let alone provide update on their progress of hiring otherwise qualified individuals with disabilities.

The 2018-2021 EEO/AA plan does mention that there may be more people with disabilities in the employ of the County. However, as it is voluntary for the individual to disclose disability it is difficult to get an accurate representation. It is postulated that if the County were more inclusive of persons with disabilities, more individuals would feel comfortable disclosing.

Throughout the County's 13-year process of moving towards equity, the disability community or their needs have received no consideration. Despite the progress made the fact is, whether accidental or intentional, **we have been left behind**. In 2008, the process began, and continues to this day with a focus on race and place. Disability was not considered in the original initiative. Disability was not considered in the 2010-2014 Strategic Plan. Disability was not considered an indicator for determination of equity in the *Determinates of Equity* report. Disability is not included in the King County Equity and Social Justice Plan. This lack of inclusion of disability and disability accessibility leaves individuals with disabilities out of benefitting from all of the King County equity work.

It is uplifting that King County was proactive identifying, defining and measuring progress towards achieving equity. It demonstrates an awareness of the County's culpability and responsibility to guide the change process. However, despite the Fair and Just Ordinance commitment to add "intentionally in all the county does in order to achieve equitable opportunities for all people and communities"<sup>61</sup> there have been individuals and communities left behind, the disability community. King County's 2016-2022 Equity and Social Justice Strategic Plan states, "we [King County] have deep and persistent inequities ... that in many cases are getting worse and threaten our prospective prosperity".<sup>62</sup> Despite the work King County is doing to address racism as a public health crisis, their lack of inclusion of the disability community deepens and perpetuates the inequities in King County.

**King County must promote the recruitment, hiring, and retention of qualified individuals with disabilities for employment, boards and commissions.**

Organizations are at their best when they welcome, respect, and involve people of all backgrounds, including people with disabilities.

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<sup>61</sup> King County Council. (2010, October 11). *King County Signature Report October 11, 2010 Ordinance 16948*. p. 1. <http://www.ci.richmond.ca.us/DocumentCenter/View/8657/KC-ordinance-16948?bidId=>

<sup>62</sup> King County Office of Equity and Social Justice & Office of King County Executive Dow Constantine. (n.d.). *Equity and Social Justice Strategic Plan 2016-2022*. p. 4. <https://aqua.kingcounty.gov/dnrp/library/dnrp-directors-office/equity-social-justice/201609-ESJ-SP-FULL.pdf>

### **Recommendations:**

- A. **Create actionable steps to promote the hiring of qualified individuals** with all forms of disabilities.
- B. **Hire an inclusion or diversity director** to promote disability inclusion.
- C. **Make a commitment to enable people with disabilities** to develop peer relationships, build social skills, and respect and accept each other within their employment with King County.
- D. **Include demonstration of anti-ableist (as well as anti-racist) behavior within employee evaluation systems.**

### **CONCLUSION**

Executive Constantine has championed equity and social justice for “One King County” in four ways, but has neglected to include the disability community. While investing “upstream and where needs are greatest”, people with disabilities are not allowed near the water. Second, it is difficult to invest in community partnerships when one quarter of the population is not considered part of the community. Third, investment in King County employees requires investment in creating a culture where all employees, including those with disabilities, feel accepted. Finally, accountable and transparent leadership requires accountability to **all** King County residents, including those with disabilities, and transparency means also inviting people with disabilities to be part of the process.

Since the mid 1970's there has been a vocal and increasing effort by the community of people with disabilities to push society at large to recognize people with disabilities as peers and equal in status to non-disabled people. Part of that push requires examining the institutional and societal ableism that create a mindset that limits, diminishes, and devalues. However, limiting diversity efforts to race and place excludes many other worthy groups. One of these is people with disabilities. It is time for King County to move beyond complacency and focus on inclusion of all, including the disability community.

## ADA Initial Assessment Survey

*Please use this document to compile your answers. Upon completion, please enter the information and submit via the online portal. The link will be provided after the training. If you have questions regarding this form, please contact Chris Bhang at (206) 263-5580 or [cbhang@kingcounty.gov](mailto:cbhang@kingcounty.gov).*

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**1. Name and email of person completing this evaluation.**

**2. Agency you are completing this assessment for:**

**Branching question:** Please select all the divisions and offices that your answers will cover. See <https://directory.kingcounty.gov/GroupSearch.asp> for list of divisions used in this assessment.

**3. Please list any and all physical buildings and addresses that the agency utilizes.**

**4. Do members of the public come to these physical locations as part of your agency's service and/or programming?**

YES/NO/YES to for some, but NO to others.

**5. Is this property(ies) managed by Facilities Management Division?**

YES/NO/YES to for some, but NO to others.

**Branching question:** If NO or YES to some, but NO to others, please specify which properties are *not* managed FMD, and what non-FMD entity(ies) manages the property(ies).

**6. Does the agency routinely provide notices of nondiscrimination on its website and/or communications to the public?**

YES/NO/UNKNOWN

**7. Does the agency routinely provide information on its website and/or communications on how to request the information in alternative formats (large print, Braille, etc.)?**

YES/NO/UNKNOWN

**8. Does the agency routinely provide information on its website and/or communications on how to request the information in other languages?**





YES/NO/UNKNOWN

**9. Has the agency's website been reviewed for accessibility for people with sensory disabilities?**

YES/NO/UNKNOWN

**Branching Question:** If YES, please describe how it was reviewed.

**10. Do the agency's contracts contain non-discrimination clauses or language?**

YES/NO/UNKNOWN

**11. Does the agency's regular budget specifically reserve funds for creating accessible communications or providing disability related accommodations?**

YES/NO

**12. Does the agency offer *any* programs and/or services to the public?**

YES/NO

**Branching Question:** If YES, please list all here. Please also indicate how many people this access the program or use this service annually, if known.

**Branching Question:** If YES, does your agency have a published or documented grievance procedure for complaints of discrimination, including discrimination based on disability? If so, please upload here.

**Branching Question:** If YES, does your agency have a published or documented grievance procedure for complaints of discrimination, including discrimination based on disability? If so, please upload here.

**13. Does the agency receive *any* federal funds, including federal funds awarded by state agencies?**

YES/NO

**Branching Question:** If YES, what Federal agency(ies) granted the funds?

**Branching Question:** If YES, does is your agency subject to any state or federal reporting requirements in connection to the federal funds?

**Branching Question:** If YES and YES to Question 12, have your programs been evaluated for compliance with Section 504 of the Rehabilitation Act and relevant administrative regulations?

**Branching Question:** If YES and YES to Question 12, have your programs been evaluated for compliance with Title VI of the Civil Rights Act?



- 14. Regardless of whether the agency provides public facing programs or services, or received federal funds, does the agency have a written or documented procedure for receiving and responding to requests from the public for disability-related accommodations?**

YES/NO/UNKNOWN

- 15. Since 2010, has the agency completed and published a self-evaluation of its public facing service, policies, practices, and physical facilities in accordance with the ADA?**

YES/NO/Not applicable – No Public Facing Programs

**Branching Question:** If YES, was community engagement and a public notice and comment process included in the self-evaluation?

**Branching Question:** If YES, please upload the most recent evaluation here.

**Branching Question:** If NO, please state why the agency has not completed a self-evaluation.

- 16. Does the agency have existing resources and funds to complete an agency-wide self-evaluation of its public facing public facing service, policies, practices, and physical facilities in accordance with the ADA, within the 2020-21 biennium?**

YES/NO/UNKNOWN

**Branching Question:** If NO or UNKNOWN, what resources would be necessary to complete an agency-wide self-evaluation? Please be as specific as possible.

- 17. If there were any questions for which you wanted to provide additional information or context, please provide the question numbers and additional information below. Please also use this space to provide any information that was not otherwise captured by this survey.**





## **Request for Quotes: Racial and Disability Equity**

**Submission Deadline: February 22, 2021**

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### **About the Office of Equity of Social Justice**

King County is a great place to live, learn, work and play. Yet for many who live in the region, there are deep and persistent inequities—especially by race and place—that have grown worse and threaten our collective prosperity. The King County Office of Equity and Social Justice (OESJ) leads King County’s work to advance equity so that all people have opportunities to thrive. Our work focuses on investing upstream, where needs are greatest and in community partnerships.

OESJ houses the County’s Civil Rights Program that advances equitable policies and enforces anti-discrimination laws in housing, employment, public accommodations and contracting. The program also serves as the County’s coordinator for the Americans with Disabilities Act (ADA).

### **Background and Overview**

Data and research are clear that persons living with disabilities experience significant inequities, which are compounded by race and ethnicity. Social outcomes of wellbeing and access to many life enhancing services are worse for Black, Indigenous, and people of color living with a disability.

In response to community and stakeholder concerns, the County Executive, and the King County Council has allocated up to \$45,000 for OESJ to partner with one or more individuals or organizations to provide a framework for integration of disability equity into existing ADA Title I policies, procedures, and integration of concepts into existing County employee trainings and onboarding.

OESJ encourages individuals and or organizations with current lived experience as a Black, Indigenous, person of color and or person currently living with a disability to apply. OESJ seeks to partner with individuals and or organizations with the following experiences:

- Ability to provide an intersectional racial and disability equity analysis
- Demonstrated experience in advancing disability equity and the utilization of frameworks created by Black, Indigenous, and people of color with lived experience of disability

Available in alternate formats upon request.

RFQ 14647

Racial and Disability Equity

Applications shall be submitted by an individual or an organization. OESJ reserves the right to make (1) or more awards and to approach applicants to restructure collaboratives to include partners who were not part of the original application.

### **Disability Equity Scope of Work**

The tasks outlined below shall be accomplished by the Contractor during calendar year 2021. All delivery dates assume work will commence on or before March 29, 2021.

- Provide an analysis of the current policies and procedures currently in place at King County to meet ADA Title I requirements and provide recommendations on where integrated racial and disability equity frames, tools, and structures shall be incorporated.
- Provide recommendations to meet Title I requirements and integrate disability equity in coordination with existing County policies.
- Provide racial and disability equity modules to be integrated into existing King County employee training and employee on boarding.
- Provide best practices and other models of effective integrated racial and disability equity approaches for communications, outreach, and practices that center the needs of those most impacted by racial and disability inequities.
- Inform the Section 504/ADA Advisory Committee workplan through the provision of recommendations and guidance on the integration on racial and disability equity throughout King County.
- Provide an analysis of data of King County residents living with disabilities, including racial and ethnic identity, and develop recommendations on more inclusive data collection methods to count residents living with disabilities.
- Examine the linkages of disability to the determinants of equity outlined in the King County Equity and Social Justice Strategic Plan and provide recommendations to better address the impact of race and disability on the determinants of equity.
- Include in the recommendations what considerations, if any, should be made given the impact of COVID-19 on those most [impacted by COVID-19](#).
- Work with OESJ to develop a timeline for all above deliverables.
- Submit a final report of written set of best practices and recommendations for sustaining and advancing integrated racial and disability equity into existing work

Available in alternate formats upon request.

RFQ 14647

Racial and Disability Equity

beyond OESJ by December 31, 2021 and provide a briefing to OESJ and the 504/ADA Advisory Committee after submission.

## Proposal Requirements

### Format for Responses

Respondent shall submit:

- Proposal – Provide a brief summary of the Contractor’s approach to completing each of the listed tasks. Be sure to address all tasks.
- Qualification summary – Describe how the minimum qualifications for experience listed above are met or exceeded. Include an annotated summary of specific projects that demonstrate capacity and ability to accomplish the listed tasks.
- Budget - Provide total project cost as well as a general budget for each task separately. Include an average hourly rate for all anticipated staff (to protect individual privacy, all staff compensation rates may be combined into an average for a specific task).

Proposal packages shall not exceed a total of 10 pages, and contain the following:

1. A complete Cover Sheet in the format of Attachment A.
2. Written responses to all the questions in Attachment B.
3. A detailed proposed budget including, but not limited to: operating expenses, staffing and personnel, and other services/charges (e.g., translation services, advertising, etc.).

## Evaluation Criteria

### Evaluation Process

An evaluation committee, appointed by King County, will review all timely received proposals and score them according to the numerical criteria listed below. This evaluation of the written proposals will have a possible maximum of 35 points.

Evaluation criteria	Maximum Possible Points
Overall strength and quality of proposal, including meeting proposal submission requirements, with demonstrated ability to meet and exceed the expectations set forth in the Scope of Work.	5

Available in alternate formats upon request.

RFQ 14647

Racial and Disability Equity

Demonstrated commitment to equity, social justice, and advocacy for people groups historically impacted by racism, oppression, and colonization.	5
Identify as a member of and have relationships and connections with Black, Indigenous, people of color living with a disability.	5
Successful experience implementing integrated racial and disability equity frameworks into existing policies, procedures, and training.	5
Successful experience implementing and aligning policies and procedures to meet ADA Title I requirements.	5
Organizational capacity and infrastructure to support the staff necessary to conduct the work outlined and meet the timeline below.	5
Price	5

<b>Tentative Schedule</b> (The dates listed here are subject to change)	
RFP Issued	February 2, 2021
Proposals due to King County	5:00 PM (PST), February 22, 2021
Evaluations completed and Contractor notified	March 12, 2021
Work to begin	March 29, 2021
Work complete	December 31, 2021

### Submission Instructions

Quotes shall be in writing and submitted via email:

- **Email** to Gina Keolker, Buyer at [gina.keolker@kingcounty.gov](mailto:gina.keolker@kingcounty.gov) Proposal materials shall be in Word or PDF format sent as attachments and must be received by February 22, 2021 at 5:00pm, with the Subject line “Racial and Disability Equity Proposal.”

### Contract

OESJ reserves the right to make awards without further discussion of the proposal submitted. Successful proposals shall enter into a contract that identifies agreed-upon services and requires compliance with applicable civil rights and labor standards ordinances.

Available in alternate formats upon request.

RFQ 14647

Racial and Disability Equity

## Questions

Please contact Gina Keolker, Buyer at [gina.keolker@kingcounty.gov](mailto:gina.keolker@kingcounty.gov) for any questions related to the proposal



**Request for Quotes- Racial and Disability Equity**

**Attachment A – Cover Page**

<p>Name of Proposer’s Organization(s):</p> <p>*If multiple organizations are applying together, please specify the lead agency and name all other partners. The following prompts are for the lead organization only.</p>
<p>Address:</p>
<p>Executive Director:</p>
<p>Primary Contact Name and Title:</p> <p>Email:</p> <p>Phone:</p>
<p>Website:</p>
<p>Federal ID/EIN:</p>
<p><b>Authorized Signature of Organization/Lead Organization</b></p> <p><i>To the best of my knowledge and belief, all information in this proposal is true and correct. The document has been duly authorized by the governing body of the proposer who will comply with all contractual obligations if the proposer is awarded a contract.</i></p> <p><i>Name and Title of Authorized Representative:</i></p> <p><i>Signature of Authorized Representative:</i> _____</p> <p><i>Date:</i> _____</p>





## **Request for Quotes- Racial and Disability Equity**

### **Attachment B – Questions**

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1. Describe your mission, major program areas, and when your organization was founded. If multiple organization are applying, indicate the date the collaboration was established.
2. Describe your commitment to racial, disability equity and social justice. Please include how this commitment is manifested in your organizational structure and relationships with community.
3. Describe the relevance of the proposed scope to your mission, and any relevant experience your organization has had successfully implementing integrated racial and disability equity frames into existing policies, procedures, and training.
4. Describe your proposal for accomplishing the minimum requirements of the Scope of Work (see page 2/3), including, but not limited to:
  - a. Experience developing, implementing, and or aligning organizational policies to meet ADA Title I requirements.
  - b. Staffing assignments and capacity to perform the proposal; and
  - c. Timeline for completing the Scope of Work and the final report by the December 31, 2021 deadline.



# Epiphanies of Equity LLC

**ChrisTiana ObeySumner, MPA, MNPL**  
**CEO and Principal Consultant**

Date: 2/22/2021

Attn: King County Office of Equity and Social Justice; Gina Keolker

Re: Proposal – Disability Justice Proposal: Integrating Race and Disability Equity

## **Introduction and Overview**

**Introduction:** Thank you for considering Epiphanies of Equity LLC as a potential partner on your equity journey! I am excited to submit a proposal to King County Office of Equity and Social Justice for your race and disability equity work. Throughout this proposal, I will use the term “Disability Justice” or Disability Justice to refer to race and disability as it is the framework and approach that best encapsulates both race and Disability Justice.

This proposal is primarily meant to present the “Cadillac Option” for moving forward. However, the final project scope and deliverables are, of course, freely open to adaptation and shift toward what your organization needs based on the RFP. If we move forward, this proposal will become a dynamic document where steps and processes can be added, removed, updated, and redesigned.

The proposal is presented in Three (3) phases to fully incorporate the needs and outcomes shared in the RFP. If chosen to move forward, the phases can be negotiated along a timeline ranging from several months to a couple of years. This conversation will be based on organizational bandwidth for deep-dive Disability Justice work and budgeting. Discussion for redesign upon review and feedback is warmly welcomed.

**Overview:** The proposed engagement reflects a collaborative and intentional Disability Justice strategy approach that can span an expedited three (3) months or longer depending on the needs and desires of the organization. *The phases are accompanied by a range of estimated hours based on the average client. The low range* is a liberal estimate of how long the phase is likely to take, and *the high range* is a cautious estimate of how long it can take if there are any times during the engagement when additional work, consideration, conversation, consulting, information gathering, redirection, etc. is experienced during the process. Any of these phases can be negotiated. Organizations can choose between an hourly contract or retainer contract, which comes at a discount and additional offerings.

This proposal details the proposed engagement package and infuses your fourth attachment question. An explanation of the fee schedule and a breakdown of costs. At the end of this proposal is a discussion on the frameworks and approach of the business, and more about who I am as your potential consultant. Answers to your addendum questions are woven throughout



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## **Disability Justice Strategic Plan and Implementation Outline (Average: 110 hours)**

- I. **March 15 – April 1-15: Pre-Design Consultation (10 hours):** The product at the end of this phase is a strategic work plan (or plan for planning) that articulates the outcomes of the planning process, strategic issues to address, roles, planning activities, and time frame. This will be where we will also plan on how to make the assessment and change process as accessible as possible for staff and the OESJ office. This includes capacity and bandwidth for tasks and objectives of the process, as well as possible training and development opportunities that can provide tools and clarity around the process and approaching the work as sustainably, effectively, and collectively as possible.
  
- II. **April 1-15 – August 1-15: Framing and Assessment (55 hours):** This phase is a process of defining and assessing what is needed to begin the foundation of the plan and begin the process of strategic planning.
  - a. **Framing:** Assessment of existing data and foundations of the organization. The product of this phase is an initial understanding of the organizations' strengths, weaknesses, opportunities, and strengths (SWOT), history, current foundations in Disability Justice, and cultures/ policies/ practices. This is where we would address the following tasks as outlined RFP:
  
  - b. **Equity Assessment and Report:** This stage seeks to collect narratives, lived experiences, and recommendations from organizational stakeholders such as employees, contractors, legislators, etc. to discuss what pain and growth areas regarding disability justice that has been experienced or witnessed within King County OESJ.

The product of this stage is a consultant report combining organizational history, SWOT, foundations, structures, and the results of the equity assessment. The report will have goals, benchmarks, and next steps to lay groundwork for the strategic plan.
  
  - c. **Social Impact Assessment:** This assessment explores how King County Residents living at the intersection of race and disability, and how they understand and experience the impact of King County OESJ work. The result of this assessment is a better understanding of the "outside looking in" perspective of the community, and how they view King County OESJ's equity work, impact, and growth/pain areas.
  
- III. **August 1-15 – December 1-15: Strategic Planning and Embedding Recommendations (45 hours):** This phase begins the work of embedding and planning how to incorporate the recommendations, consult and/or coach the Section 504/ADA Advisory Committee and OESJ on the whole on how to integrate best practices and frameworks, strategize how to bring parity for this community considering the impacts and disparities worsened by Covid-19 and related socioeconomic disasters. Some possible tools to help attain the desired goals and tasks of the RFP include:



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- a. **Shared Language:** Collaboration with King County Office of Equity and Social Justice to establish shared language.
- b. **Mission, Vision, Values:** Creation of a Disability Justice mission, vision, and values statement to help guide the work, and serve as a touchstone throughout the engagement and organizational work.
- c. **Foundational Education:** Trainings or lunch and learns, agenda-item discussions facilitated at meetings, caucusing and group development, coaching, book clubs, etc.
- d. **Establishing Priorities and Structures:** Establishing broad approaches to be taken (strategies) and the general and specific results to be sought (the long term and short-term goals and objectives.) The product of this phase is an agreement on the priorities and structures King County Office of Equity and Social Justice will embrace to implement and sustain Disability Justice.
- e. **Policy Review:** Organizational policies and practices are reviewed at this stage to ensure cohesion with results of the equity and framing assessment report, and the newly developed strategic and operational plan. Recommendations for shifts or changes will be provided, with healthy discussions among stakeholders how policies can reflect the equity work of the organization.
- f. **Tool/Group Creation:** Creation or decision-making on tools, and designating accountability groups to guide work in the future. Examples of tools include: an equity decision-making tool, hiring matrix, etc. Examples of groups can be establishing employee resource groups (ERGs), Disability Justice boards, etc.

## **Fees for Service –**

Consulting and Training rates are priced differently based on organizational type, number of employees, and other factors. The fee schedules are listed below with more information. Nonprofits, community groups, and small businesses/start-ups can request a discount based on your self-reported organizational annual budget. The discount tiers:



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**Consulting Rate:** The consultant rate covers all services except trainings, which are invoiced at a separate rate, (see below.) Consulting services include:

- Organizational equity assessments and reports;
- Employee surveys, interviews, coaching, and focus groups;
- Social impact assessments and reputation management;
- Group process facilitation, mediation, or transformative justice processes;
- Program development, strategic planning, roadmapping, and benchmarking;
- Caucusing, Employee Resource Group or Change Team development;

## **The proposed consulting rate is as follows:**

- **Phase I – 10 Hours: \$2,750**
- **Phase II – 55 Hours: \$15,125**
- **Phase III – 45 Hours: \$12,375**
- **Total Consulting w/o training (Full package): \$30,250**

**Training Rate:** Trainings are invoiced at a flat rate per training hour, and is all-inclusive of all aspects of the training including design, prep, assessment, facilitation, and materials.

## **The proposed training hours for foundational education is as follows:**

- **15** total training hours at the flat training rate of **\$800** per training hour or **\$12,000**
- Training series and multiple training options based on conversation and results of equity assessment.
- **Full Package with training: \$40,250**

### **About Epiphanies of Equity**

*Epiphanies of Equity LLC* provides Social Equity consulting, training, and research. This includes what is typically known as “Diversity, Equity, and Inclusion.” EoE was incorporated in 2018, and we have worked with over 100 clients, companies, and governments. Some organizations we have partnered with to center Disability Justice (integrated racial and disability equity frames) include: SURGE Reproductive Justice, Seattle Office for Civil Rights, Lavender Rights Project, Sound Theater Group, King County Library Systems, JustLead, CollegeForward, The Arc of King County, University of Washington LEND and Autism Center, Rainier Valley Corps, and more!

We work across all sectors and provide a wide menu of services — from facilitation and trainings, to organizational equity scans, to strategic action planning for equity; and a range of transformative equity

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# **Epiphanies of Equity LLC**

**ChrisTiana ObeySumner, MPA, MNPL**  
**CEO and Principal Consultant**

and belongingness services to all sectors, community groups, and individuals. Within Social Equity work, our North Star work is at the intersection of Disability Justice, antiracism, and systems-level reconstruction for equity and justice. EoE particularly specializes in the following areas: intrapersonal, interpersonal, and organizational development; Sociocracy and movement building; Inter-governmental relationships and equity within public administration; Community engagement and outreach; Intersectionality, antiracism, Black Liberation, and Afro-Indigeneity; Gender and LGBTQIA+ Justice; Economic and Housing Justice, and Disability Justice and Racialized Ableism.

Our core process is to help organizations and individuals disrupt inequity from the inside out by centering integrity and accountability in this work. The goal is to facilitate a space where clients can have “Epiphanies of Equity” through transformative praxis of establishing universal equity goals, establishing an expectation of lifelong development and proactive strategies towards those goals, and transcreation of structures and processes that can hold equity intersectionally, fluidly, and adaptively.

We provide training and guidance to organizations and individuals on the importance of evaluating how each stage of daily functioning — from psychological frames to institutional frames — contribute to persistent inequity in systems, beliefs, policies, and other social structures. EoE leads or can co-organize strategic action plans using a unique framework combining Targeted Universalism and Transformative Practice to develop a road map toward social equity goals by exploring gaps and shared understanding of who we are today, what our journey has been, why equity matters to us personally and socially, and how to reach our equity goals intentionally, intersectionally, and sustainably.

## **About ChrisTiana ObeySumner, MPA, MNPL**

ChrisTiana ObeySumner is a Black/ Indigenous, queer, non-binary, and multiply disabled person, community organizer and activist. They are CEO and principal consultant of Epiphanies of Equity LLC - - A social equity consulting firm that particularly specializes in social change, intersectionality, antiracism, and disability justice. For two decades, they’ve dedicated their life and career to amplifying the importance of social equity – defined as the lifelong work of deconstructing inequitable sociological impacts and products such as policies, institutions, cultures, biases, and constructs; and facilitating strategic and embodied pathways towards the construction of equitable processes, accountability structures, and outcomes.

In addition, have served as co-chair of the Seattle Disabilities Commission and Renter’s Commission; Have sat on panels for organizations like the Housing Development Consortium and Seattle Center RSJI; Given guest lectures at the University of Washington, Seattle University, University of Rhode Island, Seattle Pacific University, and M.I.T., and; Featured in the Seattle Times, Crosscut, Seattle Arts, Seattle Magazine, and Diverse City LLC’s online learning series.

Thank you for considering EoE. We look forward to sharing space with you soon.

*ChrisTiana ObeySumner*

ChrisTiana ObeySumner, MPA, MNPL

CEO, Epiphanies of Equity LLC

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