

# Annual Report 2015-2016



Your Policy, Training and Technical Resource

## Celebrating 25 Years of the ADA



On the left, MSCOD's "25 ADA" wood carving (Photo by Erin Scott). On the right, Governor Mark Dayton speaks at the Minnesota History Center (Photo © [DougKnutson.com](http://DougKnutson.com)).

The Minnesota State Council on Disability (MSCOD) is a state agency providing leadership to empower and strengthen the rights of Minnesotans with disabilities. We collaborate with the public and private sectors as a policy, training and technical resource advisor.

July 26, 2015 marked an important milestone – The 25th anniversary of the passage of the Americans with Disabilities Act (ADA). When the ADA was signed into law, it was proclaimed, *"Together, we must remove the physical barriers we have created and the social barriers that we have accepted, for ours will never be a truly prosperous nation until all within it prosper."* Twenty-five years later, those words remain true. The passage of the ADA calls for all Americans to be ever mindful that individuals with disabilities must be given equal rights with us all. In 2015, MSCOD celebrated this landmark civil rights legislation with the largest ADA celebration ever held in Minnesota. Over 1,000 people joined us at the Minnesota History Center on July 26. Arts activities and music were created by people with disabilities for all to enjoy. The event also featured three keynote speakers: Governor Mark Dayton, former U.S. Senator David Durenberger and U.S. District Court Judge Donovan Frank.

Our events and activities were funded in part by a grant from the Arts and Cultural Heritage Fund, marking the first time that a Minnesota disability organization has received this funding. We proudly acknowledge the contribution of time and financial support of the MN disability community – its people and organizations – state agencies, local foundations, businesses and corporations. Our historic 25th ADA Anniversary Project gave us the opportunity to not only celebrate the disability community's proud past, but also look ahead to its empowered future.

## Message from the MSCOD Council Chair

Since 1973, the Minnesota State Council on Disability (MSCOD) has been actively engaged in advocating and providing leadership for the development and implementation of policies, programs and practices that advance the rights of Minnesotans with disabilities. This past year was no exception.

In 2015, MSCOD brought together the state's public and private sectors for a statewide celebration of the 25th anniversary of the signing of the landmark Americans with Disabilities Act (ADA). A year-long slate of activities and events throughout the state informed and educated thousands of Minnesotans of the many positive impacts the ADA has had on individuals with disabilities. But it also highlighted the many challenges that remain in building a statewide culture that is inclusive of all of its citizens, including the estimated 20 percent of the population living with a disability.

Throughout the year, the able and dedicated MSCOD staff also continued its essential work in such critical areas as ensuring that people with disabilities can enter and fully utilize public venues (including the new Minnesota Vikings stadium), serving as a technical resource for other state agencies in making sure that their web sites and documents are fully accessible for individuals with disabilities, raising awareness of the need for and developing plans to safeguard people with disabilities in the event of a natural or civic disaster, and identifying both real and perceived barriers to hiring people with disabilities in the public and private sectors.

With modest budget and resources, MSCOD has collaboratively and effectively worked throughout the public and private sectors to make a real difference in the lives of people with disabilities. I am proud to be a part of this work.

- Jim Thalhuber

## Message from the MSCOD Executive Director

2015 will be a year to remember at MSCOD. I have never been so proud of all of the accomplishments that we have achieved during this celebratory year for the 25th anniversary of the ADA. From major events to advocacy, we did it all this year and we did it with so much class! I can't wait to see what the next 25 years brings to the ADA and MSCOD!

- Joan Willshire



The Minnesota Historical and Cultural Grants Program has been made possible by the Arts and Cultural Heritage Fund through the vote of Minnesotans on November 4, 2008. Administered by the Minnesota Historical Society.

Visit <http://www.msCOD25ada.com/project-partners/> for a full list of partners.



## 25<sup>th</sup> Anniversary of the ADA Legacy Activities



People gathered in the Minnesota History Center (left) and the Ramsey County Conference Center (right)

### 25th ADA Anniversary Family Day Celebration

MSCOD (Minnesota State Council on Disability), in partnership with a coalition of 44 disability organizations, state agencies, local governments, and interested private parties marked this historic occasion by hosting a Family Day Celebration at the Minnesota History Center in St. Paul on July 26, 2015. Over 1,000 people joined us for this fun, free event, which featured: live entertainment from artists with disabilities, guest speakers, interactive arts activities, and screenings of disability related videos. We were honored to be joined by esteemed guest speakers such as Governor Mark Dayton, U.S. District Judge Donovan Frank, and Former U.S. Senator David Durenberger.

Numerous media outlets published articles, conducted interviews, and aired television and radio spots promoting the Family Day and the 25th Anniversary of the ADA, including: Star Tribune, MPR News, MinnPost, Access Press, Fox 9 News, KARE 11, WCCO, and **tpt** Almanac.

### ***The ADA at 25: Minnesota Moving Forward, an Employment Dialogue***

Over 400 people joined us on October 28, 2015 at the Ramsey County Conference Center for this historic event. It included Career, Resource, and Art Fairs for people with disabilities developed in partnership with the Minnesota Business Leadership Network and the Minnesota Spinal Cord Injury Association. The featured event was a live broadcast by **tpt** hosted by Mary Lahammer that united people with disabilities and employers with our keynote speaker, former U.S. Senator Tom Harkin, to discuss the employment crisis for people with disabilities. The day also featured informative breakout sessions and an employment dialogue. Remote dialogues took place in Duluth and Mankato, and people tuned in to the live broadcast from throughout the state.

## Twin Cities Public Television (tpt) Partnership

*The ADA at 25: Disability Rights in Minnesota:* This documentary is a people's story of a grass roots movement that led to one of the major pieces of civil rights legislation in US history. This program shows viewers what is possible so they can overcome their own stereotypes, that jobs and accessibility are not only governed by laws but by public perception.

*Celebrate 25 Years of the ADA:* Created by **tpt** journalist David Gillette, this engaging whiteboard video essay commemorates the 25th Anniversary of the passage of the ADA into law and explores an overview of the ADA's impact on the everyday lives of people with disabilities and the obstacles they face in the workplace.

Audio described versions of these videos can be found at <http://www.msco25ada.com/tpt/>

## Employment Survey

What is today's employment landscape, 25 years after the passage of the ADA? To answer this, MSCOD surveyed 611 employers and people with disabilities across Minnesota in 2015. The results highlight the need for improving employment among people with disabilities. Existing research shows that while the employment rate for people without disabilities has remained relatively stable in the past 25 years (ranging between 75% and 80%), the employment rate for people with a disability has declined from 29% in 1990 to 13% in 2014.

Unfortunately there were not enough respondents for the data to be considered valid, but the survey led to these findings: 1) While the ADA is perceived as having improved aspects of the employment landscape, people with disabilities still face barriers to employment. 2) People with non-visible disabilities experience greater barriers to employment opportunities and workplace accommodation than those with more visible disabilities. 3) Many people with disabilities lack awareness of the ADA.

Some of the survey questions were open ended. Here are two comments from respondents:

*"The stigma ... surrounding disability needs to be removed before everyone, able bodied and disabled will be truly comfortable in the workplace." – Person with a disability seeking employment*

*"Having an inclusive work culture that welcomes and supports employees with disabilities is not only good for individuals who identify as such, but improves the overall workplace for ALL employees." - Employer*

## MSCOD on the Web

- [www.msco25ada.com](http://www.msco25ada.com) launched in May 2015, with over 22,000 visits through October.
- MSCOD launched the ADA 25th Anniversary Celebration Project Facebook page, which gained 818 likes.
- MSCOD launched the MSCOD 25th ADA Twitter account, which gained 160 followers.



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## Legislative Update



**On the left, Joan Willshire and David Fenley seated with Representative Dennis Smith and Eric Schnell, listening to a member of the public. On the right is an ASL interpreter in front of officials.**

## 2016 Legislative Forum

Many important issues were discussed at MSCOD's (Minnesota State Council on Disability) Legislative Forum on Tuesday, February 9, 2016. Thanks to all who came down to the Minnesota Senate Building and to the more than 125 people who viewed it online. There were questions from around Minnesota via social media and the discussion in the room was productive and at times lively. The goal of this Forum was to continue the dialogue on topics such as the Olmstead Plan, MA reform, transportation, and mental health, as well as begin conversations on Self-driving vehicles and new ways to remove barriers in small businesses to make Minnesota as accessible as possible for people with disabilities. MSCOD will continue to push these issues.

## 2016 Legislative Session

Capitol accessibility has been a concern over the past few years. This year it is especially important to know what is going on with construction and how Minnesotans with disabilities can access the legislative process. MSCOD has been leading this effort, and our website has a comprehensive guide here: <http://www.disability.state.mn.us/capitol-renovation/>

## 2016 MSCOD Platform

SF 2569 & HF 3325 seeks legislative authorization of a task force and technology demonstration project to promote and support the development of autonomous vehicle technology in Minnesota to meet the transportation needs of Minnesotans with disabilities that are currently unable to drive.

| <http://www.disability.state.mn.us> | [council.disability@state.mn.us](mailto:council.disability@state.mn.us) |  
| 121 7<sup>th</sup> Place E, Suite 107, St. Paul MN 55101 | 651-361-7800 or 1-800-945-8913 |

HF 2955 & SF 2584 MSCOD's barrier removal bill will make it easier for small businesses to meet their obligations under the Americans with Disabilities Act (ADA).

SF 2457 & HF 2774 is the result of an emergency elections task force that MSCOD was a part of. This bill specifies what is to happen if an emergency disrupts an election. MSCOD was included to ensure that the accessibility of polls is a top priority and that the needs of voters with disabilities are included in all aspects of any emergency plan.

## 2015 Wins for the Disability Community

The disability community accomplished many things last year, thanks to the tireless work of Minnesota's disability organizations. Below is just a partial list of these accomplishments.

- The **Legacy Omnibus** bill states that the 23 Governor appointed disability organizations will play a role in making sure that those who receive legacy funds work to make their facilities, programs and activities accessible to every Minnesotan.
- MSCOD will appoint a representative to the **elections emergency task force**. In case of an emergency, the polls must remain accessible to every Minnesotan.
- As part of the **Higher Education Omnibus**, the disability community will be consulted during decision making as to the specific knowledge and skills necessary for occupational training and apprenticeships. This is important as we seek to increase the employment of people with disabilities.
- The State has established a **Central Accommodation Fund**, which is a best practice from the private sector for hiring more employees with disabilities. State agencies will be able to tap into the Fund to pay for special software, equipment, sign language interpreters, etc., needed by workers with disabilities to do their jobs.
- **Text-to-911**: The Public Safety Finance bill includes the funding needed for Minnesotans to be able to eventually text 911 in an emergency
- **MA-EPD** (Medical Assistance for Employed Persons with Disabilities) premium increase that went into effect last fall has been repealed.
- **MSCOD** received Governor recommended budget increase of 1.8%
- **NEMT** (Non-Emergency Medical Transportation) has \$3.7 million in various rate increases and policy changes that will make getting to and from the doctor easier for people with disabilities.
- **Medical Assistance** (MA) spend-down has been raised to 80% saving some money for those on MA. This is effective starting July 1, 2016, a hard-earned victory for the disability community.
- Waiting List (**Disability Waiver Rate System**) language was approved to lower the reserve amounts counties can have to three percent (from the current 7 – 10%). This should help many of the individuals currently on the waiting list for home and community-based (HCBS) waived services.
- **ABLE Act** (Achieving a Better Life Experience Act) will receive \$105,000 in funding to administer the ABLE Accounts
- There is **\$46 million in new mental health funding**.

## Access Update



**MSCOD staff conducts a pre-session access review of the Capitol.**

## Access Projects & Partnerships

As the baby boomers age and acquire age related disabilities, an increasing number of people are relying on access features in order to live fully and participate in their day to day interests and obligations. In achieving greater access, it's important to influence a wide range of projects. Many high visibility projects occupied staff time and resources during 2015. MSCOD (Minnesota State Council on Disability ) staff monitored the progress of the Capitol restoration/renovation project and new Minnesota Senate Building, and continued to strive for greater access by developing partnerships with other state and private entities.

Staff consulted on several access projects and provided technical assistance to other state agencies, including the Department of Natural Resources, the Department of Administration, the Secretary of State's Office, the Department of Public Safety, the Department of Labor & Industry, the Department of Education, the Department of Transportation and the Metropolitan Council.

MSCOD staff also reviewed and consulted on several large access projects that impact the disability community and are of significant public interest. Listed below is a sampling of some of our larger projects:

- U.S. Bank Stadium
- Target Center Renovations
- CHS Field website access guide
- Readily Achievable Barrier Removal Project
- Minneapolis/St. Paul International Airport Access

By involving staff with working knowledge of the technical access requirements, and the concerns of the disability community at the design stage of a project, we were able to achieve a higher level of access for the citizens of Minnesota without a significant increase in cost.

## **Access Surveys & On Site Reviews**

Staff conducted multiple access reviews over the past year for the following buildings and event:

- Hmong Village
- Hmong Freedom Celebration and Sports Festival
- James J. Hill Reference Library (limited scope)
- RiverCentre (limited scope)
- Minnesota History Center

At the conclusion of each review, staff made recommendations on how to improve access for the disability community.

## **Access Presentations**

Staff conducted several presentations on a range of topics including general access requirements and barrier removal in the following communities:

- St. Cloud – local group
- St. Paul – large employer (2) and statewide group
- Marshall – local group
- Mankato – local group

## **Worker Compensation Home Modification Cases**

The access staff at MSCOD also processed 10 Worker Compensation Home Modification case requests. Home modification requests can be made by injured workers who have sustained a mobility disability and need access modifications to their principal residence. MSCOD determines the need and reasonableness of the application and forwards a recommendation to the Worker Compensation Division at the Department of Labor & Industry.

## **Stairway Chairlift Applications**

We also processed 16 applications for installation of stairway chairlifts in existing buildings where a higher level of accessibility was not feasible. The lion's share of the applications received were from small churches in rural Minnesota, where they were faced with a dwindling congregation and an older church with few options. Once a determination is reached, a recommendation is forwarded to the Building Code and Standards Division at the Department of Labor & Industry.

## **Information & Referral Technical Assistance Contacts**

Staff responded to approximately 700 phone calls and emails during this 12 month period that were specifically related to access and barrier removal.



## Emergency Preparedness Update



**Executive Director Joan Willshire (left) and Council Member Kim Tyler (right) hand out Emergency Preparedness Go Bags at the State Fair**

### Go Bags

In 2015, MSCOD handed out approximately 12,000 Emergency Preparedness Go Bags to people with disabilities and their families throughout the state. These bright red bags, developed in partnership with Homeland Security and Emergency Management (HSEM), are always popular at events attended by MSCOD. The bags have emergency preparedness guides and plans, whistles, and other materials containing valuable information. An emergency preparedness supply kit is printed on one side of the bag, providing lists of items that you should have nearby in case of emergency. These lists are broken down into three categories:

- Items needed whether you need to go or stay, including drinking water, non-perishable food, and more.
- Items to keep in your vehicle, such as jumper cables, flashlights, and batteries.
- Extra items, such as medications, glasses/contacts, and infant formula.

### Access & Functional Needs Committee

MSCOD staff actively participates on the Access & Functional Needs Committee which is a multi-state agency group focused on developing emergency preparedness & response materials and conducting training throughout Minnesota for emergency management staff at the state, county and local level.

The Access & Functional Needs Committee met multiple times and developed training material and/or presented at the following events:

- The Governor's Homeland Security Emergency Management Conference
- Minnesota Organizations Active in Disasters (MNVOAD) Conference
- DHS Age & Disability Odyssey Conference

In addition, the Access & Functional Needs Committee updated the Functional Needs Planning Toolkit for Emergency Planners on the DPS Homeland Security & Emergency Management website.

## **Other Activities**

MSCOD staff also participated in the following activities:

- Staff served on the Elections Emergency Planning Task Force which developed recommendations for emergency planning for election events.
- We assisted staff at the Minnesota History Center in developing emergency evacuation plans for the ADA Celebration in July that attracted over a thousand attendees.
- Staff attended the Washington County Information Fair and distributed a wide range of materials on emergency preparedness for people with disabilities and seniors.

## **Information & Referral Technical Assistance Contacts**

Staff responded to approximately 150 phone calls and emails during this 12 month period that were specifically related emergency preparedness.

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## 2015 State Fair



**MSCOD's Linda Gremillion with a young fair-goer (left) and artist Renee Granger-Smith signing posters (right)**

MSCOD (Minnesota State Council on Disability) was busy last summer at the great Minnesota get-together. An extra-large booth in the Education building helped us not only give out disability related resources, but also celebrate and promote our 25<sup>th</sup> ADA Anniversary Legacy activities. It was a fun-filled two weeks featuring special guests, commemorative art signings, survey distribution, information requests, and referrals.

### Special Guests

The MSCOD booth featured many special guests for fairgoers to meet. Many of our state commissioners joined us, including:

- Matt Massman, Department of Administration
- Kevin Lindsey, Department of Human Rights
- Lucinda Jesson, Department of Human Services
- Ken Peterson, Department of Labor and Industry
- Brenda Cassellius, Department of Education
- Mona Dohman, Department of Public Safety
- Tom Landwehr, Department of Natural Resources

We were also honored to be joined by:

- Minnesota Lt. Governor Tina Smith
- Darlene Zangara and Kristin Jorenby, Olmstead Implementation Office

| <http://www.disability.state.mn.us> | [council.disability@state.mn.us](mailto:council.disability@state.mn.us) |  
| 121 7<sup>th</sup> Place E, Suite 107, St. Paul MN 55101 | 651-361-7800 or 1-800-945-8913 |

- Ms. Wheelchair Minnesota 2015 Angelique Lele
- Joseph Baird, Guitarist
- The Amazing Jeffer – The World’s Only Blind Magician
- Alec Sweazy, Accordionist
- Tony Wentersdorf, Autoharpist

## Commemorative Art Signings

MSCOD put a call out to area artists to create artwork honoring the 25th Anniversary of the ADA. Free posters of the artwork were given out at various events, including the State Fair. The posters were extremely popular, and the artists joined us at our booth to sign their posters for fairgoers. These artists include:

- Josh Paisley
- Renee Granger Smith
- Michelle Morine-Chapa
- Annie Young

All of this amazing commemorative artwork can still be found on our website: <http://www.msCOD25ada.com/resources/commemorative-posters/>

## Other Activities

MSCOD also had an area designated for people to take our Employment Survey. Paper copies were made available for those who wanted to take the survey at the fair, although we also gave out slips of paper with a URL to the survey so people could take it online when they got home.

Fairgoers also participated in our post-it note survey. Participants wrote their answers on post-it notes, and placed them on our “25 ADA” wood carving, which was displayed at all of our 2015 events. We received many responses, such as:

*What words describe Disability Culture for you?*

- Acceptance
- Access
- Equality

*What do you want to say about employment for people with disabilities?*

- Disabled does not mean incapable
- Equal opportunity for excellence
- We all have something to contribute



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