

Mayor's Office on Disability



Edwin M. Lee
Mayor

Carla Johnson, CBO, CASp.
Director

Hon. Cynthia Ming-Mei Lee
Presiding Judge, County of San Francisco
Superior Court of California
400 McAllister Street, Room 008
San Francisco, CA 94102

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*Re: 2013-2014 Civil Grand Jury Report:
"Survey of San Francisco Commission Websites"*

September 5, 2014

Dear Judge Lee:

This letter serves as the response from the Mayor's Office on Disability (MOD) to the 2013-2014 Civil Grand Jury's report on the survey of San Francisco commission websites, and their findings regarding notices that inform citizens of their rights, and the process, for requesting disability accommodations and or language support. I appreciate the Civil Grand Jury's efforts and their attention to this issue because access to the democratic and citizen participatory process that unfolds at all City and County Commissions, is a fundamental right for people with disabilities and paramount to our work as the City of San Francisco's overall ADA Coordinator.

I wish to clarify however that while MOD's role as San Francisco's ADA Coordinator means that we work collaboratively with the different City Departments and Commission Secretaries to ensure that their websites and meetings are accessible to all, language access is directly under the purview of the Office of Civic Engagement and Immigrant Affairs (OCEIA) through their enforcement of the Language Access Ordinance. As a result, you will be receiving separate correspondence from their Director explaining their actions in response to the Civil Grand Jury Report.

The Civil Grand Jury (CGJ) acknowledged that they had some difficulty identifying all of the commissions operating in San Francisco, and that they relied upon an index from a 2010 City Attorney Opinion to develop their list. Their bar graph statistics indicated that the CGJ surveyed thirty two websites serving the commissions. Unfortunately however the report did not contain a list of which websites they investigated. When we contacted the CGJ and requested clarification, they cited confidentiality concerns and were unable to provide us their list, so MOD chose to work from the most current list provided by the City Attorney's Office for boards & commissions that were created by City Charter. As a result, MOD surveyed thirty nine websites, or seven more than the CGJ.

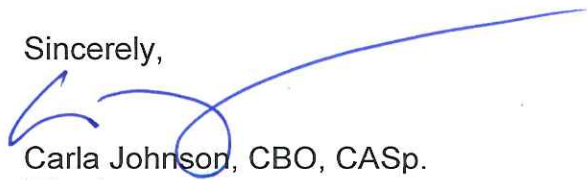
In accordance with the Civil Grand Jury's report and authority, the Mayor's Office on Disability was directed to provide responses to Finding 1 and Recommendations 1a and 1b. The following are our responses:

Civil Grand Jury's Finding	MOD Response
<p>A statement that informs the process of requesting accommodation for physical disability and/or language support is not easily found on many commission websites.</p>	<p>Partially Agree. The Mayor's Office on Disability is the City's ADA compliance office and in this capacity it is our mission to ensure that all City and County programs, services and activities are compliant with Title II of the Americans with Disabilities Act (ADA). Providing a notice of the right to request disability accommodations and the process by which to do so is one of the fundamental administrative requirements of Title II of the ADA. While the ADA is clear that notice is required, it does not specifically state that notice shall be posted on a website (as opposed to including the information on a meeting Agenda), however we agree that this is a best practice because it makes the information easier to find.</p> <p>In accordance with the ADA, boards and commissions must provide communication access to people with disabilities; therefore all print and electronic communications must include an accessibility notice so that residents with disabilities have an equal opportunity to participate in the meetings. MOD conducts frequent training to various City departments and staff and emphasizes key elements of conducting fully accessible meetings including providing an accessibility notice in all event communications.</p> <p>The ADA, however, does not specifically address the needs of Limited English Proficiency (LEP) for San Francisco residents. The Language Access Ordinance (LAO) is the specific mandate that addresses this issue. The Office of Civic Engagement & Immigrant Affairs (OCEIA) is specifically tasked with monitoring and enforcing compliance with the LAO. Upon receiving the CGJ report, MOD immediately notified OCEIA and they will be preparing a separate report on the notification for language access.</p>

Civil Grand Jury's Recommendations	MOD Response
<p>1a. The Mayor's Office on Disability should coordinate with commissions to ensure that statements for accommodation are easily located on commission websites.</p>	<p>The recommendation has been implemented. Upon receipt of the list of boards and commissions from the City Attorney's Office, MOD staff conducted a review of the 39 commission websites.</p> <p>MOD found that the majority of the commission agenda's (32 out of 39) contained an accessibility notice, but at the initial review only 12 of the commission's websites had specific statements for disability accommodations.</p> <p>Subsequent to the review, MOD staff identified and contacted all commission secretaries and provided technical assistance via electronic mail and telephone call. To date, 35 out of the 39 commissions now feature an accessibility notice prominently on both their website and agenda material.</p> <p>Of the remaining four commissions, all agenda materials now feature the accessibility notices. Two are in the process of updating their website through their webmaster. And two failed to respond despite multiple attempts to reach them.</p>
<p>1b. When commission websites are developed to include language support that support should be provided in the same languages used in the voter's guide.</p>	<p>This recommendation will not be implemented by MOD. As discussed previously, language support matters fall within the jurisdiction of the Office of Civic Engagement & Immigrant Affairs. They will be submitting a separate report addressing their efforts to implement language access.</p>

Thank you again for the Civil Grand Jury's attention to disability rights issues. If you have additional questions about this report please do not hesitate to contact me.

Sincerely,



Carla Johnson, CBO, CASp.
 Director
 Enclosures [1]

Cc: Civil Grand Jury
 Board of Supervisors

**MOD Reviewed List of Commission Websites & Agendas That Comply with Disability Access Notice
As of September 3, 2014**

Commission Websites Reviewed	Disability Language on Webpage	Disability Language on Agendas	Notes	Website address
Access Appeals	Yes	Yes		http://sfdbi.org/access-appeals-commission
Commission on Aging	Yes	Yes		http://www.sfhsa.org/490.htm
Airport	Yes	Yes		http://www.flysfo.com/about-sfo/airport-commission/about-commission/disability-access
Animal Control and Welfare	No	Yes	<i>msg. 8/21/2014; 8/26/2014</i>	http://www.sfgov2.org/index.aspx?page=369
Asian Arts	Yes	Yes		http://www.asianart.org/visit/visitors-with-special-needs
Arts Commission	No	Yes		http://www.sfartscommission.org/
Building Inspection	Yes	Yes		http://sfdbi.org/about-bic
Children And Families First	Yes	Yes		http://www.first5sf.org/about/agendas
Civil Service	Yes	Yes		http://sfgov.org/civil_service/commission-hearing-policies-and-procedures
City Hall Preservation Advisory	No	Yes	<i>msg. 8/21/2014 and 8/22/2014; 8/26/2014</i>	http://sfgsa.org/index.aspx?page=743
Code Advisory	Yes	Yes		http://sfdbi.org/code-advisory-committee
Community Investment and Infrastructure	Yes	Yes		http://www.sfocii.org/index.aspx?page=261
Elections	Yes	Yes		http://www.sfgov2.org/index.aspx?page=4214#access
Entertainment	Yes	Yes		http://www.sfgov2.org/index.aspx?page=338
Environment	Yes	Yes		http://www.sfenvironment.org/commission
Ethics	Yes	Yes		http://www.sfethics.org/ethics/2009/05/contact-the-commission.html
Film	Yes	Yes		http://38.106.4.41/index.aspx?page=53
Fire	Yes	Yes		http://www.sf-fire.org/index.aspx?page=250
Historic Preservation	Yes	Yes		http://www.sf-planning.org/index.aspx?page=1892
Housing Authority	Yes	Yes		http://www.sfha.org/Board-of-Commissioners.html
Human Rights	Yes	Yes		http://sf-hrc.org/commission-meetings

**MOD Reviewed List of Commission Websites & Agendas That Comply with Disability Access Notice
As of September 3, 2014**

Commission Websites Reviewed	Disability Language on Webpage	Disability Language on Agendas	Notes	Website address
Human Services	Yes	Yes		http://www.sfhsa.org/491.htm
Immigrant Rights	Yes	Yes		http://www.sfgov2.org/index.aspx?page=2322
Juvenile Probation	Yes	Yes		http://sfgov.org/juvprobation/juvenile-probation-commission-meeting-information
Law Library	Yes	Yes		http://38.106.4.152/index.aspx?page=8
Library	Yes	Yes		http://sfpl.org/index.php?pg=2000059001
Local Agency Formation	Yes	Yes		http://www.sfbos.org/index.aspx?page=4154
Planning	Yes	Yes		http://www.sf-planning.org/index.aspx?page=7
Police	Yes	Yes		http://sf-police.org/index.aspx?page=2572
Port	Yes	Yes		http://www.sf-port.org/index.aspx?page=133
Public Utilities	Yes	Yes		http://www.sfwater.org/index.aspx?page=167
Rec and Park	Yes	Yes		http://sfrecpark.org/about/disability-questions/
Rent Board Commission	Yes	Yes		http://www.sfrb.org/index.aspx?page=938
Small Business	Yes	Yes		http://sfgsa.org/index.aspx?page=4204
Southeast Community Facility	Yes	Yes		http://sfgov.org/sefacility/meeting-information
SFMTA/MTC	Yes	Yes		http://www.sfmta.com/about-sfmta/organization/committees/multimodal-accessibility-advisory-committee-maac
Veteran Affairs	No	No	<i>msg. 8/21/2014; 8/26/2014</i>	http://sfgov.org/vets/
Status of Women	Yes	Yes		http://sfgov.org/dosw/cosw-meeting-information-0
Youth	Yes	Yes		http://www.sfbos.org/index.aspx?page=5653