

Executive Summary of the Study to Increase Access to the Legislature and Government Services for Persons Who are Deaf or Hard-of-Hearing and to Make Progress Towards Compliance with the American With Disabilities Act

Public Law 1995, Chapter 426 requires both the Executive Director of the Legislative Council and the state accessibility office, on behalf of the Executive Department, to conduct studies of the accessibility of services and programs to the deaf and hard-of-hearing in the respective branches of government. This report summarizes the findings and recommendations related to accessibility of the Legislature to persons with disabilities.

The work performed in the course of preparing this report has included an evaluation of the accessibility of the physical facilities used by the Legislature; collection of information from those legislative offices who have responsibility for facilitating access to the public; and an analysis of various auxiliary aids and services. While the legislative impetus for the study was access to services for the deaf and hard-of-hearing, the specific tasks performed as part of this study were broadened to address the Legislature's obligation with regard to persons having other types of disabilities. In conjunction with this study, we also solicited information and observations from individuals with disabilities and from groups representing disabled persons. This ongoing exchange has provided valuable insights regarding accessibility issues from the perspective of those who have tried to participate in the legislative process. Written comments provided by the Deaf Advocacy Group appear in Appendix H.

Both the federal Americans with Disabilities Act and Maine's Human Rights Act prohibit public entities, including state legislatures, from excluding individuals from participation in or denying them the benefits of the services, programs or activities, or discriminating because of a disability. Access to the legislative process means providing equipment and services to ensure effective communication among legislators, legislative staff, and persons with disabilities. This report identifies significant corrective measures that the Legislative Council has undertaken in the past several years as well as the improvements that are still needed to improve the accessibility of legislative services to persons with disabilities. The evaluation of the Legislature's facilities reveals that the Legislature is in substantial compliance with state and federal law. In order to achieve full and equal access for persons with disabilities, however, the Legislative Council must address the use of auxiliary aids and services, which are designed to remove communication barriers for disabled persons -- particularly, the deaf and hard-of-hearing. This report outlines a series of recommendations to the Legislative Council whose objective is to improve accessibility of the Legislature to the deaf and hard-of-hearing, as well as to persons with other disabilities.

Summary of Recommendations

Improvements to Existing Legislative Services

- The Legislative Council should develop and adopt a written policy in response to the American with Disabilities Act.
- The Legislative Council should develop an education and training program for both legislators and legislative staff to promote awareness of the American with Disabilities Act and services available to persons with disabilities.
- The Legislative Council should include information about the services available to persons with disabilities in all relevant publications.

Interpretive Services

- The Legislative Council should explore a contract relationship with one or more qualified providers for the provision of interpreters..
- The Legislature's joint standing committees should work with the presiding officers and legislative staff to identify those bills that are of interest to the deaf and hard-of-hearing early in the legislative session and schedule public hearings and work sessions when interpreters can be present.
- The Legislative Council should periodically evaluate the demand for interpreting services in the legislative setting and the availability of interpreters with the objective of improving access to these services as the availability increases.

Portable Assistive Listening Devices

- The Legislative Council should authorize the purchase of one portable assistive listening system that can be used in committee rooms as needed to allow the hard-of-hearing greater access to the legislative process.
- The Legislative Council should evaluate the level of use of the portable assistive listening system to determine if the purchase of additional systems is warranted.

Closed Captioning

- Computers-assisted real time captioning is not feasible for the Legislature at this time.