



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

December 11, 2012

Dear Colleague:

This letter is to remind county children and youth agencies, private children and youth agencies and juvenile probation offices of their responsibility to comply with laws that prohibit disability discrimination, most importantly Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. These laws generally prohibit discrimination on the basis of disability in public services and require state and local governments to make their programs, services and activities, including those purchased from private providers under contract, accessible to individuals with disabilities.

This reminder is prompted as a result of concerns received from persons who are deaf or hard of hearing regarding communication barriers they experienced when accessing or attempting to access services. Child welfare and juvenile justice entities must take steps to ensure that children and adults who are deaf or hard of hearing have meaningful access to the programs, services and activities for which they are eligible, and must ensure that their communication with individuals with disabilities are as effective as communication with others. Similarly, our fundamental social work values promote treating each person with dignity, regard and consideration, and working proactively with families to fully engage and involve them in all decisions impacting their life. It is vital to have effective communication among all parties during all contacts and meetings where information is gathered and future plans are discussed. Without access to communication, an individual who is deaf or hard of hearing may not have an equal opportunity to participate in the process and the meeting would have to be rescheduled until the agency made arrangements for communication access.

In addition, sign language, interpreting and communication access must be available as accommodations for persons with disabilities. To provide this access, auxiliary aids and services that promote effective communication must be provided, when necessary, free of charge. Examples of auxiliary aids and services include, but are not limited to, qualified sign language interpreters, teletypewriter (TTY), large print materials, Braille materials and computer software. Please keep in mind that people who are deaf or hard of hearing use a variety of ways to communicate. Some rely on sign language interpreters or assistive listening devices; some rely primarily on written messages. Some can speak but may not be able to hear and/or comprehend the words spoken by others.

The Office of Children, Youth and Families, in collaboration with the Department's Bureau of Equal Opportunity, the Department of Labor and Industry's Office for the Deaf and Hard of Hearing (ODHH), and Bureau of Blindness and Visual Services (BBVS), as well as the Pennsylvania Child Welfare Resource Center, is working to develop a one-hour on-line policy and resource module and a six to 12-hour workshop to include information regarding values,

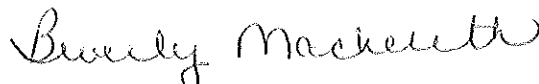
policies, resources and advocacy strategies surrounding the provision of services to individuals who are deaf, hard of hearing, blind, legally blind or have other such disabilities according to federal mandates. The development of the curricula will include convening a Quality Assurance Committee to include consumers of services who have an identified disability.

The ODHH is also available to provide resource information on issues relevant to people with hearing loss, to make referrals to appropriate resource organizations, and to provide advocacy for people with hearing loss. The contact information for the ODHH offices is at <http://www.dli.state.pa.us/odhh>. The BBVS assists Pennsylvanians who are blind or visually impaired to gain the skills necessary to live and work independently in their communities. Services for children and adults include teaching of daily living skills, cane-travel, assistive-technology training, and preparation for college and job placement. The BBVS also assists individuals 55 years and above in independent living skills to remain in their homes and avoid costly institutionalization. The BBVS can also provide technical assistance and advocacy on issues relevant to people with blindness or visual impairment. The contact information for the BBVS offices is at <http://www.portal.state.pa.us/portal/server.pt?open=514&objID=718649&mode=2>.

The United States Department of Justice provides free ADA materials. Printed materials may be ordered by calling the ADA Information Line (1-800-514-0301 (Voice) or 1-800-514-0383 (TDD)). Automated service is available 24-hours a day for recorded information and to order publications. Publications are available in standard print as well as large print, audiotape, Braille and computer disk for people with disabilities. The United States Department of Justice publication entitled "A Guide to Disability Rights Laws" can be found at <http://www.ada.gov/cguide.pdf>. Additionally, the United States Department of Health and Human Services publication entitled "Your Rights under Section 504 of the Rehabilitation Act" can be found at <http://www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf>.

Our shared goal is the elimination of communication barriers that might prevent any person with a disability from having meaningful access to the full range of services.

Sincerely,



Beverly D. Mackereth
Deputy Secretary