

# **GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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## **ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2017-010  
January 11, 2017

**SUBJECT:** Enhancing Compliance with the Disability Rights Protection Act of 2006 and the Americans with Disabilities Act

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 23, 1973 (87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(11) (2016 Repl.)); section 3(b)(1) of the Disability Rights Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-239; D.C. Official Code § 2-1431.02(b)(1) (2016 Repl.)); in furtherance of the goals of the Americans with Disabilities Act (“ADA”), approved July 26, 1990 (104 Stat. 327; 42 U.S.C. § 12101 *et seq.*); and the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; § 2-1401.01 *et seq.* (2016 Repl.)), it is hereby **ORDERED** that:

### **I. PURPOSE**

- A. The purpose of this Order is to help ensure compliance with the ADA and other local and federal disability laws. This Order requires all District government agencies to appoint an ADA Coordinator, who must carry out certain prescribed responsibilities, and to provide the Office of Disability Rights (ODR), through a centralized database, information regarding reasonable accommodation requests and allegations involving disability discrimination. This Order also requires the ODR to carry out certain responsibilities in furtherance of the ADA and the Disability Rights Protection Act of 2006.
- B. This Order is not intended to be a comprehensive statement of the responsibilities of ODR or District government agencies under the Disability Rights Protection Act of 2006 or the ADA, and it is the responsibility of ODR and each District government agency to be aware of, and comply with, its other obligations under those acts.
- C. Pursuant to the authority set forth in sections 3(b) and 4(b) of the Disability Rights Protection Act of 2006 (D.C. Official Code § 2-1431.02(b) and § 2-1431.03(b)), this Order applies to all District agencies, including independent agencies.

### **II. AGENCY ADA COORDINATORS**

- A. Each District agency shall appoint an ADA Coordinator, who shall be responsible for:

1. Ensuring that the agency has in place internal policies and procedures for responding to requests for reasonable accommodations for persons with disabilities;
  2. Ensuring that the agency has in place internal policies and procedures for responding to complaints regarding the accessibility of services, activities, and facilities to persons with disabilities;
  3. Participating with ODR staff in the development of the agency's annual ADA implementation plan. The implementation plan shall state actions to be taken by the agency to provide persons with disabilities with full and complete access to services, activities, and facilities of the agency;
  4. Working to ensure that agency employees, constituents, and volunteers are aware of their rights under the ADA;
  5. Completing an annual agency self-evaluation to determine the status of the agency's compliance with the ADA;
  6. Serving as the initial contact person for ADA complaints related to the agency;
  7. Conducting informal investigations of the agency's compliance with the ADA; and
  8. Maintaining records regarding complaints, requests for reasonable accommodations, the provision of disability-related information to employees, job applicants, volunteers, and constituents, and referrals of disability complaints or accommodation requests to other agencies and entities.
- B. Each ADA Coordinator shall attend an annual ADA Coordinator training provided by the ODR.
- C. Each agency shall notify the ODR of the name and contact information of its ADA Coordinator.
- D. Each agency shall notify agency employees of the name, contact information, and general responsibilities of the ADA Coordinator.

### **III. CENTRALIZED ADA DATABASE**

- A. The ODR shall create and maintain a database that shall serve as a central repository of all ADA accommodation requests and all allegations of disability discrimination made by District government employees, job applicants, and

volunteers, and persons accessing or seeking to access District government services, activities, or facilities.

- B. Each agency ADA Coordinator shall enter each request his or her agency receives for a disability accommodation and each allegation against his or her agency of discrimination based on disability into the ODR database within three (3) business days after the request is made or the ADA coordinator becomes aware of the allegation. The information entered into the database shall include a detailed description of the request or allegation and the proposed, planned, or actual response of the agency to the request or allegation. The agency shall also update the information in the database after the request or allegation is resolved.
- C. The ODR shall review each ADA accommodation request and allegation of disability discrimination entered into the database within five (5) business days after the request or allegation is entered into the database by the agency. For each such request or allegation, ODR shall opine to the agency on appropriate ways in which to respond to the request or allegation, or ODR may concur with the agency's proposed, planned, or actual response.
- D. The ODR shall report to the Office of the City Administrator any agencies which consistently fail to timely enter disability accommodation requests or allegations of disability discrimination into the database.
- E. The ODR shall provide training and guidance to ADA coordinators on the use of the database.

#### **IV. ADA TRAINING, TECHNICAL ASSISTANCE, AND POLICIES AND PROCEDURES**

- A. The ODR shall provide annual mandatory ADA Coordinator training and periodic disability compliance training for staff, managers, and ADA Coordinators on reasonable accommodations, accessible work environments, and ancillary tools.
- B. The ODR shall provide technical assistance to District government agencies regarding compliance with the ADA.
- C. The ODR shall develop model policies and procedures that each agency may adopt, with appropriate modifications specific to the agency, for responding to requests for reasonable accommodations for persons with disabilities and responding to complaints regarding the accessibility of services, activities, and facilities to persons with disabilities.

#### **V. INFORMAL INVESTIGATIONS AND DISPUTE RESOLUTION**


At the request of an agency, constituent, or employee, the ODR may carry out an informal investigation of an allegation that an agency has failed to provide a reasonable

accommodation to a person with a disability or that the agency has discriminated against a person with a disability. The ODR may also, at the request of the agency, constituent, or employee, provide informal dispute resolution services regarding such a matter.


**VI. ANNUAL REPORT**

The ODR shall issue an annual report to the Mayor regarding compliance by District government agencies with the ADA, the Disability Rights Protection Act of 2006, the disability-related provisions of the District of Columbia Human Rights Act, and all relevant District policies and procedures regarding disability discrimination and disability accommodations.

**VII. EFFECTIVE DATE:** This Order shall become effective immediately.

  
MURIEL BOWSER  
MAYOR

ATTEST:

  
LAUREN C. VAUGHAN  
SECRETARY OF THE DISTRICT OF COLUMBIA