

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties

*Planning for the Entire Community:
A Function-Based Approach*



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DHS Office for Civil Rights and Civil Liberties

The Office for Civil Rights and Civil Liberties:

- Provides proactive legal and policy advice to Department leadership
- Prioritizes the security of individuals with disabilities and other populations
- Oversees implementation of Executive Order 13347, Individuals with Disabilities in Emergency Preparedness



Applicable Civil Rights Laws

Disability Related

- Rehabilitation Act of 1973, as amended
- Americans with Disabilities Act of 1990
- Fair Housing Act of 1968, as amended
- Architectural Barriers Act of 1968
- Communications Act of 1934, as amended
- Individuals with Disabilities Education Act (IDEA) of 1975, as amended
- Executive Order 13347: Individuals with Disabilities in Emergency Preparedness

Limited English Proficiency Related

- Title VI of the 1964 Civil Rights Act
- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency

Key Civil Rights Principles

- Key nondiscrimination concepts applicable under Federal law applicable to emergency management
 - *No “one size fits all”*
 - Accessibility
 - Effective communication
 - Inclusion



Emerging National Policy Landscape

FEMA Disability Policy Guidance to Emergency Managers

- Be familiar with the demographics of their community;
- Have sound working knowledge of the accessibility and nondiscrimination requirements applicable under Federal and state laws;



Emerging National Policy Landscape

FEMA Disability Policy Guidance to Emergency Managers (continued)

- Involve people from various special needs populations in identifying the communication and transportation needs, accommodations, support systems, equipment, services, and supplies that residents and visitors will need during an emergency; and
- Identify existing and develop new resources within the community that meet the needs of residents and visitors during emergencies.



Emerging National Policy Landscape

National Response Framework (NRF) and National Incident Management System (NIMS)

- Set out a function-based definition for the term “special needs populations”
- Include function-based need considerations throughout the intergovernmental operational protocols



Emerging National Policy Landscape

Function-based Definition Adopted in the NRF

Special Needs Populations— Populations whose members may have additional needs before, during, and after an incident in functional areas, including but not limited to:

- maintaining independence
- communication,
- transportation,
- supervision, and
- medical care.

Individuals in need of additional response assistance may include those who have disabilities; who live in institutionalized settings; who are elderly; who are children; who are from diverse cultures; who have limited English proficiency; or who are non-English speaking; or who are transportation disadvantaged.



Demographic Trends

- The population age 85 and older is the fastest growing segment of the older population (U.S. Census 2000).
- Over 1 million individuals in the U.S. received home health care according to 2000 data cited by the National Center for Health Care Statistics.
- An estimated 13 million individuals age 50 or older in the U.S. will need help to evacuate; about half will require assistance from outside their household. (AARP 2006)
- In 2003, 53 percent of the nation's population lived in the 673 U.S. coastal counties, an increase of 33 million people since 1980 (NOAA 2004).



Demographic Trends

- According to the Developmental Disabilities Act of 2000, there were between 3.2 and 4.5 million individuals with developmental disabilities in the U.S.
- Children under 18 represented 26 percent of the population in households (US Census 2000).
- Twenty-seven percent of children lived in a single-parent family (US Census 2000).
- On September 30, 2005, there were an estimated 513,000 children in foster care (U.S. Dept. of Health and Human Services).
- Members of racial and ethnic minorities now account for more than one in three Americans (US Census 2008).

CPG-301 Overview

CPG-301: Interim Emergency Management Planning Guide for Special Needs Populations

- Developed as a tool for local, state, territorial, and tribal emergency managers.
- A collaborative effort between FEMA and the DHS Office for Civil Rights and Civil Liberties.
- Developed with full, participatory partnership with local, state, and federal government and non-government stakeholders.
- Feedback received from field experience.

CPG-301 Overview

- **Build function-based needs considerations into EOP documents**
 - Incorporate principles wherever appropriate into baseline plan and annexes.
 - Create a resource or reference document that supplements the EOP.



CPG-301 Emergency Planning Considerations

Planning Networks and Roles

- **Involve key community partners**
 - Designate one agency as the lead for coordinating special needs planning.
 - Establish relationships with a variety of stakeholders.
 - Designate special needs advisors and advisory committees.





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CPG-301 Emergency Planning Considerations

Examples of Key Partners for Community Planning

- Local advocacy and service nongovernmental organizations (disability, aging, cultural communities)
- Independent living centers
- Local government disability, aging, mental health, child welfare, and social service agencies
- Community Emergency Response Teams (CERTs) and Citizen Corp Councils
- American Red Cross, Salvation Army, other VOADs



CPG-301 Emergency Planning Considerations

Securing Special Needs Expertise

- Community involvement in planning and exercising
- Establishing a Special Needs Advisory Committee
- Appointing a Special Needs Advisor



CPG-301 Emergency Planning Considerations

Formalizing Community Partnerships

- Signing mutual aid agreements and memorandums of understanding
- Applicable throughout mitigation, preparedness, response, and long-term recovery



Madisonville, KY, February 22, 2009 -- Volunteers with Samaritan's Purse cook meals for other volunteers who have been helping to clear debris from peoples' yards after the January 27th ice storm.. Photo by Liz Roll



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CPG-301 Emergency Planning Considerations

Assessments and Registries

- **Assessment**—an informed estimate of the number and types of individuals with special needs.
 - “Lists-of-lists” concept
 - Census data
 - Social services listings
 - Health departments
 - Utility providers
- **Registry**—a database of individuals who voluntarily sign up and who meet the eligibility requirements for receiving emergency response services.



CPG-301 Emergency Planning Considerations

Emergency Communication and Public Information

- Ensure information is comparable and accessible.
- Emergency communications involves both delivery mechanisms and message content.



CPG-301 Emergency Planning Considerations

Emergency Communication and Public Information (continued)

■ Delivery Mechanisms

- Emergency Alert System (EAS) and non-EAS Broadcasts
- 9-1-1 Emergency Calling and Reverse 9-1-1
- Automated Dialing Programs
- Phone Tree
- Text Messaging and Email
- Door-to-Door Warning Systems



CPG-301 Emergency Planning Considerations

Emergency Communication and Public Information

■ Message Content

- Include special needs individuals and agencies, and representatives from each segment of the population in the message development process.
- Compose and translate messages into other languages in advance with collaboration from stakeholders; leave placeholders for incident specific information.



CPG-301 Emergency Planning Considerations

Sheltering and Mass Care

- **Ensure accessibility and resource supports**
 - Disability civil rights laws require physical accessibility of shelter facilities, effective communication using multiple methods, full access to emergency services, and reasonable modification of programs.
 - Some communities have established specialized shelters that provide a higher level of service.



CPG-301 Emergency Planning Considerations

Evacuation



- **Keep individuals connected with their supports.**
 - A system should connect shelter staff, vehicle drivers, and emergency managers to ensure that individuals are evacuated to appropriate, pre-identified shelters or facilities.



CPG-301 Emergency Planning Considerations

Transportation

- **Coordinate in advance to secure accessible vehicles**
 - Ensure the availability of sufficient and accessible transportation.
 - Transportation providers may have pre-arranged agreements with multiple facilities.
 - Identify where individuals are located.
 - Policies ensure that transportation providers have specific information on evacuation routes and shelter locations.



CPG-301 Emergency Planning Considerations

Human Services and Medical Management

- **Build connections to restore services**
 - Topics of consideration:
 - Medical resources
 - Potential staff shortages
 - Credentialing
 - Pharmaceuticals and durable medical supplies
 - Patient tracking



CPG-301 Emergency Planning Considerations

Congregate Settings

- **Ensure sufficiency and compatibility of facility plans**
 - Be familiar with the emergency plans and regulation of congregate settings (e.g., nursing homes, adult homes, children's homes).
 - Residential Healthcare Facilities, local emergency management, health departments and community and faith-based organizations work together to ensure plans are realistic and appropriate.



CPG-301 Emergency Planning Considerations

Recovery

- **Ensure transitions for long-term accountability**
 - Individuals with special needs may lose vital connections
 - A system for reunification of support networks and to reunite children with their parents or guardians is essential.



CPG-301 Emergency Planning Considerations

Training and Exercises

- Involve representatives from special needs communities in all aspects of training and exercises.



- **Cross-training** – provide training on emergency related topics for various special needs communities; train the emergency management community on special needs issues.





FEMA Photo Library -
<http://www.photolibrary.fema.gov/photolibrary/index.jsp>



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