

NENA

E9-1-1 Operational Standard

Managers Guide to the ADA

Title II: Direct Access



NENA Managers Guide to Title II: Direct Access
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TABLE OF CONTENTS

1	EXECUTIVE OVERVIEW	5
2	INTRODUCTION.....	5
2.1	PURPOSE AND SCOPE.....	5
2.2	REASON TO IMPLEMENT	6
2.3	BENEFITS	6
2.4	TECHNICAL IMPACTS SUMMARY	6
2.5	DOCUMENT TERMINOLOGY.....	6
2.6	REASON FOR REISSUE	6
2.7	COST FACTORS.....	6
2.8	COST RECOVERY CONSIDERATIONS.....	6
2.9	ACRONYMS/ABBREVIATIONS.....	7
3	OPERATIONS	7
3.1	SELF-EVALUATION	7
3.2	EQUIPMENT AND/OR NETWORK.....	8
3.3	OPERATING PROCEDURES	9
4	TRAINING	9
4.1	COMPREHENSIVE TRAINING	9
4.2	LEGISLATION/REGULATIONS.....	9
4.3	COMMUNICATIONS ISSUES	10
4.4	EQUIPMENT.....	10
4.5	CALL HANDLING.....	10
4.6	PRACTICAL INSTRUCTION & TESTING	10
4.7	ANNUAL REVIEW FOR TRAINING MATERIALS	11
5	REFRESHER TRAINING.....	11
5.1	METHODS FOR REFRESHER TRAINING	11
6	OTHER	12
7	REFERENCES.....	12
8	EXHIBITS	12

1 Executive Overview

The Americans with Disabilities Act (ADA), Public Law 101-336, was enacted July 26, 1990, and requires all PSAPs to provide direct access to citizens who use TTYs. It requires that public entities provide an equitable level of service, to persons with disabilities, to that which is provided to all other citizens. Additionally, it prohibits an agency from relying on an outside relay service or third-party service for providing access.

The U.S. Department of Justice (DOJ) oversees compliance with this mandate and has issued a Technical Assistance (TA) document for 9-1-1. And yet, disparity in the level of service for TTY users exists.

This document defines standards of operation that are essential for PSAPs in an effort to comply with this Federal mandate.

2 Introduction

2.1 Purpose and Scope

The *Managers Guide to the ADA: Title II, Direct Access* standard is a tool designed to assist managers in bringing PSAPs into compliance with the ADA. Utilizing this standard will enhance the quality of service provided to the public, including the estimated 28 million people in the United States who have hearing loss.

It is important to remember that the DOJ is the only agency that can determine if the PSAP is in compliance. Therefore, the elements within this standard are to be viewed as “minimum standards” and agencies are encouraged to seek additional information or advice, in addition to this standard.

The ADA requires an agency to conduct periodic self-evaluations of programs, polices, and services to ensure equal access to citizens with disabilities. The *Managers Guide to the ADA: Title II, Direct Access* standard is a valuable tool to facilitate this by providing information on the following elements:

- Self Evaluation
- Equipment and Network
- Operations
- Communication Officer Training
- Outreach to people with disabilities

2.2 Reason to Implement

One of NENA's goals is that 9-1-1 services be available to "anyone, anywhere, at any time." To accomplish this, PSAP Managers must implement these standards to ensure equitable levels of service during an emergency to all citizens, including those with disabilities. Also, implementing these standards will assist the agency to be in compliance with federal regulations.

2.3 Benefits

Use of this *Managers Guide to the ADA: Title II, Direct Access* standard will:

- Assist agencies in their ADA compliance efforts.
- Improve the services provided to people with disabilities, especially during emergencies.
- Identify areas for quality improvement in various operational aspects.

2.4 Technical Impacts Summary

Technical references, concerning equipment and/or network issues, are found within existing NENA technical standards.

2.5 Document Terminology

The terms "shall ", "must " and "required" are used throughout this document to indicate required parameters and to differentiate from those parameters that are recommendations. Recommendations are identified by the words "desirable" or "preferably".

2.6 Reason for Reissue

NENA reserves the right to modify this document. Whenever it is reissued, the reason(s) will be provided in this paragraph.

2.7 Cost Factors

It is not the intent of NENA to burden an agency with additional requirements that may require funding. However, as previously stated, these are minimum standards that will assist the agency with meeting DOJ mandates. Specific cost factors associated with implementation for this standard cannot be determined due to the diversity that exists with PSAPs in their configuration and operations.

2.8 Cost Recovery Considerations

Title II covers all activities of state and local governments, regardless of the government entity's size or receipt of federal funding. The ADA regulations stipulate accommodations must be made, unless the agency can prove undue hardship.

2.9 Acronyms/Abbreviations

The acronyms/abbreviations used in this document have not as yet been included in the *NENA Master Glossary of 9-1-1 Terms*. After initial approval of this document, they will be included. Click this link to the [NENA Master Glossary of 9-1-1 Terms](#).

The following Acronyms are used in this document:	
Americans with Disabilities Act (ADA)	Federal Legislation, passed into law July 26, 1990, that prohibits discrimination on the basis of disability.
Answering Position Unit (APU)	Answering Position Unit used to define call taking equipment.
Department of Justice (DOJ)	A branch of the Federal Government legislated to oversee compliance of Title II of the ADA.
Direct Access	Defined by DOJ as the capability for 9-1-1 to directly receive a TTY call without relying on relay or third party services.
HOH	Hard of Hearing
Technical Assistance (TA)	Technical Assistance document issued by the U.S. Department of Justice (US DOJ) to assist agencies in achieving compliance with regulations.

3 Operations

There are a multitude of elements that are critical to the overall provision of access to telephone emergency services. All areas are equally important and defined herein.

3.1 Self-Evaluation

The agency must conduct a self-evaluation of their current services, policies, and practices to ensure equitable levels of service to all populations including those with disabilities.

The agency must attempt to afford the opportunity to individuals with disabilities to participate in the agency's self-evaluation process. The agency may identify such individuals through agencies or organizations that provide services for people with disabilities.

The agency must provide a manner in which individuals with disabilities and other interested persons will be informed of their protections against discrimination assured to them by the ADA.

The agency must have a published grievance procedure providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA.

3.2 Equipment and/or Network

The agency must ensure telephone emergency response systems provide the same level of service to all citizens, including those who call with a TTY per [NENA-04-001 Issue 2](#), 3.17.2 Signaling and 5.18 - TTY Compatibility.

The agency must ensure that in the event of individual line or system failure, there is an alternative method of receiving emergency calls accessible to TTY callers.

The agency must ensure all workstations or answering position units (APUs) available for receiving emergency calls are equipped with TTY equipment that is readily available to use with the TTY call, and causing no delay.

The agency must ensure that those contingencies in place for the back-up of the 9-1-1 equipment at an alternate site include accessibility to TTY equipment.

The agency must ensure that the equipment and methods used to transfer emergency calls to other emergency services be accessible with TTY. Secondary agencies that receive transferred calls from a Primary PSAP must have equipment and methods for processing TTY calls.

The agency must ensure that if their system utilizes Automatic Call Distribution (ACD), which includes an automatic recording to the citizen, the ACD must also include a recorded TTY message. [See NENA-04-001 Issue 2](#), 5.18.3 - *TDD/TTY Considerations in the ACD Environment*.

The agency must ensure, where voice calls are recorded, that TTY calls are also recorded. This includes all incoming emergency lines. An agency shall test the recording and TTY equipment to ensure compatibility. *Note* [NENA-04-001 Issue 2](#), 3.5.12 - *Logging and Recall Recorder Requirements – Warning*.

The agency must ensure that call-answering time for voice calls and TTY calls are equitable. The TTY operating procedures may not require substantially more time to turn on or set up, causing further delays in response. Refer to the [NENA-04-001 Issue 2](#) for technical specification.

The agency must ensure that their equipment can handle Voice Carry-Over (VCO) and Hearing Carry-Over (HCO) calls. *See* [NENA-04-001 Issue 2](#), 5.18 - *fourth paragraph*.

The agency must ensure preprogrammed TTY messages are formatted in compliance with accepted TTY protocols, *per* [NENA-04-001 Issue 2](#), 5.18.1 *Pre-Programmed Messages* and 13.4.1 *Appendix D – TDD/TTY Pre-Programmed Messages*.

The agency must provide TTY access to alternative emergency and non-emergency numbers.

The agency must ensure that the call taker can also make outgoing TTY calls.

The agency must maintain functional TTY equipment, provide backup equipment when equipment is out for service, and documentation of any maintenance performed.

3.3 Operating Procedures

The agency must develop, implement and disseminate standard operating procedures for responding to TTY calls to all managers and call taking personnel.

The agency must establish a policy for activating and querying silent, open line calls with a TTY.

Secondary PSAPs must have TTY capability.

The agency must ensure that call takers are familiar with Telecommunication Relay Services (TRS) and procedures are in place for the proper handling of TRS calls.

The agency must establish a testing program, that ensures TTY functionality, be conducted and documented with a minimum of once-per-shift-per-day.

4 Training

The ADA mandates that public entities provide emergency telephone services to persons with disabilities, which is direct and equal to services provided to others. To accomplish this, the following shall apply:

4.1 Comprehensive Training

Each agency must provide initial comprehensive training to those personnel who may have contact with individuals from the public who are deaf, hard of hearing, or who have speech impairment, per the DOJ Technical Assistance [*Access for 9-1-1 and Telephone Emergency Services*](#). It is desirable that personnel do not take calls from the public alone prior to the successful completion of TTY training in accordance with this standard.

Comprehensive training includes, but is not limited to include the following topics. Detailed training standards can be found within the NENA TTY Training Standard, 52-xxx (pending).

4.2 Legislation/Regulations

- Americans with Disabilities Act
 - Title II – Public Services
 - Department of Justice Requirements
 - Self Evaluation (Title II, § 35.105 Self-evaluation)
 - ADA Coordinator/Updated Procedures/Future Technologies

- Section 504 of Rehabilitation Act
- Local/State Regulations

- Liability and Penalties for Non-Compliance
- References

4.3 Communications Issues

- Deaf/HOH/Deaf Blind/Speech Impairments
- American Sign Language (ASL) v. English
- Assistive Devices
- Public Education & Outreach/Advocacy
- References

4.4 Equipment

- PSAP Equipment
 - Stand alone
 - Integrated
 - Detection Equipment
 - Database Records
 - Testing/Documentation
 - Troubleshooting
- Consumer Equipment
 - Stand alone
 - Cellular compatible
 - Portable/Compact Units
 - References

4.5 Call Handling

- Call Recognition
- Protocol
- Abbreviations
- Language Examples
- Answering the Call
- Making the Call
- Third party Calls/Telephone Relay Services
- VCO/HCO
- Call transfers/monitoring
- Troubleshooting
- Documentation
- References

4.6 Practical Instruction & Testing

- Scenario Based

- Quality Assurance
- Documentation
- References

4.7 Annual Review for Training Materials

The agency must conduct an annual review of training materials and keep abreast of changes that may impact the provision of accessible services, training materials. When changes occur, timely updates to training materials are required.

5 Refresher Training

Each agency must provide refresher training at least as often as they require or offer training for voice calls, but at a minimum, *every six months*, per the [U.S. Department of Justice Technical Assistance \(TA\) Access for 9-1-1 and Telephone Emergency Services](#).

5.1 Methods for Refresher Training

This standard may be accomplished in a variety of methods, to include but not limited to:

- Role Call Briefings
- Memorandums
- Test Call Programs
- Refresher Training Courses
- Comprehensive Training Courses

5.2 Refresher Topics

Below are some recommendations of topics to be used as refresher training and some creative ideas for the enhancement and delivery of training material in a refresher format.

- ❖ TTY call recognition & processing
- ❖ Handling VCO & HCO requests
- ❖ Procedures for TRS calls
- ❖ Legal updates
- ❖ New technologies
- ❖ Disability Awareness (a review of physical, visual and communications-related disabilities)
- ❖ TTY protocol, abbreviations and etiquette
- ❖ English vs. ASL Gloss
- ❖ Alzheimer's Awareness
- ❖ Aphasia & Other Stroke-related conditions
- ❖ Disasters & People with Disabilities
- ❖ Crimes Against People with Disabilities

6 Other

The agency must make an effort to ensure that local telephone directories indicate TTY access to 9-1-1 telephone emergency services, with no directive requiring the caller to press the space bar or TTY keys.

The agency shall conduct outreach to people with disabilities, which includes providing information regarding TTY access to 9-1-1.

It is recommended that the agency establish a TTY Phone Pal Program Operational Information Document (OID) 52-501, whereby utilizing members of the community in the testing equipment and call taker proficiencies.

7 References

“Access for 9-1-1 and Telephone Emergency Services.” U.S. Department of Justice, Civil Rights Division, Disability Rights Section. ADA Technical Assistance CD-Rom. Washington, DC: Volume One. July, 2001.

Americans with Disabilities Act (ADA) Training Standards for Communications Officers. Association of Public Safety Communication Officials, International (APCO). August 2003

TTY Training Standard. NENA Operations Accessibility Committee. 52-001, February 1, 2005

8 Exhibits

Not applicable.