

# How to Advocate with City Officials for Loops and Other Supportive Policies

---

**John F. Waldo**

Disability Rights Attorney,  
Houston, Texas

---

**Cheri Perazzoli**

Advocacy Director, HLAA-WA  
Redmond, WA

---

**Jerry Bergman**

Advocate and Peer Mentor, HLAA-NYC  
New York City, New York

Hearing Loop Track Sponsored By:



# Disability Rights Attorney Houston, Texas

## John F. Waldo

---

Hearing Loop Track Sponsored By:



International Symbol  
for Hearing Loss Access



# What cities & other local governments are permitted to do

ADA does not control over state or local laws that are more protective of people with disabilities

SO ... if you can't argue that the *ADA requires* cities to do what you are asking, you still have the opportunity of persuading them to do more themselves,

**OR** even, to require citizens to do more

Here are some success stories

Hearing Loop Track Sponsored By:



# What Cities Are Required to Do for People with Hearing Loss

- Title II of the Americans with Disabilities Act (ADA) applies to state and local governments
- Prohibits discrimination on the basis of disability in any “programs or services,” broadly interpreted as essentially everything the government does
- Must give “primary consideration” to the mode of accommodation we request
- Need not undertake actions that would impose “undue burden,” a totally undefined concept, much negotiation over what budget should be used to measure degree of burden

Hearing Loop Track Sponsored By:



## Where friendly persuasion doesn't work ...

- Title II of ADA states that if a government denies your request for accommodations, that denial must be *in writing* from the “head of the agency” or the person delegated by the “head of the agency.”
- So if informal persuasion doesn't work, put your request in writing. Start at the very top of the pyramid – mayor, university president, etc., and let *them*, not you, delegate to somebody else.

Hearing Loop Track Sponsored By:



## What to ask for

- I recommend the 3-step program talked about in my other sessions:
  - First, a written letter or email explaining who we are, what we want, and why we need it, perhaps mentioning ADA obliquely (asking for written response within a specified time frame), but not threatening legal action
  - Second, if that doesn't work, letter from a lawyer inviting Structured Negotiation, essentially face-to-face collaborative problem-solving rather than litigation, & involving all necessary parties
  - Third, file suit, BUT at initial status conference, when court asks about alternative dispute-resolution methods, bring up Structured Negotiation again.

Hearing Loop Track Sponsored By:



# Universal Design & Barrier - Free Access Advocate Washington State

Cheri Perazzoli

---

Hearing Loop Track Sponsored By:



International Symbol  
for Hearing Loss Access





[loopseattle.org](http://loopseattle.org)

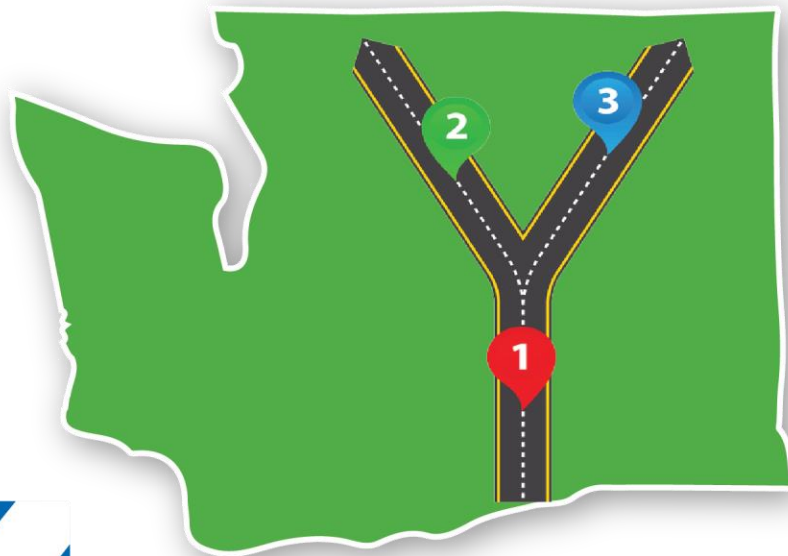
Hearing Loop Track Sponsored By:





## Alternate Routes to Success

- **Spokane**  
DOJ Settlement
- **Bellevue**  
Diversity Initiative
- **Seattle**  
Resolution



Hearing Loop Track Sponsored By:



## Roadmap to a Looped Community

1. Ask for What *you* Need
2. Provide Information and Referrals
3. Build Council Support
4. Request Funding in Mayor's Budget
5. Follow the Budget Process
6. Testify with HLAA at Council  
in Support of the Proposal.
7. Navigating Detours and Roadblocks
8. On Approval-Thank Publicly
9. Monitor Implementation
10. Celebrate with Community Engagement



**Roadmap to a  
Looped Community**

Hearing Loop Track Sponsored By:

**LISTEN**  
TECHNOLOGIES

Hearing Loss  
Association  
of America  
**HLAA**  
**2017**  
**CONVENTION**  
JUNE 22-25 | SALT LAKE CITY, UTAH

# Making the ADA Work for You.. Use ADA Speak

## The Power of One. Ask for What *You* Need.

Extraordinary advocate uses DOJ Settlement to Pave the Way: Advances Access for 219.3.

"The city must provide **auxiliary aids and services** when required to ensure effective communication or access to its programs and services."

Do you have a Notice and Grievance Procedure posted? Where may I find it? Who is your ADA coordinator? Who is in charge of the ADA Title II Tool Kit for State and Local Governments? Spokane's **Bruce Rafford** talks the ADA language and get's the job done!



**Bruce Rafford**  
Awarded Governor's Trophy  
on Disability Issues & Employment

Hearing Loop Track Sponsored By:



## Build Partnerships and Make Presentations

Bellevue Network on Aging  
Northwest Universal Design Council  
Seattle Commission for People with Disabilities  
Universal Airport Access-Sea-Tac  
4 Culture  
AARP  
Washington Senior Lobby



Hearing Loop Track Sponsored By:



# Seattle Commissions Recommend Loops



Irene Stewart

NW Universal  
Design Council  
Age-Friendly Seattle



Mary Anderson

Aging and Disability  
Services



Monica Simmons

City Clerk  
Legislative Operations



Laura Gramer

Commission for  
People with DisAbilities



To Mayor



2012 Mayor of Seattle  
Mike McGinn



Commissioner  
Tom Rasmussen

Cheri Perazzoli

Hearing Loop Track Sponsored By:





# Navigating Roadblocks

- Loops are not *specifically* required by law.
- The City *really* does not want to do it.
- General AV technicians typically prefer other ALS systems and have little to no loop training.
- Experienced loop installers may not be consulted initially.



- Lack of Loop training may result in Misinformation and Inaccuracies that compromise decision making
- Inflated bids
- Selection of Alternate ALS
- Limited Designs/ Not Inclusive
- Installations that do not meet the IEC standards.

Hearing Loop Track Sponsored By:



## Success

**“Hearing access should be a normal part of our efforts to comply with the ADA. The council shouldn’t have to ask room by room to make it [hearing] accessible.”**

**Resolution 31641**

--Tom Rasmussen, former City of Seattle Councilmember



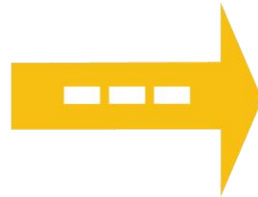
Hearing Loop Track Sponsored By:



# Bellevue Commissions Recommend Loops To Mayor



HLAA Chapter Leader  
Network on Aging



Councilmember



City of Bellevue Mayor 2014-15  
Claudia Balducci

Loops recommended  
for all city remodels and new  
buildings where *feasible*.



ADA/ Title VI  
Civil Rights Program  
Administrator

HOH ADA Officer corrects  
confusion and Launches  
*ADA Self-Evaluation*

Hearing Loop Track Sponsored By:





# Bellevue Diversity Initiative Paves the Way

Bellevue's 2016 Transition Plan is regarded as the "Gold Standard Guide" for Washington Municipalities

HOH, Jenni Mechum, NEW ADA Program Administrator for Title VI Launches Self Evaluation

## City of Bellevue 2016 ADA Self Evaluation and Transition Plan

### 4.33 Effective Communication

#### 4.3.3 Assistive Listening Systems & Hearing Loops

A hearing loop is the most effective and easy to use system for the vast majority of individuals as it delivers the sound directly to the ear through the user's own hearing device optimized for his or her own hearing loss.

✓ *Best Practice*



Hearing Loop Track Sponsored By:



# Celebration and Community Engagement

Bellevue City Council Chambers  
Council Conference Room and Study Room  
Bellevue Youth Theatre  
Meydenbauer Theater  
North Bellevue Community Center



## Future plans include:

- Install hearing loop technology in the largest & most used space at five community centers.
- Purchase portable FM systems for City Hall & Parks sites
- Purchase free standing service loops for customer service counters at various locations

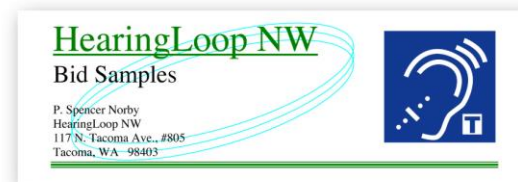


Hearing Loop Track Sponsored By:



## Providing Resources Overcomes Barriers

- Supply Information: testimonials, examples, budget quotes
- Best Practices <http://hearingloss.org/>
- Ask HLAA <http://www.hearingloss.org/content/get-hearing-loop>
- Loop Wisconsin <https://loopwisconsin.wordpress.com/>
- Loop New Mexico <http://www.hlaabq.com/LoopNM.html>
- Loop Washington <https://loopseattle.org/>
- Show me the Loops  
<http://www.aldlocator.com/> Assistive Listening Device Locator
- Use these Apps: [LoopFinder](#) and [LoopMyPhone](#)
- <http://ihearu.co/>



Hearing Loop Track Sponsored By:



## *Your* Advocacy will Make Change Happen

- ▶ Get a Seat at the Table. Serve your community.
- ▶ Request hearing access everywhere you go.
- ▶ Thank venues and supporters.
- ▶ Ask your community to endorse barrier-free universal hearing access.
- ▶ Create a culture where hearing loss is acknowledged without shame and hearing aid use is encouraged.
- ▶ **Advocacy and Access** - You can't have one without the other. Just ask.



Hearing Loop Track Sponsored By:



## In Conclusion

We encourage all people with hearing loss to participate on state and local advisory boards. Help make hearing loss visible and an integral part of the conversation. Use your voice to make all government programs and services hearing-friendly across your state.



Hearing Loop Track Sponsored By:





# Jerry Bergman



## OUR NEW YORK CITY EXPERIENCE

Hearing Loop Track Sponsored By:



# LOOP ADVOCACY FOR OVER 10 YEARS

- Hundreds of places across the City now have room and counter loops.
- Why? Because our volunteers asked – and asked again.
- Many more places still do not.

Hearing Loop Track Sponsored By:



## HOW WE ENGAGED THE CITY ADMINISTRATION



Successfully advocated for loops in NYC Taxicabs.

Hearing Loop Track Sponsored By:







Successfully  
for loops at all subway

Hearing Loop Track Sponsored By:



- My City Council Member knew almost 0 about hearing loss and hearing accessibility . . .
- Until we met with her.
- After which, progress started happening.

Hearing Loop Track Sponsored By:



- Last year, **two** City Council bills became law:
  1. One requiring a designated ADA coordinator at each City Agency and Department.
  2. Another requiring accessibility information in notices of meetings and events open to the public.

Hearing Loop Track Sponsored By:



- **But** a bill requiring hearing loops did not pass, despite our substantive testimony at a City Council hearing ...
- **Until** it was substantially reworked by the City Administration ... And signed Into law in March 2017.



Hearing Loop Track Sponsored By:



## Provisions of the NYC Hearing Loop Law

- Applies to capital construction & renovation projects of \$950,000 or more.
- Requires a hearing loop in at least one assembly area.
- Requires a counter loop with a microphone at security, information or reception desks.
- Becomes effective January 2018.

Hearing Loop Track Sponsored By:



## What Else Is Happening in NYC?

- MOPD is pursuing a pilot project to determine the feasibility of looping neighborhood venues, such as public school auditoriums and community centers, where Community Board meetings, Town Hall events and candidate debates are staged.

Hearing Loop Track Sponsored By:



- The Mayor's Office and our local City Council members participate in the annual NYC Walk4Hearing start festivities.
- We arranged a training program on hearing loss, in cooperation with the MOPD, for the ADA coordinators at City agencies and departments.

Hearing Loop Track Sponsored By:



## In Conclusion

Continuously cultivate your city administration and elected officials.

Educate them about hearing loss and the difference between ADA-compliant hearing accessibility and EFFECTIVE hearing accommodation for all who need it.

Hearing Loop Track Sponsored By:





## John Waldo: A Final Thought

Frequently, the political decision-makers do not have control over the budget, e.g., facilities manager may agree to looping City Council chambers, but Council hasn't appropriated funds

Under these circumstances, if you get to Stage 3 (litigation), it can sometimes help to put your agreement into the form of a consent decree signed by the court, which essentially orders the money appropriators to fund the resolution you've reached.

Hearing Loop Track Sponsored By:



# Questions & Comments



Hearing Loop Track Sponsored By:

