

# Inclusive Emergency Planning Act

## I. Legislative Findings and Intent

The General Assembly finds that effective emergency management is a civil rights and life-safety imperative. People with disabilities are disproportionately likely to be harmed or die during emergencies and disasters, and systemic inclusion is essential to prevent inequitable outcomes. This Act ensures that all state and local entities—including municipalities and educational institutions—comply with Title II of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and governing federal civil rights standards. **These requirements mandate equal access to emergency programs, effective communication, reasonable modifications, and accessible facilities.**

It is the intent of the General Assembly to mandate comprehensive and inclusive emergency planning across municipal, regional, and educational systems to ensure that individuals with disabilities are not left behind during disasters. All emergency management programs must adhere to the principles established in the Olmstead decision, ensuring services in the most integrated settings and avoiding unnecessary segregation.

## II. Definitions and Planning Framework

### Definition of Disability

“Disability” shall have the same meaning as in the Americans with Disabilities Act.

### Access and Functional Needs (AFN) Framework

All municipal and regional emergency planning shall utilize an AFN planning approach. Plans must apply the C-MIST framework—Communication, Medical needs, Independence, Supervision, and Transportation—to identify needs, provide accommodations, and operationalize support.

## III. Municipal Emergency Management Duties

## A. Planning and Coordination

### Inclusion of Disability Expertise

Regional and Local Emergency Management Committees shall include members with lived disability experience and representatives of organizations serving vulnerable populations. Municipalities must meaningfully partner with disability-led organizations—such as Centers for Independent Living (CILs), Protection & Advocacy agencies, and cross-disability groups—throughout all phases of preparedness, response, recovery, and mitigation.

State, regional and local management committees shall include time on every meeting agenda for recommendations and feedback from representatives from the disability community.

### Plan Templates and Guidance

The Division of Emergency Management shall update local emergency plan templates and guidance to explicitly address accessible shelter siting, universal access considerations, and inclusion of individuals with diverse functional needs.

### Shelter Siting Requirements

When designating shelter sites, municipalities must work with the Agency of Human Services (AHS), the American Red Cross, and community-based organizations to assess building accessibility, surrounding area characteristics, multiple accessible travel routes, potential hazards, and access to food and water for all occupants.

### Training and Exercises

Municipalities shall receive guidance from the Division of Emergency Management and AHS on conducting training and exercises related to accessible sheltering, disability inclusion, food and water distribution accessibility and prioritization, and AFN operations.

## B. Accessible Communications and Alerts

## Multi-Modal Alerts

Emergency alerts must be actionable and provided in multiple accessible formats, including visual and audible alerts, text messages, emails, telephone calls, and auto-dialed TTY/TDD messages.

## Accessible Public Information

Public communications during emergencies shall ensure effective communication through ASL interpretation, open or real-time captioning (CART), plain language, Braille, large print, and other accessible formats.

## C. Shelter Accessibility and Operations

### Physical and Programmatic Accessibility

Emergency shelters must be physically accessible and comply with ADA Standards. Programmatic access must ensure equal opportunity to receive safety, food, medical care, and other benefits.

### Accommodations for Functional Needs

Mass shelters must be prepared to support people with disabilities, including those needing medical care, medication, equipment, and supportive services. Planning must include:

- Back-up generators and power for mobility and medical equipment.
- Staff trained to assist with activities of daily living, including for those with memory loss.
- Sensory- and stress-relief zones.
- Service-animal accommodations, including modifying “no pets” policies and supplying food and water.
- Accessible cots and beds, including those not placed on the ground.
- Reasonable modifications to policies, including kitchen access for disability-related dietary needs.

### Coordination of Services

State and local entities shall utilize disability-responsive case

management. The Department for Children and Families (DCF) shall adopt rules for the VHEARTH Program that ensure access for individuals with disabilities.

#### IV. Inclusive Education Emergency Planning

All education municipalities must develop evacuation plans which include thoughtful treatment of people with disabilities, as both subjects of components of such plans as in the directives above, and as expert advisors in the plans' development. All evacuation plans must include safe evacuation from school transportation (e.g., school buses).

##### Continuity of Education Services

Local education agencies must ensure continuity of a Free Appropriate Public Education (FAPE) for students with disabilities during emergencies.

##### Individualized Emergency Plans

Individualized Education Programs (IEPs) shall include emergency plans describing how specialized instruction, related services, and supplementary aids will be provided if in-person learning is disrupted for more than 10 school days.

##### Disability Verification for Emergency Housing

When determining eligibility for emergency housing assistance, definitions of disability shall be consistent with the ADA and allow multiple forms of verification, including provider documentation, Social Security records, or verified staff observation.

#### V. Civil Rights Protections and Policy Requirements

##### Upholding Civil Rights

Emergency management programs must strictly adhere to the ADA and Section 504, ensuring equal access and nondiscrimination. Policy changes affecting shelter or housing eligibility must undergo legal review to ensure alignment with Olmstead integration requirements.

## Rejection of Segregated Registries

Disability disaster registries shall not be used. They shift responsibility onto individuals, lack actionable data, are impossible to keep accurate, and provide a false sense of security. Instead, agencies must invest in accessible, multi-modal warning systems, community mapping, and use of disability prevalence data.

## Housing Stability During Emergencies

Eligible households, including those with people with disabilities, must remain sheltered until transitional or permanent housing is secured. For people in need of accessible accommodations, municipalities must maintain bookings (e.g., motel placements) for the full duration of eligibility or as required by disability or medical need.

## Housing First Principles

Emergency housing programs shall be modeled on Housing First principles. Behavioral, memory, or disability-related challenges shall not result in ineligibility; instead, agencies must provide client-centered case management and place individuals in supportive environments.

## High-Rise Evacuation Planning

Building owners shall maintain evacuation plans addressing the needs of disabled occupants and visitors, including evacuation procedures, lists of available evacuation devices, and identification of ADA-compliant Areas of Rescue Assistance.

## VI. Inclusive Planning and Interagency Coordination

### Access and Functional Needs (AFN) Coordinators

State and local agencies shall designate AFN Coordinators within Emergency Operations Centers (EOCs). Coordinators must have authority across all Emergency Support Functions and ensure the application of C-MIST across planning and disaster operations.

### Disability-Led Partnerships and Training

Disability-led community-based organizations shall be formal partners in

planning, training, and response. Training for staff and volunteers shall be co-developed or delivered by people with lived disability experience.

#### Accessible Communication Systems

Agencies must maintain advance contracts for ASL interpreters, CART captioning, and accessible communication technologies.

Communications must be available in multiple formats, including audio, tactile, plain language, and large print.

#### Inclusive Exercises and Reporting

People with disabilities must be included in planning committees, voluntary opt-in initiatives, and emergency exercises. After-action reviews must identify and correct accessibility gaps.

### VII. Operational Accessibility for Disasters and Housing

#### Comprehensive Shelter Accessibility

All shelter spaces must be surveyed for compliance with ADA Standards, including parking, entrances, accessible routes, sleeping and dining areas, and bathing/toilet facilities. Programmatic accommodations shall include:

- Accessible beds and cots (not on floors).
- Refrigeration and back-up power for medications and powered medical equipment.
- Service animal accommodation.
- Quiet rooms for sensory or anxiety needs.
- Planning for dietary restrictions.
- Contracting for Essential Services
  - State and local governments shall proactively contract with:
- Personal Assistant Services (PAS) and Direct Support Providers (DSPs) for deployment to shelters.
- Accessible transportation providers for evacuations, including those serving wheelchair users and service-animal handlers.

### Accessible Points of Distribution (PODs)

Points of Distribution must be fully accessible and include adequate accessible parking, barrier-free travel routes, accessible restrooms, staffing assistance, and seating. Policies must allow individuals with disabilities expedited access when necessary.

### Integrated Settings Requirement

Emergency housing and sheltering must prioritize the most integrated setting appropriate to each individual's needs. People with disabilities should be housed in mass shelters alongside the general population unless medical needs necessitate otherwise.