



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Amber Greene, Chief Equity Officer Director, Office of Equity & Civil Rights
<b>CC</b>	Mayor's Office of Government Relations
<b>ANALYST</b>	Zachary Wellman, Equity Policy Analyst
<b>DATE</b>	April 8, 2026
<b>SUBJECT</b>	OECR Report on Baltimore City Council Bill 25-0126 Accessibility in City Programs, Services, and Activities

**POSITION: Favorable with Amendments**

**BILL SYNOPSIS**

The Office of Equity and Civil Rights (OECR) has reviewed and is herein reporting on City Council Bill 25-0126 – *Accessibility in City Programs, Services, and Activities*.

This is an ordinance that accomplishes the following:

- Define terms related to accessibility in Baltimore City programs, services, and activities.
- Define terms related to Title II of the Americans with Disabilities Act (ADA).
- Prohibit discrimination in government programs, services, and activities based on disability by city agencies.
- Prohibit discrimination in hiring or employment based on disability by city agencies.
- Grant consideration and/or preference to individuals with disabilities in city hiring and employment practices.
- Require city agencies to make reasonable accommodations to allow individuals with disabilities to benefit from and/or participate in their programs, services, and activities.
- Prohibit city agencies from levying a fee for auxiliary aid, auxiliary service, or reasonable accommodation.
- Establish an effective communication policy to provide individuals with disabilities an accessible way to communicate with or receive information from city agencies and the City Council, inclusive of:
  - Auxiliary aids and services.
  - Qualified sign language interpreters.
  - Documents in Braille.
  - Open captioning at City Council meetings.
- Set forth the requirement for all publicly available digital systems to adhere to the Web Content Accessibility Guidelines Version 2.1, Level AA.

- Permit service animals in all City-owned, operated, or managed public spaces.
- Provide for a grievance procedure with rules and regulations created by the OECR.
- Require city agencies to designate at least one (1) ADA Coordinator.
- Provide for ADA Coordinator duties, including:
  - Development of agency accessibility plans.
  - Regular assessment of agency accessibility plans.
  - Receive/respond to reasonable accommodation requests.
  - Coordinate preparation and submission of agency accessibility reports.
- Require city agencies to develop accessibility plans, to feature:
  - The mode of evaluating the needs of and providing accommodations to qualified individuals with disabilities.
  - The means by which agencies monitor compliance with the accessibility plan, this bill, and all other applicable laws, rules, and regulations.
  - The name and contact information of all ADA Coordinators.
- Ensure accessibility plans are publicly published and submitted to the OECR.
- Provide for the biannual review and update of accessibility plans by the Director of each agency.
- Require each agency to biannually file with the OECR and the Department of Legislative Reference a report containing data on:
  - The number of individuals who request reasonable accommodation.
  - The types of accommodations requested.
  - Why the accommodations were or weren't provided.
- Enable the OECR to provide support agencies in the preparation and implementation of accessibility plans.
- Enable the Director of the OECR to adopt rules and regulations to implement the bill.
- Provide for an effective date of the 180<sup>th</sup> day after enactment.

The ordinance accomplishes this through Sections 4-1 to 4-11, designated as *Subtitle 4. Accessibility in City Programs, Services, and Activities* to Article I of the Baltimore City Code.

## **SUMMARY OF POSITION**

In general, the Office of Equity & Civil Rights (OECR) supports initiatives to enshrine federal civil rights protections at the local level in a duplicative manner in order to preempt potential future clawbacks. To this extent, the office has collaborated with the sponsors/drafters of City Council Bill 25-0126 and local disability rights advocates to introduce a comprehensive bill that would adopt into local law several provisions of the federal disability rights law while ensuring accessibility and oversight are a forethought throughout Baltimore City government, rather than an afterthought. To achieve this goal, City Council Bill 25-0126 would codify Title II, Subtitle A of the Americans with Disabilities Act (ADA) and 28 CFR Part 35 (the regulations enacted to enforce Subtitle A of Title II) into the Baltimore City Code, while also exceeding the minimum threshold of legally required accessibility and accommodations under the ADA and establishing a reporting mechanism to iteratively review incidence of modification.

Baltimore strives to be a city where people of all abilities have equal access to employment, housing, public accommodations, health and welfare, and education. In pursuit of this, the Baltimore City Community Relations Commission (CRC) exists to enforce nondiscrimination of individuals with disabilities (among other vulnerable identities) in these areas. However, Baltimore also strives to be a city where people of all abilities have equal access to public programs, services, and activities, which is not covered by the CRC.

As it stands, Title 2 of the ADA prescribes that state and local governments must guarantee individuals with disabilities an equal opportunity to benefit from and participate in all government programs, services, and activities. This includes providing appropriate aids and services for effective communication, making reasonable modifications to policies and programs for equal enjoyment thereof, and making new constructions physically accessible. The Mayor's Commission on Disabilities (MCD), housed within the Office of Equity & Civil Rights (OECR), assists the City in complying with this title of the ADA and other disability rights laws. However, so far, the exact mechanism for compliance has been nebulous at times, without definitive delineation of specific responsibilities and authorities necessary to wholistically abide by the ADA throughout the City. Along with locally protecting civil rights granted under Title II of the ADA, City Council Bill 25-0126 would identify and delegate to specific entities of city government the various duties required of the City under the ADA. This component of the bill is integral to the City of Baltimore's implementation of the ADA locally.

## **EQUITY ASSESSMENT**

The Office of Equity & Civil Rights has conducted an equity assessment on the citywide impact of City Council Bill 25-0126 – *Accessibility in City Programs, Services, and Activities*. The results of this equity assessment conclude that the legislation is likely to enable the OECR to measurably improve the equity of Baltimore City residents living with disabilities as well as their families, companions, and caregivers.

The potential equitable outcomes of this legislation will impact approximately 16.5% ( $\pm$  .5%) of Baltimore Residents who, according to the U.S. Census' 2020-2024 American Community Survey (ACS) estimates, live with a disability.<sup>1</sup> Broadening accessibility for residents with disabilities is intrinsic to advancing equity and upholding civil rights law, key tenets of the OECR's mission. This is because individuals living with disabilities are among the most unrecognized, marginalized, and underserved identities; the obstacles to their full access and inclusion in society are often overlooked or unaddressed until inaccessibility results in harmful repercussions to their individual health, well-being, or needs.

City Council Bill 25-0126 should alleviate some of these concerns by granting the OECR authority in law to oversee city agencies' administration of Subtitle A of Title II of the ADA and 28 CFR Part 35. The office is likely to more effectively operationalize compliance with ADA Coordinator requirements, legal nondiscrimination, effective communication obligations, the digital accessibility deadline, and grievance procedure standards. Through the codification of the included civil rights at the local level, the bill formalizes the OECR's role in securing and promoting the inclusion of residents with disabilities in all aspects of city government.

Not only this, but consistent with the ‘curb-cut effect,’ accessibility features intentionally geared towards serving people with disabilities often result in more equitable outcomes for broader, non-disabled populations.<sup>ii</sup> This is true of various provisions of the bill, such as § 4-5(C)(2), which requires open captioning at all meetings of the City Council. This provision may accommodate not only individuals who are deaf by allowing them to more fully participate in the local democratic process, but also benefit those who are hard of hearing, older adults, individuals tuning in virtually without audio, those with limited English proficiency, visual processors, and all in-person attendees who must sit in the upper balcony of the Clarence “Du” Burns Chamber at City Hall.

## **AMENDMENTS**

To bolster the equitable impact of City Council Bill 25-0126 and to ensure full implementation of the requirements enacted under the ordinance, the Office of Equity & Civil Rights highly recommends the adoption of the following amendments, of which the office has worked with the primary sponsor of the bill to draft:

### Definitions

1. Add to § 4-1 the definition of “Reasonable Modifications” as follows (or similar):

*“Reasonable Modification” means a change in policy, practice, or procedure required to make a program, service, or activity accessible for an individual with a disability.*

2. Alter the definition under § 4-1(K) to read as follows (or similar):

*“Reasonable Accommodation” means a change in hiring or employment policy, practice, or procedure required to make City hiring and employment accessible for an individual with a disability.*

3. Alter the definition under § 4-1(C) to read as follows (or similar):

*“ADA Coordinator” means a designated City employee from each agency covered by this subtitle who reports to the agency head and, in consultation with the director of the agency and the Office of Equity and Civil Rights, is responsible for coordinating compliance with all relevant local, state, and federal laws addressing accessibility.*

### Employment

4. Add § 4-3(C) to read as follows (or similar):

*The City’s disability hiring preference will attach to posted City positions whenever possible.*

### Nondiscrimination

5. Add § 4-2(4) to read as follows:

*Failing or declining to make reasonable modifications to existing policies, practices, and procedures.*

Reasonable Modifications

6. Change § 4-4. Reasonable Accommodation to read as follows to align with terminology used with Title II related to state and local government programs/services/activities:

§ 4-4. REASONABLE **MODIFICATION**.

(A) IN GENERAL.

AN AGENCY SHALL MAKE REASONABLE MODIFICATIONS TO EXISTING POLICIES, PRACTICES, AND PROCEDURES TO ENSURE THAT AN INDIVIDUAL WITH A DISABILITY HAS AN EQUAL OPPORTUNITY TO PARTICIPATE AND BENEFIT FROM ITS PROGRAMS, SERVICES, AND ACTIVITIES.

(B) LIMITATION ON REQUIREMENT TO PROVIDE **MODIFICATION**.

AN AGENCY MAY NOT TAKE AN ACTION TO PROVIDE A REASONABLE **MODIFICATION** IF THAT ACTION WOULD:

- (1) FUNDAMENTALLY ALTER THE NATURE OF THE PROGRAM, SERVICE, OR ACTIVITY IN QUESTION; OR
- (2) IMPOSE AN UNDUE BURDEN ON THE AGENCY.

(C) PROHIBITION ON FEE FOR **MODIFICATION**.

AN AGENCY MAY NOT ASSESS A FEE ON AN INDIVIDUAL WITH A DISABILITY OR ANY GROUP OF INDIVIDUALS WITH DISABILITIES TO PAY THE COST OF PROVIDING:

- (1) AN AUXILIARY AID;
- (2) AN AUXILIARY SERVICE; OR
- (3) A REASONABLE **MODIFICATION**.

Digital Accessibility

7. Provide for an immediate effective date for only § 4-6. Digital Accessibility Policy to adhere to the April 24, 2026, federal deadline for digital accessibility compliance.

Grievance Procedure

8. Alter § 4-8(A)(2) to read as follows:

For receipt and **response** of a complaint by an agency **ADA Coordinator**;

9. Add § 4-8(C) to read as follows (or similar):

**(C) Centralized Tracking & Reporting**

**All agencies shall submit all grievances to a centralized grievance tracking and reporting system to be managed by OECR.**

Agency Responsibilities

10. Add § 4-9(D) *Self Evaluation*, the requirement for agencies to conduct a self-evaluation (as defined by Title II) before accessibility plan development.
11. Remove § 4-9(A)(2)(V).  
It is not within the scope of ADA Coordinator duties or subject matter to consult with the language access Coordinator on implementing agency language access plans; therefore, this duty should not be required of an ADA Coordinator.
12. Add a new § 4-9(A)(2)(V) to read as follows (or similar):  
*Facilitate the completion of an agency accessibility self-evaluation.*
13. Add § 4-9(A)(2)(VI) to read as follows (or similar):  
*Consult with and support agency Equity Coordinators with the development of agency equity action plans/assessment submissions as it relates to accessibility for individuals with disabilities.*
14. Alter § 4-9(C) to read as follows (or similar) to separate the reporting requirements for agency accessibility plan prep/implementation and data, change the data reporting requirement to quarterly, and include grievances filed with the agency in the data report

(C) REPORTING REQUIREMENTS.

*(1) ANNUAL REPORT.*

*ON JANUARY 1 OF EACH ODD-NUMBERED YEAR AN AGENCY SHALL FILE A REPORT WITH OECR AND THE DEPARTMENT OF LEGISLATIVE REFERENCE THAT ASSESSES THE AGENCY'S PREPARATION AND IMPLEMENTATION OF ITS ACCESSIBILITY PLAN.*

*(2) QUARTERLY REPORT.*

*EACH QUARTER, AN AGENCY SHALL FILE A REPORT WITH OECR AND THE DEPARTMENT OF LEGISLATIVE REFERENCE THAT CONTAINS DATA RELATED TO THE PROVISION OF REASONABLE ACCOMMODATIONS AND MODIFICATIONS, INCLUDING:*

*(I) THE NUMBER OF INDIVIDUALS THAT REQUESTED A REASONABLE ACCOMMODATION OR MODIFICATION;*

*(II) EACH TYPE OF ACCOMMODATION OR MODIFICATION REQUESTED AND IF THE AGENCY PROVIDED THE ACCOMMODATION OR MODIFICATION, AND IF NOT, WHY;*

*(III) THE LENGTH OF TIME FROM REQUEST TO DETERMINATION, AND FROM DETERMINATION TO PROVISION OF ACCOMMODATION OR MODIFICATION; AND*

*(IV) THE NUMBER OF GRIEVANCES FILED WITH THE AGENCY.*

### Effective Date

15. Alter Sections 2 to read as follows to change the effective date of the ordinance (excluding § 4-6. Digital Accessibility Policy) to be one (1) year from the date of enactment:

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the **365<sup>th</sup>** day after the date it is enacted.

This extension is required to account for the hiring and training of needed OECR staff to begin implementation of the legislation, in addition to the preexisting 180-day implementation period of the bill.

### **FISCAL IMPACT**

In support of the mission of the Mayor's Commission on Disabilities, the Office of Equity & Civil Rights currently monitors citywide compliance with the Americans with Disabilities Act (ADA) and leads Baltimore's ADA Coordinator network from its Mayor's Commission on Disabilities (MCD) Division (the City staff employed to support the commission itself). This division would fulfill the duties required of the OECR under the bill, once effective. Looking forward, the OECR anticipates a significant increase in disability-related work if the proposed legislation is implemented. The additional duties for which the MCD Division would be responsible under the bill, as written, include the following:

- Oversee and track general compliance with the ordinance.
- Promulgate rules and regulations for grievance procedures across city agencies.
- Consult agencies, agency heads, and agency ADA Coordinators on the development and implementation of accessibility plans.
- Aggregate and review reports of agency accessibility plan preparation and implementation. (Biannually)
- Aggregate and review reports of agency data related to the provision of reasonable accommodation under the bill. (Biannually)
- Provide oversight, coordination, and technical support to agencies in the preparation and implementation of accessibility plans.

If updated with the requisite amendments suggested by the OECR, the MCD Division would be responsible for ensuring the fulfilment of the following duties:

- Develop and maintain a centralized grievance tracking and reporting system.
- Provide oversight, coordination, and technical support to agency ADA Coordinators conducting self-evaluations prior to the creation of accessibility plans.

- Aggregate and review reports of agency data related to the provision of reasonable accommodation and reasonable modification under the bill. (Quarterly)
- Aggregate and review reports of grievances received and responded to by agencies under the bill. (Quarterly)
- Coordination with the OECR's Equity Division, on behalf of the ADA Coordinator network, in the completion of annual agency Equity Assessment submissions and agency Equity Action Plans under Article I, Subtitle 39 of the Baltimore City Code.

Finally, the OECR predicts an influx of complaints/correspondence to the Mayor's Commission on Disabilities from the public related to grievances, noncompliance with the legislation, general accessibility concerns, accommodation concerns, training requests, and policy evaluation.

To manage both current workloads and expected increases, OECR will need additional staff capacity to accommodate at least FOUR (4) total positions within the MCD Division and resources to fulfill the following roles:

1. MCD Division Chief
2. MCD Board Liaison/Intake Specialist
3. ADA Coordinator Lead/Technical Support
4. Accessibility Compliance Officer/Data Specialist

Currently, the OECR only has one of the four required positions, the MCD Division Chief, allocated within its budget. As such, the OECR preliminarily estimates that at least three (3) additional staff positions/new PIN's would need to be added to the OECR's budget via annual Ordinance of Estimates or supplemental appropriation to support implementation of the bill by the suggested effective date. The projected fiscal impact of this would be \$106,166,67 per additional PIN in Pay Grade: 927, for a total of a \$318,500 required addition to OECR's 844 – Equity & Inclusion service budget.

Without increased capacity, the OECR will be unable to ensure effective and equitable implementation of this law, and, as a result, the City would likely fall out of compliance with the newly established mandates. Most importantly, OECR's ability to ensure accessibility and nondiscrimination based on disabilities within city programs, services, activities, and employment will be severely limited, to the detriment of residents living with disabilities, their families, companions, and caregivers.

Once budgetary appropriations are made, the minimum expedited process and timeline for posting, hiring, training new staff, and preparing the office for the responsibilities of the legislation would be as follows:

*I. Posting:*

1-3 days to upload job posting of three new PINs to be available for applicants to apply.

*II. Hiring:*

45 days; 30 days for interviewing and selection, 15 days to allow for background checks

### III. Training:

120 days minimum to ensure employees are fully trained on the requirements and compliance of all relevant local, state, and federal laws.

### CONCLUSION

City Council Bill 25-0126 intends to protect and expand the civil rights of Baltimore residents living with disabilities while tailoring and applying those protections to the City of Baltimore's specific governmental apparatus and operations. In this pursuit, the OECR discerns no inequity in the bill's intent, purpose, or impact; rather, the legislation is likely to have affirmative impacts on the equity of residents living with disabilities, their families, companions, and caregivers by improving their access throughout the City of Baltimore.

The OECR eagerly awaits the passage of Council Bill 25-0126, in anticipation of it being integral to achieving the Mayor's Commission on Disabilities' mission to *remove barriers and guarantee equal rights and opportunities for individuals with disabilities*. As such, the Office of Equity and Civil Rights respectfully requests a **favorable** committee report on City Council Bill 25-0126, **provided for the adoption of the aforementioned amendments**.

Respectfully Submitted,



---

Amber Greene

Director, Office of Equity & Civil Rights

---

<sup>i</sup> Maryland Department of Planning. (2026, January). 2020-2024 American Community Survey 5-Year Estimates - Area Name: Baltimore City, Maryland. Maryland Department of Planning State Data & Analysis Center. [https://planning.maryland.gov/MSDC/SiteAssets/ACS\\_Tables/5-Year/2020-2024/Reports/CNTY\\_24510\\_ACS\\_2020-2024.aspx](https://planning.maryland.gov/MSDC/SiteAssets/ACS_Tables/5-Year/2020-2024/Reports/CNTY_24510_ACS_2020-2024.aspx)

<sup>ii</sup> Apodaca Schlossberg, J. (2021, November 17). How the curb-cut effect boosts equity for everyone. UCLA Health. <https://www.uclahealth.org/news/article/how-the-curb-cut-effect-boosts-equity-for-everyone>