

November 4, 2019

**MetroWest
Center For
Independent Living**

**People with Disabilities
Living in the Community**

Report on Friday's AAB Meeting

We are sharing the [Disability Policy Consortium](#)'s report by John Winske on the November 1 meeting with Secretary Mike Kennealy and disability activists regarding the Architectural Access Board.

Secretary Commits That AAB Director Will Be Board Approved, But Work Remains

On Friday, November 1 disability advocates packed the 21st floor conference room at 1 Ashburton Place for a last-minute meeting-in lieu of a protest at Governor Baker's office- with Secretary of Housing and Economic Development Mike Kennealy and won a major victory.

At issue: the independence of the state's Architectural Access Board (AAB), which advocates believed was being swallowed up by the Division of Public Licensure, which Kennealy oversees. Since January, the DPL has taken control of the hiring process for the AAB's executive director, in defiance of state law that says the AAB members themselves hire the director .At the meeting, Kennealy said that the Baker Administration committed that they would "hire someone for director that the board supports," and that the administration would "preserve the independence of the AAB." In addition, a meeting is being arranged between advocates and Governor Baker.

During the meeting, ten members of the disability community, spoke clearly and powerfully about the importance and connection of accessibility architectural access to human dignity and quality of life, and made it clear that a genuinely independent AAB is vital to protecting that right. Advocates laid out three clear demands to the secretary: 1) that the board be allowed to choose the next Executive Director, 2) that the hiring process be frozen until it can be fully returned to the AAB's control, and that 3) that the new Executive Director should report to the AAB, as statute requires, and the job description that the DPL changed to say the director reports to them should be immediately rescinded. The administration has not as yet committed to meeting these demands, so the disability community will continue to speak up and take action.

After being left waiting outside the governor's office during an October 25 rally, advocates were pleased that Secretary Kennealy took the time to meet and hear concerns. After months of being told the most the board could get would be a minority of the hiring committee, the results

of this hearing are a major victory. We are grateful that the Secretary, and the administration as a whole, is acknowledging the fundamental fact that the Executive Director must be approved by the members of the board. We were also glad to hear the secretary state that the administration had no agenda to undermine the AAB, and that they believe in architectural access.

However, in order for the board's independence to be genuinely preserved, the community made it clear that more must be done. The new job description that DPL issued, without any input from the AAB, stated that the Executive Director would report to DPL itself, not to the members of the board. This must change. Advocates also explained that DPL simply picking a candidate the board approves of, while a step in the right direction, would not be enough. As we learned from the passing of AAB executive director Tom Hopkins in January-whose spot has still not been filled- AAB executive directors do not serve forever, and their effectiveness depends on having the independence to do their jobs and exercise discretion. No matter how strong a candidate, it must be clearly acknowledged that the entire hiring process is rightfully controlled by the board, and that the Executive Director reports to them.

"For the sake our community, and our civil rights to access, we need to know that the AAB's independence and authority will not be challenged in this way again," said Colin Killick, Executive Director of the Disability Policy Consortium.

As one of the attendees said, and Secretary Kenneally agreed, this process can be a win-win. Advocates look forward to sitting down with Governor Baker and reaching an agreement to ensure that the law is followed, and the independence of the board is genuinely and permanently protected. Until then, "We won't be going anywhere. The campaign goes on, and we urge people with disabilities to continue to let the governor know why architectural access and an independent AAB are things they are willing to fight for," said Killick.

Also discussed was the need for a second compliance officer. For the past 10 years, a hiring freeze has prevented this position from being filled. Currently one compliance officer services AAB complaints from the entire state.

Sincerely,

Paul Spooner, Executive Director

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