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February 18, 2014

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5

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7

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8

WHAT'S YOUR PLAN?
Part Two: A Hands-On Approach to Self-Evaluations

Irene Bowen, J.D.
President, ADA One, L.L.C.

James Terry, AIA
CEO, Evan Terry Associates, P.C.

February 18, 2014

9

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10

Overview of sessions

- Part One: Getting Started

- Part Two: A Hands-on Approach to Self-Evaluations

- Part Three: Bringing It All Together: Transition Plans, Barrier Removal Plans, and Action Plans

11

Refresh (1)

- Goal: compliance
- Evaluations and plans: <u>one</u> means of assessing and reaching compliance
- Look to the regulations for requirements
  - Substance
  - Procedure

12

Refresh (2)

- Benefits of self-evaluation
- Regulatory requirements

13

Two areas of assessment (1)

- Equal opportunity – includes communication, policies, practices
  - ➢ "Policies and practices"

14

Two areas of assessment (2)

- Physical access – buildings, facilities, equipment
  - ➢ "Program accessibility"

15

Preliminary decisions

Preliminary decisions
- Alternatives
- Level of detail
- What will work and how will you make it work?

16

Preview

- Critical decisions
- Stages of self-evaluation
- Groundwork for a transition plan/barrier-removal plan

17

CRITICAL DECISIONS

18

Bottom line

How can you do all this?

- Collect information quickly and accurately
- Evaluate it
- Implement a plan while the information is current

19

Match your entity with the task (1)

The task
- Identify all programs, activities, and services
- Review all policies and practices that govern administration of these

DOJ's ADA Technical Assistance Manual,
Section II-8.2000, Self-evaluation
http://www.ada.gov/taman2.html

See ADA Tool Kit, http://www.ada.gov/pcatoolkit/toolkitmain.htm :
How to identify red flags and fix common problems: Administrative
requirements, communication, 911, websites, curb ramps and
pedestrian crossings, emergencies

20

Match your entity with the task (2)

- Examine a wide range of programs/activities as to full participation of individuals with disabilities – examples:
  - Physical barriers
  - Limitations on participation
  - Communication
  - Emergencies
  - Portrayal of individuals with disabilities
  - Historic preservation
  - Decisions re: fundamental alteration, undue burdens
  - Public meetings

21

Some pitfalls

- Getting <u>just</u> the big picture
- Examining policies and missing the practices
- TMI
- Lack of capacity
- Data analysis

22

Each entity is unique:
What will work for you?

- Consider your "culture"
  - How does your entity work?
  - How does change happen?
  - How does disability compliance fit within the compliance structure?
- Consider your constituency
  - Input from people with disabilities: when, who, how
  - Input from program managers, facilities, ADA/504 coordinator
  - Input from the public

23

Reality check

- How deep?
- How broad?
- How much time?
- How much in budget?
- How much in human resources?

24

Ten decisions

1. Conveying the word: support from the top
2. Internal team – who "owns" it?
3. Breadth and depth of analysis
4. Method of information gathering, analysis
5. Method/level of reporting findings
6. Public input – when and how
7. Implementation
8. Internal resources: time, money, expertise (volunteers?)
9. Timing – phases?
10. Consultants – yes, no, how involved

25

Do it yourself or with consultant?

- Process can be
  - Entity-driven
  - Consultant-driven
  - A mixture

- Use or create "informed insiders"

26

Areas for possible assistance

Consultant can lead or assist with --
- Identifying "programs"
- Developing survey tool or allowing use of its own
- Training staff to assist with process or gather information
- Gathering/assisting with public input
- Reporting findings
- Developing action plan

27

FOUR STAGES

28

Step by step -- comprehensive evaluation

➢Plan
➢Gather information
➢Analyze and report
➢Implement

29

Step One: Planning

30

A framework

- Overall plan, schedule, guiding principles
- Direction from the top
- Identify teams, programs, facilities
- Develop tools for services/activities, facilities, IT/AT
- Develop data base
- Train those gathering information
- Public input

31

Plan for reporting

Decide whether you'll assess and report by –

- Town/city if small or
- Department or
- Each program, service or activity

32

Identify programs and services

- Recommendation: Analyze each program, service or activity even if reporting is by department or entity
- Start with program overview
  - Brief description of each program (numerical identifier)
  - Population served
  - How people find out about program
  - Locations where public accesses program

33

Examples of programs and activities: Town/city/county

- Meetings, hearings, conferences, events
- Library services
- Social services
- Programs carried out mostly by contractors
- Voting
- Web sites, IT
- Emergency preparedness
- Housing
- Recreation
- Police and fire
- Courts
- Corrections
- Procurement
- Mass transit

34

Examples of programs and activities: College or university

- Admissions
- Financial assistance
- Athletics
- Academic departments
- On-line learning
- Housing
- Recreation
- Student activities
- Alumni affairs
- Web sites

35

"Program" example: libraries (1)

OPTION A

Collections and circulation

Discussion sessions, events

Tutoring

Exhibits and displays

Research

Computer access

Volunteer opportunities

36

"Program" example: libraries (2)

OPTION Z

Access to Korean collection at
   Main Library

Book sale at Library #2

Course-related instruction for
   Engineering Department

Information desks

And many more…..

37

Phased approach?

- Programs/services: cross-cutting requirements (majority of programs)
- Programs that require in-depth analysis
  - Housing
  - Emergency preparedness
  - Voting
  - Law enforcement and corrections
- Facilities: program accessibility
- Pedestrian access: public R.O.W. and site facilities
- Areas needing specialized expertise (mass transit, web accessibility, 911)

38

Step Two:
Information gathering

39

Questions, answers, interviews

- There is a place for checklists
- Fill out survey form for each program, after <u>training</u>
- Include those –
  - Carried out by contractors
  - To which you give "significant assistance"
- Enter into data base/spreadsheet (code in advance)
- Consider interviews for "specialized" programs or where approach doesn't fit
- Quality control

40

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Core topics (1)

- Reasonable modifications and participation
  - Applications
  - Eligibility and continuing eligibility
  - Testing
  - Specialized programs (integration)
  - Volunteers and advisory committees
  - Service animals
  - Mobility devices

41

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Core topics (2)

- Meetings/events
- Communication
- Infrastructure
- Outside entities (vendors, contractors, grantees)
- Furniture, equipment, purchasing
- Evacuation from buildings

42

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First example of electronic checklist

- Sample A: Survey Monkey
  - Actually several surveys, by topic
  - Each starts with basic requirements
  - Then asks, "Does the program do ___?"
  - If answer is yes, goes automatically to next question

43

Sample A: Hearings, Meetings, Trainings, Classes, Tours, Fields Trips, and Special Events (1)

ADA requirements: This section covers three types of gatherings:

1. Facility tours
2. Excursions or field trips
3. All other gatherings conducted or held by the program, such as meetings, hearings, information sessions, trainings, or classes.

Generally, these gatherings or events covered must be accessible to people with disabilities. This includes ensuring physical accessibility as well as effective communication with people with hearing, speech, or vision disabilities.

Note: allowing use of space for others' events is covered in Survey #6, Outside Entities or Partners.

1. Does the program offer tours of its facilities, for example, of a firehouse, historic building, or recycling plant?

○ Yes
○ No

44

Sample A: Hearings, Meetings, Trainings, Classes, Tours, Fields Trips, and Special Events (2)

9. Does the program conduct other types of gatherings open to the public or part of the public, such as meetings, hearings, information sessions, trainings, or classes?

○ Yes
○ No

10. Does the program require that all meetings, hearings, trainings, classes and events be held in accessible locations? Note: This does not include facility tours, excursions, or field trips.

○ Yes
○ No

11. Is the accessibility of potential event locations evaluated prior to selecting the location?

○ Yes

Sample A: Infrastructure

Infrastructure: Commitment, General Practices, and Training

13. What topics are including in training provided to members of program staff? Select all that apply.

- ☐ ADA requirements
- ☐ Implementing the ADA
- ☐ Interacting with people with disabilities
- ☐ The process for handling complaints or grievances

14. Is the training provided at orientation/beginning of employment?

- ○ Yes
- ○ No

15. Is the training given annually?

- ○ Yes
- ○ No

46

Second example of electronic survey

Sample B: Excel
- One spreadsheet
- Each section starts with basic requirements
- Then instructs user to complete section if …
- User answers according to instructions
- Graphic indications of when to supplement answers, skip questions

47

Excerpt from table of contents

I	OVERVIEW
I.A	Introduction and Background
I.B	Description of Program Surveyed
II.	INFRASTRUCTURE
II.A	Commitment, General Practices, and Training
II.B	Notice and Grievance Procedures
III.	ELIGIBILITY AND PARTICIPATION
III.A	Applications, Registration, and Interviews
III.B	Initial Eligibility Requirements
III.C	Termination of Eligibility or Services
III.D	Testing
III.E	Hearings, Meetings, Trainings, Classes, Tours, and Special Even
III.F	Modification of Policies, Practices, and Procedures
III.G	Specialized Programs for People with Disabilities

48

Sample B: Hearings, meetings (1)

II.D Hearings, Meetings, Trainings, Classes, Tours and Special Events		Data	
Only complete this section if: You conduct meetings, hearings, information sessions, trainings, classes, tours, or other types of gatherings open to the public. If this does not apply, skip to Section II.E.			
1	Do you require that all meetings, hearings, trainings, classes and events be held in accessible locations?	Y	N
	A Are these locations evaluated for accessibility? If Y, please respond:	Y	N
	B Who evaluates these locations for accessibility? Provide title of responsible individual(s).	→	
	C Are there accessibility criteria that you use to evaluate these locations? If Y, please attach a copy of the criteria.	Y	N
2	Do you relocate the meetings, hearings, trainings, classes and events if a person with a disability wants to attend and the location is not accessible? If Y, please respond:	Y	N
	A How much advance notice is required to relocate the event?	____ business	

49

Example – Hearings, meetings (3)

3	If a person's disability makes it impossible for them to attend a meeting, hearing, training, class or event in person, are they permitted to attend remotely? (e.g., conference call, video conference, webcast, voice over) If Y, please specify in comments.	Y	N
4	If a person's disability makes it impossible for them to attend or participate in tours in person, are they permitted to attend remotely or is the same content provided in an alternate way? (e.g., video tour, webcast, etc.) If Y, please specify in comments.	Y	N

50

Example – hearings, meetings (2)

II.D Hearings, Meetings, Trainings, Classes, Tours and Special Events		Data		N/A
6	How do people register for your events, hearings, meetings, trainings, classes and tours?	→	→	
	A Can people with disabilities register in alternate ways? (e.g. in person, via mail, email, fax, phone, internet)	Y	N	
7	Is your staff trained on the policies and procedures discussed in this section, as to people with disabilities? If Y, please respond:	Y	N	
	A Which staff members are trained?	→		

51

Electronic surveys

- Any version requires –
  - Careful programming in advance of use
  - Electronic input of information
  - Training
  - Quality control
  - Means of data analysis for useful findings
- With either, can build in "red flags"

52

Beyond checklists (1)

Some areas may need a different approach – interviews, narrative report, specific questionnaires:
- Police/fire
- Courts
- Emergency preparedness
- Housing
- IT
- Web
- Voting

53

Beyond checklists (2)

- Where entity has responsibility via several partners/contractors, look at responsibility of <u>entity</u> as well as individual partners.
- Examples:
  - Social services
  - Child care
  - Health care
  - Shelters

54

Deciding where to start with facilities

- Not every facility must be made fully accessible
- Chances are you won't survey every facility at once – this is likely a long-term process
- Plan your work in phases that can realistically be funded over time
- How do you decide where to start and what to work on in later phases?

55

Setting facility priorities

Which facilities and elements are the most important to review and fix first?

i. Highest use
ii. Most critical for people with disabilities and seniors
iii. Those where corrective work has been requested by users
iv. Facilities with frequent use without advanced notice
v. Facilities offering unique programs and services
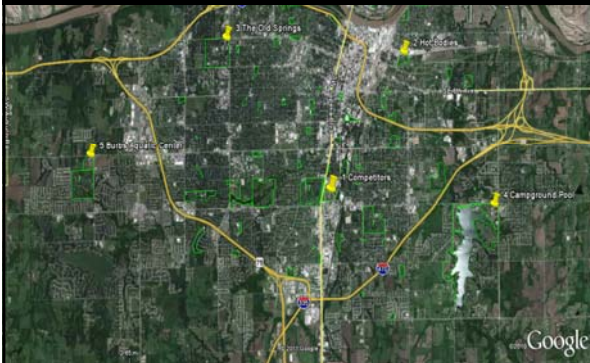vi. Distributed locations
vii. Access to public transportation

56

Factors to consider when setting facility priorities:
- Programs offered
- Communities served
- Geographic distribution
- Public transportation

Setting facility priorities (one approach)

Setting Initial Facility Priorities for Program Access

# Facilities (by type)	Highest Use	Critical Use	Requested Corrections	Frequent Use w/out Notice	Unique Programs	Location & Transportation
1 Competitors Swim Center	5	5	3	5	8	5
2 Hot Bodies Pool, Rec.Center, & Daycare	4	3		4	6	5
3 The Old Springs	2	2	2	1	1	2
4 Campground Pool, Playground & Trails	1	4		3	3	1
5 New Burbs Aquatic Center	3	3	1	1	2	1
6						
7						

58

Setting facility priorities

Which curb ramps tend to have the highest priorities?

i.   Those where work has been requested by users
ii. Curb ramps serving facilities for seniors and people with disabilities
iii. Highest use
iv. Closest to critical program facilities (like emergency shelters and healthcare)
v.   Areas where no curb ramps currently exist

59

Logical approaches to identifying barriers and removing them for physical access

Identify every program offered and evaluate each program for barriers. Remove them, then:

• Train program-setting employees to recognize and avoid barriers when moving and adding programs and services and when scheduling all public activities and events
• Update transition plan, secure funding, and eliminate barriers every time programs move or are added to inaccessible facilities or areas within facilities

60

Logical approaches to identifying barriers and removing them for physical access

Identify areas in every facility where programs are offered; identify barriers in those areas; remove them; then…

- Train program-setting employees to schedule programs, services, public activities and events only in areas of facilities that are already physically accessible
- Update transition plan, secure funding, and eliminate barriers only when programs move or are added to the few remaining inaccessible facilities or areas within facilities

61

Select facilities where all programs will be offered to achieve program access

Verify that ALL programs, services, and activities will be accessible

If not all program offerings become accessible, geographically dispersed convenient locations

If not all accessible, consider how facilities are used
- Example – two auditoriums in use: BOTH must be accessible
- Example – twenty swimming pool facilities: SOME must be accessible
  - Swim meets must be held only at accessible pools
  - Swimming lessons must be offered at accessible pools

62

Program vs. facility access

Alternative methods
Physical access is not required to every facility where alternative methods are as effective in providing program access, but, where structural changes are required, a transition plan is required.

63

Alternative methods

Alternative methods for compliance in existing facilities may include
- Redesigning equipment
- Reassigning services to accessible buildings
- Assigning aides to beneficiaries or home visits
- Delivery of services at alternate sites
- Alteration of existing facilities
- Construction of new, accessible facilities
- Use accessible rolling stock or other conveyances
- Other methods to achieve "readily accessible to and usable by"

64

What must be included in a transition plan
(from the regulations):

- **Identify** all physical obstacles (**barriers**) in the facilities **that limit access**
- **Detail the methods** that will be used to make the (programs and/or) facilities accessible
- **Schedule** the steps to be taken each year to achieve compliance
- **Name of official** responsible for implementation

- (In the next session we'll look in detail at how to collect and manage this information)

65

Public input

- **When**
  - At beginning
  - As to tentative findings
  - As to recommendations
- **How**
  - Public hearings
  - Meetings with constituencies
  - Online surveys/comments
- **Who**
  - Advisory committees
  - Advocacy groups
  - Individuals

66

Step Three:
Analyzing and reporting

67

Approaches

Several ways to analyze/summarize
- Highlights or details
- By entity, department, program, type of issue
- Narrative
- Summaries
- Charts
  - Frequency of issues
  - Severity of issues
  - Distribution among departments/programs
  - Red flags
- Raw data to individual programs or departments

68

Tasks

- Draft findings

- Meet with departments/programs

- Review by programs, departments, management

- Final report

69

Facilities - transition planning

- Similar issues as with policies
  - What did your facility surveys reveal?
  - What are your phased priorities for physical barrier removal to provide program access?
  - What can be accomplished with existing staff and volunteers
- Staff availability and expertise
- Planning and budgeting cycle
- Finding and building allies in your organization

70

Step Four:
Implementation

71

Bring it all together (1)

- Create recommendations for change
- Create specific action plans
  - By entity, department, program
  - Can be done by individual programs, departments

72

Bring it all together (2)

- Assign specific tasks to specific people, with deadlines
- Consider an electronic tracking tool for milestone reminders
- Tie in to budget and planning process

73

Coordination

Coordinate your physical facility access solutions with the operations, maintenance, procurement, and various program providers to assure consistent "program access" in practice
- Don't assume that fixing physical barriers will fix all of the problems, that part of your work only provides opportunities for your staff and to provide program access

74

Communication

Determine how new solutions can best be communicated to all involved parties
- Managers who will approve and assign responsibilities
- Staff who will implement the changes
- Employees who will do their work differently
- People with disabilities who will be the beneficiaries and need to plan their activities and program participation
- Use multiple communication methods
  - Modify existing materials and handouts
  - New Internet resources
  - Resource numbers and email addresses for answers

75

CHECKLISTS AND EXAMPLES

76

Examples (1)

- City of Tacoma, Washington -- Self evaluation developed by staff
http://cms.cityoftacoma.org/hrhs/ada/FinalADAPlanJune08.pdf

- San Francisco -- Contractor-developed
http://www.sfgov2.org/index.aspx?page=546

- Sacramento approach (standard activities vs. unique services
http://www.cityofsacramento.org/adaweb/summary.html#sapproach

77

Examples (2)

- Fulton County, GA – county-wide report (contractor – ADA One)
http://fultoncountyga.gov/images/stories/OEEO/FC_I_ADA_SEval.pdf

- Somerville, MA – self-evaluation as basis for transition plan (contractor) (mostly facilities)
http://www.somervillema.gov/sites/default/files/Somerville2013-Self-Evaluation.pdf

78

Other resources

- DOJ's Title II Technical Assistance Manual, at § II-8.2000. http://www.ada.gov/taman2.html
- DOJ's Project Civil Access page and ADA Tool Kit http://www.ada.gov/civicac.htm
- Department of Education's section 504 guide (outdated, 1978, but helpful guidance) http://www.ahead.org/sigs/ada-coordinators (click on Self-evaluation Guide)
- Checklists and Policies for Title II: Samples – in audio conference materials, by ADA One, February 2014

79

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80

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CONTACT

Irene Bowen, J.D.
President, ADA One, LLC
9 Montvale Court
Silver Spring, MD 20904

Web site: http://ADA-One.com

301.879.4542 (O)
301.236.0754 (F)

81

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CONTACT

James L.E. Terry, AIA, CASp
CEO, Evan Terry Associates, P.C.
One Perimeter Park So. #200S
Birmingham, AL 35243

www.EvanTerry.com
jterry@evanterry.com

EvanTerry Associates

205.972.9100 (O)
205.972-9110 (F)

82

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Thank you for participating in today's
ADA-Audio Conference Session

The next scheduled session is:

*"What's Your Plan? A three-part series on self-evaluations,
barrier removal plans, and transition plans"*

Part III: **Bringing It All Together: Transition Plans, Barrier
Removal Plans, and Action Plans**

March 18, 2014

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83