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Listening to the Session, continued

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Customize Your View continued

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Adjusting Preferences

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  - Select “Edit” from the tool bar at the top of your screen
  - From the drop down menu select “Preferences”
  - Scroll down to “General”
  - select “Audible Notifications” Uncheck anything you don’t want to receive and “apply”
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  2. By Email webinars@ada-audio.org ; or
  3. Call 877-232-1990 (V/TTY)
Title II Administrative Requirements

1. Designate a responsible employee (Entities w/50+ employees)
2. Notice to the public (All public entities)
3. Grievance procedure (Entities w/50+ employees)
4. Self-Evaluation (All public entities)
5. Transition Plan (Entities w/50+ employees)

These documents (Self-Evaluation & Transition Plan) evidence a public entity's good faith efforts to comply with Title II's requirements.

- DOJ Title II Technical Assistance Manual
Ada Audio Conference Series: Making Sure Your ADA Self Evaluation and Transition Plan are Seasoned with the Right Ingredients

### Self Evaluation

- Policies, Practices & Procedures
- Reasonable Modifications

### Transition Plan

- Structural & Communication Barriers to Programs, Services and Activities
- Schedule for Barrier Removal

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### Responsible Employee

- ADA Coordinator vs CEO
- Purpose: public liaison
- Decision-making authority
- Roles:
  - Planning & coordinating compliance activities
  - Overseeing the 5 administrative requirements
  - Receiving & investigating complaints
- Originating department?
  - Human Resources
  - Planning
  - Safety / Risk Management
  - Community Engagement

---

### ADA/Accessibility Coordinator

- Disability Advocate
- Compliance Manager
ADA Compliance is Everyone's Responsibility

Accessibility Management

The process is evaluated to determine: "How can we make this work better?"

Business purpose and mission are defined.

Shared values are clarified.

Implementing an Accessibility Management Program

Consensus is built.

Responsibilities are delegated.

Information is gathered.

Designated Responsible Employee / CEO

ADA Coordinator
In charge of ADA compliance

Engineering / Planning / Design
Accomplish the goal of accessibility improvement identified in ADA Transition Plan

Operations / Public Works
Make ADA improvements through routine maintenance. Review daily traffic issues

Programs / Services
Make reasonable accommodations, such as walk & wheel in the non-integrated setting

Marketing / Communications
Ensure accessibility for all programs, services and services

Purchasing
Obtain new products, services and contracts, and make ADA compliant

Technology
Adopt new technologies for the public, employees, and volunteers to access

Human Resources
Design reasonable accommodations for applicants, employees and volunteers

Legal
Ensure legal compliance

ADA Compliance / Accessibility Management Team

ADA Compliance / Accessibility Management Team

- Meet a minimum of quarterly at start of project implementation
- Provide updates on ADA implementation in each unit / department
- Guide ADA policy development
- Liaison with disability advocacy groups in the community

THE ADA/504 SELF EVALUATION

- Comprehensive review of policies and practices
- The public entity must
  - Identify non-compliance policies and practices
  - Modify policies and practices to bring them into compliance
- Opportunity for people with disabilities and interested parties to review and comment
- On file for public inspection for 3-years (for entities w/50+ employees)
  - List of interested persons consulted
  - Description of areas examined and identified problems
  - Description of modifications
Review of Policies, Practices & Procedures

- Does the policy, practice or procedure screen out or prohibit individuals with disabilities from participating in and enjoying the benefits of the program, service or activity?

  - [ ] No Action Required
  - [x] Action Required for ADA Compliance
  - [ ] Action Recommended as a Best Practice of Access for People with Disabilities

DOCUMENTS

- Organizational and departmental procedure manuals
- Brochures on city programs, services and activities
- Rules and/or regulations specific to the services of the department or unit
- Employment applications
- Employee handbook
- Emergency preparedness plans
- Licensing criteria and applications
- Special use permits
- Waivers and release forms
- Sample meeting and other public notices
- Complaint form
- Specific departmental/unit procedures for serving people with disabilities through provisions of auxiliary aids, service or modification of policies.
Interviews

- Interviews with key personnel across all departments/units
- What is the function of the department/unit?
- How does the department/unit interface with the public?
- What policies or procedures may affect how a resident or visitor receives services?

ADA Self Evaluation Questions

Notice

- Does the Agency have a Notice to the Public?
- How is the Notice communicated?
- Is it available on more than just the web page?

Example

Notice to the Public

- Cleveland Metroparks
  - [https://clevelandmetroparks.com/about/cleveland-metroparks-organization/accessibility-statement](https://clevelandmetroparks.com/about/cleveland-metroparks-organization/accessibility-statement)

- City of Milwaukee

- National Park Service Poster (image on next slide)
Parsley or Cilantro? Making Sure Your ADA Self Evaluation and Transition Plan are Seasoned with the Right Ingredients
October 17, 2017

City of Eugene Oregon

National Park Service

City of San Francisco Mayor’s Office on Disability

ADA Audio Conference Series: Making Sure Your ADA Self Evaluation and Transition Plan are Seasoned with the Right Ingredients
ADA Self Evaluation Questions

**Designated Official**

- WHO is the designated official?
- How can the person be contacted?
- Is the designated official different from the ADA Coordinator?
- Should there be different contacts for different programs/services/activities?

**Grievance Procedure**

- How can an individual make an inquiry or file a complaint directly with the agency?
- When should the individual expect to receive a response?
- What timeframes are involved?
- What can the individual do if they do not agree with the response? What is the appeal process?

**Input from People with Disabilities**

- How is input sought from individuals with disabilities?
- Is this an ongoing process or a one-time deal?
ADA Self Evaluation Questions

**Auxiliary Aids and Services**
- How can individuals make requests for auxiliary aids and services?
- Is the process centralized or decentralized?
- Is the availability of auxiliary aids and services clearly communicated in marketing information?
- Is equipment in place and ready to go?
- Have service providers been identified and agreements/contracts put into place?
- Is there a post-program evaluation to assess the quality of the auxiliary aid or service?

**Alternate Formats**
- Is information available in alternate formats?
- How is the availability of alternate formats communicated to people with disabilities?
- Is the process to make the request centralized or decentralized?
- Are staff trained to intake and process the request?

**Disability Inquiry**
- Do registration forms ask for information on disability? Disabling conditions? Or other medical conditions?
- Are medical forms/emergency forms required of all participants?
- Are waivers consistent with safety assessments?
- Are waivers consistent with business necessity?
Eligibility Criteria

- Do programs, services or activities have eligibility criteria?
- Is the eligibility criteria communicated in marketing materials, program guides, and service descriptions?
- Is the eligibility criteria consistent with skill sets?
- Is the eligibility criteria consistent with safety assessments?
- Is the eligibility criteria consistent with business necessity?

Service Animals

- Is the public informed of the agency's service animal policy?
- Are there instances and/or places where service animals may be restricted?
- If so, what is the rationale? Is it consistent with business necessity or direct threat issues?

Other Power-Driven Mobility Devices

- Is the public informed of the agency's policy on OPMD's?
- Are there instances and/or places where OPMD's may be restricted?
- If so, what is the rationale? Is it consistent with business necessity or direct threat issues?
ADA Self Evaluation Questions

**Reasonable Modifications**

- What process is in place to evaluate case by case instances to make reasonable modifications?
- Is the process centralized or decentralized?
- Are staff trained on disability and ADA compliance?
- Are modifications documented?
- Is there a post-program evaluation to assess the quality of the reasonable modification?

**Contracts & Partnerships**

- What requirements are made of contractors and partners to ensure their compliance with the ADA?
- Are roles and expectations clearly defined?

**Safety**

- How are safety concerns assessed?
- Is the Safety Coordinator / Risk Manager involved?
- Is the assessment documented?
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October 17, 2017

ADA Self Evaluation Questions
When you have to say “NO”

- Is the designated official involved in the determination?
- Is the denied request documented with explanation of the assessment and rationale?

Action Plan

- What policies and procedures need to be modified?
- What person/department is responsible for each modification?
- Are there costs associated with the modification?

THE ADA/504 TRANSITION PLAN
§35.149
- No qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

§35.150
- A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

Methods to Achieve Program Access
- Relocate a service to an accessible facility
- Provide benefits or services at an individual’s home, or at an alternative accessible site
- Make structural changes to existing site giving priority to the methods that facilitate the most integrated setting
Existing Facilities ➔ Program Access Standard ➔ Transition Plan

Transition Plan

- A plan / schedule to remove barriers to programs, services and activities
- Originally required of entities with 50+ employees by July 26, 1992
- Barrier removal was to be completed by January 26, 1995 but in any event as expeditiously as possible

Transition Plan

- Where structural changes to existing facilities are necessary to achieve Program Access
- Transition Plan components
  - Identification of physical & communication barriers to programs, goods or services
  - Identification of solution for barrier removal
  - Prioritization and targeted timelines for barrier removal
  - Assigned responsibility
- On file for the public until completed
Assessing Your Facility
Program Spaces

When viewed in its entirety*, can visitors participate and gain the benefits of the program?

Accessibility Assessment
Survey or Audit?

Accessibility Assessment - Methodology

» Identification of physical and communication barriers to programs, services and activities

SUPPORTING FACILITIES

» Follow the sequence used by visitors

» Consider the needs of visitors with

» Mobility impairments

» Visual impairments

» Hearing impairments

» Cognitive impairments

» Snapshot in time

» 2010 ADA Standards for Accessible Design

» Other proposed standards and guidelines

» Principles of universal design

» Best practices

» Recommendations for barrier removal
A Note About Categorized Priorities

- Deficiencies are categorized into priorities to give decision-makers a better understanding of the magnitude by which the barrier prohibits a person with a disability from fully experiencing the program or activity.
- Categorized priorities DO NOT dictate the order for corrective actions.
- Discretion of administrators to determine the order by which corrective actions are made

**A Note About Categorized Priorities**

- Critical
- Serious
- Moderate
- Minor

**Assessment/Survey Report vs Transition Plan**

| Identification of physical & communication barriers to programs, goods or services | ✔ | ✔ |
| Identification of solution for barrier removal | ✔ | ✔ |
| Targeted timeline for barrier removal | ✔ |
| Responsible Person/Unit | ✔ |
| In Lieu of Barrier Removal | ✔ |
| Documentation of corrective action | ✔ |

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Sample Park Agency Accessibility Assessment

» 22 major parks & facilities

» Recorded approximately 1,000 work orders to remove deficiencies / barriers for people with disabilities

Sample Agency
Most Frequently Cited Recommendations

- Provide picnic units with mobility features (107)
- Adjust door opening force and/or evaluate for installation of automatic/power-assisted door system (104)
- Modify existing pathway (92)
- Install/remount restroom identification signage with braille and raised characters (77)
- Stripe accessible parking space and access aisle (66)

- Insulate exposed pipes at lavatory (68)
- Install coat hook within reach range (60)
- Add/replace existing drinking fountain with high-low unit (56)
- Adjust door opening force (50)
- Provide accessible fire ring/grill (50)

<table>
<thead>
<tr>
<th>Corrective Action</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide picnic units with mobility features</td>
<td>Capital improvement</td>
</tr>
<tr>
<td></td>
<td>ext. $25,000+ per site</td>
</tr>
<tr>
<td>Adjust door opening force and/or evaluate for installation of automatic/power-assisted door system</td>
<td>$100 to $5,000</td>
</tr>
<tr>
<td>Modify existing pathway</td>
<td>Capital improvement</td>
</tr>
<tr>
<td></td>
<td>$1,000 to $10,000+</td>
</tr>
<tr>
<td>Install/remount restroom identification signage with braille and raised characters</td>
<td>$50</td>
</tr>
<tr>
<td>Stripe accessible parking space and access aisle</td>
<td>$1,200</td>
</tr>
<tr>
<td>Insulate exposed pipes at lavatory</td>
<td>$60</td>
</tr>
<tr>
<td>Add/replace existing drinking fountain with high-low unit</td>
<td>$3,500</td>
</tr>
<tr>
<td>Restroom renovation for accessible toilet stall</td>
<td>$12,000+</td>
</tr>
</tbody>
</table>
Scheduling Barrier Removal

- Location
- Use – volume
- Master plan for facility
- Proximity to duplicative program/service
- Ongoing process

Ongoing – ADA Transition Planning

- Develop dynamic, working ADA Transition Plan for removal of communication and physical barriers.
- Make available for public inspections
- Engage people with disabilities throughout the process.

What can we do NOW?

- Convene an Accessibility Management Team
- Review Your Original ADA Self Evaluation OR …..Develop an ADA Self Evaluation
- Determine what outstanding barriers remain from your original ADA Transition Plan OR …..Develop an ADA Transition Plan
- Community engagement and input from people with disabilities
- Commit to Inclusion & ADA Compliance
Questions

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www.accessibilitymanagementnews.com

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

The next scheduled session is:
“Service Animals and the ADA: Exploring Common Issues and Scenario’s”
November 21, 2017
Register at: www.ada-audio.org or call 877-232-1990 V/TTY