

Hands-on Transition Planning Session Three, Part Two

The 3rd Annual
ADA for State and Local Governments Conference
Georgia Tech, June 2013

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SHOULD YOU OR SHOULDN'T YOU?

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Time for a plan?

Ask yourself:

- Has anything changed in 20 years?
 - Times and people
 - Your programs
 - Your buildings and facilities
 - Web sites
- Are you ready for more change? (DOJ regulations)
- Can you comply without a plan?

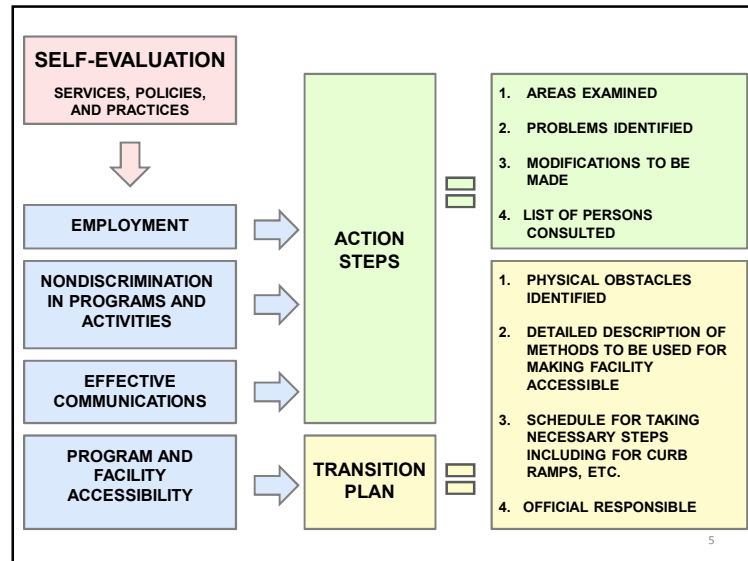
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Benefits of planning

- You show good faith
- You come into compliance
- You're better shielded from litigation
- You avoid the possibility of harsher mandates from litigation



Image courtesy of
Freedigitalphotos.net,
renjith krishnan



Disclaimer

This presentation and materials are provided for informational purposes only and are not to be construed as legal advice.

You and/or your entity need to seek counsel to resolve legal issues. Policies and procedures should be reviewed by counsel prior to implementation.

GETTING STARTED

Where are you now?

- When did you do your last self-evaluation or transition plan?
- What has changed (other than some of the requirements!)?
- Should you develop policies, train, and then assess?
- What needs attention most or first?
- Do you have support from the top? Legal? Facilities? Others?

Getting started

- **Level of detail**
 - What's a program
 - How deep do you go in analysis
 - How much data can you handle
- **Information gathering: tools?**
- **Analysis**
- **Reporting**
- **Planning for remediation**

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DIY – or get help

Do it yourself or

Use a consultant for one or more:

- Developing tools
- Training
- Technical assistance
- Developing data base
- Gathering the information
- Analyzing the information
- Drafting a report

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Other approaches

- Focus on what's new (2010 revisions)
- Focus on where improvement is needed
- Develop policies, check for compliance after a while
- Train on difficult areas
- Open-ended interviews
- Reviews of policies

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Don't forget

Public input

Implement it

Update it

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APPROACHES TO POLICIES AND PRACTICES

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Self-Evaluations

ACTION STEPS

1. AREAS EXAMINED
2. PROBLEMS IDENTIFIED
3. MODIFICATIONS TO BE MADE
4. LIST OF PERSONS CONSULTED

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STEP BY STEP

1. Planning
2. Gathering information
3. Analyzing and reporting



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Step One: Planning

- Overall plan, schedule, guiding principles
- The word comes from the top
- Identify teams, programs, facilities
- Develop tools for services/activities, (also for facilities and IT)
- Develop data base
- Train the teams
- Public input

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Identify programs and services

Analyze by –

- Each program, service or activity or
- Each department

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Examples of programs and activities (1)

Meetings, hearings, conferences, events

Library services

Social services

Programs carried out mostly by contractors

- Transportation

- Child care

Voting

Web sites, IT

Emergency preparedness

Housing

Recreation

Police and fire

Courts

Corrections

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Examples of programs and activities (2)

College or university

- Alumni affairs
- Admissions
- Financial assistance
- Athletics
- Academic departments
- On-line learning

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“Program” example: libraries

Option A

Collections and circulation

Discussion sessions, events

Tutoring

Exhibits and displays

Research

Computer access

Volunteer opportunities



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“Program” example: libraries

Option 2

Access to Korean collection at

Main Library

Book sale at Library #2

Course-related instruction for

Engineering Department

Information desks

And many more.....



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Sample index– survey form for a program

I OVERVIEW

I.A Introduction and Background Information

I.B Description of Program Surveyed

II. COMMITMENT, GENERAL PRACTICES, AND TRAINING

III. ELIGIBILITY AND PARTICIPATION

III.A Application Process

III.B Eligibility to Participate

III.C Testing

Hearings, Meetings, Trainings, Classes, Tours, and Special

III.D Events

III.E Modification of Policies, Practices, and Procedures

III.F Specialized Programs for People with Disabilities

III.G Advisory Committees and Boards

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...Sample index– survey form for a program

IV. COMMUNICATION AND PERSONAL INTERACTION

IV.A In-Person Communication

IV.B Effective Written Communication

IV.C Auxiliary Aids and Services

IV.D Effective Telephone Communication

IV.E Effective Electronic Communication

IV.F Videos and DVD's

EQUIPMENT (INCLUDING TECHNOLOGY), FURNITURE, AND PURCHASING

V.A. Equipment and Furniture

V.B. Purchasing

VI. MAINTENANCE OF ACCESSIBLE FEATURES

VI.A. General

VI.B. Maintenance of Accessible Features

VII. TRANSPORTATION

VIII. EMERGENCY PROCEDURES

IX. OUTSIDE ENTITIES OR PARTNERS

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Step Two: Gathering Information

- Fill out survey form for each program
- Include those carried out by contractors
 - Shelters for those who are homeless, experience domestic violence
 - Child care
 - Family services
- Enter into data base
- Quality control

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Example – Policy Survey

| | | | |
|---|--|---------------|---|
| 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 <u>tours</u> 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 |
| 5 | Is information about accessible features and auxiliary aids included on public notices of meetings, events, hearings, trainings, classes and tours? (e.g., requesting auxiliary aids and services, and documents in alternate forms) | Y | N |
| A | How much advance notice is required for these requests? Record the number of business days | business days | |

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Example – Policy Survey

| 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? | → | | |

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Step Three: Analyzing and Reporting

Analyze and summarize findings

Draft recommendations

Meet with departments

Public input

Final plan

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Other issues

- If your entity provides significant assistance to organization or person for their programs/services, ensure compliance



http://www.knox.edu/Images/_News/news_media/img/2003/tke-ramp-18s.jpg

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Don't forget

Public input
Implement it
Update it

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APPROACHES TO FACILITY ISSUES

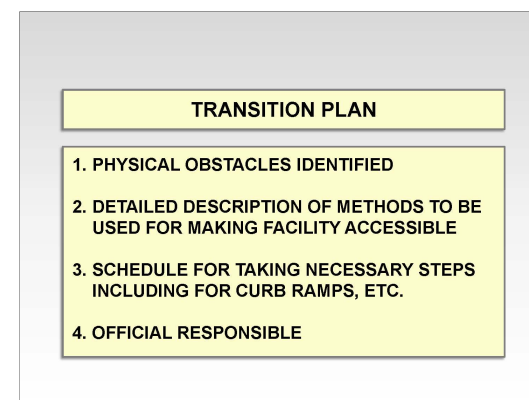
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Issues

- Similar issues as with policies
 - Where are you already – existing data base?
 - Level of detail
 - Inside/outside staffing Existing data base
- Staff availability and expertise
- Planning and budgeting cycle

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Transition Plans



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Transition plan: sample approaches

- Follow each program or
- Assess the facilities and how they're used, then document where accessible programs can be offered

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Challenges

- Tying together service and facility issues
- Outside parties
 - Procurement
 - Vendors
 - Facilities owned by others
 - Others' use of your facilities
 - Curb cuts and sidewalks under control of city
 - Programs carried out mostly by contractors, delegate agencies

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Consultants' Facility Surveys

ADA Survey

Site: _____

Circulation Door

| Circulation Door | Data | | | | | | Comments | Diagrams |
|---|------|---|---|---|---|---|----------|----------|
| | 1 | 2 | 3 | 4 | 5 | 6 | | |
| Location (Front, Rear, Left, or Right side of Building) | | | | | | | | |
| Facility Signage at Area of Refuge (Y, N, N/A) | | | | | | | | |
| Clear Opening (32" min. for one active door) (Y or N) | | | | | | | | |
| Y/N - Enter Data for A | | | | | | | | |
| A - Width (") | | | | | | | | |
| Opening Force (54 max.) (Y or N) | | | | | | | | |
| Y/N - Enter Data for B | | | | | | | | |
| B - Force (lbf) | | | | | | | | |
| Closing Speed (3 sec. min. from 90 degree open to a point 2" from latch) (Y or N) | | | | | | | | |
| Closing Speed (5 sec. min. from 90 degree open to 12 degrees from latch) (Y or N) | | | | | | | | |
| Y/N - Enter Data for C | | | | | | | | |
| C - Speed (sec.) | | | | | | | | |
| Maneuvering Clearance - Pull Side Compliant? (See Diagrams) (Y or N) | | | | | | | | |
| Y/N - Enter Data for D, E, F, G and H | | | | | | | | |
| D - Front (F), Hinge (H) or Latch (L) | | | | | | | | |
| E - Latch (Y or N) | | | | | | | | |
| F - Closer (Y or N) | | | | | | | | |
| G - (") (Perpendicular to Door) | | | | | | | | |
| H - (") (H/Adjacent to Latch) | | | | | | | | |

End Users' Facility Surveys

Step 5. Can the door be opened without grasping, pinching or twisting of the handle?

See Diagrams below on the left.

10.0 Circulation Doors

Building Address: _____

Use this section to survey additional circulation doors along the interior route that were not surveyed as part of the rooms and spaces section.

Location of Door: _____

Step 1. Open the door 90 degrees. Measure from the surface of the door to the opposite door stop. Is the clear width at least 32"? ☐ Yes ☐ No

If No, record the width in the box below the diagram.

Step 2. Is there at least 18" of clear space on the pull side of the door next to the latch? ☐ Yes ☐ No

If No, record the clear space in the box below the diagram and take a photo. Photo # _____

is not acceptable.

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End Users' Facility Surveys

Classroom training

Field training

Technical assistance

Quality control



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2010 Standards

Follow the 2010 Standards for

- new construction
- alterations
- changes for the sake of **program accessibility**



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Other issues

- Equipment
- Furniture
- Maintenance of accessible features
- Curb cut

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Curb cuts

If your agency manages streets and highways, sidewalks, etc., your transition plan must consider pedestrian crossings, curb ramps:

- Identification of deficient curb ramps
- Plans to bring into compliance
- A schedule of corrections
- Party who is responsible

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Resources

- DOJ website: www.ada.gov
 - PCA agreements, other agreements
 - Tool Kit for State and Local Governmentswww.ada.gov/pcatoolkit/toolkitmain.htm
- Federal Highway Administration
 - Questions and Answers About ADA/ Section 504
www.fhwa.dot.gov/civilrights/programs/ada_sect504qa.htm
 - www.fhwa.dot.gov/environment/bikeped/guidance.htm#Access
- Access Board's proposed guidelines for public rights of way, July 26, 2011 <http://www.access-board.gov/prowac/>

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