City of Bloomington

Americans with Disabilities Act Plan Document

City of Bloomington
ADA Plan Document

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¶800 State and Local Governments

Title II (subtitle A) of the Americans with Disabilities Act (ADA; P.L. 101-336, 42 U.S.C. §12101 *et seq.*) prohibits state and local entities from discriminating against any qualified individual with a disability (see ¶310) in their programs, services and activities. These prohibitions are implemented through regulations issued by the U.S. Department of Justice (28 C.F.R. Part 35 — see Appendix III).

All programs and activities of *all* state and local governments are covered by title II. This represents a significant change from other federal non-discrimination policy. Under Section 504 of the Rehabilitation Act (see ¶122), state and local governments (and other entities) receiving federal assistance are required to make their programs and activities accessible to disabled people. The ADA extends that mandate to all jurisdictions, regardless of whether they receive federal funds.

The title II regulations incorporate specific requirements from other parts of the ADA. The act's mandate for equal employment opportunities (title I) and the concept of access to public accommodations (title III) touch on nearly all activities offered by public entities, including employment, facilities and social service programs. The only area not addressed in the state and local government provision is transportation accessibility, which is covered separately under Subtitle B of Title II (see Tab 400).

In these respects, therefore, title II is a hybrid of other laws and other parts of the ADA. But it also imposes certain ADA-related requirements that are unique to state and local governments. These include the need to conduct self-evaluations and name ADA coordinators (see ¶814), develop transition plans for structural changes (see ¶835), and take affirmative steps to ensure accessible communication (see ¶850).

Title II is effective Jan. 26, 1992.

¶801 Application of Title II and Relationship with Other Laws

The U.S. Justice Department's regulations implementing Title II of the ADA state that the law applies to "all services, programs and activities provided or made available by public entities" (§35.102(a)). All state and local governments are covered by the act. Unlike Section 504 of the Rehabilitation Act, the ADA applies regardless of whether a public entity receives federal assistance.

In the preamble to the title II rules, Justice points out that all executive, legislative and judicial departments of public entities are covered by the ADA. Further, a public entity is required to ensure that any program, activity or service provided under contract by another entity is not

discriminatory against disabled people. For example, a state would be responsible for ensuring that a private hotel company hired under contract to manage lodging in state parks complied with title II. (The hotel company also would have to comply with the public accommodations requirements of Title III of the ADA — see Tab 500).

Presumably, many public entities are familiar with this scenario — and the requirements for accessibility that apply to it. Often, state and local governments contract out services using funds received by the federal government, and thus are required to ensure that these services are accessible under Section 504 of the Rehabilitation Act. Now, the ADA requires that all these contracted-out programs, activities and services are provided in a non-discriminatory manner, regardless of whether they are financed with federal funds.

All public programs and activities are covered by title II. Indeed, public officials may want to think of title II as an "all-in-one" provision of the ADA. If a county sponsors a summer fair for residents, the fair must be accessible. If a state builds a sports stadium, the stadium must be accessible. If a town employs individuals, it cannot discriminate against disabled applicants.

The exception to the scope of the Justice rules is transportation services (§35.102(b)). Although transportation accessibility is addressed by title II (subtitle B), the ADA gives the U.S. Department of Transportation responsibility for enforcing those provisions (see ¶806, Tab 400).

Title II does not apply to private entities directly.

Relationship to other laws

Title II is not intended to apply a lesser standard than that set out in regulations implementing Title V of the Rehabilitation Act (§35.103(a)), including section 504. The ADA and section 504 are closely related statutes and share many of the same terms and requirements. The ADA does not, however, supplant section 504. Public entities that receive federal assistance must remember that they are still subject to section 504's requirements. (The relationship between section 504 and title II is discussed at ¶804).

Additionally, the regulations state that title II does not "invalidate or limit the remedies, rights and procedures" of any other federal, state or local law that guarantees greater protection for disabled individuals (§35.103(b)). The ADA would apply, however, in situations where state or local laws provide less protection (see ¶808).

Justice points out in the preamble to the title II rules that public school systems are covered by the ADA in addition to being subject to the Individuals with Disabilities Education Act (IDEA). Programs and activities not within the purview of IDEA, such as graduation ceremonies, parent-teacher organization meetings, events open to the public and adult education courses, are covered by the ADA. Consequently, school systems must ensure that these programs are accessible to disabled individuals. (See ¶830 for a discussion of program accessibility.)

¶802 Implementing Regulations and Enforcement

The Justice Department is the lead federal agency to enforce the state and local government provisions of the ADA. As required by Congress, the department issued final regulations to implement the title II provisions on July 26, 1991 (56 *Fed. Reg.* 35694–35723), one year after the ADA was signed into law.

Justice has considerable experience in enforcing federal mandates prohibiting discrimination on the basis of disability. Since 1981, the department has coordinated government-wide enforcement of Section 504 of the Rehabilitation Act. It took over that role from the former U.S. Department of Health, Education and Welfare, assuming in the process responsibility for the government-wide regulations that implement section 504 (28 C.F.R. Part 41).

Because the ADA essentially extends section 504 to state and local government activities that do not receive federal assistance, the title II rules hew closely to existing section 504 regulations (see ¶804). The rules are comprehensive, incorporating other provisions of the ADA and consisting of seven parts:

- Part A — General
- Part B — General Requirements
- Part C — Employment
- Part D — Program Accessibility
- Part E — Communications
- Part F — Compliance Procedures
- Part G — Designated Agencies.

The Justice Department will enforce title II in much the same way that it enforces section 504. This includes administrative proceedings, suits brought by the Justice Department or private individuals, and the suspension or termination of federal funds to ADA violators. A full discussion of enforcement under title II can be found at ¶620 and ¶860.

¶803 Effective Dates

Title II is effective Jan. 26, 1992, for all programs and activities offered by public entities, including employment. There has been some confusion, however, over when title II takes effect for state and local governments in their capacity as employers.

When the Justice Department proposed title II regulations in February 1991, it interpreted the ADA to mean that state and local governments would follow the same effective dates and exemptions applicable to private employers under title I (see ¶303). But on re-examining the legislative history of the ADA, the department concluded in its final rules that Congress intended public-sector employment to be a program or activity covered by title II. Consequently, the effective date for the ADA's non-discrimination mandate for all public-sector employment is Jan. 26, 1992, regardless of staff size.

The Justice Department rules depart from the Jan. 26, 1992 effective date only in terms of what employment standards will apply to particular jurisdictions. Depending on the number of people a public entity employs, the regulations require public entities to comply with either the Equal Employment Opportunity Commission's rules governing Title I (employment) of the ADA or the standards for non-discrimination in employment set under Section 504 of the Rehabilitation Act.

Employment provisions under title II are fully discussed in ¶820.

¶804 Relationship of Title II to Section 504

Much of the language in the ADA is based on Section 504 of the Rehabilitation Act, the 1973 law that prohibits recipients of federal assistance from discriminating against qualified disabled people in their programs, services and activities (see ¶122). Both laws stress the concept of equal opportunity, not merely equal treatment, to eliminate discrimination. To achieve this result, both statutes require covered entities to make special accommodations or modifications in their policies and practices which will allow disabled people to have the same opportunity as non-disabled people.

General revenue sharing and the public sector

The ties between section 504 and the ADA are perhaps strongest in title II. During the 1970s and early 1980s, many state and local governments received federal funding under the general revenue sharing program. As a result, they became subject to section 504 and had to make their programs and activities accessible to people with disabilities. This included making reasonable accommodations for disabled employees and applicants, providing auxiliary aids and ensuring that facilities were accessible — the same steps that are now required under title II.

After the general revenue sharing program ended in 1986, many of the smaller towns, which did not receive any other federal funds, lost their federal nexus and thus were no longer subject to section 504. (Section 504 still applies, however, to states and cities that received assistance under other federal programs.) What title II does, essentially, is to revive and extend the section 504 mandate to all state and local governments, regardless of whether they receive federal funds.

Section 504 and title II rules

There is continuity between section 504 and the ADA as they apply to state and local governments. Requiring public entities to comply with two differing sets of regulations which cover the same ground would likely have resulted in regulatory mayhem.

Recognizing the overlap between the two laws, Congress included language in the ADA (§204(b)) requiring the Justice Department to issue title II regulations that are consistent with

Figure 804-A
Differences Between Section 504 and the ADA

AREA	SECTION 504	ADA
Scope	Applies to recipients of federal financial assistance only.	Applies to employment, public services, transportation and public accommodations, regardless of whether federal funding is received.
Coverage	Covers "qualified individuals with handicaps."	Covers "qualified individuals with disabilities," and qualified non-disabled people related to or associated with a disabled person.
Health and Safety	Does not protect people with contagious diseases or alcoholics whose condition would threaten the health or safety of others.	Direct threat standard applies to all conditions, not just contagious diseases or alcoholism. In employment, applies to threat posed to others and individuals themselves.
Contagious Diseases and Food Industry	People with contagious diseases are not covered if they pose a direct threat to health and safety of others; no specific mention of food-industry workers.	Restricts coverage of people with contagious diseases who work in the food industry if the disease is shown to be spread through food handling.
Site-Specific Factors	Not addressed by section 504.	Relationship between local facility and parent company considered in determining undue hardship.
"Readily Achievable"	Not addressed by section 504.	Public accommodations must remove architectural and communication barriers if removal is "readily achievable."
Self Evaluation and Coordinator	All recipients of federal assistance must conduct a self-evaluation and name a section 504 coordinator.	Required only of state and local governments, regardless of whether federal funding is received.
Health Insurance	Federal fund recipients must change health insurance company if employer policy does not cover disabilities.	Employers must provide equal benefits to disabled employees, but are not required to change insurance carrier.
11th Amendment Immunity	11th Amendment protects states from suits filed under section 504.	Specifically abrogates states' 11th Amendment immunity from suits filed under ADA.
Written Job Description as Evidence of Essential Job Functions	Not addressed by section 504.	Allows written job description to be considered evidence of essential job functions.

existing section 504 rules. Justice has incorporated major portions of these regulations, including provisions on program accessibility, existing facilities and communications, directly into the title II rules.

Section 504 also plays a role in public-sector employment under the ADA. The Justice Department rules provide that, for a period of time depending on their staff size, public entities will follow the section 504 employment requirements. For most jurisdictions, compliance with the section 504 rules will give way to compliance with the employment rules issued under Title I of the ADA. This relationship is discussed at ¶820.

Section 504 not repealed

By enacting the ADA, Congress in essence extended the scope of section 504. It did not, however, repeal or replace section 504. This is reflected in both the ADA statute and the Justice Department rules (§35.103(b)), which provide that title II will not be construed "to apply a lesser standard than the standards applied under Title V of the Rehabilitation Act or the regulations issued by federal agencies issued pursuant to that title." Public entities must continue to comply with section 504 if they receive federal assistance.

There are differences between the two laws as they affect state and local governments. As discussed in ¶814, public entities must conduct self-evaluations of their programs and services to ensure that they are accessible to disabled people. The self-evaluation was an essential facet of section 504 compliance, but only applied to programs and activities that received federal funds. Under the ADA, self-evaluations are required of all programs and activities that either were not subject to section 504 or are funded programs that were not included in the original review.

Another difference involves accessible communications, which was an implicit requirement under section 504 but now is an affirmative step state and local governments must take. For example, public agencies that have extensive phone contact with people must now provide telecommunication devices for the deaf (see ¶850). The differences between section 504 and the ADA are outlined in Figure 804-A.

¶805 Relationship of Title II to Other Titles of the ADA

The ADA (§204(b)) requires that the Justice Department's title II rules be consistent with other provisions of the act. The regulations consequently include provisions and concepts from titles I and III of the ADA.

Relationship with title I

Title I of the ADA prohibits discrimination on the basis of disability in employment (see Tab 300). It applies to employers with 25 or more employees effective July 26, 1992, and to employers

with 15 or more employees effective July 26, 1994. The only exemptions are private clubs, Indian tribes and organizations wholly owned by the U.S. government. The U.S. Equal Employment Opportunity Commission (EEOC) has issued regulations to implement title I (29 C.F.R. Part 1630 — see Appendix III).

The Justice Department's title II rules (subpart B) specifically prohibit employment discrimination by all state and local governments, and cross-reference the EEOC's title I rules as the standards most jurisdictions will follow in complying with that requirement. Under the Justice rule (§35.140(b)(1)):

- jurisdictions with 25 or more employees will comply with the employment provisions of Section 504 of the Rehabilitation Act until July 26, 1992, when they become subject to the EEOC rules;
- public entities with between 15 and 25 employees are to follow the section 504 rules until July 26, 1994, when they then become subject to title I;
- public entities with fewer than 15 employees will follow section 504.

Employment under title II is discussed at ¶820.

Relationship with title III

Title III of the ADA requires public accommodations to make their goods, services and programs accessible to disabled people. This applies to privately owned and operated businesses, service providers and other facilities that are open to the public. The Justice Department has issued regulations to implement title III (28 C.F.R. Part 36 — see Appendix III).

Title III does not apply to public entities. However, the Justice Department incorporated many of the program and structural accessibility requirements of title III into its state and local government rules. For example, the title II and title III rules allow entities to achieve program accessibility by providing auxiliary aids.

Additionally, the title II rules (§35.151(d)) give public entities the option of using the ADA Accessibility Guidelines (ADAAG — see Appendix IV) to comply with the ADA's accessibility requirements. The Justice Department adopts ADAAG as the standard for private entities to follow under title III.

The public accommodations provisions are discussed in Tab 500.

Relationship with other titles

Title IV of the ADA requires telephone companies to develop, by July 26, 1993, interstate and intrastate telephone relay services in every state. These services, which are up and running in several states presently, allow people with speech and hearing impairments to communicate with

non-disabled individuals over the telephone through the use of a third-party operator. In many instances, public entities will be able to satisfy their obligation to provide accessible communications by using these relay services (see ¶850).

Title V of the ADA contains miscellaneous provisions, including a provision clarifying that the act does not invalidate or override state or local laws that provide equal or greater civil rights protection to disabled people (see ¶808). Another section provides that states do not have their 11th Amendment from suits filed under the ADA (see ¶861).

¶806 Transportation Services

Although transportation services provided by public entities are covered under Title II of the ADA (subtitle B), such services are not within the purview of the Justice Department's title II regulations. Rather, the ADA designates the U.S. Department of Transportation as the agency responsible for ensuring that public transportation (including bus, subway and train service) is accessible to disabled people.

DOT issued regulations (49 C.F.R. Parts 37 and 38) implementing the ADA's transportation provision on Sept. 6, 1991 (56 *Fed. Reg.* 45584–45778). Requirements for accessible transportation are fully discussed in Tab 400.

¶807 Certification of State and Local Building Codes

As noted in ¶805, title III of the ADA does not apply to public entities. However, state and local governments do have a role in the enforcement of that section. The ADA (§308(b)(1)(a)(ii)) permits state and local officials to seek certification from the Justice Department that their building codes meet the accessibility requirements in title III. If a code is certified, a builder or architect could ensure ADA compliance by simply meeting the specifications of the certified code.

However, there are limitations to the certification process. For example, the certification applies only to the specifications of the code as it is presented to the Justice Department. If the code were to change, the certification would not necessarily be valid for the new language.

Certification of state and local building codes is discussed at ¶563.

¶808 State and Local Laws

In addition to complying with the ADA, public entities must remember that they must comply with any state or local law that prohibits discrimination on the basis of disability. Compliance with the federal law will not necessarily satisfy the requirements of any state or local statute.

Generally, the ADA does not preempt state and local disability laws. The title II regulations clearly indicate that the ADA does not invalidate or limit existing state and local laws that provide greater protection of disabled people against discrimination (§35.103(b)).

States or localities are not required to change their laws to conform with the ADA. However, the ADA will apply in situations where state or local statutes provide less protection than the federal law. Individuals are permitted to file suit under both the ADA and any relevant state or local law.

State disability laws are discussed in Tab 700.

[The next page is Tab 800, Page 31.]

¶810 General Requirements for State and Local Governments

Title II (subtitle A) of the Americans with Disabilities Act (ADA) protects individuals from discrimination on the basis of disability by public entities — state and local governments. All programs, activities and services of all state and local governments are covered by title II, which is effective Jan. 26, 1992.

The U.S. Justice Department is responsible for enforcing compliance with title II. The department issued regulations to implement the provision (28 C.F.R. Part 35 — see Appendix III).

Because they receive federal financial assistance, many state and local governments have been subject to a similar non-discrimination mandate under Section 504 of the Rehabilitation Act. Section 504 requires federal funds recipients to provide access to and make accommodations in their programs (see ¶122, ¶804). Title II of the ADA extends the requirements of section 504 to all activities of all state and local governments, including those that do not receive federal funds.

The title II regulations are comprehensive, drawing from the employment (title I — see Tab 300) and public accommodations (title III — see Tab 500) provisions of the ADA. Basically everything a state or local governmental entity does, from providing social services and sponsoring cultural and recreational events to building facilities and offering job opportunities, must be accessible to disabled individuals. This may involve making reasonable accommodations for a disabled employee, providing an auxiliary aid such as an interpreter for a town council meeting, or rescheduling a class to an accessible room.

¶811 Who Is Covered by Title II?

Title II of the ADA prohibits discrimination on the basis of disability by public entities. The Department of Justice's title II rules (§35.104) define "public entity" as:

- any state or local government;
- any department, agency, special purpose district or other instrumentality of a state or states or local government; or
- the National Railroad Passenger Corporation (Amtrak).

All entities that fall within these categories are covered by title II; there are no exemptions based on size or, as in the case of Section 504 of the Rehabilitation Act, non-receipt of federal funds.

Exclusions

Title II does not cover the federal government or any corporations it owns. The federal government is prohibited from discrimination requirements by Sections 501 and 504 of the Rehabilitation Act.

The Justice Department rules do not cover public transportation agencies. The U.S. Department of Transportation is responsible for enforcing the ADA (title II, subtitle B) as it applies to transportation offered by public entities (see Tab 400).

¶812 Who Is Protected by Title II?

The ADA is a civil rights statute, conferring rights on a protected class of "qualified individuals with a disability." The Justice Department's title II rule uses the same definition of disability as appears in other provisions of the act (see ¶230). In short, individuals are considered disabled if they (§35.104):

- have a physical or mental impairment that substantially limits one or more major life activity;
- have a record of such an impairment; or
- are regarded as having such an impairment.

The definition of disability comes directly from Section 504 of the Rehabilitation Act and the Fair Housing Amendments Act of 1988.

Exclusions

Consistent with the ADA, the title II definition of disability does not include simple physical characteristics, such as skin, eye or hair color, or environmental, economic or cultural disadvantages. Also, the act (§501) specifically excludes from the definition of disability homosexuality, transvestism, pedophilia, gambling and pyromania. (See ¶232 for a discussion of exclusions from the statutory definition of disability.)

"Qualified individuals with a disability"

To be protected under the ADA, a disabled person must be "qualified." The title II rules define qualified as a disabled person who, with or without reasonable accommodations, auxiliary aids or removal of barriers, can meet the essential eligibility requirements to participate in a program or receive services offered by a public entity (§35.104).

Determining what constitutes an essential eligibility requirement will be a case-by-case process, the Justice Department notes in the preamble to its title II rules. For example, many public entities provide information about their services to anyone who asks for it. The only "eligibility requirement" here would be the request. Obviously, in other situations, the criteria may be more complex.

Direct threat considerations

Public entities may consider safety factors to determine if a disabled person is qualified. Standards for safety included in the Justice Department's public accommodations regulations (28 C.F.R. Part 36 — see Appendix III) apply for state and local governments as well.

Disabled individuals are not considered qualified if they pose a direct threat to the health or safety of others. The term "direct threat" means a "significant risk to the health and safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services." Determinations concerning direct threat must be made individually based on factual, medical information, not on stereotypes or generalizations about a particular condition.

This is the standard applied by the Supreme Court in *Arline v. School Board of Nassau County* (Appendix V:2), the landmark case in which the Court ruled that a person with a communicable disease is an individual with a handicap under Section 504 of the Rehabilitation Act and entitled to a determination if the condition poses a direct threat to the health and safety of others.

Unlike the Justice Department, the U.S. Equal Employment Opportunity Commission considers individuals unqualified if they would pose a direct threat to their own health or safety.

Direct threat as it applies under the ADA is discussed fully at ¶242, ¶312 and ¶527.

Illegal drug use

Consistent with the ADA statute, the title II rule does not prohibit discrimination against current illegal drug users if a public entity acts on that basis (§35.136). That is to say, a public entity may deny a person services or access to programs if the denial is based on his or her *current* use of illegal drugs. (However, it would be illegal to deny an accommodation to a current drug user who is otherwise disabled, e.g., has a hearing impairment, if the denial were based on the hearing impairment.)

Addiction to drugs is considered a disability under the ADA, and public entities may not discriminate against people who do not currently use illegal drugs and who:

- have successfully completed a drug rehabilitation program;
- are participating in a supervised drug rehabilitation program; or
- are mistakenly regarded as engaging in drug use (§35.131(a)(2)).

Under the title II regulations, public entities may not deny health or drug rehabilitation services to a current illegal drug user if that person is otherwise entitled to those services (§35.131(b)(1)). Many drug rehabilitation programs make non-use of drugs a condition of treatment; such policies are legal under the rules (§35.131(b)(2)).

Testing for illegal drug use is neither prohibited nor encouraged by the regulations (§35.131(c)(1)).

Substance abuse under the ADA is further discussed at ¶241 and ¶527.

¶813 All Programs and Activities Are Covered

Public entities must ensure that discrimination on the basis of disability does not exist in all programs, activities or services they provide or make available (§35.102), regardless of whether they receive federal funds.

Thus, if a town provides library services, the library must be accessible and its lending policies cannot discriminate against disabled people. If a state offers public assistance to its residents, information and applications for the program must be in accessible formats, and the eligibility criteria used cannot unfairly screen out people with disabilities.

Employment is clearly covered within the scope of title II. State and local governments in their capacity as employers cannot discriminate against qualified disabled applicants and employees. Employment under title II is discussed at ¶370 and ¶820.

Further, all activities are of state and local governments are covered, even if they are carried out by contractors. For example, a state would be responsible for ensuring that a private hotel company contracted with to manage lodging in state parks complied with title II. (The hotel company would also have to comply with the public accommodations requirements under Title III of the ADA — see Tab 500.)

The Justice Department notes that the ADA covers programs offered by public school systems that are not within the purview of the Individuals with Disabilities Education Act (see ¶801). Consequently, activities such as graduation ceremonies, parent-teacher organization meetings, events open to the public and adult education courses must be accessible to disabled individuals. (See ¶830 for a discussion of program accessibility.)

Transportation exception

Transportation services, vehicles and facilities offered by public entities are subject to the ADA regulations issued by the U.S. Department of Transportation (see Tab 400), and are not required to comply with the Justice Department's title II regulations. For example, a city transit agency would not have to conduct the self-evaluation that is required under the title II rules (see ¶815).

Transportation programs that receive federal funding must still comply with section 504 (see ¶122, ¶804).

Airports operated by public entities are covered by the Department of Justice's — not the Department of Transportation — ADA title II regulations.

¶814 Non-discrimination in Programs and Activities

Title II of the ADA (§202) and the Department of Justice regulations (§35.130(a)) provide that:

> No qualified individual with a disability shall, by reason of such disability, 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 such entity.

Many state and local governments have been subject to disability non-discrimination law for years because they receive federal funds and thus are subject to Section 504 of the Rehabilitation Act (see ¶122, ¶804.) Essentially, the ADA extends the non-discrimination mandate of section 504 to all state and local governmental entities, whether or not they receive federal financial assistance. (The ADA does not, however, overturn or supplant section 504. Public entities that receive federal funds must still comply with section 504.)

Terms consistent with other provisions of ADA

In conformance with congressional intent, the Justice Department title II regulations are consistent with the employment and public accommodations provisions of the ADA vis-a-vis what constitutes discrimination under the act. That is to say, state and local governments are subject to the same prohibitions that are imposed on private employers and public accommodations. Most, if not all, of these principles are based on prohibitions in existing section 504 regulations.

Generally, there are several principles of non-discrimination under the ADA that apply across-the-board to public entities, private employers and public accommodations. These basic tenets are discussed below.

• ***Equal opportunity, not merely equal treatment*** — Public entities must provide an equal opportunity for qualified individuals with disabilities to participate in programs, services and activities. Aids, services or benefits provided to disabled people must be equally effective in achieving the intended results of the program or activity. Different or separate treatment is permitted only where it is necessary to ensure equal opportunity and truly effective benefits and services.

Further, a public entity may not aid or perpetuate disability discrimination by funding or providing other assistance to organizations that discriminate on the basis of disability. Nor may a public entity deny a qualified disabled individual the opportunity to serve on a planning or advisory board (§35.130(b)(1)(i-vii)).

• ***No "discriminatory effect"*** — Public entities may not, directly or through contractual arrangements, use criteria or methods of administration that have the effect of discriminating on

the basis of disability or that perpetuate the discriminatory actions of another public entity, if both are subject to common administrative control or are agencies of the same state (§35.130(b)(3) — see also ¶522).

• ***Site selection*** — A public entity may not, in determining the site for new construction or choosing an existing facility to be used by the public entity, make selections that have the effect of discriminating against individuals with disabilities (§35.130(b)(4)).

• ***Accessible licensing requirements*** — The title II rules prohibit public entities from discriminating against qualified individuals with disabilities in granting licenses or certification. A person is "qualified" if he or she can meet the essential eligibility requirements for receiving the license or certificate. In addition, a public entity cannot set requirements for programs and activities of licensees or certified entities that would subject disabled people to discrimination (§35.130(b)(6)). The programs and activities of licensees are not, themselves, covered by this part.

The title III rules also prohibit discrimination in licensing, examination and credentialing procedures offered by private entities (see ¶505).

• ***Reasonable modifications*** — Public entities must make reasonable modifications in policies, procedures and practices when necessary to avoid discrimination based on disability. They are not, however, required to make modifications that would fundamentally alter the nature or the service, program or activity (§35.130(b)(7) — see also ¶525 and ¶570).

• ***"Neutral" eligibility criteria*** — A public entity may not impose or apply eligibility criteria that screen out or tend to screen out an individual with disabilities or a class of individuals with disabilities, unless it can show that the criteria are necessary to provide the service, program or activity in question (§35.130(c) — see also ¶524). In addition, the rules prohibit a public entity from awarding procurement contracts based on criteria that subject disabled individuals to discrimination (§35.130(b)(5)).

• ***"Most integrated setting appropriate"*** — Title II requires public entities to provide services, programs and activities in the most integrated setting appropriate to the needs of disabled individuals (§35.130(d)). Even though a public entity may offer separate programs that comply with title II, it cannot preclude individuals with disabilities from participating in integrated programs and activities solely because the separate programs are available.

Other provisions prohibit public entities from:

• requiring a disabled person to accept an accommodation or auxiliary aid or service (§35.130(e));

• charging disabled individuals for the costs of providing auxiliary aids and services (§35.130(f)), including the costs of interpreter services as part of "court costs" for a trial or other court procedure; and

• discriminating against qualified non-disabled individuals solely because they are related to or associated with a disabled person (§35.130(g)). The concept of discrimination by association is not addressed by section 504 (see also ¶314, ¶523).

Nothing in title II prohibits public entities from providing services, benefits or advantages to disabled individuals that go beyond the requirements of the ADA.

¶815 Self-Evaluations

State and local governments must conduct self-evaluations of their programs and practices to identify and correct any that do not meet the requirements of title II (§35.105). The self-evaluation must be complete by Jan. 26, 1993, one year after the effective date of title II.

A mainstay of disability non-discrimination under the general revenue sharing program, the self-evaluation was required of all federal funds recipients under Section 504 of the Rehabilitation Act. It is intended to help public agencies determine which, if any, of their programs and activities discriminate against disabled individuals, and then make the necessary modifications to make them accessible.

Involving disabled people in the self-evaluation is an integral step in making the process effective. Public entities must allow disabled people and disability organizations the opportunity to comment on the self-evaluation (§35.105(b)). A public entity may also want to consider including disabled individuals from the community on a committee, team or group conducting the self-evaluation. This is not required under the regulations, however.

Information on file

Public entities that employ 50 or more people must make the self-evaluation available to the public for three years (§35.105(c)). The file must include:

- a list of people consulted for the self-evaluation;
- a description of areas examined and any problems identified; and
- a description of any modifications made.

Limited scope of self-evaluation

Title II requires all public entities to conduct a self-evaluation. However, the requirement applies only to programs and activities that were not subject to section 504 or were not included in a previous self-evaluation, such as access to communications (§35.105(d)).

The Justice Department expects that many jurisdictions will re-examine all their programs and activities. In the preamble to the title II rules, the department points out that most section 504 reviews were done five to 12 years ago. In the time since, programs have changed, new

programs have been added, and actions that were supposed to have been taken to comply with section 504 may not have been fully implemented or are no longer effective.

Justice also makes clear that the self-evaluation requirement does not stay the effective date of title II, even though it is to be completed a year later. Public entities are not shielded from discrimination claims during the period when they are conducting the self-evaluation.

Transportation-related activities are not included in the self-evaluation requirement.

Although not prescribed by the regulation, the Justice Department recommends that public entities evaluate their training efforts to ensure that employees are aware of the needs of disabled individuals. In many cases, the department noted, lack of training leads to discriminatory practices, even when the policies in place are non-discriminatory.

A sample self-evaluation form is included at ¶871.

¶816 Notice

Section 35.106 of the title II rules requires public entities to inform applicants, participants, beneficiaries and other interested parties of their rights and protections afforded by the ADA. Public entities can achieve this in several ways, such as:

- publishing handbooks, pamphlets and manuals for the public that describe their programs and activities;
- displaying posters in service centers or other public places; or
- airing public service announcements on radio and television.

Public entities must remember that all communications with the public must be accessible to people with disabilities (see ¶850 for a discussion of title II communication requirements).

A sample notice form is included at ¶874.

¶817 ADA Coordinators and Grievance Procedures

Section 35.107(a) of the rules requires a public entity that employs 50 or more people to designate at least one employee to coordinate its efforts to comply with title II and investigate any complaints of ADA-related discrimination. The person's name, office address and phone number must be available to all interested individuals. The concept of an ADA coordinator should be familiar to many state and local governments, as it was a step required of federal funds recipients under Section 504 of the Rehabilitation Act (see ¶121, ¶804).

Designating an ADA coordinator familiar with the act's requirements and the agency's compliance efforts serves two purposes. First, the coordinator can be the contact point in large agencies for people who need information about the ADA. Second, the person can educate fellow employees about their responsibilities under the act.

In the preamble to the title II rules, the Justice Department makes clear that having an ADA coordinator does not relieve a public entity from its duty to ensure that all employees are familiar with the act. Instead, Justice said, it ensures that any failure to comply by individual workers can be promptly corrected by the coordinator.

Grievance procedures

In addition, public entities with 50 or more employees must adopt grievance procedures to resolve complaints of ADA violations (§35.107(b)). State and local governments that receive federal assistance are subject to a similar requirement under section 504.

As with enforcement of section 504, a federal agency will investigate and resolve title II complaints (see ¶860). However, the Justice Department encourages public entities to resolve complaints on their own, establishing procedures on the state or local level without having to resort to federal intervention.

Justice notes in the preamble to title II that a complainant does not have to exhaust a public entity's grievance procedures before filing a complaint with a federal agency. The department further indicated that complainants would generally be given extensions on filing claims for federal review (see ¶863) if they were delayed by pursuing relief at the local level.

A sample grievance procedure is included at ¶874.

[The next page is Tab 800, Page 51.]

¶860 Compliance and Enforcement

Section 202 of the Americans with Disabilities Act (ADA) prohibits public entities from discriminating against qualified individuals with disabilities in any program, service or activity they offer. The title II mandate is identical to that imposed by Section 504 of the Rehabilitation Act, which applies to recipients of federal financial assistance (see ¶122 and ¶804). However, title II applies to all programs of public entities, regardless of whether they receive federal funds.

Because the laws are so similar, Congress provided that they be enforced in a consistent manner. Section 203 of the ADA specifies that:

> The remedies, procedures and rights set forth in Section 505 of the Rehabilitation Act of 1973 . . . shall be the remedies, procedures and rights this title provides to any person alleging discrimination on the basis of disability in violation of section 202 [of the ADA].

The U.S. Justice Department has government-wide responsibility for enforcing the ADA as it applies to state and local governments. The department issued regulations to implement title II on July 26, 1991 (28 C.F.R. Part 35 — see Appendix III). In general, the rules adopt the procedures and remedies available under section 504 as the enforcement scheme under the ADA. This includes the use of administrative actions (¶863), "designated agencies" (¶866) and the private right of action (¶867).

State and local governments that receive federal financial assistance can lose their funding if found in violation of the ADA, because non-compliance with the ADA violates the Rehabilitation Act.

Title II is effective Jan. 26, 1992, for all state and local governments.

¶861 No 11th Amendment Immunity for States

Consistent with Section 502 of the ADA, Title II provides that states are not immune under the 11th Amendment from ADA-related lawsuits filed in federal or state courts (§35.178). The law provides the same remedies for actions brought against private entities in suits filed against states (see ¶862, ¶620).

This is one area in which the ADA differs from Section 504 of the Rehabilitation Act. The Supreme Court ruled in *Scanlon v. Atascadero State Hospital* (473 U.S. 234, 105 S.Ct. 3142, 87 L.Ed.2d. 171 (1985)) that section 504 cannot be enforced in courts against the states because of their constitutional immunity from lawsuits.

¶862 Compliance Procedures

The title II regulations specify procedures the federal government will use to investigate and adjudicate disability discrimination complaints filed against public entities.

Consistency with section 504

Following the ADA (§203), the Justice Department rules adopt in large part the procedures established under Section 504 of the Rehabilitation Act to handle non-compliance charges levied against recipients of federal financial assistance.

Section 504 is enforced, by reference, with the remedies, procedures and rights available under Title VI of the 1964 Civil Rights Act. Title VI bars federal funds recipients from discriminating on the bases of race, color or national origin in their programs and activities. If voluntary compliance cannot be achieved, federal agencies with title VI jurisdiction can terminate funding to the grantee or refer the matter to the Justice Department for legal action.

The Senate report that accompanied the ADA made clear that "enforcement of [title II] of the legislation should closely parallel the federal government's experience with section 504" (Sen. Rpt. 101-116, p. 57).

To implement congressional intent, the title II rules defer to the section 504 regulations where they are applicable (that is, where a federal agency has jurisdiction under section 504 because it provides financial assistance to a public entity). This also means that a federal agency can terminate any funds it provides to a public entity if necessary to achieve compliance with the ADA.

Section 504 not displaced

The Justice Department has designated eight federal agencies to help it enforce title II. These agencies generally have considerable experience in enforcing civil rights statutes, including section 504 (see ¶866). However, the department makes clear in the preamble to the title II rules that this designation does not displace any federal funding agency's jurisdiction under section 504.

Individuals can still file discrimination charges against public entities that receive federal funds with the agency that provides those funds, and the agency must still use its section 504 procedures to adjudicate the complaint. Public entities that receive federal funds are subject to both section 504 and title II.

Complaint procedures under title II

- *Who may file* — Individuals who believe that they or a class of individuals have been discriminated against by a public entity may file a complaint (§35.170(a)).
- *When must they file* — The charge must be filed within 180 days of the alleged discrimination, unless the federal agency extends the time for good cause (§35.170(b)). Individuals are not required to exhaust local grievance procedures before filing a complaint with a federal agency (see ¶817). Filing a complaint with any federal agency will satisfy the 180-day deadline requirement.

• *Which agency has jurisdiction* — An individual may file a complaint with the federal agency it believes is appropriate for the charge, with the agency that funds the public entity, or with the Justice Department (§35.170(c)). If the agency receiving the complaint does not have jurisdiction under the ADA (see ¶866) or section 504, it must refer the complaint to the Justice Department, which will send it to the appropriate agency (§35.171(a)).

An agency that has section 504 jurisdiction will process the complaint under its section 504 procedures. When a designated agency (¶866) receives a complaint for which it does not have section 504 jurisdiction, it will treat and handle the charge as an ADA complaint.

• *Employment complaints* — Depending on the number of people a public entity employs, it will be subject to either Title I of the ADA or the employment provisions of section 504 (see ¶822). The U.S. Equal Employment Opportunity Commission (EEOC) has issued regulations to implement and enforce title I (29 C.F.R. Part 1630 — see Appendix III).

The title II rules cite a coordination rule to be issued by the Justice Department and the EEOC as the guiding principle for situations in which the alleged employment discrimination is subject to Title I of the ADA and the responsible agency has section 504 jurisdiction (§35.171(b)(1)).

Complaints covered by title I but not section 504 (e.g., the complaint is filed after July 26, 1992, and the entity employs more than 24 people) will be referred to the EEOC. Complaints covered by title II but not title I will be adjudicated according to the title II procedures. The EEOC enforcement procedures are discussed at ¶610.

Individuals are not required to exhaust administrative procedures before they can file a private suit in court.

Resolution of complaints

Designated agencies must either resolve the complaint or issue a "Letter of Findings" that details the findings of fact, conclusions of law and remedies for each violation found (§35.172). To resolve the complaint, the federal agency can either negotiate a voluntary compliance agreement with the public entity or, if that fails, refer the complaint to the Justice Department for further action (see ¶863).

The lack of technical assistance does not relieve a public entity from its duty to comply with title II (§35.177).

¶863 Voluntary Compliance and Referral

Federal agencies have an obligation to seek voluntary compliance with the ADA when investigating discrimination charges against public entities. If a designated agency finds a violation and issues a letter of non-compliance, it must notify the Justice Department by forwarding a

letter of findings to the Assistant Attorney General and encourage with the public entity to comply voluntarily (§35.173(a)).

If it agrees to voluntary compliance, the public entity signs a written compliance agreement that:

- addresses each cited violation;
- specifies the corrective steps and timeframe for coming into compliance;
- assures that the discrimination will not recur; and
- provides for enforcement by the Justice Department (§35.173(b)).

If the public entity decides not to accept a voluntary compliance agreement or the negotiations fail, the rules (§35.174) direct the investigating agency to refer the case to the Justice Department, with a recommendation for appropriate action (see ¶622).

A federal agency with Rehabilitation Act (section 504) jurisdiction may also terminate funding for non-compliance with ADA (title II) if the public entity receives federal financial assistance.

¶864 Alternative Ways to Resolve Disputes

When Congress passed the ADA, it sought to discourage administrative and judicial actions by encouraging alternative means of resolving disputes (§513). This extends to state and local governments, as well as private entities.

Section 35.176 of the title II rules lists several methods of dispute resolution available to parties in a complaint that do not necessary involve formal proceedings. These include settlement negotiations, conciliation, facilitation, mediation, factfinding, mini-trials and arbitration.

¶865 Remedies for Non-Compliance

Title II provides individual victims of discrimination the full panoply of remedies available under the ADA. This includes a private right of action to sue a public entity in federal court. An individual need not exhaust administrative procedures before filing suit in court (see ¶623, ¶867).

A court may award victims of discrimination equitable damages, including injunctive relief, admission or reinstatement to a program or activity, or assurance of future non-discriminatory practices.

Many state and local governments will be covered by the regulations issued under both Title I of the ADA and Section 504 of the Rehabilitation Act as they apply to employment. The enforcement scheme of both statutes make equitable relief (including injunctions, back pay and reinstatement) to victims of employment discrimination by public entities.

In addition, public entities subject to title I may be liable for monetary damages as a result of the Civil Rights Act of 1991 (see below). Smaller public entities not covered by title I will not be subject to compensatory or punitive damages claims.

Attorneys' fees may also be awarded in cases involving state or local governments (§35.175).

Monetary damages

Title I of the ADA references the remedies scheme available to victims of race, sex. ethnic and religious discrimination under Title VII of the 1964 Civil Rights Act. Whatever damages are provided under title VII are implicitly available to disabled victims of job discrimination under the ADA.

On Nov. 21, 1991, President George Bush signed the Civil Rights Act of 1991. This law, which became effective upon enactment, provides monetary damages for victims of intentional job discrimination under title VII. Because it amends title VII, it also effectively amends Title I of the ADA, making monetary damages available to disabled victims of job discrimination.

The maximum amount of damages an employee can collect is limited according to the size of an employer's workforce:

- 15 to 100 employees — $50,000
- 101 to 200 employees — $100,000
- 201 to 500 employees — $200,000
- 501 or more employees — $300,000

Certain state and local governments will be covered by Title I of the ADA due to the size of their workforce. As a result, it appears that they would be liable for monetary damages if found guilty of intentionally discriminating against a disabled employee under the ADA. Smaller public entities, those employing fewer than 15 people, would not be liable for monetary damages.

Public entities are covered by Title VI of the 1964 Civil Rights Act, not title VII. However, the 1991 civil rights law does not distinguish between private and public employers, and there has been no interpretation of the applicability to public entities as of yet from the Justice Department or the EEOC. Because it is clear that certain public entities will be subject to title I of the ADA, which references title VII's remedies, it can reasonably be assumed that money damages can be levied against state and local governments. However, public entities are immune from claims for punitive damages.

Also, the Civil Rights Act makes clear that a "good-faith" effort to provide reasonable accommodation is a defense against a monetary claim.

The ADA's employment provisions applicable state and local governments are discussed fully at ¶820.

¶866 Designated Agencies

The Justice Department has government-wide responsibility for enforcing Title II of the ADA. It has had a similar role under the Rehabilitation Act, having coordinated enforcement of section 504 since 1980.

In its capacity under section 504, the Justice Department has encouraged other federal agencies to use "delegation agreements," in which one agency assigns civil rights compliance responsibilities for certain recipients to one lead agency. For example, many agencies have designated the U.S. Department of Education as the lead agency for enforcing civil rights compliance of colleges and universities.

Justice has adopted this approach for title II as well, naming eight federal agencies (including itself) to enforce state and local government compliance with the provisions of the ADA (§35.190). Under this system, a discrimination complaint filed against a public entity will be investigated by the federal agency most closely related to the functions that entity performs. For example, a complaint against a local hospital would by investigated by the U.S. Department of Health and Human Services.

Justice said it adopted this approach for title II because the ADA's expanded coverage makes it difficult at times to identify a clear-cut or historical relationship between a public entity and federal agency, unlike the relationship between state universities and the Department of Education.

The agencies chosen generally have the largest civil rights compliance staffs, the most experience in investigating complaints and disability issues and broad yet clear subject area responsibilities. If two or more federal agencies appear to have responsibility over a complaint, the Justice Department will designate one to pursue that particular claim (§35.190(c)). Claims filed with the Justice Department will be referred to the appropriate agency.

The agencies (and subject areas) designated by Justice are (§35.190(b)):

(1) *Department of Agriculture* — farming and raising of livestock, including extension services.

(2) *Department of Education* — elementary and secondary education systems and institutions; higher education and vocational institutions (except medicine, dentistry, nursing and other health-related schools); and libraries.

(3) *Department of Health and Human Services* — health care and social services (including medicine, dentistry, nursing and other health-related schools); health care and social services providers (including grass-roots and community services organizations and programs); and preschool and daycare programs.

(4) *Department of the Interior* — lands and natural resources (including parks and recreation); water and waste management; environmental protection; energy; historic and cultural preservation and museums.

(5) *Department of Housing and Urban Development* — state and local public housing; housing assistance and referral.

(6) *Department of Labor* — labor and the workforce.

(7) *Department of Transportation* — highways; public transportation, traffic management (non-law enforcement); automobile licensing and inspection; and driver licensing.

(8) *Department of Justice* — law enforcement and public safety; courts and correctional facilities; commerce and industry; planning, development and regulation; state and local government support services (e.g., audit, personnel, comptroller services); and all other government functions not assigned other agencies.

¶867 Private Enforcement

Private individuals have a right to sue state and local governments for alleged discrimination on the basis of disability in public services. Individuals need not exhaust administrative remedies before bringing their case in federal court (see also ¶623).

[The next page is Tab 800, Page 185.]

¶875 Checklist for Complying with ADA Administrative Requirements

This could be attached as the top sheet of a recipient's compliance package (including self-evaluation, transition plan and other related materials).

	Date by which action should be completed	N/A	Done	Documentation
***Designation of responsible employee**	ADA coordinator must be designated as of Jan. 26, 1992.			
***Adoption of grievance procedure**	A grievance procedure that provides for the submission and resolution of complaints must be established as of Jan. 26, 1992.			
****Self-evaluation**	A self-evaluation of programs and activities must be completed by Jan. 26, 1993.			
Non-structual changes	All non-structural changes to provide program accessibility must be begun as of Jan. 26, 1992.			
***Transition plan**	A transition plan outlining necessary structual changes must be completed July 26, 1992.			
Public notification	Public entities must notify beneficiaries and employees that they do not discriminate on the basis of disability. All such notices must be accessible to those with impaired vision and hearing. Recruitment materials or publications for program participants, beneficiaries, applicants and employees must contain an appropriate non-discrimination statement. This applies as of Jan. 26, 1992.			
Structural changes	Structural changes identified in the transition plan must be completed by Jan. 26, 1995.			
***Retention of files**	Public entities must maintain on file for three years: (1) a list of persons consulted; (2) a description of policies and practices examined; and (3) descriptions of modifications made. (The self-evaluation and transition plan can include such information.)			

* Applies only to public entities that employ 50 or more people.

** Applies to programs and activities not covered by a section 504 self-evaluation.

Establishment of ADA Committee

In accordance with the Americans with Disabilities Act, which went into effect for state and local governments on January 26, 1992, the City of Bloomington appointed Rick Bailey, who was then Director of Personnel, as the City's ADA Coordinator in 1991. A committee which had previously been established to deal with internal accessibility issues for the disabled was then reactivated as the City's ADA Committee in April 1992. The purpose of this committee is to monitor and direct the City's efforts to come into compliance with the ADA.

The original members of this committee included:

Rick Bailey, now Assistant City Manager
Barb Alldridge, Superintendent of SOAR
Emily Bell, now Director, Human Resources
Hannah Eisner, Assistant Corporation Counsel
Jim Hepperly, PACE Director

George Drye, Director of Engineering & Water was added to the Committee in December 1992.

Tracey Covert, City Clerk, was added to the Committee in February 1995.

ADA Meeting Dates and Committee Accomplishments

(Meeting minutes can be found in the ADA Resource File)

May 21, 1992 -- Reviewed and made recommendations on draft of City's ADA Administrative Regulation.

May 1992 -- Self-evaluation of physical and program accessibility requested for each department.

June 1992 -- Contracted St. Joseph Hospital's Occupational Health Center to update job descriptions.

September 30, 1992 -- Discussed development of overall plan for implementation of City's ADA Compliance Plan.

November 19, 1992 -- Meeting held.

December 4, 1992 -- Meeting held.

December 15, 1992 -- Reviewed draft of self evaluation survey developed for departments; changes suggested.

December 22, 1992 -- Discussed revised self evaluation survey for departments.

March 1, 1993 -- Reviewed Pilot Self-Evaluation survey involving Public Service Dept.; reviewed Champaign's ADA Compliance Plan in order to generate ideas for the City of Bloomington's ADA Compliance Plan.

March 18, 1993 -- ADA Compliance Plan document reviewed.

March 24, 1993 -- ADA Self Evaluation Surveys discussed.

June 7, 1993 -- Update on Committee's progress; self-evaluation summaries reviewed.

December 14, 1994 -- Reviewed signage program for City buildings.

January 12, 1995 -- Discussed need for improved/updated communications methods between City and public; communications summary requested.

January 24, 1995 -- Attempt at ADA File and ADA Plan Document presented; discussed need for general notice stating City's ADA compliance; decided to ask City Clerk Tracey Covert to join committee.

February 14, 1995 -- Addressed physical accessibility and cost for modifications;

compliance checklists distributed; communications options and grievance procedure discussed.

March 23, 1995 -- Curb ramp summary distributed; progress on signage discussed.

No. 29
July 22, 1992

ADMINISTRATIVE REGULATION
CITY OF BLOOMINGTON, ILLINOIS

SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA)

PURPOSE: The Americans with Disabilities Act (hereafter ADA) gives civil rights protection to individuals with disabilities similar to those provided to individuals on the basis of race, sex, age religion and national origin. The ADA guarantees equal opportunity for individuals with disabilities in employment, public accommodations, state and local government services, telecommunications and transportation.

The City of Bloomington will continue to assure that equal opportunity is given to all citizens in accordance with federal, state and local laws. An annual self-review and evaluation will be conducted to ensure that City practices provide equal opportunity, and eliminate physical barriers to equal access of properties, communication and employment.

RESPONSIBILITIES: The City of Bloomington does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. The Director of Personnel has been designated to coordinate compliance with the nondiscrimination requirements as established by the Department of Justice.

GRIEVANCE PROCEDURE: The City of Bloomington has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints should be addressed to the Director of Personnel, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

2. A complaint should be filed within five days after the complainant becomes aware of the alleged violation.

3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the Director of Personnel. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Director of Personnel and a copy forwarded to the complainant no later than 30 days after its filing.

5. The ADA coordinator shall maintain the files and records of the City of Bloomington relating to the complaints filed.

6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within two days to the City Manager.

7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

8. These rules shall be construed to protect the substantive rights of the interested persons to meet appropriate due process standards, and to assure that the City of Bloomington complies with the ADA and implementing regulations.

SIGNED:

Herman Dirks

Herman Dirks, City Manager

From: Enforcing the ADA - Dept of Justice July-Sept. 1994

V. How to File Complaints

Title I

Complaints about violations of title I (employment) by units of State and local government or by private employers should be filed with the Equal Employment Opportunity Commission. Call 1-800-669-4000 for the field office in your area.

Title II

Complaints about violations of title II by units of State and local government should be filed with -

U.S. Department of Justice
Civil Rights Division
Coordination and Review Section
Post Office Box 66118
Washington, D.C. 20035-6118
202-307-2222 (Voice)
202-307-2678 (TDD)

Title III

Complaints about violations of title III by public accommodations and commercial facilities should be filed with -

U.S. Department of Justice
Civil Rights Division
Public Access Section
Post Office Box 66738
Washington, D.C. 20035-6738

Grievance Procedure Guidelines

*(based on article from **U.S. Mayor**)*

I. Include a description of the steps both the individual filing the complaint must follow and those the local government will take in response including:

   A. Submission of complaint to ADA coordinator with details of discrimination

   B. Meeting between ADA coordinator and complainant to discuss complaint and possible resolutions

   C. Follow-up of meeting given to complainant (preferably in writing) stating the City's position and resolution options

   D. Opportunity for complainant to appeal decision

   E. Opportunity for complainant to meet with executive staff to resolve appeal, if necessary

   F. Follow-up (preferably in writing) to summarize executive meeting including final resolution of the complaint

II. Time frame for submissions and responses must be outlined and adhered to

III. Documentation recommended for each step of grievance procedure; should be kept on file for three years

Problems with Champaign's Grievance Procedure

1) Only stipulates a meeting between parties if deemed necessary; should have meeting regardless so that complainant can explain his/her complaint to ADA coordinator

2) Needs clearer appeal process

3) Does not specify that complaints will be kept on file for three years

STEP THREE: Establish a Grievance Procedure

§35.107(b) Complaint procedure. A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.

All public entities with fifty or more employees must adopt and publish grievance procedures providing for prompt and equitable resolution of grievances arising under Title II. Public entities with fewer than fifty employees may also find it useful to establish a grievance procedure because all public entities—regardless of size—are subject to complaints that might best be resolved internally. One of the responsibilities of the ADA coordinator is to receive and investigate complaints.

The purpose of the grievance procedure is to provide a mechanism for the resolution of discrimination issues at the state or local level, rather than require the complainant to resort to the federal complaint process (see Chapter 1, "How Is Title II Enforced?" page 11).

The Title II regulations do not stipulate procedures for the grievance procedure. The public entity may use a grievance procedure that is already in place; there is no need to reinvent the wheel or duplicate existing procedures. If the organization does not already have a grievance procedure, one must be established. This requirement has been effective since January 26, 1992.

This Action Guide recommends that a grievance procedure include the following components:

- a detailed description of the procedures for submitting a grievance
- a two-step review process that allows for appeal
- reasonable time frames for review and resolution of the grievance
- good record-keeping for all complaints submitted and documentation of steps taken towards resolution

The following provides a sample grievance procedure for municipalities that incorporates these four components. The sample procedures can easily be adapted for other types of entities.

Sample Municipal Grievance Procedure

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by (Name of Municipality).

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

(Name of ADA coordinator)
(Phone number)
(Address)

Within 15 calendar days after receipt of the complaint, (Name of ADA coordinator) will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, (Name of ADA coordinator) will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of (Name of Municipality) and offer options for substantive resolution of the complaint.

If the response by (Name of ADA coordinator) does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA coordinator within 15 calendar days after receipt of the response to the mayor or his or her designee.

Within 15 calendar days after receipt of the appeal, the mayor or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days

continued

continued

after the meeting the mayor or his or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by (Name of ADA coordinator), appeals to the mayor or his or her designee, and responses from the ADA coordinator and mayor or his or her designee will be kept by (Name of Municipality) for at least three years.

¶873 Sample Grievance Policy

SAMPLE

ADA GRIEVANCE PROCEDURE

The following grievance procedure has been developed in part from material prepared by the U.S. Department of Health and Human Services, Office of Civil Rights, Regional Technical Assistance Staff. It is intended as a guide *only, to be tailored by public entities to suit their own circumstances and in consideration of any applicable state or local laws.*

____(public entity)____ has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints should be addressed to: ____(name, title, address, telephone number)____, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

2. A complaint should be filed within ____(number of days)____ after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occured before this grievance procedure was in place will be considered on a case-by-case basis.)

3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by ____(name of person)____. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

   Under the Department of Justice regulations, ____(public entity)____ need not process complaints from applicants for employment or from applicants for admission to post-secondary educational institutions.

4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by ____(name of person)____ and a copy forwarded to the complainant no later than ____(number of days)____ after its filing.

5. The ADA coordinator shall maintain the files and records of the ____(public entity)____ relating to the complaints filed.

6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within _____ (number of days) _____ to _____ (person responsible for handling appeals) _____.

7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that _____ (public entity) _____ complies with the ADA and implementing regulations.

State of Illinois
Illinois Commerce Commission

Grievance
Discrimination Based on Disability

It is the policy of the Illinois Commerce Commission to provide assistance in filling out this form. If Assistance is needed, please ask.

Name: _____

Address: _____

City, State and Zip Code: _____

Telephone No.: _____ Voice _____ TDD _____

Best Means and Time for Contacting: _____

Program, Service, or Activity to which Access was Denied or in which Alleged Discrimination occurred: _____

_____

Date of Alleged Discrimination: _____

Nature of Alleged Discrimination: _____

_____

_____

_____

(Attach additional sheets, if necessary. If the grievance is based on a denial of a requested reasonable modification, please fill out the back of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service or activity and the above statements are true to the best of my knowledge and belief.

_____ _____
Signature Date

Please give to the (Specifically Named Individual, such as the Designated Coordinator or Administrator of the Program, Service, or Activity).

For Office Use Only

Date Received: _____ By: _____

Please fill out this part of the form if this grievance is based on the denial of a requested reasonable modification. A reasonable modification will be made to make programs, services, and activities accessible. Reasonable modifications could include such things as providing auxiliary aides and devices and changing some policies and requirements to allow an individual with a disability to participate. This form should be filled in to the extent you know the answers. It may be submitted even if incomplete.

Reasonable Modification Requested:

The Date the Reasonable Modification was Requested:

The Person to whom the Request was Made:

The Reason for the Denial:

Estimated Cost of Modification (If an Assistive Device, such as a TDD or optical reader, or Commodity or Service to which a Cost is Readily Known):

Why is the requested modification necessary to use or participate in the program, service, or activity?

Alternative modifications which may provide accessibility:

Any other information you believe will aid in a fair resolution of this grievance.

APPENDIX C

City of Champaign
ADA Compliance Plan

Plan for Handling Grievance Complaints

GRIEVANCE PROCEDURE -- AMERICANS WITH DISABILITIES ACT

Purpose:

A. To comply with Title II (Nondiscrimination on the Basis of Disability in State and Local Governmental Services) of the Americans with Disabilities Act of 1990 ("ADA") and regulations thereunder [285 CFR Part 35 Sec. 35.107(b)].

B. To state the City's commitment to providing an environment in all its services, programs and activities free from discrimination based on disabilities.

C. To provide a procedure for prompt reporting and investigation of complaints that the City's services, programs, or activities fail to meet ADA requirements.

D. To provide for corrective action to ensure that the City's services, programs and activities meet ADA requirements.

Scope:

This policy provides a procedure to process complaints that services, programs, and activities of the City of Champaign do not meet the requirements of the ADA.

Responsibility:

A. The Assistant to the City Manager for Community Relations and all Department Heads are responsible for complaint intake and information gathering.

B. The Assistant City Manager and Assistant to the City Manager for Community Relations are responsible for dispositions of the complaints.

C. The City Manager is responsible to review dispositions of complaints at the request of complainants.

Procedure:

1. Person Making Complaint: Any person, including employees of the City, may make a complaint that the City has failed in a program, activity or service to fulfill a requirement of the ADA ("complaint").

2. To Whom Complaint Made:

   a) Complaints may be made verbally or in writing to a Department Head or to the Assistant to the City Manager for Community Relations. If the complaint is made verbally, the Department Head or the Assistant to the City Manager for Community Relations shall reduce the complaint to writing.

   b) The complaint, reduced to writing shall, at a minimum contain the information contained on the form attached hereto entitled "ADA Complaint Form".

3. Information Gathering:

a) If the complaint is made to Department Head, such Department Head shall gather all information relative to the complaint and forward the information gathered to the Assistant to the City Manager for Community Relations.

b) If the complaint is made to the Assistant to the City Manager for Community Relations, the Assistant to the City Manager for Community Relations shall within one working day after receipt send a copy of the complaint to the appropriate Department Head for information gathering. If the complaint refers to a personnel matter, a copy of the complaint shall also be sent to the Director of Personnel Services.

c) The Department Head shall gather all information from either a direct complaint or a complaint referred to the Department Head by the Assistant to the City Manager for Community Relations within seven (7) calendar days after the receipt of the complaint or receipt of the referral from the Assistant to the City Manager for Community Relations. If the complaint refers to a personnel matter, a copy of such information shall be sent to the Director of Personnel Services. The Director of Personnel Services shall, when there are issues concerning matters of personnel, supplement the information provided by the Department Head if necessary.

4. Further Investigation:

a) Upon receipt of the information, the Assistant to the City Manager for Community Relations shall review the information and determine whether further information is required from City Staff or the complainant. If further information is required, the Assistant to the City Manager for Community Relations shall request the information within a period of time, not to exceed fourteen (14) calendar days.

5. Recommended Disposition:

a) The Assistant to the City Manager for Community Relations shall review the information gathered with the Assistant City Manager and jointly arrive at a written disposition of the complaint. The dispositions may, but are not limited to, the following types of actions:

(a) Factual information available does not support a determination that ADA requirements have not been met;

(b) Conciliation meeting requested to establish appropriate resolution of the complaint;

(c) Factual information indicates that the City should undertake remedial action to fulfill ADA requirements (List proposed City actions along with timetable).

b) If necessary, the Assistant City Manager and Assistant to the City Manager for Community Relations shall request the Department Head and/or the Director of Personnel Services and/or the complaintant to assist them in arriving at an appropriate disposition or conciliation of the complaint.

c) A copy of the disposition of the complaint shall be sent to the complainant (see 6 below) and the Department Head responsible for implementation of the dispositions, and the Director of Personnel Services if the disposition involves a personnel matter.

6. Communications with Complainant:

a) The Assistant to the City Manager for Community Relations shall communicate either by phone or in writing to the complainant at least once every two (2) weeks while the complaint is pending to advise the complainant as to the status of the complaint.

b) The disposition of the complaint shall be reduced to writing and communicated at a meeting between the complainant and the Assistant to the City Manager for Community Relations. The disposition shall additionally inform the complainant that the City Manager will review the disposition if requested to do so within fourteen (14) calendar days after the disposition has been sent or given to the complainant.

c) If the disposition refers to activities that will take place in the future, the Assistant to the City Manager for Community Relations will inform the complainant at the time the corrective measures have been fully implemented.

7. Time Frames:

The time frames in this complaint procedure shall be adhered to unless the Assistant City Manager allows an extension of the times due to unusual or unforeseen circumstances. Whenever the times have been extended, the Assistant City Manager shall notify the Assistant to the City Manager for Community Relations who in turn shall notify the complainant.

8. Review by City Manager:

The City Manager will review the disposition of the complaint if requested to do so by the complainant. Any such request to review shall be made within fourteen (14) calendar days after the disposition was sent or was given to the complainant.

AMERICANS WITH DISABILITIES ACT COMPLAINT FORM

Name of Complainant: _____

Address of Complainant: _____

Phone No. of Complainant: Home: _____ Work: _____

Complaint: _____

_____

_____

Relief Requested or Suggested: _____

_____

_____

Date of Complaint: _____

Steps for participation in the City EAP

1. Call the EAP at 1-800-433-7916.
2. An appointment will be scheduled for you at a convenient time.
3. You will meet with an Employee Assistance Counselor to discuss your problem in strict confidence.
4. Your personal problems may be resolved or you may be referred to a professional resource who has expertise within your problem area.
5. Our EAP office is located at 720 W. Chestnut, Bloomington. However, if there is a genuine concern for privacy, you may ask to be referred to one of our affiliate offices at -
   - Decatur
   - Peoria
   - Springfield
   - Champaign

Call your

EMPLOYEE ASSISTANCE PROGRAM *at*

1-800-433-7916

ANYTIME

Your Employee Assistance Program

If **YOU** or a **MEMBER** of your family needs assistance.

Call 1-800-433-7916

Anytime

CITY OF BLOOMINGTON

EMPLOYEE ASSISTANCE PROGRAM

(EAP)

A counseling referral service for City of Bloomington employees and their immediate family members

Provided by

Employee Development Associates,
a division of
Chestnut Health Systems, Inc.

Why does an EAP exist?

No one leads a life without problems. Experts estimate that at any single time 10% of us are experiencing a pressing problem that is serious enough to affect our happiness, our family life, or our job performance. Any one of us, male or female, no matter what our income or level of responsibility, may be suffering from a variety of problems including stress, emotional problems, financial and legal difficulties, parent-child relationships, marriage and family problems, and alcohol and drug abuse.
The **Employee Assistance Program (EAP)** is provided free of charge as a service to help employees and their families with these as well as other types of personal problems.

What services are available?

Experienced, qualified professional counselors provide assessment, short-term counseling, and referral services for employees and their family members who are experiencing any personal problems, including emotional, marital, financial, legal or drug and alcohol abuse. An Employee Assistance Counselor will work with you to clarify the problem, help you resolve the problem, or find the appropriate resource which can help.

Who can use the EAP?

The EAP is available to all City employees, and members of their immediate family. An employee or family member may contact the program directly or an employee may be referred by his or her supervisor.

Is the Employee Assistance Program Confidential?

YES! The Employee Assistance Program assures you complete confidentiality. All discussions between client and counselor are confidential.

How does the Employee Assistance Program Work?

A simple phone call starts the process for a confidential appointment with an Employee Assistance Counselor. You may call the EAP at 1-800-433-7916 any time. Daytime and evening appointments are available to accommodate your work schedule. A referral may be made to the EAP in two ways:

Self Referral - Any City employee or family member may call the EAP for information or to make an appointment to discuss a personal problem. Self-referred employees or family members seeking assistance are able to do so with the utmost privacy. When you call the EAP on your own initiative, no one else knows without your written permission.

Supervisor Referral - Administrators and supervisors may recommend an employee seek help when there are specific on-the-job incidents or a noticeable decline in the employee's work performance which indicates the presence of a personal problem interfering with work. It is the employee's choice whether or not to contact the EAP. Participation of any individual in the EAP is voluntary. In the case of a supervisory referral, the Employee Assistance Counselor tells the supervisor only if the employee did or did not appear for an appointment and if the employee is following recommendations. The exact nature of the problem is never disclosed.

Will my job be threatened by using the program?

NO! Job security is not threatened in any way by use of the program. Everything that transpires in connection with any use of the EAP by you is held in the strictest confidence.

What does the service cost?

Services provided to you and your family members by the EAP are absolutely free. City employees and their immediate family members may receive up to six sessions for each separate problem/occurrence for problem assessment, consultation and/or counseling at no cost to them. If additional help is recommended the City of Bloomington Employee Health Care Plan may apply. Benefits include mental, nervous, drug or alcohol treatment.

Inpatient treatment charges are paid the same as any other inpatient confinement. (NOTE - All inpatient confinements require pre-certification. If not pre-certified payment will be reduced by 50%.)

Outpatient Treatment charges are paid at 50% of Eligible Charges up to $1,000 per person per calendar year. Lifetime maximum benefits are $20,000. Yearly deductibles and co-insurance apply to both inpatient and outpatient treatment.

In any case, the EAP Counselor will strive to arrange help in the most cost-effective and professional manner to meet your needs.

CALL YOUR
EMPLOYEE ASSISTANCE PROGRAM
AT

1-800-433-7916
Anytime

ADA Self Evaluation Summary

In December 1992, the ADA Committee developed Self Evaluation Surveys for ADA compliance to be completed by each City department. A pilot self evaluation survey involving the Public Service Department was reviewed in March 1993, and surveys were distributed to all departments later that month. The development of this survey can be traced through memos found under "ADA Memos/Minutes" in the ADA Resource File. In addition, the completed surveys for each department can be found under the section entitled "Self Evaluation" in the ADA Resource File.

The following section contains samples of self evaluation surveys, as well as a synopsis of the results of the City's survey for each department.

¶871 Self-Evaluation and Checklist

The following forms are designed to help public entities comply with their responsibilities to conduct self-evaluations under Title II of the Americans with Disabilities Act. Included in this section are a self-evaluation checklist, an employment assessment tool and a communications accessibility tool, which can be used as part of the self-evaluation process as a whole.

As discussed at ¶815, all public entities must review their policies and practices to ensure that they do not discriminate against qualified individuals with disabilities. This review, however, need not cover programs that were included in a self-evaluation done to comply with Section 504 of the Rehabilitation Act. Public entities that employ 50 or more people must keep their self-evaluations on file for three years.

Using the Department of Justice title II regulations as a basis, the forms help public officials focus on key issues that could affect the accessibility of their programs and practices. They ask questions concerning the type of programs offered, any eligibility criteria, the availability of auxiliary aids, and the presence of physical or other barriers. Access to facilities and employment issues are also addressed.

This self-evaluation is not "official," in that it was not prepared by a federal agency (the Justice Department regulations do not prescribe a specific form). However, by completing it, public officials can identify those policies and practices that comply with the ADA and those that do not. The form can also help public officials organize their compliance efforts for policies and practices that do not meet the ADA's non-discrimination mandate.

Self-Evaluation

Self-Evaluation Checklist

Person Completing This Form: _____

Department: _____

Program, Activity or Service: _____

Was this program included in a self-evaluation conducted under Section 504 of the Rehabilitation Act?
(If yes the program need not be included in the ADA self-evaluation.)

A. Participation of Disabled Persons

List steps taken to ensure that disabled persons (or their representatives) participate in the completion of this self-evaluation.

B. Nature of Program

Describe, in general, the nature of the program, including its purpose, scope, general activities and participants.

C. Recruitment and Advertisement

1. Does the public entity engage in any of the following activities to recruit program participants, or otherwise inform persons of the program's existence? If **no**, proceed to Item D.

   Describe briefly activities involved and materials used.

	List steps to ensure accessibility and opportunities for full participation by disabled persons.	Describe approaches to ensure effective communications with persons with vision and hearing impairments (e.g., provision of auxiliary aids or presentation of materials in alternative formats).	List steps to ensure inclusion of a notice of the public entity's compliance with the ADA in all materials and advertisements.
Meetings or Oral Presentations			
Printed Recruitment Materials			
Advertisements			
Other (specify)			

2. Turn to section "G" (Outside Persons and Organizations) on Page 195. List there any "outside" persons and organizations involved in these recruitment, advertising or information efforts.

3. Turn to section "H" (Facilities Used) on Page 196. List there all facilities, and parts of facilities, used during recruitment and advertising efforts, including those not owned and/or operated by the public entity (e.g., leased or otherwise used). Are these facilities accessible? If not, is information available in an accessible location?

D. Program Eligibility Requirements and Admission

1. Are there any limitations on the number of qualified disabled persons who may participate in or be admitted to the program?

☐ No ☐ Yes

If **no**, proceed to "2" below.
If **yes**, list steps to be taken to eliminate the limitation(s).

2. Are any criteria or tests used in the admission process?

☐ No ☐ Yes

If **no**, proceed to "7" below.
If **yes**, list and describe briefly all criteria (e.g., good health, residency requirements, letters of recommendation) and all tests (including the skill, level of achievement, or other factors being tested, whether they are written or oral tests, the method of administration) used in the admissions process, and indicate how they relate to the program.

3. List all criteria and tests from "2" above that have (or could have) a disproportionate, adverse impact on disabled program applicants. Discuss briefly the (potential) negative impact for each.

4. For each criterion or test listed in "3" above that you design and administer, discuss briefly **alternative** criteria or tests that will be used to ensure non-discrimination. This would include, in limited instances, not using a criterion or test.

5. For each item listed in "3" above that is designed and/or administered by an "outside" person or organization, list steps to modify any criterion or test that has a (potential) disproportionate, adverse impact on disabled persons, or classs(es) of disabled persons (including, in limited instances, not using a criterion or test).

6. List steps to be make potential program participants, including those with hearing and vision impairments and learning disabilities, aware of alternative testing and criteria.

7. Is an interview required before an applicant enters the program?

☐ No ☐ Yes

If **no**, proceed to "8" below.

If **yes**, discuss briefly the interview process and list steps to be taken (including the provision of auxiliary aids, as required) to ensure non-discrimination in interviewing.

8. Are any forms required for admission in the program, testing or submission of other admissions criteria?

☐ No ☐ Yes

If **no**, proceed to "11" below.

If **yes**, what are the forms, and are any available in alternative formats (e.g., taped, braille, reader available)?

9. List steps to provide admission forms in alternative formats.

10. Do the forms listed in "8" above contain a notice of your organization's compliance with the ADA?

☐ No ☐ Yes

If **yes**, proceed to "11" below.

If **no**, list steps to ensure the inclusion of notices of your compliance with the ADA in all materials.

11. List steps to ensure that applicants are not asked pre-admission inquiries as to the nature and extent of a disability, and that no forms or other written materials make mandatory inquiries related to disability.

12. Turn to section "G" on Page 195. List there any "outside" persons and organizations involved in testing, collecting or evaluating admissions criteria.

13. Turn to section "H" on Page 196. List there all facilities, and parts of facilities, used for testing, collecting or submitting forms and admissions criteria, and other activities related to program eligibility requirements, including facilities not owned or operated by the public entity (e.g., leased or otherwise used).

14. Are these facilities accessible to people with disabilities, including people who use wheelchairs? If not, is an alternative, accessible location available?

E. Participation in the Program

1. Are post-admission inquiries made regarding disabled status to make accommodations for disabled persons?

☐ No ☐ Yes

If **no**, proceed to "2" below.

If **yes**, list steps to ensure that information is gathered voluntarily, not used to affect any disabled person adversely, and kept confidential.

2. Is there an orientation for new participants?

☐ No ☐ Yes

If **no**, proceed to "3" below.

If **yes**, describe briefly the orientation and materials used, and list steps to ensure effective communications and usable materials (in alternative formats) for all participants.

3. List below all written materials, tools, equipment or other aids or devices used for the progam.

4. For each item in "3" above, list steps (e.g., the provision of auxiliary aids, equipment modification) to ensure that program materials and equipment are accessible and usable.

5. Would any steps pose an undue financial or administrative burden?

☐ No ☐ Yes

If yes, list alternative methods of providing accessibility that would not impose an undue financial or administrative burden.

6. What elements or activities are included in the program?

7. For each element in "6" above, which ones are, or have the potential to be, inaccessible to disabled participants. Describe steps to make them accessible and usable (e.g., the provision of auxiliary aids, use of alternative materials or formats).

8. Are any of the following services or benefits provided to program participants? (If none is provided, proceed to "9.")

_____	Transportation Services	_____	Counseling Services
_____	Health Services and Insurance/Benefits	_____	Employment Services
_____	Housing	_____	Food Services
_____	Financial Aid	_____	Social, Recreational or Athletic Activities

List steps to ensure that:

- Service/benefit is equally effective for and usable by disabled persons;
- Administration of service/benefit will be free from discrimination based on disability;
- Communications will reach all persons (including those with hearing and sight impairments); and
- Effective application procedures to receive the services exist for disabled persons (including those with hearing and vision impairments).

9. List steps to ensure that information concerning program schedules and activities are effectively communicated to all program participants, including those with impaired vision and hearing.

10. Are there boards, councils or similar bodies on which program participants sit?

☐ No ☐ Yes

If **no**, proceed to "11" below.

If **yes**, list steps to ensure equal opportunities for selection to, and participation in, such boards by disabled persons.

11. Turn to section "G" on Page 195. List there any "outside" persons or organizations involved in any aspect of the program.

12. Turn to section "H" on Page 196. List there all facilities, and parts of facilities, used during the program, including those not owned and/or operated by the recipient (e.g., leased or otherwide used).

13. Are these facilities accessible to people with disabilities, including people who use wheelchairs? If not, is the program, "when viewed in its entirety," accessible?

☐ No ☐ Yes

If **no**, what steps will be taken to make it accessible? (If structural changes are necessary for buildings the public entity owns or operates, see transition plan at ¶872.)

F. Staff Information

List steps to ensure that all staff involved in this program (e.g., recruitment, admisssion, testing, the conduct of the program, the provision of any services or benefits) will be informed periodically of, and understand fully, your policy of non-discrimination on the basis of disability.

G. "Outside" Persons and Organizations

1. List below all "outside" persons and organizations that are involved in the provision of any aid, benefit or service for the program (as discussed in sections "C" through "E" above).

2. List steps to inform those listed in "1" above of your organization's commitment to non-discrimination on the basis of disability. Remember that the non-discrimination mandate extends to the awarding of procurement contracts.

3. List those persons and organizations from "1" above that receive "significant assistance" from your organization in the provision of aids, benefits or services to your program participants. (For example, list organizations which rent or otherwise use your facilities; that depend on your organization for informing its participants of the aid, benefit or service; that have employees of your organization spending time to assist in or coordinate the provision of the aid, benefit or service; and so forth.)

4. List steps to ensure that persons or organizations listed in "3" above do not discriminate on the basis of disability in the provision of any aid, benefit or service to your program participants. (Such steps may include changes in the program, facility alterations, and/or changes in or discontinuation of the relationship.)

H. Facilities Used

(NOTE: The definition of "facility" under the ADA includes all or any portion of buildings, structures, equipment, roads, walks, parking lots or other real or personal property or interest in such property, owned, operated or leased.)

1. List below all facilities, or portions of facilities, used for the activities covered in sections "C" through "6" above, designating for each the activity for which it is used. (NOTE: Facilities leased or otherwise used from another person or organization should be included.)

2. Using the ADA Accessibility Guidelines or Uniform Federal Accessibility Standards,* list below for each facility (or portion thereof) inaccessible features that limit program accessibility.

* Located in Appendix IV.

3. List steps to ensure that all future construction and renovation work (after Jan. 26, 1992) will comply with the architectural accessibility standards.

4. List steps to ensure periodic communications with (potential) disabled program participants concerning accessible and inaccessible facilities.

5. Using information from "1" above:

   List non-structural measures that will be taken to ensure accessibility when the program is "viewed in its entirety," including:

   (a) relocating the activity to accessible space;
   (b) being able to relocate the activity to accessible space, upon notice of the needs of a qualified disabled person;
   (c) revising the structure or format of the activity so the space is not needed;
   (d) modifying or redesigning equipment;
   (e) making home visits or other alternative delivery services; or
   (f) otherwise achieving program accessibility.

   If non-structural changes cannot achieve program accessibility, place the feature on your transition plan (see ¶872) for necessary structural changes.

6. Is the facility in question considered "historic" (e.g., is it either on National Register of Historic Places or on a state or local list of historic places)?

☐ No ☐ Yes

If **yes**, list steps to ensure program accessibility, including any structural changes. If structural changes would compromise the historic value, list alternative methods to ensure program accessibility. (Note: if the program held at a historic facility is not a "historic preservation" program, it must be relocated if structural accessibility is not possible — see ¶836.)

ADA Plans of Evaluation

I. Review ADA codes as applicable to the city of Bloomington and the State of Illinois.

II. Evaluate surveys that were sent out to city departments for compliance with the ADA guidelines for the city of Bloomington.

III. Contact any agency that did not respond to the survey and seek completion of the survey.

IV. Follow-up with contact persons in each department that may have left vague comments or that want to suggest possible improvements.

V. Randomly select and inspect agencies to ensure accuracy and compliance with structural requirements of the ADA.

VI. Compile information and submit proposal on agency compliance and noncompliance. List possible cost effective solutions and give overall evaluation of the city of Bloomington agencies in regards to the needs of the handicapped.

ADA Questions that are relevant

I

-Does job application/and description accommodate ADA issues?

-Is there an opportunity for reasonable accommodation in employment testing (funding, equipment)?

-Has the city's policy on pre-employment medical exams been reviewed for practicality other than police or fire personnel.

-Personnel deparment needs to meet with department heads and supervisors to be give sensitivity training in dealing with applicants with disabilities.

-Does the city's contracts with private sector/non-profit organizations ensure city compliance with ADA guidelines?

-Does social/recreational activities sponsored by recreation services provide accessibility to handicapped.

II.

-city needs to prepare/distribute regarding the application of non-discrimination rules.

-Publish name, address, phone # of ADA compliance coordinator.

-Publish anticipated improvement steps.

-ADA contact persons in each city facility and TDD communication points.

STRUCTURAL MODIFICATIONS:

-Braille markings on elevators, floor markings, room number, raised letter makings in public areas.

-Provisions for wheelchair seating in council chambers (Front & Back)

-Availability of table microphones in council chambers

-Identify/map all curb ramps evaluate adequateness

II. Continued

-Evaluate city owned parking lots

-Identify all TDD Devices for each agency (pay phones, city information desk, public works)

-Are there times when buildings are less accessible such as at night or after closing?

-Provide written notice to labor organizations informing employees of the city's non-discrimination policy

-Does mailing list of the city include ADA or T.V. to inform disabled or city council or other meetings.

III.

-Review city's building permit process for compliance with ADA.

-Check for inconsistencies between State accessibility codes and the new federal standards set by the ADA.

PHYSICAL DEMANDS SURVEY

JOB TITLE_____

SPECIFIC TASK_____

JOB NUMBER_____

DEPARTMENT_____

SUPERVISOR_____

INSTRUCTIONS: Please give specific examples of work activity under TASK heading. Please check appropriate box.

NUMBER OF TIMES EACH TASK IS PERFORMED DAILY

(C) CONTINUOUSLY= 67%-100% (500+ REPS/WORK SHIFT, OVER 63 REPS/HOUR)

(F) FREQUENTLY= 34%-66% (100-500 REPS/WORK SHIFT, UP TO 63 REPS/HOUR)

(O) OCCASIONALLY= 1%-33% (1-100 REPS/WORK SHIFT, ABOUT 13 REPS/HOUR)

(R) RARELY= ACTIVITY IS NOT PERFORMED DAILY

WORK ACTIVITY	C	F	O	R	TASK EXAMPLE
SITTING					
STANDING					
WALKING					
LIFTING					
CARRYING					
CLIMBING STEPS					
CLIMBING LADDERS					
BALANCING					
STOOPING/BENDING					
KNEELING					
CROUCHING/ SQUATTING					
CRAWLING					
REACHING/ SHOULDER & BELOW					

WORK ACTIVITY	C	F	O	R	TASK EXAMPLE
REACHING/ ABOVE SHOULDER					
REACHING/ EXTEND FORWARD					
PUSHING/PULLING					
GRIPPING					
PINCHING					
TORQUING					
OPERATING FOOT CONTROLS					
OPERATING MOTOR VEHICLE					

LIFTING LEVELS

CONSTANTLY

LOWEST LEVEL	HIGHEST LEVEL
FLOOR LEVEL	FLOOR LEVEL
KNEE LEVEL	KNEE LEVEL
WAIST LEVEL	WAIST LEVEL
CHEST LEVEL	CHEST LEVEL
SHOULDER LEVEL	SHOUDLER LEVEL
HEAD LEVEL	HEAD LEVEL
OVERHEAD LEVEL	OVERHEAD LEVEL

FREQUENTLY

LOWEST LEVEL	HIGHEST LEVEL
FLOOR LEVEL	FLOOR LEVEL
KNEE LEVEL	KNEE LEVEL
CHEST LEVEL	CHEST LEVEL
SHOULDER LEVEL	SHOULDER LEVEL
HEAD LEVEL	HEAD LEVEL
OVERHEAD LEVEL	OVERHEAD LEVEL

OCCASIONALLY

LOWEST LEVEL	HIGHEST LEVEL
FLOOR LEVEL	FLOOR LEVEL
KNEE LEVEL	KNEE LEVEL
CHEST LEVEL	CHEST LEVEL
SHOULDER LEVEL	SHOULDER LEVEL
HEAD LEVEL	HEAD LEVEL
OVERHEAD LEVEL	OVERHEAD LEVEL

WORKING ENVIRONMENT	C	F	O	R	TASK EXAMPLE
EXTREME HEAT					
EXTREME COLD					
HUMIDITY					
TEMPERATURE CHANGES					
HAZARDS VIBRATIONS					
DUST, FUMES, / GASE					

City of Bloomington
ADA Department Self-Evaluation

Department:_____

Division:_____

Person Completing the form:_____ Date:_____

Does your department/division provide any of the following services or benefits?

____ Transportation Services ____ Counseling Services

____ Health Services and Insurance/Benefits

____ Housing ____ Employment Services ____ Food Services

____ Financial Aid ____ Social, Recreational or Athletic

1. List the specific programs, services and activities your department provides directly to the public. Include services which you provide through an outside contractor. Complete a specific service questionnaire for each of the services listed.

2. How do you communicate information about your services/programs/activities to members of the public?

a. Meetings or Oral Presentations ____ Yes ____ No ____ N.A.

b. Printed Materials ____ Yes ____ No ____ N.A.
(newspapers ads, pamphlets, etc.)

c. Radio, T.V. ____ Yes ____ No ____ N.A.

d. Individual Inquiry ____ Yes ____ No ____ N.A.
(phone, personal contract, letter)

e. Other (specify) ____ Yes ____ No ____ N.A.

3. Do you use any of the following auxiliary aids and services to communicate information about your program, service or activity to members of the public with visual or hearing impairments:

a. Interpreters ____ Yes ____ No ____ N.A.

b. Notetakers ____ Yes ____ No ____ N.A.

c. Transcription Services ____ Yes ____ No ____ N.A.

d. Written Materials ____ Yes ____ No ____ N.A.

e. Telephone Handset Amplifiers ____ Yes ____ No ____ N.A.

f. Assistive Listening Devices ____ Yes ____ No ____ N.A.

g. Telephones Compatible with Hearing Aids
____ Yes ____ No ____ N.A.

h. Closed Caption Decoders ____ Yes ____ No ____ N.A.

i. Open and Closed Captioning ____ Yes ____ No ____ N.A.

j. TDD's ____ Yes ____ No ____ N.A.

k. Videotext Displays ____ Yes ____ No ____ N.A.

l. Readers ____ Yes ____ No ____ N.A.

m. Taped Texts ____ Yes ____ No ____ N.A.

n. Audio Recordings ____ Yes ____ No ____ N.A.

o. Brailled Materials ____ Yes ____ No ____ N.A.

p. Large Print Materials ____ Yes ____ No ____ N.A.

4. If you answered yes to any item in #3, a) describe how your department/division make the public aware of the availability of the auxiliary aid or service?

b) Describe the manner in which you use the auxiliary and/or service used. e.g. Provide routinely or only upon request, amount of time it takes you to respond for an alternative format.

c) Name the provider for each auxiliary aid or service you use.

5. Does your department or division issue any licenses, permits or certificates? ____ Yes ____ No ____ N.A.

If yes, a) Describe procedure involved in obtaining each license, permit or certificate listed.

b) Describe any requirements or criteria for obtaining each license, permit or certificate listed.

6. Do any of the procedures, requirements or criteria prevent or limit a person with a disability from obtaining a permit or certification?

____ Yes ____ No ____ Don't Know.

If yes, explain and state whether the procedure requirement or criteria could be changed to accomodate a person with a disability.

If no accomodation possible, explain.

7. Do you have any advisory boards or committees which involve members of the community in the planning, conducting or evaluating services/programs/activities?

____ Yes ____ No ____ N.A.

8. Are individuals with disabilities now serving on the committees/boards listed in question #7?

____ Yes ____ No ____ N.A.

SURVEY ISSUED TO
DEPT HEADS 3-8-93
RETURN WITHIN 2 WKS

Specific Program, Service, Activity Questionnaire

Answer the following questions for each service, program listed in your response to question 1 in the Self-Evaluation.

Service/Program:_____

1. Briefly describe the manner in which members of the public use this service/program/activity.

2. Describe the steps/procedures required for members of the public to participate in or receive the benefit of this program/service/activity. Attach copies of any forms which must be completed.

3. Do any of the steps/procedures limit the ability of persons with disabilities from participation in or enjoying the full benefits of the program/service/activity?

____ Yes ____ No ____ Don't know.

If yes, explain and further state whether the step/procedure could be altered or modified to accommodate a person with a disability.

If no accommodation possible, explain.

4. Are there any criteria or requirements for participation in this program/service/activity? ____ Yes ____ No

If yes, list:

5. Do any of the criteria or requirements limit the ability of persons with disabilities from participating in or enjoying the full benefit of the programs/services or activities?

____ Yes ____ No ____ Don't know.

If yes, explain and further state whether the criteria or requirement could be altered or modified to accommodate a person with a disability.

If no accommodation possible, explain.

6. Must the public go to a particular facility or site to participate in or gain the benefit of the service/program or activity? ____ Yes ____ No

If no, where or how does the public participate in or gain the benefit of this service, program or activity?

If yes, identify all the site(s), facilities used. Attach additional sheets of necessary.

7. To your knowledge, is/are the site(s), facilities fully accessible to persons with disabilities?

____ Yes ____ No ____ Don't know.

If yes, describe the accessibility features.

8. Are all staff members familiar with the accessibility features of the site?

____ Yes ____ No ____ Don't know.

9. If the site is not accessible, could any of the non-structural measures listed below be taken to ensure accessibility to the programs, activity or service?

a. Relocate the service/activity to an accessible space?

____ Yes ____ No ____ Not applicable

If no, explain:

b. Relocate the service/activity to accessible space, upon notice of the needs of a qualified person with a disability?

____ Yes ____ No ____ Not applicable

If no, explain:

c. Revise the structure or format of the service so the space is not needed?

____ Yes ____ No ____ Not applicable

If no, explain:

d. Modify or redesign equipment?

____ Yes ____ No ____ Not applicable

If no, explain:

e. Make home visits or provide other alternative delivery services?

____ Yes ____ No ____ Not applicable

If no, explain:

10. Do you make any inquiries of persons describing to participate in or derive the benefits of this program, service or activity regarding disabled status to accommodate persons with disabilities?

____ Yes ____ No

If yes, describe.

11. Describe any arrangements and/or accommodations you currently make to ensure program/service/activity accessibility for persons with disabilities.

To: Barb Alldridge
Richard Bailey
Emily Bell
Hannah Eisner
Jim Hepperly

From: Carla Barnes/Jackie Thompson

Date: June 8, 1993

Here are the summeries that we have completed. We ask that each of you look over the work we have completed. We appreciate any comments or suggestions that each member may have.

Thank You

Upon reviewing the surveys for city agencies compliance with the ADA, it was found that some agencies of the city did not comply. None of the departments utilize braille or large print material. These auxiliary aids may be useful in helping the city reach the public.

The credit union only utilizes written material. They may better communicate with city employees if they added large print material. There does not seem to be a need for the other auxiliary aids listed on the survey.

The finance department utilizes interpreters, transcription services, and they have access to a TDD unit. This may fulfill all of the auxiliary needs of this office.

Pace only utilizes written materials. There may be a need for large print material to better communicate information to the public.

The Human Relations department uses interpreters, written material, and has a TDD unit available.

The recreation department only uses the TDD unit which is housed in the Human Relations departmeht. Interpreters, written material, large print mmaterial and possigly other auxiliary aids may need to be implemented to better reach the public.

Soar only uses written material and the TDD. Large print and brailled material may be helpful to the public if it were provided.

The auxiliary aide that Scott Health Resource Center uses are written material and the TDD unit housed in the Human Relations department.

The Police utilizes interpreters, written material, TDD, and audio recordings. There does not seem to be a need for other aids.

The city clerk's office uses interpreters, written material, telephones compatable with hearing aids, and taped texts. There does not seem to be a need for other aids.

Information gathered from the surveys indicate that many agencies did not use interpreters, large print and brailled material, transcription, and open/closed caption decoding. Therefore, on July 6, 1993 a list constituting the above was sent to all city agencies to help them comply with the ADA.

Bloomington Municipal Employees

Credit Union

A self evaluation survey was filled out by Kathy Woosley. The results from the surve indicate that:

This is a financial institution that provides savings plans, checking accounts,loans etc. to employees of Bloomington.

Information is communicated through meetings and oral presentations, radio and T.V., and individual inquiry.

The only auxiliary aid used is a printed brochure.

Financial Service

This is a service that the credit union offers. To benefit from this service a person only has to become a member.

The requirements are as follows: must be an employee or a family member must be an employee of the city or county. Must have a $10.00 balance.
This service is provided in the Public Service Building, and the building is accessible to wheelchairs.

CITY CLERKS OFFICE

A Self Evaluation Survey was filled out by Earlene Nelson. The results of the study indicate:

The City Clerks office is responsible for all solicitors for the city. All filing of petition and matters for the city council i.e. license application are brought before this office.

Information is communicated to the public by meetings and oral presentations, printed materials, radio and television, and individual

Auxiliary aids are available in the form of interpreters, written materials, telephones compatible with hearing aids, taped texts, and audio recordings. Some of the services offered are provided by Illinois State University/Office of Disability Concerns. There are no brailled materials or items with large print.

All licenses for the city of Bloomington, liquor licenses, dance, heating/electrical, plumbing, nursery schools, nursing homes or rooming house are provided. Applications must be filled out.

Engineering & Water

A self evaluation survey was filled out by Vellon Hale. The results indicate:

This department is responsible for providing water bills, designing water mains, sewers, and roads. This office is also responsible for providing water meter repair and installation, maintaining records or blue prints to properties within the city limits and providing water for the city of Bloomington.

Information is communicated from this department by meetings, oral presentations, printed materials, radio, television, and individual inquiries.

The only auxiliary aid used by this department is written material.

This department issues permits for new construction. In order for the public to obtain any of these services they must either call or come into the office.

Finance

Finance, Computer Services, Parking

A self evaluation survey was filled out by Allan Horsman. The results from the survey indicate :

This department works with the public. An evaluation survey was filled out for each of the services offered: Cashiering services for the public to pay fees, bills and taxes; the area to talk about past due bills and parking tickets; insurance claims against the city; public parking in city owned and operated facilities; provide printed financial statements and budget reports; payments to vendors; and they purchase material from vendors.

Communication with the public occurs through printed materials, through radio, T.V. and individual inquiry. They do not hold meetings or conduct oral presentations.

This department uses several auxiliary aids and services to communicate information to members of the public with visual or hearing impairments. Interpreters and transcription services are provided when requested. The TDD is available in City Hall. All services are provided upon request.

They, however, do not offer the following: notetakers; written materials; telephone handset amplifiers; assistive listening devices; telephones compatible with hearing aids; closed caption decoders, open and closed captioning; videotext displays; readers; taped texts; audio recordings; brailled materials; and large print materials. The Human Relations Department is the provider of the TDD used in this department.

This division of the finance department issues parking permits. The procedure involved in obtaining the permit entails the customer calling or walking into the office. There are no special requirements for obtaining the permit nor does the procedure limit a person with a disability from obtaining the permit.

Finance

Case Managementand Referral

A Self Evaluation Survey was filled out. The results of the survey indicate that:

This division of Finance works directly with the public. Citizens call for an appointment or walk into the office to schedule an appointment with a case manager.

In order to participate in this service a citizen must call in the office and fill out an application. This can be done by the person, someone they know, or by the Health Center.

The requirements to participate in this service does not limit the ability of persons with disabilities from participating in or enjoying the benefits of the service.

To participate in this service, a citizen must go the Scott Health ResourceCenter, in some circumstances home visits are made, mail is also used.

The sites are fully accessible to persons with disabilities. The accessibility features include: handicapped parking spaces; no stairs; wheelchair ramp; the doorway can accommodate a wheelchair; the bathrooms are accessible to the handicapped; and the waterfountain has a cup dispenser.

This building needs to put a notice on the door near the steps to inform the public that the door on Main St. is handicapped accessible.

Finance

Cashiering

A self evaluation survey was filled out. The results from the survey indicate that:

There is daily communication with the public. Through this program, the public comes into City Hall to make payments.

The building's structure allows for the disabled to enter the building, once this is done, the staff will assist the disabled when needed.

Finance

Area to talk about past due bills and parking tickets

A self evaluation survey was filled out. The results from the survey indicate that:

This area is used for members of the community to make payment arrangements, or to protest a parking ticket.

The building is accessible to the disabled.

This service can be handled over the phone. The TDD unit is available, however, telephone handset amplifiers, assistive listening devices, telephones compatible with hearing aids, and other auxiliary aids are not available.

There are several community services which would assist those who are disabled however, how these services are communicated to the public is unknown.

Finance

Provide printed financial statements, budgets and reports

A self evaluation survey was filled out. The results from the survey indicate that:

The service offered from this department requires communication with the public. When members of the community want to see the financial statements, budgets, or reports, they can obtain copies from finance department. Citizens may also view (check out) them at the City Clerks office or the library.

The survey indicated that those with disabilities may not be able to enjoy this service because they are not offered in Braile. Large print also may not be available.

Other than the lack of brailled material, the site is accessible to the public.

Finance

Insurance claims against city

A self evaluation survey was filled out. The results from the survey indicate that:

There is daily communication with the public. People come into City Hall to file an insurance claim though most people mail theirs in. If a disabled person came into the building, they would find that the building is accessible to them.

Finance

Payments to Vendors

A self evaluation survey was filled out. The results from the survey indicate that:

The service provided here is not one which deals with the community. The office makes payments to vendors.

If the vendor himself was physically disabled, the structure of the building would accommodate him.

Finance

Public parking in city owned facilities

This subdivision of the finance department deals directly with the public. Members of the public park cars in city parking lots, garages and city streets.

The only criteria required for participation in this program is the ability to drive, or ride in a vehicle. If the vehicle is equiped for the disabled, their ability to participate in this service is not limited.

The survey indicated that spaces for handicapped persons are available at each lot and garage.

Finance

Purchase material from vendors

This service does not require communication with the general public. The procedure entails discussions with vendors who enter the building or phone into the office. The building would accommodate a vendor with a physical disability.

Golf Courses

A self evaluation survey was filled out by Barb Alldridge and Jerry Armstrong. The results of the survey indicate:

The golf services offered to the public include public golfing, lessons and tournaments.

These services are communicated to the public through meetings and oral presentations, printed materials, radio and television, and individual inquiries.

While the golf division provides all of these forms of communication, it does not offer any auxiliary aids or services to members of the public with visual or hearing impairments. There are no brailled materials, audio recordings, readers, videotext displays, TDD's, or assistive listening devices.

The only certificate that the golf division issues is a season pass which is obtained through payment of a fee.

Human Relations

A self evaluation survey was filled out by Emily Bell. The results from the survey indicate:

The Human Relations department works with the public offering many services and benefits including, housing, employment, and counseling services.

Specific programs for the public include (not all inclusive), Community Programs i.e., Job Fair, Minority Expo, and MLK Program. They also provide training and workshops i.e., Statewide Conferences, Mini Workshops and seminars.

Daily communication with the public is required. Information about the programs and activities are communicated to members of the public through, meetings and oral presentations, printed material, radio, individual inquiry through phone, personal contract, letters, word of mouth; and direct mailings.

The Human Relations Department uses several auxiliary aids including, interpreters, written materials, and TDD's.

This department does not use, at this time, any other auxiliary aids such as, notetakers, transcription services, telephone handset amplifiers, assistive listening devices, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, videotext displays, readers, taped texts, audio recordings, brailled material or large print material.

This department indicated that the public is made aware of the availability of the TDD unit through its publication on all printed material and advertisements.

Interpreters are provided upon request and the TDD is housed in the department and used when needed.

Human Relations

Outreach, Informational, Educational Training, Enforcement of Ordinance

A self evaluation survey was filled out. The results from the survey indicate that:

This division of the Human Relations department deals directly with the public, mainly those citizens with a complaint. Members of the community telephone, write or visit the department to file the complaint. This office has follow up meetings in the office and occasionally a hearing is held at City Hall. To make a formal complaint, the member of the community must fill out an intake form. Informal inquiries are verbally communicated or through TDD.

The Outreach, Informational, Educational Training, Conferences, and Workshops are held at other sites such as: the Library, Pavilion, Armory, ISU Bone Student Center, Jumers, Holiday Inn, and Heritage Plaza. All of the training programs are communicated through a written brochure with detachable registration.

It is not known whether any of the steps to participate in the above programs limit a person with a disability from participating. The only criteria one must have for the Human Relations department to assist, is the belief that one's rights have been violated.

If a citizen made a complaint, he/she would have no problem entering City Hall. If a person would have a problem communicating or entering the building, one possible way to reach this person may be through home visits.

However, the cites of the training programs may not all be accessible to persons with disabilities, for example, Jumers theatre stage area is not accessible.

In order to ensure accessibility, the training programs could be relocated to an accessible place when it is known that a person with a disability is attending. The brochures will indicate a space for persons with disabilities to request accommodations.

Library

A self evaluation and interview were held with Matt Kubiak. The results indicate:

The library services the public directly. Library books and other materials are checked out and returned after a period of time.

The serviecs offered require daily contact with the public and information is communicated through: meetings, oral presentations, printed materials, radio adds, and individual inquiries.

This agency utilizes a TDD, written materials, videotext displays, taped texts, braille material, large print material, and telephone handset amplifiers.

This agency does not isuue andy licenses or permits.

MILLER PARK ZOO

A Self Evaluation Survey was filled out by Barb Aldridge and John Tobias. The results of the survey indicate:

The zoo offers social and recreational activity to the public that include zoo educational programs, public viewing of exhibits and a gift shop.

This information is communicated to the public through meetings or oral presentations, printed materials, radio and television, and individual inquiries.

This department does not use other auxiliary aids such as: interpreters, notetakers, transcriptions services, written materials , telephone handset amplifiers, TDD"S videotext displays, brailled materials, large print materials or communication equipment that would allow for effective communication with members of the public that have visual or hearing impairments. The zoo will, however, furnish guide assistance when requested.

There are no licenses issued by this department.

Pace

Community Development

Connie Griffin filled out the self evaluation survey. The results indicate:

The department provides housing and financial aid related to housing. Services offered include housing rehabilitation for those qualified and demolition of deteriorated garages and houses.

This requires much communication with the public. Information is communicated through meetings and oral presentations, printed materials, radio and television, individual inquiry and public hearings.

Though much communication is needed, there are those who may not be reached because of communication barriers. This division does not use the following auxiliary aids including, interpreters, notetakers, transcription services, telephone handset amplifiers, assistive listening devices, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, videotext displays, readers, taped texts, audio recordings, brailled materials, or large print materials. All of the above would enable this department to reach those individuals with disabilities.

Auxiliary aids include written materials and a TDD unit.

PACE (Permit Writing/Complaint Handling/Plan Reviews)

A self evaluation survey was filled out by Ken Emmons. The results were:

This office secures services of issuing permits for structures, submitting complaints on structures or the use of properties. The service also includes reviewing building plans of clients for proper compliance of municipal codes.

To obtain these services members of the public must fill out forms.

The limit to this is that persons with disabilities may not have telephone access.

Pace

Planning

A self evaluation survey was filled out by Ken Emmons. The results from the survey indicate that:

In addition to counseling services, this division of Pace, answers questions raised by citizens on city planning, zoning, subdivision and development issues. Answer questions and provide a citizens procedures manual for filing applications and petitions with the City of Bloomington regarding annexation agreements moblie home park plans, parking regulations, planned unit development, street name changes, subdivisions, vacations, of streets and alleys, zoning changes, and special uses and variance. Finally, this division answers questions from citizens regarding historic preservations and rehabilitation review process.

This requires daily communication with the public. Information is communicated through: Meetings and Oral Presentations; Printed Materials and Individual Inquiry.

The only auxiliary aid that this division uses is written materials, made aware to the public through the local newspaper.

This division does issue licences the procedure is discussed briefly: fill out application, submit architectural plan, discuss and review plans, receive certificate of Appriateness.

This procedure could limit someone with a disability from participating if no TDD is being used, or if the buildings used in this process is not accessible to someone with a disability.

Police

A Self Evaluation Survey was filled out by Timothy M. Linskey. The results from the survey indicate that:

The police department works directly with the public offering many services. Individuals are referred to the police station, or call representatives of the department to the scene, or the individual and the service agency are brought together by appointment.

This requires daily communication with the public. Information is communicated through: Meetings and Oral Presentations; Printed Material and Individual Inquiry.

This department uses several auxiliary aids including: Interpreters; Written Materials; the use of TDD machine; and Audio Recordings.

This department does not use, at this time, any other auxiliary aids such as: Notetakers; Transcription Services; Telephone Handset Amplifiers; Assistive Listening Devices; Closed Caption Decoders; Open and Closed Captioning; Videotext Displays; Readers; Taped Texts; Brailled Materials; and Large Print Materials. This department indicated that through Social Service Agencies, the public is made aware of the availability of the auxiliary aids and services that they do provide. They also stated that each service is provided on a case by case basis.

The auxiliary aid or service that the Police Department uses is provided by: the Department of Children and Family Services; Project Oz; Lighthouse; BroMenn; Catholic Social Services; Path; Crisis Team Center for Human Service; Home Sweet Home Mission; Salvation Army Safe Harbor; Rape Crisis Center; Countering Domestic Violence; AARP; and the Housing Authority of Bloomington.

This department issues the liscence to drive a cab. The survey indicated that the only way the criteria could limit a person with a disability from obtaining a permit is if the disability interferred with safe driving. However, if certain modifications could be made to the vehicle, the requirement or criteria could be changed to accomodate a person with a disability.

Pools

The self evaluation survey was completed by Barb Alldridge and Randy Ralston. The results from the survey indicate:

The aquatics division of parks and recreation offer three different types of service to the public. They include open swimming, swim lessons and a swim team. The public may also rent out the swimming facilities for a fee.

Information is communicated to the public by meetings, printed materials, radio, television, and individual inquiries. Any member of the public with a visual or hearing impairment can not utilize this information because there are no large written material, assistive listening devices, TDD, readers, brailled material or devices to help disabled persons communicate effectively with pool staff.

The pool division does issue licenses for completion of the lifeguard training and swim lessons. In order for a member of the public to receive a card they must complete the class requirements. Someone with a physical impairment that restricts mobility would probably not pass the lifeguard training.

Public Service Department

A self evaluation survey was filled out by Richard Paulvon. The results indicate:

The Public Service Department collects all refuse in the city, repairs streets and removes obstacles and lawn clippings. Most all of these services involve some kind of contact with the public.

Information about the services are communicated by meetings and oral presentations, printed materials, radio, television and individual inquiries.

The only auxiliary aid available to persons with visual or hearing impairments are written materials. There is no TDD unit housed in this department. This department at the present time utilizes no assistive listening devices, braille material, or transcription devices.

Recreation

A self evaluation survey was filled out by Nancy J. Niebur, Superintendent of Recreation. The results of the survey indicate:

The recreation division of Parks and Recreation offer services in the areas of transportation, counseling, employment, social recreation, food service, and financial aid, as they all apply to specific areas of Parks and Recreation.

Services offered directly to the public are pavilion rentals, ball field reservations, mobile stage rental, picnic kit rentals, special events, entertainment, theatre, and recreational programs.

These services are communicated to the public through meetings oral presentations, printed materials, radio television, and individual inquiries.

Recreation services does provide TDD when needed. They are not currently providing large print materials, interpreters, notetakers, transcription services, assistive listening devices, open or closed captioning, or audio recordings. They are legally bound to provide brailled material within 24 hours of request, however, they do not.

Recreation issues permits for rentals. In order to obtain these permits one would have to physically come to the office and pay at time of registration. Picnic kits are available to members of the public, however, patrons must be able to carry kits to their own vehicle.

Scott Health Resource Center

A self evaluation survey was filled out by Ruth Ann. The results of the survey indicate:

The resource center provides transportation services, health services, insurance benefits, food services, financial aid and counseling. In order to obtain these services it is necessary to either call or come into the office.

Information is communicated to the public by meetings and oral presentations, printed materials and individual inquiry. Auxiliary aids are available in written materials and TDD service. However, the TDD unit is in another building. There are no interpreters, assistive listening devices, taped texts or brailled writing. The auxiliary services are implemented in conjuction with other organizations. These organizations include the Western Ave. Community Center, PATH and Hispanic Outreach. There is an advisory board over the center.

Scott Health Resource Center

Case Management and Referral

This service of the Scott Center works directly with the public. Citizens either call or walk into the office to schedule an appointment with a case manager.

In order to participate in this service, a citizen must call or walk in the office and fill out an application. This can be done in person, by a third party, or by the Health Center.

Persons with disabilities may use these services either by going to the center or using the mail system.

Scott Health Resource Center

Maternal/Child Transportation Program

A self evaluation survey was filled out. The results from the survey indicate that:

This division of the Health Center works with the public. Those who need this service call the office to request rides to prenatal care appointments, the pediatrician and/or WIC appointments. Participants are taken from their homes to their appointments and returned home.

In order to participate in this program, one must call the office for a ride. If a person is a wheelchair user they are referred to the City's Special bus service. This office has a TDD unit.

The criteria/requirement for participation in this program would limit a person with a disability from participating. If a person is in a wheelchair, he/she would be referred elsewhere, and would have to pay a fee for transportation.

This division of the Health Center makes inquiries to each person who phones the facility, in order to accommodate everyone who needs this service.

SOAR

A Self Evaluation Survey was filled out by Barb Aldridge. The results of the study indicate:

The SOAR program provides transportation services and social , recreational and athletic services. The programs include recreation, kids on the block puppets and a volunteer program.

The information about this program is communicated to the public through meetings and oral presentations, printed materials, radio and television, and individual inquiries.

The only auxiliary equipment or aids used by SOAR are written materials and a TDD located in a different building. There are no interpreters, notetakers, telephone handset amplifiers or assistive listening devices to help visually or hearing impaired.

Refer to "Self-Evaluations" in the ADA Resource File for the individual surveys completed by each division.

Physical Accessibility Summary

In order to come into compliance with ADA guidelines, City Department Heads conducted a review of their individual departments in the spring of 1992 and reported any obstacles for physical accessibility to the ADA Coordinator. The City then contracted with Life-Cil to conduct a physical accessibility assessment of all City owned or operated buildings and parks. This assessment was conducted in April 1993. The checklists for each structure or department can be found under "Physical Eval" in the ADA Resource File.

In 1994 and 1995, lists of required modifications were compiled and prioritized. These lists can be found in this section. This section also contains a curb ramp summary compiled March 1995, detailing the extent to which City curb ramps met ADA standards.

¶830 Program Accessibility in Existing Facilities

Title II of the Americans with Disabilities Act (ADA) prohibits a public entity from denying qualified individuals with disabilities participation in or the benefits of a program or activity it offers because its facilities are inaccessible (§35.149 of the Justice Department title II regulations). If a public entity offers activities or services in an existing facility, it must ensure "program accessibility." This means that, when viewed in its entirety, each service, program and activity is readily accessible to and usable by disabled people.

The concept of program accessibility was introduced by the former U.S. Department of Health, Education and Welfare in its regulations implementing Section 504 of the Rehabilitation Act. By using the program accessibility approach, recipients of federal funds could make their programs and activities accessible to disabled individuals through alternative methods, without having to extensively retrofit facilities.

Congress took this same approach in enacting the ADA. The focus of title II is on making programs, not buildings, accessible. If it is possible to ensure accessibility through alternative means, such as providing auxiliary aids, relocating programs or making home visits, structural changes are not required. Only when it is absolutely necessary to achieve program accessibility are public entities required to retrofit existing facilities, particularly since the cost of doing so can be prohibitive.

A public entity is not required to take steps that would fundamentally alter the nature of its program, or that would impose undue financial or administrative burdens (see ¶831). If structural changes are required, public entities must develop a transition plan outlining the steps to be taken and a schedule for when they will be completed (see ¶835).

¶831 General Requirements for Program Accessibility in Existing Facilities

Title II requires each service, program or activity conducted by a public entity, "when viewed in its entirety," to be readily accessible to and usable by disabled individuals (§35.151(a)).

Like Section 504 of the Rehabilitation Act, the focus of title II is on accessible programs rather than accessible buildings. Programs must be accessible; public entities are not required to make each of their existing facilities accessible (§35.150(a)(1)). There are several methods by which a public entity can ensure program accessibility without having to make structural changes (see ¶831).

For example, if the English Department of a state university were to hold all of its mandatory freshman writing classes on an inaccessible second floor of a building, it would violate the

ADA. However, if it were to reschedule one or two sections of that course on the first floor, the program, when viewed in its entirety, would be accessible and comply with the ADA.

Public entities should note that the ADA demands a high degree of accessibility in new construction. Programs and activities should almost always be accessible to disabled individuals in new facilities (see ¶840).

'Readily achievable' and undue burden

Both private and public entities are required under the ADA to make their programs and services in existing facilities accessible to disabled people. Different standards dictate their responsibilities, however.

Title III of the ADA requires privately owned public accommodations to remove architectural and communications barriers from existing facilities when removal is "readily achievable" (see ¶531). If barrier removal is not readily achievable, the public accommodation must provide goods and services through alternative methods that are readily achievable.

Title II, on the other hand, requires public entities to make their programs and activities accessible in all cases, unless to do so would be an undue burden or cause a fundamental alteration. According to the Justice Department (in the preamble to its title II regulations), Congress intended undue burden to be a "significantly higher" standard than readily achievable. Disabled individuals should have access to state or local activities in all but the most unusual cases, Justice said.

Scope of obligation to make programs accessible

In meeting the program accessibility requirement, a public entity is not required to take any action that would fundamentally alter the nature of the program or that would create an undue financial or administrative burden (§35.150(a)(3)). This provision is based on the Supreme Court's ruling in *Davis v. Southeastern Community College* and other case law that set parameters on a federal grantee's obligations under section 504 (*Davis* is abstracted at Appendix V:1).

Just because one particular action would result in an undue burden or alteration does not relieve a public entity from its obligation to provide overall program accessibility. In that case, a public entity would have to take other steps necessary to ensure that disabled individuals receive the benefits or services.

The Justice Department believes that program accessibility will not, in most cases, cause undue financial or administrative burdens for public entities. State and local governments must consider all resources available to fund the program, activity or service when determining undue burden.

Proving that compliance is burdensome is the public entity's responsibility. If that conclusion is reached, the decision must be made and explained, in writing, by the head of the public entity (or his or her designee). According to the Justice Department, the official must be high-ranking — no lower than a department head — with budgetary authority and responsibility for making spending decisions.

¶832 Non-Structural Methods of Achieving Program Accessibility

The title II rules (§35.150(b)(1)) list several ways in which a public entity can make its programs readily accessible to and usable by disabled individuals. These include:

- redesigning equipment;
- reassigning services or programs to alternative, accessible buildings;
- assigning aides to beneficiaries;
- making home visits;
- altering existing facilities or building new facilities; and
- using accessible "rolling stock" (such as bookmobiles) or other conveyances.

As noted above, alterations and construction are cited as acceptable options. However, a public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance. For example, a city human services agency would not have to install an elevator in a building to make a second-story public-assistance application office accessible if it could also process applications in a first-story, accessible room.

And, as discussed at ¶831, a public entity is not required to take an action that would result in a fundamental alteration of a program or an undue financial or administrative burden.

In the preamble to the title II rules, the Justice Department makes clear that carrying a disabled person is considered an ineffective and therefore unacceptable method for achieving program accessibility. This interpretation is consistent with long-standing policy under section 504.

Only in "manifestly exceptional cases," and only if responsible personnel are formally trained in the safest and least humiliating means of carrying, is carrying permitted. An example of a "manifestly exceptional case" would be a program conducted in a unique facility, such as a submarine, where structural changes or devices to achieve accessibility are unavailable or prohibitively expensive.

Carrying is not permitted as an alternative to structural modifications, such as installing a ramp or chairlift, Justice said.

"Most integrated setting appropriate"

An integral part of the ADA's non-discrimination mandate is that disabled people be provided services in the most integrated setting appropriate to their needs (see ¶814). Public entities must make this a priority when making their programs accessible.

Making programs accessible in the most integrated setting appropriate does not mean public entities are prohibited from offering separate programs. For example, a museum may offer a sign language-interpreted tour for people with hearing impairments. That would be acceptable under the ADA.

However, it would be illegal for the museum to prevent a deaf visitor from taking the voice tour merely because the "accessible" tour exists. Disabled people cannot be precluded from participating in integrated programs solely because separate programs are available.

¶833 Timetable for Non-Structural Changes

Title II is effective Jan. 26, 1992. Unlike the provision for structural changes (¶834), the rules provide no transition period for public entities to achieve program accessibility through non-structural methods. Therefore, public entities must provide program accessibility (through non-structural changes) beginning Jan. 26, 1992.

¶834 Achieving Accessibility Through Structural Changes

As discussed above, achieving program accessibility does not necessarily mean that a public entity has to build new facilities, knock down walls or make any other structural change if other methods of providing services are effective. However, if there is no other feasible way to make a program accessible, the public entity must make structural changes (§35.150(b)(1)).

The term "structural changes," the Justice Department notes, includes all physical changes to a facility, not merely changes to structural features (such as removing or altering a beam that provides load-bearing support). Installing a ramp, widening a doorway or lowering a toilet are considered structural changes.

Any structural change done to comply with program accessibility provisions must comply with requirements for new construction (see ¶840).

¶835 Timetable and Transition Plan for Structural Changes

If a public entity cannot achieve program accessibility through non-structural methods, it must make the necessary structural changes. Such changes must be made by Jan. 26, 1995, which is three years from the effective date of title II (§35.150(c)).

Public entities that employ 50 or more people must develop a transition plan detailing the structural changes necessary to achieve program accessibility (§35.150(d)). Disabled individuals and disability groups must have the opportunity to submit comments concerning the transition plan, which must also be available to the public. There is no requirement, however, that the plan be submitted to the Justice Department.

The transition plan must be completed by July 26, 1992.

Other than addressing the need for curb cuts (see below), the title II rules do not specify the types of information that must be included in a transition plan. As a general guide, a public entity can use the transition plan to:

- identify the physical barriers that hinder a disabled person's ability to participate in a program;
- describe ways to make the facility accessible;
- set up a schedule for removing barriers; and
- designate a person to be responsible for overseeing the process.

A sample transition plan outline is included at ¶870.

Curb ramps must be installed

In addition to ensuring accessible facilities, the title II rules require public entities that have authority over streets and walkways to provide curb ramps at existing sidewalks (§35.150(d)(2)). A parallel requirement is imposed for new construction (see ¶846).

A schedule for installing curb ramps must be included in the transition plan, with priority given to walkways that serve entities covered by the ADA. This includes state and local government offices and facilities, transportation, public accommodations and employers. Walkways serving other areas would be next on the list.

In the preamble to the title II rules, the Justice Department defines pedestrian walkways to include areas needed to access public transportation, such as bus stops that are not located at intersections or crosswalks.

Similarly, a public entity should provide an adequate number of accessible parking spaces in its existing parking lots and garages.

Ties to section 504

State and local governments that receive federal financial assistance should be familiar with developing transition plans, because they have been required of federal funds recipients under Section 504 of the Rehabilitation Act for quite some time. Indeed, the title II rules provide that a public entity need not include policies and practices in an ADA transition plan that were already

covered by a section 504 transition plan (§35.150(d)(3)). This is similar to the way self-evaluations are handled (see ¶815).

The Justice Department notes that public entities might find it easier to include all of their operations in an ADA transition plan, rather than attempt to identify and exclude those addressed by a previous review. The department also points out that public entities that receive federal funds are not shielded from their responsibilities under section 504 because they have done an ADA transition plan.

¶836 Accessibility in Historic Properties and Preservation Programs

Public entities are not required to provide program accessibility in a historic property if doing so would threaten or destroy its historic significance (§35.150(a)(2)). Historic properties are defined as properties listed or eligible to be listed on the National Register of Historic Places or designated historic by a state or local law (§35.104). Historic properties are also discussed at ¶562.

As with other programs, a public entity must ensure that historic preservation programs are accessible. The first priority is to provide disabled people physical access to the historic program (§35.150(b)(2)). Justice notes that this priority fits in with the requirement to provide services in the "most integrated setting possible" (¶814).

However, if physical access is not feasible (i.e., it would threaten or destroy the historic significance of the property or result in a fundamental alteration or undue financial and administrative burden), a public entity must achieve program accessibility through alternative methods (§35.150(b)(2)(i-iii)). These include:

- providing audio-visual materials and devices to depict inaccessible portions of historic properties;
- providing guides to take people with disabilities through portions of historic facilities that cannot otherwise be made accessible; or
- using other innovative methods.

Making the upstairs rooms in a historic mansion accessible to people in wheelchairs may not be structurally possible, for example. As an alternative, the county agency that maintains the house could offer a narrated slide show of the rooms (in an accessible location, of course).

Structural changes made to historic properties must conform with the standards for special properties in the Uniform Federal Accessibility Standards or the ADA Accessibility Guidelines (see ¶845 and Appendix IV).

Other programs in historic properties

Only those programs that uniquely concern the preservation and experience of the historic property itself are covered by this exemption. Public entities are not relieved from providing

accessibility for activities that are located in historic properties but are not "historic preservation programs" per se. Where historic preservation is not the purpose of a program, the Justice Department notes, a public entity must take other steps to make it accessible, such as relocating the program to an accessible alternative facility.

Consider, for example, a state natural resources department that holds a lecture series on local rivers in the historic state capitol. The capitol building is inaccessible to people who use wheelchairs, and to install a ramp would destroy its historic architecture. Because the program is not related to the historic significance of the capitol, it could be moved to an accessible auditorium at another facility.

¶837 Personal Devices Not Required

Public entities must provide auxiliary aids and services for disabled individuals as accommodations for the programs they offer. However, the regulations make clear that this obligation does not extend to devices or services of a personal nature, such as eyeglasses, a wheelchair or readers for personal use or study (§35.135). This applies as well to modifications in policies, practices and procedures.

Justice points out in the title II preamble that this section does not preclude short-term loans of personal receivers that are part of an assistive listening system.

[The next page is Tab 800, Page 107.]

¶840 New Construction and Alterations

The Americans with Disabilities Act (ADA) mandates that all new construction and alterations of non-residential facilities be accessible to disabled people. This requirement under title II of the ADA applies to all facilities that are built or renovated by or for public entities, including schools, libraries, municipal buildings and stadiums. It also covers facilities leased by public entities (see ¶844).

Construction or alterations of facilities which begin after the effective date of title II (Jan. 26, 1992) are covered by this section.

Section 35.151(c) of the Justice Department's title II rules cite the Uniform Federal Accessibility Standards and the ADA Accessibility Guidelines (see ¶844 and Appendix IV) as the guidelines that public entities may use for accessible new construction and alterations.

Like other provisions of the ADA, title II takes into account considerations for historic preservation, and requires alternative methods of ensuring accessibility if providing physical access would endanger the historic quality of a property (see ¶845).

¶841 Requirements for New Construction

Under section 35.151(a) of the Justice Department's title II rules, each facility or part of a facility designed and constructed by, on behalf of or for the use of a public entity must be "readily accessible to and usable by" disabled individuals. The requirement applies to construction begun after Jan. 26, 1992. Consistent with an interpretation used for Section 504 of the Rehabilitation Act, facilities under design on Jan. 26, 1992, will also be subject to these requirements if the date that bids were invited falls after the effective date.

Precedent for ADA requirements

The new construction provision builds on precedent set by other federal accessibility laws applicable to state and local governments. Public entities were first subject to federal accessibility mandates under the Architectural Barriers Act of 1968. The law required facilities financed with federal construction funds to be accessible to people with physical disabilities. However, its requirements were triggered only if the federal money was earmarked for construction; recipients of other funds (such as general revenue sharing funds) were exempt.

More significant for public entities is section 504, which requires recipients of federal financial assistance to make their programs and facilities accessible to disabled people (see ¶804). While the emphasis of section 504 is on overall program accessibility, the rules also

require structural accessibility in new construction and alterations. If a police department gets federal drug enforcement funds, for example, its new precinct building must be accessible.

The difference between these laws and the ADA is that all new state and local government facilities must be accessible, whether or not federal funds are involved.

"Readily accessible to and usable by"

The term "readily accessible to and usable by" has been applied in the Architectural Barriers Act, the Fair Housing Amendments Act of 1988 and Section 504 of the Rehabilitation Act. It is also included in the Uniform Federal Accessibility Standards. The Justice Department uses the term under Title III of the ADA for new construction by private entities (see ¶541).

All newly constructed facilities must have a high degree of accessibility, although not every part of every area of a facility must be accessible. In explaining "readily accessible to and usable by" in its title III regulations, the Justice Department notes that individuals must be able to approach, enter and use the facility easily and conveniently (see ¶541). Access must be provided to primary entrances, parking areas, routes to and from the building, bathrooms and water fountains, and other goods, services and programs of the facility, including employees workstations.

¶842 Alterations to Existing Facilities

In addition to requiring accessibility in new construction, the title II rules mandate that, to the maximum extent feasible, alterations begun after Jan. 26, 1992, be readily accessible to and usable by disabled individuals (§35.151(b)). A similar requirement applies to alterations of privately owned public accommodations and commercial facilities under Title III of the ADA (see ¶550).

Public entities are not required to undertake renovations or alterations as a result of the ADA. The act's requirements are triggered only when a facility is "altered by, on behalf of or for the use of a public entity." Moreover, the accessibility requirement applies only if the renovation affects or could affect the "usability" of the facility.

Although not spelled out in the title II rules, the Justice Department explains in its title III rules that renovation, rehabilitation, changes or rearrangement in structural parts and changes in wall configurations are the types of alterations that would trigger the ADA's accessibility requirements. For example, if a town were to knock down walls of its library to create a new reading room, the alterations to that room and any part of the library affected by the changes would have to be made accessible.

Other changes, such as installing new floors, relocating electrical outlets or plumbing controls, or relocating or replacing door hardware would trigger the requirement if they affected the usability of the facility. Consistent with section 504, minor remodeling or redecorating changes (such as painting or papering walls, replacing ceiling tiles, re-roofing, normal maintenance, etc.) are not considered major renovations or alterations and thus not covered by this section because they would not affect the usability of the facility.

"Path of travel" and "disproportionate cost" requirements that apply to private entities under title III (see ¶551 and ¶552) are not addressed in the title II regulations concerning alterations undertaken by public entities.

¶843 Accessibility Standards

To ensure that new construction and renovations are accessible to disabled people as required by the ADA, it is necessary for public entities to follow established building standards for accessibility. In the title II rules (§35.151(c)) the Justice Department incorporates by reference the Uniform Federal Accessibility Standards (UFAS) and the ADA Accessibility Guidelines (ADAAG). (Both standards are reprinted in Appendix III of the *Guide*.) Public entities that design, construct or alter facilities in conformance with either of these standards will comply with the ADA.

State and local governments that receive federal assistance should be familiar with UFAS, as they are the standards nearly all federal agencies cite in their regulations implementing Section 504 of the Rehabilitation Act. Developed by four federal agencies (the Departments of Defense and Housing and Urban Development, the General Services Administration and the U.S. Postal Service), UFAS specifies the technical design and building requirements to ensure accessibility in federal and federally supported construction.

ADAAG was developed by the Architectural and Transportation Barriers Compliance Board (A&TBCB) as guidelines for private buildings under the ADA. In its regulations implementing Title III of the ADA, Justice adopts ADAAG as the acceptable standard for public accommodations and commercial facilities (see ¶560).

Why two sets of standards? In the preamble to the title II rules, the Justice Department explains that it initially planned to cite only UFAS, considering that many state and local governments are familiar with the guidelines because adherence to them is referenced by section 504. Commenters to the proposed rule objected, however, arguing that UFAS was less stringent in some areas than ADAAG.

Justice also had a statutory obligation under the ADA (§204(b)) to make the title II rules consistent with section 504 regulations. Based on these considerations, the department determined that public entities should be entitled to comply with either standard.

Figure 843-A
Applicability of Accessibility Standards

STANDARD	ISSUING BODY	STATUS	EFFECTIVE DATE, APPLICABILITY
UFAS	Agency task force composed of HUD, GSA, Postal Service and Defense Department	Final	Can be used to fulfill section 504 requirements; public entities may use for ADA compliance.
ADAAG	A&TBCB, adopted by DOJ	Final	Effective Jan. 26, 1992, for construction, alterations done under ADA
Transportation Regulations (for vehicles and facilities)	A&TBCB, adopted by DOT	Final	Effective Sept. 6, 1991, for transportation facilities and vehicles.
Standards for public entities	A&TBCB, to be adopted by DOJ	To be developed	Will apply to construction and alterations conducted by public entities. Public entities may use UFAS or ADAAG in interim.

Even so, this will likely be a temporary option. The A&TBCB plans to issue accessibility guidelines specifically for state and local governments. Justice has indicated that it will amend its title II rule to adopt the access board's guidelines for public entities once they are published. Until then, compliance with either UFAS or ADAAG will satisfy the ADA's requirements.

Public entities can depart from particular technical or scoping requirements in either ADAAG or UFAS, as long as the alternative method used provides equivalent or greater access. The applicability of different standards is outlined in Figure 843-A.

No elevator exemption for public entities

Public entities that follow ADAAG are not entitled to the elevator exemption extended to private entities under title III of the act. With some exceptions, private entities do not have to install elevators when constructing or altering buildings that have fewer than three stories or less than 3,000 square foot per floor (see ¶542). The title III rules and ADAAG incorporate this provision.

This exemption does not apply to public entities, however. Under the statute (§501), nothing in the ADA can be construed to apply a lesser standard to public entities than the standards applied under section 504. Public entities that receive federal funds must comply with section 504's requirements, even if those requirements are not mandated by the ADA.

This distinction is important regarding elevators. UFAS, the section 504 standard, does not contain an elevator exemption. But by allowing the use of ADAAG, the title II rules create an opportunity for state and local governments to apply a lesser standard — e.g., building a two-story facility without an elevator, even though the building would have had to have an elevator had the public entity followed UFAS.

To close that potential loophole, the elevator exemption does not apply when public entities follow ADAAG. Thus, a two-story courthouse, whether built according to UFAS or ADAAG, must be constructed with an elevator.

¶844 Requirements for Leased Facilities

Existing buildings that are leased by public entities are not required by title II to meet accessibility standards simply by virtue of being leased. They are, however, subject to the program accessibility standard for existing facilities (see ¶830). And to the extent the facility is newly built or altered, it must meet the accessibility standards for new construction and alterations.

This approach for leased facilities under the ADA comes from Section 504 of the Rehabilitation Act. Federal practice under section 504 has been to subject facilities leased by federal funds

recipients to program accessibility requirements. Because the ADA (§204(b)) requires section 504 and title II regulations to be consistent in the area of program accessibility and existing facilities, the Justice Department adopted the section 504 principle for leased buildings.

Public entities are not required under title II to lease only accessible facilities. Justice noted in the preamble that doing so would restrict options for state and local governments, particularly those in rural areas. However, the department encourages public entities to look for the most accessible space available and, if possible, to follow the minimum standards the federal government uses when it leases a building. Facilities leased by the federal government must have:

- an accessible route from an accessible entrance to primary function areas;
- accessible restrooms; and
- accessible parking, if parking is included in the lease.

Again, these criteria are recommended, but not required for state and local governments that lease facilities.

¶845 Historic Properties

Section 35.151(d) of the title II regulations specifies that alterations made to historic properties (defined as properties listed or eligible for listing in the National Register of Historic Places or properties designated as historic under state or local law) must comply with section 4.1.7 of UFAS or section 4.1.7 of ADAAG. These sections of the standards pertain to renovations of historic properties.

A public entity is not required to provide physical access to a historic property if doing so would threaten or destroy its historic features (§35.151(d)(2)). In those cases, the public entity would have to provide alternative methods of accessibility, as outlined in the provisions of the rules regarding program accessibility (see ¶830). For example, if adding a wheelchair-accessible route would destroy the historic value of a house, a public entity could offer a slide show of the inaccessible rooms as an alternative for people with mobility impairments.

Historic properties are also discussed at ¶562.

¶846 Requirements for Curb Ramps

Besides ensuring that facilities and buildings are accessible to disabled people, the title II rules (§35.151(e)) mandate that curb ramps be a feature at intersections of all new roads and sidewalks. If a public entity builds or alters a street, road or highway, it must ensure that curb ramps are installed at all intersections where a curb presents a barrier between the street and sidewalk.

Also, all newly constructed or altered sidewalks must have curb ramps at intersections to streets, roads and highways.

Public entities should note that curb ramps must meet the specifications of the ADAAG or UFAS. They should also keep in mind that removing a barrier for one type of disability may create a barrier for another.

For example, a slope to a street removes a barrier for a person using a wheelchair, but it presents a potentially dangerous situation for a blind person who uses a cane as a guide. Without changing the surface of the curb ramp to distinguish it from the sidewalk, a visually impaired person using a cane may not realize that he or she has reached the curb and could continue to walk into the street and, perhaps, oncoming traffic. A possible solution would be to cut narrow grooves in the ramp surface to distinguish it from the smooth sidewalk.

[The next page is Tab 800, Page 133.]

State of Illinois

Department of Rehabilitation Services

ACCESSIBILITY STUDY

Name and address of building

_____

_____

_____

_____

Telephone Number _____

Building contact _____

_____

Date _____

Reviewer _____

Telephone _____

Total number of parking spaces _____ number of reserved spaces _____

Total number of lodging rooms _____ number of accessible lodging rooms _____

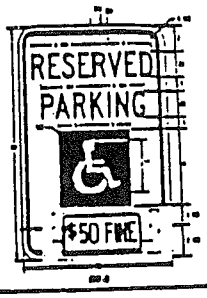
Approximate age of building _____

REVIEWER COMMENTS AND RECOMMENDATIONS

ILLINOIS ACCESSIBILITY CODE

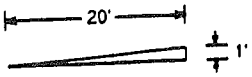
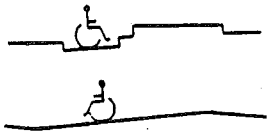
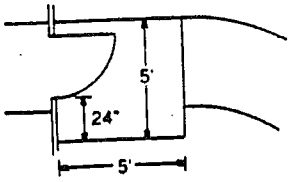
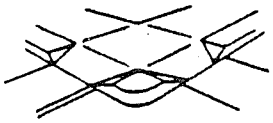
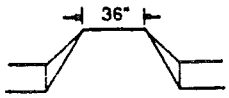
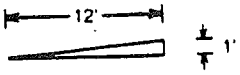
71 Illinois Administrative Code

Ch. I §400.310 et seq.

PARKING			Y	N	N/A
Code 400.310 (c) & (r) ANSI 4.6.1	**ACCESSIBLE PARKING SPACES**	Shall be set aside and identified for use by environmentally limited persons wherever parking is provided for employees and/or visitors. Each parking space so reserved shall be equipped with a sign which meets the requirements of the R7-8 sign (U.S. Department of Transportation Standard). 			
Code 400.310 (c)(2) ANSI 4.6.1	**PROXIMITY TO THE FACILITY**	Accessible parking spaces shall be as close as possible to the accessible entrance.			
Code 400.310 (c)(l)	**NUMBER OF SPACES**	Total Off-Street Parking Spaces Required — Required Minimum Number of Accessible Parking Spaces 1 to 20 ..... 1 21 to 50 ..... 2 51 to 75 ..... 3 76 to 100 ..... 4 101 to 150 ..... 5 151 to 200 ..... 6 201 to 300 ..... 7 301 to 400 ..... 8 401 to 500 ..... 9 501 to 1000 ..... 2% of total number over 1000 ..... 20 plus 1 for each 100 over 1000			
Code 400.310 (c)(2)	**WIDTH OF STALL-ACCESS AISLES**	Accessible spaces shall be 8ft wide with a 4' 6" access aisle. NOTE: Accessible spaces designated after July 1, 1988 shall be 16' wide including an 8' wide diagonally striped access aisle. Access aisles shall blend to a common level with an accessible route.			
Code 400.310 (c)(2) ANSI 4.6.1	**SAFE PATH OF TRAVEL**	Accessible parking spaces that serve a particular building shall be located on the shortest possible accessible circulation route to an accessible entrance of the building. In separate parking structures or lots that do not serve a particular building, parking spaces shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.			

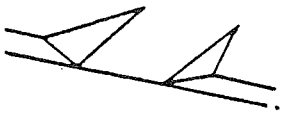
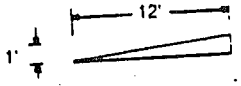
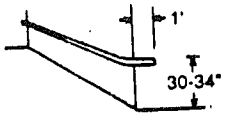
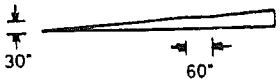
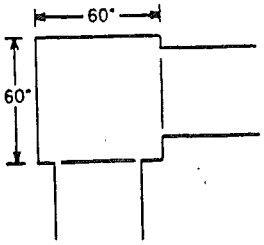
ILLINOIS ACCESSIBILITY CODE

71 Illinois Administrative Code · Ch. I §400.310 et seq.

		WALKS AND SIDEWALKS	Y	N	N/A
Code 400.310(a) ANSI 4.3.3	**WALK WIDTH**	The minimum clear width of an accessible route shall be 36".			
Code 400.310(a) ANSI 4.3.7	**LONGITUDINAL SLOPE**	Shall not be greater than 5%. (1' rise in 20') 			
Code 400.310(a) ANSI 4.5.2	**WALK SURFACE**	Walks shall be of a continuing common surface -- no steps or abrupt changes in level exceeding 1/2" are permitted. 			
Code 400.310(j) ANSI 4.13.6 Figure 25	**LANDING SIZE WHEN DOOR SWINGS OUT**	When a walk leads to a door that swings out, there shall be a level platform at the top, 5' x 5'. Allow for a 24" extension on the strike side of the door. 			
		CURB RAMPS			
Code 400.310(d) ANSI 4.7.1	**LOCATION**	Curb ramps shall be located wherever an accessible route crosses a curb. 			
Code 400.310(d) ANSI 4.7.3	**WIDTH**	Curb ramps shall be a minimum of 36" wide. 			
Code 400.310(d) ANSI 4.7.2 & 4.8.2	**SLOPE**	Slope shall not exceed 1" rise in 12". 			

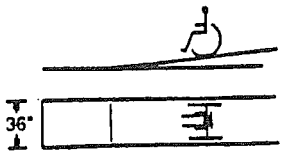
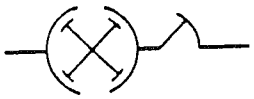
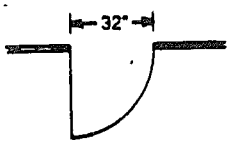
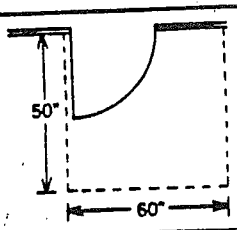
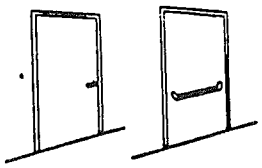
ILLINOIS ACCESSIBILITY CODE

71 Illinois Administrative Code · Ch. I §400.310 et seq.

		CURB RAMPS cont'd	Y	N	N/A
Code 400.310(d) ANSI 4.7.5	**SLOPE OF FLARED SIDES**	Slope of flared sides shall not exceed 1" rise in 10". 			
Code 400.310(d) ANSI 4.7.7 Figure 14	**TEXTURE OF CURB RAMP**	A curb ramp shall have a detectable warning texture consisting of exposed aggregate concrete, cushioned surfaces made of rubber or plastic, raised strips or grooves. The warning texture shall extend the full width and depth of the curb ramp, including any flares.			
		PEDESTRIAN RAMPS			
Code 400.310(e) ANSI 4.8.2	**LONGITUDINAL SLOPE**	Shall not have a slope greater than 1' rise in 12'. 			
Code 400.310(e) ANSI 4.8.5	**HANDRAILS**	Handrails, where required, shall be provided on both sides of ramp between 30-34" above ramp surface, extending 1' beyond the top and bottom of the ramp. The width between the handrail and the wall shall be 1 1/2". 			
Code 400.310(e) ANSI 4.5.1 & 4.8.6	**SURFACE TEXTURE**	Shall be non-slip. 			
Code 400.310(e) ANSI 4.8.2	**LANDING IN RAMPS**	Intermediate landings shall be provided at intervals not exceeding 30" of vertical rise and at each change of direction. 			
Code 400.310(e) ANSI 4.8.4	**LANDINGS**	Landings at the top and bottom of each ramp as well as intermediate landings shall be as wide as the widest ramp leading to it and shall be a minimum length of 60" clear. If ramps change directions at landings, minimum landing size shall be 60" x 60 ". 			

ILLINOIS ACCESSIBILITY CODE

71 Illinois Administrative Code · Ch. I §400.310 et seq.

			Y	N	N/A
		PEDESTRIAN RAMPS cont'd			
Code 400.310(e) ANSI 4.8.3	**RAMP WIDTH**	Minimum ramp width shall be 36". 			
		ENTRANCES			
Code 400.310(k) ANSI 4.14.1	**ACCESSIBLE ENTRANCE**	All entrances to building or facility which are part of an accessible route shall be accessible.			
Code 400.310(j) ANSI 4.13.2	**TURNSTILE BYPASS**	Revolving doors or turnstiles shall not be the only means of passage at an accessible entrance or along an accessible route. 			
		DOORS AND DOORWAYS			
Code 400.310(j) ANSI 4.13.5	**WIDTH**	Doors shall have a clear opening of no less than 32" when open. 			
Code 400.310(j) ANSI 4.13.6	**LANDING CLEARANCE AT FRONT APPROACH DOORS**	Minimum maneuvering clearance at doors where there is a front approach shall be level and clear and shall be at least 60" deep and 50" wide. 			
Code 400.310(j) ANSI 4.13.11	**DOOR OPENING EFFORT**	Maximum effort to operate doors shall not exceed 8.5 lbs. for exterior and 5 lbs. for interior doors. 			
Code 400.310(j) ANSI 4.13.9	**TYPE OF DOOR HARDWARE**	Handles, pulls, latches, locks and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching or twisting of the wrist to operate. Lever-operated mechanisms, push type mechanisms and U-shape handles are acceptable designs. 			

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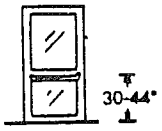
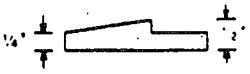
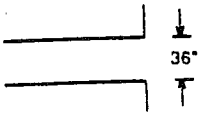
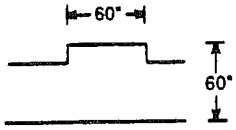
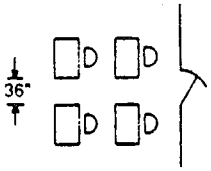
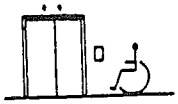
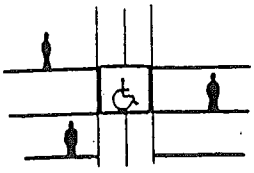
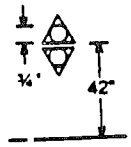
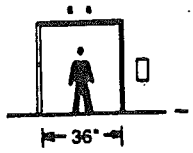
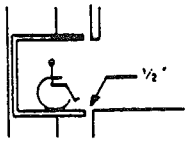
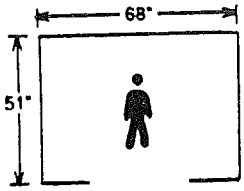
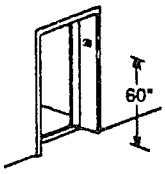
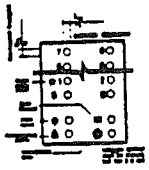
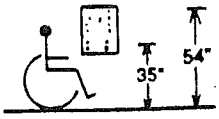
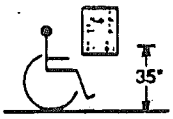
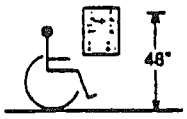
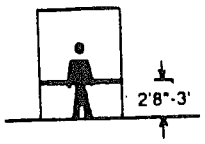
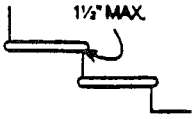
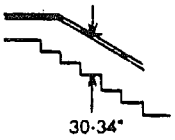
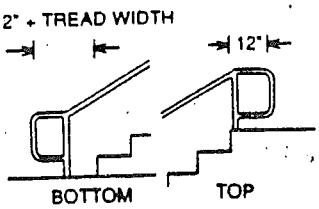
			Y	N	N/A
DOORS AND DOORWAYS cont'd					
Code 400.310(j) ANSI 4.2	**HEIGHT OF DOOR HARDWARE**	Hand activated door opening hardware shall be between 30" and 44" above the floor. 			
Code 400.310(j) ANSI 4.13.8	**THRESHOLDS**	Thresholds shall be no higher than 1/2" above adjacent floor levels. Exposed edges should be beveled at an angle not exceeding 45 degrees so that no vertical change of elevation exceeds 1/4". 			
CORRIDORS AND AISLES					
Code 400.310(a) ANSI 4.3.3	**WIDTH OF CORRIDORS**	Corridors shall be a minimum of 36" in width. 			
Code 400.310(a) ANSI 4.3.4	**PASSING SPACE**	Corridors shall have a minimum clear width of 60" or if width is less than 60", wheelchair passing space of 60" x 60" shall be provided at reasonable intervals not ot exceed 200'. An intersection of two corridors shall also be considered a passing space. 			
Code 400.310(a) ANSI 4.3.3	**GENERAL AREA ACCESS AISLES**	Aisles for general area access shall be a minimum of 36" in width. 			
PASSENGER ELEVATORS					
Code 400.310(g) ANSI 4.10	**LOCATION OF ELEVATORS**	Passenger elevators shall be located on an accessible path of travel and serve all levels of the building. 			
Code 400.310(g) ANSI 4.10.4	**CAR CALL SIGNALS**	A visual and audible signal shall be provided at each hoistway entrance indicating to the prospective passenger the car answering the call and the direction of travel. 			

PASSENGER ELEVATORS cont'd				Y	N	N/A
Code 400.310(g) ANSI 4.10.3	**HALL CALL BUTTONS**	Centerline of call buttons shall be 42" above the floor. Minimum button size should be 3/4".				
Code 400.310(g) ANSI 4.10.9 Figure 22	**ELEVATOR DOORS**	Shall have a minimum clear opening of no less than 36" when open.				
Code 400.310(g) ANSI 4.10.2	**ELEVATOR CAR THRESHOLD**	Passenger car elevators shall stop within 1/2" of the adjacent building floor level and shall maintain that 1/2" tolerance under normal conditions.				
Code 400.310(g) ANSI 4.10.9 Figure 22	**ELEVATOR CAR FLOOR AREA**	Minimum turning space required is 68" wide by 51" deep.				
Code 400.310(g) ANSI 4.10.5	**RAISED CHARACTERS ON HOISTWAY ENTRANCES**	All elevator hoistway entrances shall have raised floor designations provided on both jambs. The centerline of the characters shall be 60" from the floor. Such characters shall be 2" in height.				
Code 400.310(g) ANSI 4.10.12(2) Figure 24	**ELEVATOR CAR CONTROLS - TACTILE & VISUAL INDICATORS**	All control buttons shall be designated by raised standard alphabet characters for letters, arabic characters for numerals or standard symbols as shown. All raised designations for control buttons shall be placed immediately to the left of the button to which they apply. Floor buttons shall be provided with visual indicators to show when each call is registered. The visual indicators shall be extinguished when each call is answered.				
Code 400.310(g) ANSI 4.10.12(3)	**HEIGHT OF CONTROLS**	Elevator controls shall be positioned a minimum of 35" and a maximum of 54" above the floor.				

PASSENGER ELEVATORS cont'd				Y	N	N/A
Code 400.310(g) ANSI 4.10.12(3)	EMERGENCY ALARM AND STOP BUTTONS	Shall be located no less than 35" above the floor				
Code 400.310(g) ANSI 4.10.14	EMERGENCY TELEPHONE	Shall be positioned no higher than 48" above the floor.				
Code 400.310(g)(3) ANSI 4.24	LOCATION OF HANDRAILS	Grab bars shall be provided on the sidewalls (preferably both side and rear walls) of all elevator cabs mounted at a height of between 2'8" and 3'0" above the floor of the cab. A bar section 1 1/4" to 1 1/2" in depth, minimum 3/8" thickness with 1/8" radius edges is also acceptable.				
STAIRS						
Code 400.310(f) ANSI 4.9.3	STEPS	Tread nosings shall be rounded or without abrupt edges. Nosings shall not project more than 1 1/2" past the face of the riser below.				
Code 400.310(f) ANSI 4.27.4	DETECTABLE WARNINGS	All stairs except those in dwellings, shall have a delectable warning on the top of stair runs.				
Code 400.310(f) ANSI 4.9.4(6)	HANDRAILS	Shall be mounted 30" to 34" high measured from the tread at the face of the riser.				
Code 400.310(f) ANSI 4.9.4(2)	HANDRAIL EXTENSIONS	Handrails shall extend a minimum of 12" beyond the top nosing and 12" plus the tread width beyond the bottom nosing.				

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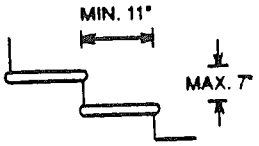
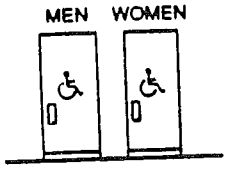
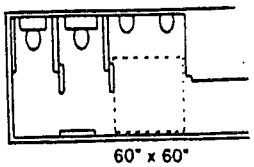
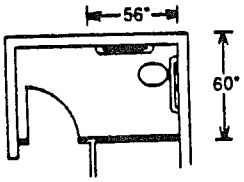
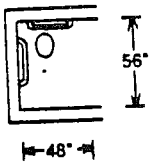
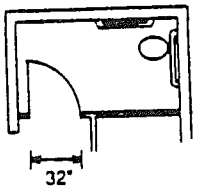
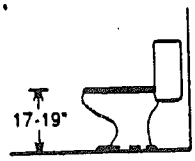
				Y	N	N/A
		STAIRS cont'd				
Code 400.310(f) ANSI 4.9.2	**RISERS**	Shall be a maximum of 7" in height and stair treads shall be no less than 11" in depth, measured from riser to riser. Open risers are not permitted on accessible routes.				
		SANITARY FACILITIES				
Code 400.310(m) (1)(4) & (5)	**SEPARATE FACILITIES FOR EACH SEX**	Where separate facilities are required for each sex, unisex accessible restrooms are prohibited. Door signage is required.				
Code 400.310 (m)(1) & (2) ANSI 4.22.3, 4.2.3 & 4.2.4.1	**CLEAR FLOOR SPACE IN TOILET ROOMS**	Toilet rooms shall provide an unobstructed turning space of 60" x 60". Areas for forward or parallel approach to an object may be a minimum of 48" x 30". Clear floor space, accessible route and turning space may overlap.				
Code 400.310(m)(3) ANSI 4.17.3 Figure 30(a)	**UNOBSTRUCTED SPACE IN TOILET STALLS**	Required toilet stalls shall have a minimum clear floor space of at least 56" x 60".				
Code 400.310(m)(1) (2) & (3) ANSI 4.16.2 Figure 28	**CLEAR FLOOR SPACE AT WATER CLOSET NOT IN STALLS**	Water closets not in stalls shall have a minimum clear floor space of 48" x 56".				
Code 400.310(m) (1)(2) & (3) ANSI 4.17.5, 4.13 & 4.22.2	**DOORS FOR TOILET ROOMS AND STALLS**	Doors shall have a minimum clear opening of 32".				
Code 400.310(m) (1)(2) & (3) ANSI 4.16.3 & 4.22	**WATER CLOSET**	Height of water closets should be a minimum of 17" and a maximum of 19" measured to the top of the toilet seat.				

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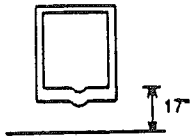
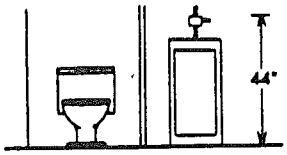
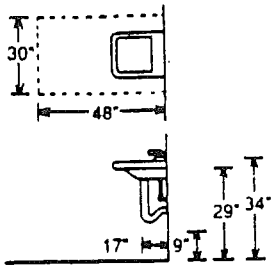
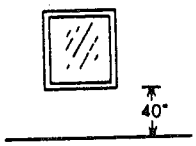
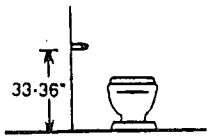
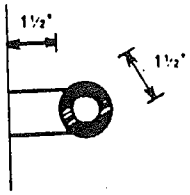
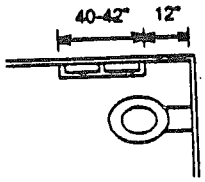
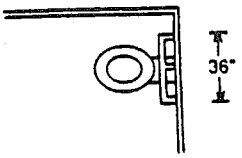
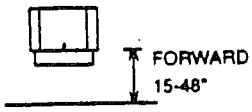
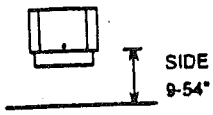
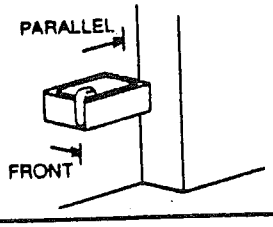
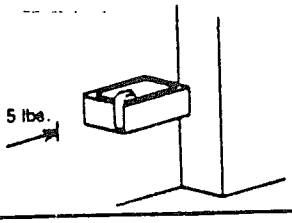
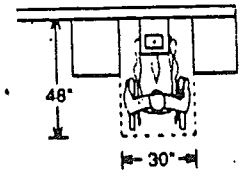
		SANITARY FACILITIES cont'd	Y	N	N/A
Code 400.310 (m)(6) ANSI 4.18.2 Figure 29(c)	**WALL-MOUNTED URINALS**	At least one urinal where more than four are provided shall have the basin opening at a maximum of 17" from the floor and have an elongated rim projecting out 14" from the wall. 			
Code 400.310(m)(1)(2)(3) & (6) ANSI 4.16.5 & 4.18.4	**FLUSH CONTROLS**	Flush controls shall be mounted no more than 44" above the floor. 			
Code 400.310(m)(7) ANSI 4.19.2 & 4.19.3	**SINKS WITH KNEE CLEARANCE**	At least one lavatory sink shall be mounted with the rim no higher than 34" from the floor. Except for projection of bowl and waste piping, a clear space 29" high, 48" deep, and 30" wide shall be under one lavatory, with a toe space 9" high, 17" deep. 			
Code 400.310(m)(7) ANSI 4.19.4	**INSULATION OF PIPES**	Drain pipes and hot water pipes under a lavatory should be covered or insulated to avoid burns. 			
Code 400.310(m)(7) ANSI 4.19.6	**MIRRORS**	At least one mirror shall be provided with the bottom edge 40" from the floor. 			
Code 400.310(m)(1)(2) & (3) ANSI 4.17.6 (c) & (d) Figures 30	**GRAB BARS**	Water closets shall have two grab bars mounted on the walls at 33-36" and parallel to the floor. 			
Code 400.310(m)(1)(2) & (3) ANSI 4.24.2	**GRAB BAR CLEARANCE AND DIAMETER**	Grab bars shall have an diameter of 1 1/2" and be mounted with a maximum of 1 1/2" clearance between the bar and the wall. 			

SANITARY FACILITIES cont'd				Y	N	N/A
Code 400.310(m) (1)(2) & (3) ANSI 4.17.6 Figure 30	**SIDE GRAB BARS**	Grab bars on the sidewalls shall be 40-42" long and must be placed no more than 12" from the back wall.				
Code 400.310(m) (1)(2) & (3) ANSI 4.17.6 Figure 30	**BACK GRAB BARS**	Grab bars at the back shall not be less than 36" long.				
Code 400.310(o) ANSI 4.22.4, 4.25, & 4.2.6	**DISPENSERS - TOWEL, SANITARY NAPKIN, SOAP AND TOILET SEAT COVERS**	Where provided, the following requirements shall be met: 1) For FORWARD APPROACH, the highest operable part shall be mounted no higher than 48" and no lower than 15" from the floor. 2) For SIDE APPROACH, the highest operable part shall be mounted no higher than 54" and no lower than 9" from the floor	 			
WATER FOUNTAINS						
Code 400.310(l) ANSI 4.15.3, 4.15.4 & 4.25.4	**SPOUT**	The spout shall be at the front of the unit and direct the water flow parallel to the front of the unit.				
Code 400.310(l) ANSI 4.15.4 & 4.25.4	**TYPE OF CONTROLS**	Controls shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than 5 lbs.				
Code 400.310(l) ANSI 4.15.5 Figure 27	**CLEAR FLOOR SPACE**	All units must have a clear floor space of 30" x 48". A forward approach must be utilized for a wall unit and a side approach for free standing or built-in units.				

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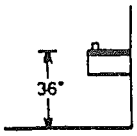
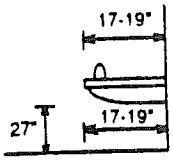
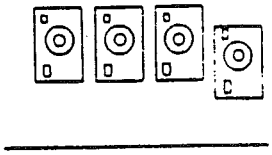
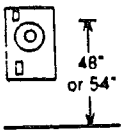
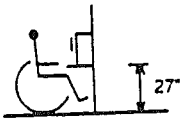
			Y	N	N/A
WATER FOUNTAINS cont'd					
Code 400.310(l) ANSI 4.15.2	**LOCATION OF WATER SPOUT**	Spouts shall be at the front of the water fountain and no higher than 36" above the floor. 			
Code 400.310(l) ANSI 4.15.5	**WATER FOUNTAIN DEPTH AND KNEE SPACE**	Wall mounted fountains shall be a minimum of 17-19" in depth. Clear and unobstructed space under the fountain shall be 27" high and 17-19" deep. 			
PUBLIC TELEPHONES					
Code 400.310(s)	**NUMBER OF ACCESSIBLE TELEPHONES**	Where public telephones are provided, at least one per floor or one per bank shall be accessible. 			
Code 400.310(s) ANSI 4.29.3, 4.2.5 & 4.2.6	**HEIGHT OF PUBLIC TELEPHONES**	Telephones shall be placed so the dial and handset can be reached by individuals using wheelchairs. If space allows for only forward reach, the maximum height is 48". For side approach 54" is permitted . 			
Code 400.310(s) ANSI 4.29.2 Figure 44	**KNEE AND TOE SPACE BELOW TELEPHONE**	An unobstructed knee and toe space 27" in height shall be available under any shelf, phone directory or protruding object. 			
Code 400.310(s) ANSI 4.29.5	**AUDIO AMPLIFICATION**	At least one per floor or one per bank of public telephones shall be equipped with an amplifying device for those with hearing disabilities and identified with the appropriate signage. 			
Code 400.310(s)(2)	**USE OF TDD ON PUBLIC PHONES**	Where banks of public telephones are provided in reception rooms, assembly areas, transportation centers, atriums, shopping malls, and similar areas, there shall be an electrical outlet provided for at least one of the telephones in the bank in order to obtain access to the use of a Telecommunications Device for the Deaf (TDD). The location shall be identified with the appropriate signage.			

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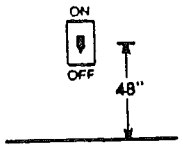
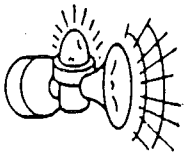
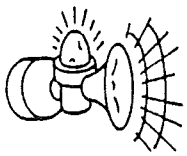
CONTROLS, LIGHT SWITCHES AND ALARMS				Y	N	N/A
Code 400.310(o) ANSI 4.25	**CONTROLS FOR LIGHTS, HEAT, ETC.**	Switches and controls for light, heat, and all similar controls shall be placed within reach of individuals in wheelchairs as specified in ANSI 4.2.5 and 4.2.6..				
Code 400.310(p) ANSI 4.26	**ALARMS**	Switches, alarms and similar devices should be placed no higher than 48" above the floor.				
Code 400.310(p) ANSI 4.26.2	**AUDIBLE WARNING SIGNALS**	Shall accompany visual warning signals. Audible alarms must exceed prevailing sound level by 15 decibels but must not exceed 120 decibels.				
Code 400.310(p) ANSI 4.26.3	**VISUAL WARNING SIGNALS**	Visual alarms shall be flashing lights arranged to flash in conjunction with the audible emergency alarms. The flashing frequency of visual alarms shall be approximately 1 Hz. Special systems using advanced technology may be substituted if equivalent protection is afforded users of the building or facility with disabilities.				
SIGNS AND IDENTIFICATION						
Code 400.310(r)(2) ANSI 4.28	Signs - Where accessible facilities are required to be identified, then the international symbol of accessibility shall be used. Signs shall be provided at the following locations: a) passenger loading zones; b) accessible entrances; c) accessible toilet rooms, bathing facilities, shower facilities; d) public telephones. When directional graphics or signage is provided which gives emergency information, it shall have tactile characters or symbols. Room identification and numbers shall have tactile characters. They shall be placed along side the latch side of the door and mounted 4'6" to 5'0" above the floor. Signs identifying "TDD Access" as required by 400.310(s)(2) shall be provided. Signage shall comply with ANSI Section 4.28 but need not be tactile. Where other graphics or signage is provided, it shall comply with ANSI Section 4.28, but need not have tactile characters or symbols. All signs shall have glare free surfaces and comply with ANSI 4.28.3. Provide light color character on a dark background.					

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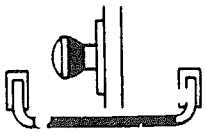
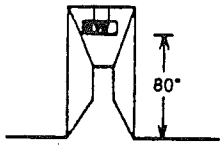
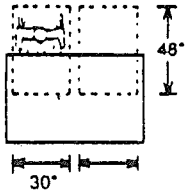
			Y	N	N/A
WARNING SIGNS AND HAZARDS					
Code 400.310(q) ANSI 4.27.3	**TACTILE WARNINGS ON DOORS TO HAZARDOUS AREAS**	Textured contact surfaces shall be used on door handles or knobs to denote entry to hazardous areas.. 			
Code 400.310(a) ANSI 4.4.2	**LOW-HANGING SIGNS, CEILING LIGHTS AND FIXTURES**	Shall be avoided if they protrude into corridors or passageways. A minimum height of 80" from the floor is required. If vertical clearance of an area adjoining a passageway is less than 80", a barrier of no higher than 27" must be provided. 			
SEATING, TABLES AND WORK SURFACES					
Code 400.310(t) ANSI 4.30.2	**CLEAR FLOOR SPACE**	Where fixed or built-in seating, tables and work surfaces are provided, at least 5% or a minimum of one, whichever is greater, shall have clear floorspace of 30"x48" which can overlap knee space up to 19". 			
Code 400.310(t) ANSI 4.30.3	**KNEE CLEARANCE**	Accessible seating shall have a knee space at least 27" high, 30" wide and 19" deep.			
Code 400.310(t) ANSI 4.30	**SERVICE COUNTERS**	If the service counter is higher than 36", an auxiliary counter or other space suitable for the business transaction shall be in the immediate vacinity providing the same services. This other counter shall be between 28-34".			
ADDITIONAL REQUIREMENTS					
Code 400.320 (a)(1) & (2) ANSI 4.31	**AUDITORIUM AND ASSEMBLY AREAS**	Wheelchair locations shall be provided in the following minimum quantities. Access to performing areas shall also be provided.			

Number of Fixed Seats	Number of Wheelchair Locations	Number of Fixed Seats	Number of Wheelchair Locations
1 to 25	1	201 to 300	7
26 to 50	2 together	301 to 400	8
51 to 75	3	401 to 500	9
76 to 100	4	501 to 1000	2% of total
101 to 150	5	Over 1000	20 plus 1 for each 100 over 1000
151 to 200	6		

For seating over 50, arrange locations in pairs in so far as possible.

ADDITIONAL REQUIREMENTS cont'd			Y	N	N/A
Code 400.320(a)(3) ANSI 4.31	**AUDITORIUM AND ASSEMBLY AREAS - LISTENING SYSTEMS**	Listening systems are required as follows: Number of Fixed Seats — Number of Listening System Service Locations 1 to 50 ..... 2 together 51 to 400 ..... 4 in two locations Over 400 ..... 1% of total			
Code 400.320 (b)(1) & (2)	**EDUCATIONAL FACILITIES - LOCKERS**	All spaces in educational facilities used by students, faculty and staff shall be accessible. 2% or a minimum of 2 lockers in every room where lockers are provided shall be accessible to persons in wheelchairs, shall be located within a reach range to 9" to 4'0" above the floor and have a minimum clear space in front of 3'6". Accessible routes to the lockers are required.			
Code 400.320 (b)(3)	**EDUCATIONAL FACILITIES - SHOWERS**	Where showers are provided, at least one shower for each sex shall be accessible to people in wheelchairs and comply with ANSI 4.21 and ANSI 4.22			
Code 400.320(b)(4) ANSI 4.30	**EDUCATIONAL FACILITIES - LABS**	In laboratories and other work or study areas which are provided with fixed work counter tops, there shall be at least one station which complies with ANSI 4.30 (see diagrams for seating, tables and work surfaces).			
Code 400.320(c) (1)(2) & (3)	**HEALTH CARE, OUTPATIENT FACILITIES, HOSPITALS AND NURSING HOMES**	All public use spaces, common use spaces and employee use spaces shall be accessible. Where in-patient care is provided, all bedrooms and bathrooms shall have accessible doors. 5% or a minimum of 2 per floor, whichever is the greatest, of patient bedrooms with bathrooms shall have fully accessible bathrooms.			
Code 400.320(e) (1)(2)(3) (4) & (5) ANSI 4.13 & 4.30	**LIBRARIES**	1) Shall have 5% or a minimum of 1, whichever is greatest, of each element of fixed seating, tables, or study carrels. 2) Where service counters exceeding 36" are provided, an accessible auxiliary counter or other suitable space shall also be provided. 3) All traffic control or book security gates shall comply with ANSI 4.13. 4) A minimum aisle width of 36" at card catalogs, magazine displays and book stacks is required. 5) The height of these elements shall conform to ANSI 4.2. However, the height requirement shall only apply to reference book stacks, card catalogs and magazine displays.			

ADDITIONAL REQUIREMENTS cont'd			Y	N	N/A
Code 400.320(g)	**MERCANTILE AND BUSINESS OCCUPANCIES**	1) Where built-in fixed service counters are provided, an accessible service counter shall be provided (see Code 400.310(t). 2) If checkout aisles are provided, at least one accessible aisle with a clear width of 36" shall be provided. 3) Anti-theft shopping cart devices shall not prevent ingress and egress. 4) Where dressing rooms are provided, at least one in every group shall be accessible.			
CODE 400.320(h) ANSI 4.3	**MUSEUMS AND EXHIBITION AREAS**	1) In museums and exhibition areas, every level with displays open to public viewing shall be accessible and shall comply with ANSI Sec. 4.3 2) Displays shall be designed so that they shall be able to be viewed by seated persons and are accessible to persons in wheelchairs. 3) In state-owned facilities, audible and visual interpretive information shall be provided for persons with auditory or visual impairments.			
CODE 400.320(i)	**PUBLIC FACILITIES WHICH PRIMARILY SERVE CHILDREN**	To suit the age of the children dimensions and accessories may be adjusted . 1) The suggested height for water closets is 1'3". 2) The suggested height for toilet stall grab bars is 10" above the seat. The grab bar shall be 3' long and extend 1'6" beyond front edge of the water closet. 3) The suggested height for the lavatory is 2'5" from the floor to the bottom of the apron. 4) The suggested height for the controls, receptacles and dispensers is 3'4" above the finished floor. 5) The suggested height for drinking fountain spouts is 2'6" above the finished floor.			
CODE 400.320(j)	**RECREATIONAL FACILITIES**	1) Parking lots, toilets, showers, cabins, campsites, concession stands, craft areas, boat docks and other communal areas shall be accessible and on an accessible route. 2) 5% or at least 2, whichever is greater, of all camping sites shall be accessible including parking spaces and walks to the campsites, restrooms, and firepits, where provided. Trails over steep or difficult terrain need not be accessible. 3) Swimming pools, beaches, zoos, botanical gardens, amusement parks, fairgrounds, bowling alleys, playgrounds, sports facilities, marinas, and other recreational facilities shall be accessible, including parking, horizontal and vertical circulation, entrances, toilet facilities, changing and shower facilities where provided.			
Code 400.320(k) ANSI 4.30	**RESTAURANTS AND CAFETERIAS**	At least 5% of all fixed seating or tables in a restaurant or cafeteria shall comply with ANSI 4.30. Food service lines shall have a minimum clear width of 36". Tray slides shall be mounted no higher than 34" above the floor.			

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ADDITIONAL REQUIREMENTS cont'd			Y	N	N/A
Code 400.320 (f)(5) & (6) ANSI 4.26	**LODGING - ALARMS**	A permanent audible and visual emergency warning system shall be provided in all public use and common use areas of lodging buildings. Portable or permanent audible and visual emergency warning systems shall be provided in lodging units on an as-needed basis at the request of a hearing impaired person.			
Code 400.320(f) (1)(2)(3) & (4)	**LODGING - ROOMS**	1) Interior doorways have clear 32" opening. 2) Aisles between beds, furniture and walls are 30". 3) Telephones located near bed. 4) Television is accessible from wheelchair or remote control feature is available. 5) Bathroom has: 5 x 5' maneuverability space grabbars securely mounted 30-34" from floor grabbars securely mounted in shower roll-in shower provided or shower chair available towel racks no higher than 48" from floor.			

CHECKLIST ON FAC ;Y ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status YES	N/A	DESCRIPTION	MODIFICATION
A. WALKS				
1. Minimum 3'0" wide				
2. Gradient 5 percent maximum - slope 1:20				
3. Continuing common surface not interrupted by steps or abrupt changes in level				
4. Blend to a common level wherever they cross other walks, driveways, or parking lots				
5. Level platform at the top which is at least 5'0" x 5'0" if door swings outs, and/or 3'6" or width of ramp x 5'0" if door does not swing into walk				
6. Platform extends at least 1'0" beyond doorway or knob side				
B. PARKING LOTS				
1. Accessible spaces closest to facility				
2. Identified for use by physically handicapped				
3. Spaces minimum 12'0" wide or 20'6" side by side with 4'6" access aisle in center				
4. Spaces open one side on level surface				
5. Physically handicapped not compelled to wheel or walk behind parked cars				
6. Clear path of travel to entrance from transit stop or vehicular arrival point				

CHECKLIST ON FAC Y ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status YES	N/A	DESCRIPTION	MODIFICATION
C. RAMPS				
1. Maximum slope 1:12				
2. Handrails on two sides if rise is greater than 9" - one if less				
3. Handrail 2'6" to 2'10" high (measured from the ramp surfaces).				
4. Handrail surface smooth				
5. Handrail extend 1'0" beyond top & bottom of ramp				
6. Nonslip surface				
7. Platforms comply with Items A-5 and A-6 and are 5' long				
8. Minimum 5'0" straight clearance at bottom				
9. 3' long level rest platforms at 30'0" intervals maximum				
10. Level platforms at turns at least 5' long x 5' wide				
D. ENTRANCES				
1. At least one primary entrance useable by individuals in wheelchairs				
2. At least one entrance provides individuals in wheelchairs access to elevators				
3. Clearly marked with symbol of access				
4. Clear width of 2'8"				
5. Doors in series (vestibule) must be minimum of 7'0"				

CHECKLIST ON FAC TY ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status YES	N/A	DESCRIPTION	MODIFICATION
E. FLOORS				
1. Nonslip surface wherever possible				
2. Floors on each story not at a common level are connected by ramp. (See Section C for ramp requirements).				
F. DOORS AND DOORWAYS (Exterior and Interior)				
1. Minimum 2'8" clear opening				
2. Doors level on both sides of door and level 5'0" minimum in direction door swings				
3. Doors operable on a single effort of about 15 psf. on exterior and 8 psf. on interior				
4. Floor extends at least 1'6" beyond doorway on pull side and 4'0" on push side				
5. Sharp inclines and abrupt changes in level avoided at doorsills				
6. Threshholds maximum of 1/2" and beveled at 1:20				
7. Glazed door - 10" maximum uninterrupted surface / 8" maximum on wood panel door				
G. STAIRS				
1. Steps avoid abrupt nosings				
2. Handrails 2'6" to 2'10" above tread at face or riser				
3. Two handrails extending minimum 1'0" beyond top and bottom steps				
4. Maximum 7" risers wherever possible				
5. Two handrails required on all stairs				

CHECKLIST ON FAC TY ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status		DESCRIPTION	MODIFICATION
	YES	N/A		
H. WATER FOUNTAINS				
1. Accessible and useable by physically handicapped				
2. Clear knee space under bowl must be minimum 2'3"				
3. Up-front spouts and controls (spout must be near parallel to front of bowl)				
4. Hand-operated or hand and foot operated				
5. Orifice 2'10" to 3'0" maximum above floor (adults)				
6. Orifice 2'6" maximum above floor (children)				
I. TOILET ROOMS				
1. Toilet rooms accessible and useable by the physically handicapped				
2. Toilet rooms have wheelchair turning space of 5'0" x 5'0", minimum				
3. At least one stall that:				
a. Is 3'0" wide minimum and 5'9" minimum deep or 5'0" minimum wide and 4'11" deep				
b. Has 2'8" wide outswinging door				
c. Has grab bars on each side, 33" to 36" high and parallel to the floor, 1½" in diameter, with 1½" clearance between rail and wall, fastened securely to wall at ends and center				
4. Lavatory useable by individuals in wheelchairs (2'3" minimum / 2'6" maximum)				
5. Mirrors and shelves where provided mounted with bottom edge as low as practicable and no higher than 3'2" above floor				

CHECKLIST ON FAC .TY ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status YES	N/A	DESCRIPTION	MODIFICATION
I. TOILET ROOMS (Continued)				
6. Men's urinal, elongated lip type with opening of basin 1'3" to 1'5" from floor and 1'4" minimum clear space from center of urinal/ each side				
7. Appropriate number of accessories mounted 3'4" maximum from floor				
a. Towel bar or dispenser (must be single action type)				
b. Other dispensers and disposal units				
J. PUBLIC TELEPHONES				
1. Accessible and useable by the physically handicapped				
2. Height of dial, handset, and coin slot maximum 4'6" above floor on side approach and 4'0" on forward approach				
3. Identified and equipped for persons with hearing disabilities				
4. Entrance to telephone enclosure - clear width of 2'6"				
5. Clear space below enclosure of 2'6"				
K. ELEVATORS				
1. Accessible and useable by the physically handicapped at all levels normally used by the public				
2. Control buttons labeled for the blind with raised or indented characters				
3. Control buttons, telephones, etc., mounted and centered 42" from floor				

CHECKLIST ON FAC ;Y ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status		DESCRIPTION	MODIFICATION
	YES	N/A		
L. SWITCHES AND CONTROLS 1. Switches and controls for lights, heat, ventilation, windows, draperies, fire alarms, etc., maximum 3'4" above floor				
M. LIGHTING 1. Lighting on ramps not less than 1 footcandle per square foot 2. Exit signs identifiable to all handicapped individuals				
N. IDENTIFICATION 1. Braille symbols or raised or indented letters or numbers identify rooms and office (at least 5'8" high) 2. Placed on walls (not on doors) 3. Height 4'6" to 5'0" above floor 4. Doors not intended for normal use, that may be dangerous to the blind, have knurled door knobs or equivalent tactile markings				
O. WARNING SIGNALS 1. Audible warning signals for the blind accompanied by simultaneous visual signals for individuals with hearing disabilities. Such visual signals must be visible from all areas used by the public or employees. Strobe lights preferred.				

CHECKLIST ON FAC ITY ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status YES	N/A	DESCRIPTION	MODIFICATION
P. HAZARDS				
1. Manholes or access panels when open and open excavations on the site shall have barricades on all open sides, 8'0" minimum from hazard, and warning devices installed.				
2. Avoid low-hanging door closers within opening of doorways, or protruding hazardously into corridors or traffic ways when door is closed				
3. Signs, ceiling lights, fixtures or similar object protruding into corridors or traffic ways minimum 7'6" above floor				
Q. PICNIC AREAS				
1. Tables & Benches				
a. Number accessible to wheelchairs				
b. Location (adjacent to level paths)				
c. Access to open space areas				
d. Back & arm rests				
2. Grills				
a. Height of cooking surface				
b. Location (adjacent to level paths)				
3. Trash Receptacles				
a. Location (adjacent to level paths)				
b. Safety & facility of equipment				
4. Picnic Shelters				
a. Location (accessible by wide, firm path)				
b. Located near accessible water fountains, trash receptacles, restrooms, parking, etc.				

CHECKLIST ON FAC ΓY ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status		DESCRIPTION	MODIFICATION
	YES	N/A		
R. TRAILS				
1. Surface				
2. Dimensions				
3. Rails				
4. Signage				
S. SWIMMING POOLS/BEACH				
1. Entrance (ramps/stairs)				
2. Dimensions of ramps/stairs				
3. Accessible from parking lots				
4. Slip-resistant surfaces				
5. Warning surface for visually impaired				
6. Lockers				
a. Number				
b. Height				
c. Clear floor space				
7. Beach				
a. Access to swimming area (pavement, handrails, etc.)				
T. PLAY AREAS				
1. Equipment Access - firm, level paths				
2. Equipment safe for handicapped persons				
3. Sufficient space between play equipment for wheelchair maneuvering				

CHECKLIST ON FAC ITY ACCESSIBILITY

FACILITY: _____ CHECKED BY: _____ DATE: _____

REQUIREMENTS	Compliance Status		DESCRIPTION	MODIFICATION
	YES	N/A		
U. GAME AREAS				
1. Accessible by firm and level paths				
2. Accessible paths leading to and from parking areas				
3. Equipment - Height & dimensions				
V. BOAT DOCKS				
1. Access				
a. Hard-surfaced paths				
b. Handrails				
W. FISHING FACILITIES				
1. Access				
2. Signage				
3. Safety				

ACCESSABILITY SURVEY VOUCHER

DATE	ACTIVITY	FACILITY	CHARGE RATE	TIME	TOTAL CHARGE
3/15/93	Consultation	City Hall	$40.00/hr	1/hr	$ 40.00
3/23/93	Consultation	City Hall	$40.00/hr	1/hr	$ 40.00
4/6/93	Accessability Survey	City Hall	$50.00/hr	2/hr	$100.00
4/6/93	Accessability Survey	Annex	$50.00/hr	1.5/hr	$ 75.00
4/7/93	Accessability Survey	Fire Hqts.	$50.00/hr	.5/hr	$ 25.00
4/7/93	Accessability Survey	Fire Station #4	$50.00/hr	.75/hr	$ 37.00
4/7/93	Accessability Survey	Miller Park Zoo	$50.00/hr	1.5/hr	$ 75.00
4/14/93	Accessability Survey	Engineering/Water	$50.00/hr	.5/hr	$ 25.00
4/14/93	Accessability Survey	Public Services	$50.00/hr	.5/hr	$ 25.00
			Grand Total		$442.00

* DENOTES ACCESSIBLE BLDGS BY ADA DEFINITION

SECTION 3B: DATA - PUBLIC PROPERTY INSURANCE

SCHEDULE

ITEM	DESCRIPTION & LOCATION	BUILDING OR STRUCTURE	PERSONAL PROPERTY	PROPERTY IN THE OPEN
Location 01	* Bldg 01 - City Hall 109 E. Olive	$2,325,000	$642,370	
	* Bldg 02 - City Hall Annex 322 S. Main	867,000	56,075	
	Radio tower, outdoor lighting, sign, flag-pole, benches, paving.			$63,850
Location 02	* Bldg 01 - Public Service Building, 401 S. East	1,300,000	14,775	
	Salt Storage 402 S. East	24,000		
	Lighting, fencing, paving.			139,700
Location 03	* Bldg 01 - Hdqtrs Fire Station 310 N. Lee	1,440,000	40,080	
Location 04	* Bldg 01 - Fire Station #2 710 S. McGregor	296,500	3,500	
	shed, flagpole, paving			20,500
Location 05	* Bldg 01 - Fire Station #3 E. Empire St	976,500	11,075	
	Lighting, flagpole, paving			78,900
Location 06	* Engineering Department Building, 401 1/2 S East		91,775	
Location 10	* Bldg 01 - Highland Park Pro-Shop, S. Main St	130,000		
	Bldg 02 - Clubhouse/Mtg Room	315,000	1,690	
	shelters, fencing, irrigation system, pumphouse, paving			578,450
Location 11	* Bldg 01 - Prairie Vista Clubhse Sale Barn Rd	500,000		
	Irrigation system, shelters			500,000
Location 12	Bldg 01 - Prairie Vista Maint Building, Sale Barn Rd	92,700	53,200	
	Bldg 02 - Residence	74,000		
	Bldg 03 - Storage Bldg	2,250		
	Bldg 04 - Garage/Shed	6,300		

ITEM	DESCRIPTION & LOCATION	BUILDING OR STRUCTURE	PERSONAL PROPERTY	PROPERTY IN THE OPEN
	Bldg 05 - Garage/Shed	12,600		
	Bldg 06 - Garage/Shed	9,500		
Location 13	Bldg 01 - Miller Park Zoo S. Morris	1,400,000	13,150	
	Bldg 02 - Zoo Barn	12,500		
	Bldg 03 - Otter/Sea Lion Tanks	54,000		
	Gazebo, cage			9,600
	Bldg 04 - Zoo Education Bldg	415,000	22,000	12,465
Location 14	Bldg 01 - Miller Park Pavilion S. Morris	1,260,000	18,750	
Location 15	Bldg 01 - Boat House Miller Park Beach	187,600		
	Boat Rental Shed	1,800		
	Beach climbers, misc			4,000
Location 16	Bldg 01 - Concession Bldg Miller Park	72,600		
	Bldg 02 - Amphitheater	42,000		
	Bldg 03 - Restrom Bldg	35,500		
	Lighting, playground equip fencing, backstop, tennis court			247,338
Location 17	Bldg 01 - Maintenance Building Forrest Park, Springfield Rd	86,250	109,090	
	Bldg 02 - Storage Building	97,400		
	Misc			18,120
Location 18	Bldg 01 - Restroom Bldg Forrest Park, S. Morris	163,000		
	Shelters, lighting, paving			78,000
Location 19	Bldg 01 - O'Neil Pool Bldg O'Neil Park, N. Hinshaw	305,700		
	Pool, lighting			313,000
Location 20	Bldg 01 - Concession Bldg O'Neil Park	41,000		
	Bldg 02- Press Box	7,000		
	Playground equip, lighting, fencing bleachers, shelters, paving			286,100
Location 21	Bldg 01 - Pool Bldg Holiday Park, McGregor St	125,000		
	Bldg 02 - Storage/Filter Bldg	46,000		
	Pool, lighting, fincing			230,195
Location 22	Holiday Park, Shelters, Playground equipment	27,575		

ITEM	DESCRIPTION & LOCATION	BUILDING OR STRUCTURE	PERSONAL PROPERTY	PROPERTY IN THE OPEN
Location 23	Airport Park, shelter, fencing, playground equip, paving			30,225
Loction 25	Bloomington High School Tennis Courts Court, lighting, fencing, paving			198,570
Location 26	Brookridge Park, shelter, playground equipment			17,350
Location 27	Buck Mann Park, playground equipment			3,625
Location 28	Emerson Park playground equipment, paving, fencing			21,760
Location 29	Evergreen Park, playground equipment			4,500
Location 30	Ewing Park I, shelter, paving			18,150
Location 31	Bldg 01 - Restroom Building Ewing Park II Lighting, fencing, playground equip, paving	163,000		143,100
Location 32	Ewing Park III Bleachers, fitness trail			5,800
Location 33	Fell Ave Park, shelter, playground equip, paving			10,700
Location 34	Franklin Park, Lighting			18,000
Location 35	Marie Litta Park, Decorative fencing, playground equip			4,800
Location 36	R T Dunn Softball/Soccer Field Lighting, scoreboards, bleachers			127,850
Loction 37	Northpoint School Park, Shelter, fencing			12,300
Location 38	Oakland School Park, Fencing, playground equip			8,400
Location 39	Roling Brook Park, Playground equip, tennis court, shelter, fencing			134,700

ITEM	DESCRIPTION & LOCATION	BUILDING OR STRUCTURE	PERSONAL PROPERTY	PROPERTY IN THE OPEN
Location 40	Stevenson School Park, Lighting tennis courts, playground equip shelter, fencing			107,735
Location 41	Suburban East Park, Shelter, playground equipment			20,025
Location 42	Bldg 01 - Storage Building Howard & Mulberry	192,000		
	Fencing			3,450
Location 43	Sunnyside Park, Lighting, fencing shelter, bleachers, tennis courts, playground equip, paving			109,200
Location 06	Bldg 01 - Engineering & Water 401 1/2 S East St	532,000	23,475	
	Bldg 02 - Storage Shed	24,800		
	Fencing, paving			29,700
Location 07	Bldg 01 - Control Filter Building Lake Bloomingotn, Hudson, IL	5,953,000	3,613,950	
	Bldg 02 - Reservois	1,277,000		
	Bldg 03 - Reclaim Basin	356,000		
	Bldg 04 - East Cone Basin	331,200		
	Bldg 05 - West Cone Basin	331,200		
	Bldg 06 - Cone Control Bldg	115,000	153,500	
	Bldg 07 - East Settling Basin	193,000	182,000	
	Bldg 08 - East Carbonation Basin	162,000		
	Bldg 09 - West Carbonation Basin	162,000		
	Bldg 10 - Carbonation Building	24,200	10,700	
	Bldg 11 - Sludge Pit	105,100		
	Bldg 12 - Blowdown Building	17,200	13,800	
	Bldg 13 - N & S Settling Basins	475,000	144,000	
	Bldg 14 - Old Control/Filter Bldg	4,712,000	2,355,450	
	Tanks, underground piping, pumps, fencing, switchgear, antenna tower			1,717,450
Location 47	Bldg 01 - Maintenance Building Lake Bloomingtn Park	39,600	89,750	
	Bldg 02 - Davis Lodge	144,000		
	Bldg 03 - Concession Stand	17,000		
	Bldg 04 - Caretaker's Residence	43,400		
	Shelters, boat, boat dock, paving playground equipment			144,000
Location 48	Bldg 01 - Upper Boat House Lake Bloomington Marina	35,000		
	Bldg 02 - Lower Boat House	47,500		
	Bldg 03 - Chalet #1	36,400		
	Bldg 04 - Chalet #2	36,400		

ITEM	DESCRIPTION & LOCATION	BUILDING OR STRUCTURE	PERSONAL PROPERTY	PROPERTY IN THE OPEN
Location 49	Bldg 01 - New Pump Station Division St Reservoir	195,000	344,000	
	Bldg 02 - Old Pump Station	273,000	388,000	
	Bldg 03 - Operator's Office	14,300	8,300	
	Bldg 04 - Reservoir #1	2,681,000		
	Bldg 05 - Reservoir #2	1,509,000		
	Bldg 06 - Garage/Shed	15,700		
Location 50	Bldg 01 - Pumping Station Ft Jesse Reservoir	181,000	252,500	
	Bldg 02 - Reservoir Tank	410,000		
	Paving, fencing			40,500
Location 51	Bldg 01 - Elevated Water Tank S. McGregor St	735,000		
Location 52	Bldg 01 - Pumping Station Evergreen Lake	405,000	402,500	
	Fencing, paving			10,000
Location 53	Gldg 01 - Control Building, Mackinaw River Pumping Station	21,000	61,000	
	Bldg 02 - Pumping Station	90,600	179,500	
	Bldg 03 - Pumping Pool & Channel	557,000		
	Fencing, paving			46,000
Location 54	Bldg 01 - Lift Station Ireland Grove Road	122,000	31,500	
Location 55	Bldg 01 - Lift Station Beich Property	86,500	20,500	
Location 56	Bldg 01 - Lift Station Cabintown Road	81,500	16,500	
Location 57	Bldg 01 - Lift Station Ruth Road & Regency	105,000	37,000	
Location 58	Bldg 01 - Lift Station Arcadia	86,500	19,500	
Location 08	Bldg 01 - Parking Garage Market and Center Sts	6,410,000		
Location 09	Front and Madison Parking Lot, Booth, paving, gates			64,800
Location 59	Bldg 01 - Parking Garage Main Street	1,362,000		

ITEM	DESCRIPTION & LOCATION	BUILDING STRUCTURE	PERSONAL PROPERTY	PROPERTY IN THE OPEN
Location 02	Bldg 02 - Vehicle Maint Bldg 326 S. Main	313,000	69,605	
Location 01 + *	Bldg 02 - City Hall Annex J.M. Scott Health Center		12,880	
Location 60 + *	Bldg 01 - Fire Station S. Morris Ave	533,252		
	TOTAL	$44,464,127	$9,507,540	$5,629,908

TOTAL COVERAGE $59,601,575

+ * Bldg 01 - Life-Line
301 E. JACKSON

EMILY BELL
FYI
RICK BAILEY
8/31

ACCESSIBILITY SURVEYS
CITY HALL AND SCOTT ANNEX
As assessed by Roger Knoblauch, LIFE-CIL and Jim Fogle, Coalition of Citizens with Disabilities on August 3, 1994

The purpose of this document is to specify in more detail the changes that need to be addressed in order to conform to ADA standards. We will address these issues in order as they appear in the initial checklist survey adding any other findings that we came across. We will start with the City Hall first.

Initially, it was felt that there needs to be several signs for parking and accessibility purposes. It was felt that there needs to be signs on the north side of the building - Olive Street - indicating that the accessible entrance was in the rear of the building. These signs would prevent people from just dropping someone off onto the sidewalk in the front of the building. There would also need to be a sign at the entrance of the parking lot indicating that accessible parking for the Scott Annex could be found on the west side of the building on Main Street. We have enclosed a copy of a page from a catalogue from Champion America from where you can order custom signage.

The entrance door off of the parking lot at the rear of the building required 10 pounds of force to open. The ADA standard is 5 pounds. If adjusting the door closer does not correct this, you may want to consider installing an automatic door opener. There is a company out of Gridley called Tee Jay Central which deals strictly with door automation. their address is 208 East Second Street, P.O. Box 130, Gridley, Illinois 61744, phone 800/257-8963.

The International Symbol of Accessibility should be posted on those doors that are accessible and directional signage on those that are not indicating the entrances that are accessible.

There is a need for directional signage inside of the door. This signage needs to indicate the direction to all of the public offices in the building as well as to the elevator and accessible rest rooms. The signage needs to be in braille as well as highly visible. The signage should be on the wall to the left after a person enters the building, and to the left of each individual door - not on them - at a height of 54 to 60 inches above the floor. We have enclosed copies of several places from which you can order signage.

Although marked on the initial survey, Jim and I saw no mats at the entrances that would be a problem.

The fire alarms need to be visual (for people with hearing impairments) as well as audible. Again, we have enclosed a resource for the purchase of such alarms.

Inside each individual office, furnishings may need to be moved or relocated to allow 36 inch pathways.

Again, although indicated as a problem in the original survey, we did not notice a problem with the carpeting.

Light switches, fire alarms and other controls accessible to the general public should be no higher than 54 inches from the floor. Also, table tops and counter areas need to be no higher than 34 inches.

In public meeting places, space needs to be provided for wheelchair seating throughout the meeting area.

There were several problems concerning the elevator. There was no braille signage inside or outside of the elevator, there needs to be an audible signal that sounds for each floor (one tone indicates the elevator is going up, two indicates going down), and the intercom door was not easy to open for someone with limited use of their hands. However, again differing from the original survey, the intercom was usable without the need of verbal communication and there was raised numbering on the door jams at each floor (although there was no braille there).

On those doors where there are knobs, they should be retrofitted or replaced with lever type handles.

Where the rest rooms are concerned, the doors were too heavy, the lavatory rim was 36 inches high and should be no more than 34, the hand drier was 52 inches high and should be no more than 48, and the mirror was 50 inches and should be no more than 40 inches off the floor (or tilted).

All drinking fountain spouts were 42 inches high and should be no more than 36 inches, however the controls were operable with a closed fist. The telephone in the police department was 63 inches high (the highest operable part) and should be no more than 48 for a front approach or 54 for a side approach. The phone was also not hearing aid compatible and there was no volume control (the phone company can install this). There also needs to be signage indicating the location of the TDD for people with hearing or speech impairments.

At the Scott Health Annex, the parking spaces on Main Street need to be widened so that a person is not getting out of their vehicle right into the flow of traffic.

Although we saw no problems with the curb cut, in order to keep a pathway of at least 36 inches, the bushes along the sidewalk need to be kept trimmed back.

The door at the entrance required 14 pounds of pressure to open and the threshold was too high. The threshold needs to be beveled up to 1/2 inch or reduced to 1/4 inch or less. We did not notice any door mats to be a problem.

The fire alarms appeared to be fine in the Annex.

Again braille signage is needed - both directional and at the individual offices as well as for the rest rooms. The vending machines at the entrance also needed some braille directions.

Again the furniture in some of the offices needs to be rearranged to create a 36 inch pathway.

Although the doorways were wide enough, they were too heavy (too much force required to open them).

Some of the vending machine controls were too high - should be no more than 54 inches for a side reach or 48 inches for a front reach. Counter tops in the offices were too high - should be between 28 and 34 inches.

There were a number of problems with the rest rooms. There was a door knob (should be a lever), the stall was only 39 inches wide (should be 60 x 60 inches), the toilet paper was above the grab bar instead of below and there was no grab bar behind the toilet, the sink was a little too high (35 inches - should be no more than 34), the soap dispensers and hand dryers were too high (should be no higher than 48 inches and usable with one closed fist), the mirror was too high (should be no more than 40 inches or tilted), and the light switch was too high (should be no more than 48 inches high).

These were the results that we found. We have attached additional information and resources. If you have any questions or concerns, please feel free to contact Roger at LIFE-CIL, 309/663-5433.

Roger Knoblauch

James D. Fogle

INTER-OFFICE MEMO
CITY OF BLOOMINGTON

, Rick Bailey, Personnel Director 7/21 19 92
m: Jerry Armstrong, Parks & Recreation
bject: Improvements at White Oak Park

Accessibility improvements that were made at hite Oak Park this year are as follows:

1. Sidewalk to both shelters.
2. Sidewalk to playground.
3. Ramp to fishing pier.
4. Sidewalk along Cottage Av. to provide access to the park.

WRITE IT—DON'T SAY IT

TO: Gary Stewart

FROM: Jerry Armstrong, Parks & Recreation

SUBJ: Curb Cuts, Handicapped Ramps, and Sidewalks

DATE: September 8, 1987

The various parks which need curb cuts, ramps, and sidewalks are as follows:

1. Miller Park - Two curb cuts and sidewalk to connect train monument with main walk through park.

2. Sunnyside - One curb cut by playground.

3. O'Neil Park - Five curb cuts; swimming pool, tennis courts, and three across from Sheridan School.

4. Evergreen - Four curb cuts, two at Western and Forrest and two at Forrest and Morris.

5. Fell - Two curb cuts at corner of Fell and University, also sidewalk basketball court.

6. Suburban East - Six curb cuts and sidewalk through park. I would like to connect the basketball court, shelter, and two perimeter sidewalks with this walk.

7. Stevenson Park/School - Curb cut and sidewalk to tennis courts. Curb cut & sidewalk to shelter behind school.

8. Emerson Playground - Four curb cuts; two on corner of Clinton and Wood and two on corner of Clinton and Bell.

9. Buck Mann - One curb cut and walk to basketball court.

As we are limited to $15,000 I would appreciate it if you would figure these and let me know so I can figure how much additional sidewalk we can install. Please figure sidewalks at five feet. I'd be happy to look at these with you if you wish.

JA:dp

	Initials	Date
Prepared by		
Approved by		

	Initials	Date
Prepared by		
Approved by		

	11	12	13	4	5	6	7	8	9	10	11	12	13
	evators	Switches & Controls	Lighting	ID	Warning Signals	Hazards	Picnic Areas	Trails	Pools & Beach	Play Areas	Game Areas	Boat Docks	Fishing Facilities
1													
2													
3								OK					
4													
5								✓					
6		✓	✓										
7													
8								✓					
9								✓					
10													
11								✓					
12								✓					
13								✓					
14								✓				✓	
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28													
29													
30													

	1 Walks	2 Parking Lots	3 Ramps	4 Entrances	5 Floors	6 Doors & Doorways	7 Stairs	8 Water Fountains	9 Toilet Rooms	10 Public Telephone
Miller Beach	✓							✓	✓	
Pavilion								✓	✓	✓
Zoo	✓			✓				✓		
Theater, Restrooms, & Train	✓	✓		✓				✓	✓	
Forest Park	✓	✓							✓	
Highland Park		✓	✓						✓	
Holiday Pool										
Buck Mann	✓									
Sunnyside	✓	✓						✓		
O'Neil Pool	✓	✓						✓	✓	✓
O'Neil Park	✓	✓						✓	✓	
Evergreen Park	✓							✓		
Franklin Park								✓		
Fell Park	✓							✓		
Ewing I	✓	✓								
Ewing II	✓	✓						✓	✓	
Suburban East	✓							✓		
Stevenson Park	✓							✓		
Airport Park		✓						✓		
Emerson Playground	✓									
Rollingbrook Park	✓	✓						✓		
		10						15		

F. • G7113C GREEN

M E M O R A N D U M

EMILY
FYI
RICK
1-7-94

To: Rick Bailey

From: Richard I. Paulson

Subject: ADA Building Modifications

Date: 1/7/94

Listed below are the ADA Building Modifications required:

1. Widen North door of building.
2. Add power assist to North door.
3. Remove or replace floor mats.
4. Secure floor mats at edges.
5. Install visible and audible emergency egress alarms.
6. Lower counters to 28-34 inches high.
7. Provide hearing aid compatible phone.
8. Provide volume control phone.
9. Provide a text phone.
10. Provide a portable text phone.

Items 1, 2, 3, 4, 5 and 6 are primarily because the Credit Union is located in the Public Service Building. I believe the simplest solution for these expensive items is to have the Credit Union move out. The remaining items 7, 8, 9 and 10 should be answered for all City Facilities.

As of 2/1/95

Physical Accessibility Modifications
Structural Modifications Still Needed for ADA Compliance

Requirement	Needs to be done for:
Priority 1 - Accessible Entrance	
Parking and drop off areas	
--Reconfigure a reasonable number of disabled parking spaces by repainting stripes.	Fire Dept. Headquarters
--Reconfigure parking spaces to provide a reasonable number of van-accessible spaces with 98 in. of vertical clearance.	Annex, Fire Dept. HQ
--Reconfigure parking spaces so that accessible spaces are closest to accessible entrance.	Fire Dept. HQ
--Add signs designating accessible spaces with the International Symbol of Accessibility or Van Accessiblity.	Fire Dept. HQ
--Implement policy to check for violators using disabled spaces and report them to proper authorities.	Public Service
Entrance	
--Install signs at or before inaccessible entrances.	Fire Dept. HQ
--Add power-assisted or automatic door opener.	Public Service
--Remove or add bevel to threshold that too high (more than one-half inch high).	Annex, Zoo
--Secure doormats at edges.	Fire Depts.
--Adjust entrance door closer and oil hinges so door can be opened with 5 lb. maximum force.	Annex, City Hall
Emergency Egress	
--Install visible and audible alarms.	City Hall, Fire Dept. HQ, Fire Depts., Public Service, Zoo
Priority 2 -- Access to Goods & Services	
Doors	
--Widen doors into public spaces to have at least a 32 in. clear opening.	Annex, Eng. & Water, Zoo
--Install lighter interior doors that can be opened with 5 lb. maximum force.	Zoo
Rooms and Spaces	
--Where needed for entrance/program accessibility, provide signage that has raised and brailled letters, and is mounted at correct height and location.	Fire Dept. HQ, Fire Depts., Public Service, Eng. & Water
Controls (Vending machines, etc.)	
--Relocate controls to an accessible height.	Annex

Requirement	Needs to be done for:
Controls (Vending machines, etc.) (cont.)	
--Replace controls with those operable by a closed fist.	Annex, City Hall, Eng. & Water
Seats, Tables, & Counters	
--Lower at least a section of high counters or tables to 28 - 34 in. high.	Annex, City Hall, Public Service
Vertical Circulation	
--Install ramps or lifts to all levels.	Fire Dept. HQ
Stairs	
--Add non-slip surface to treads on stairs.	Fire Dept. HQ, Zoo
--Add or replace handrails with continuous rails on both sides and extensions beyond the top and bottom stairs (if possible within existing floor plan).	Zoo

Priority 3 -- Usability of Restrooms

Getting to Restrooms	
--Reconfigure restrooms so that at least one is fully accessible.	Fire Dept. HQ, Public Service
Doorways and Passages	
--Install offset hinges on restroom door so that doorway has at least 32 in. clearance.	City Hall
--Widen restroom doorway so it has at least 32 in. clearance.	Fire Dept. HQ, Public Service
--Replace knobs or latches on restroom doors with lever or loop handles.	Annex, Eng. & Water, F.D.HQ, Public Service
--Install lighter restroom doors that can be opened with 5 lbs. maximum force.	City Hall
Restroom Stalls	
--Replace inaccessible knobs or stall doors with lever or loop handles.	Fire Depts.
--Add grab bars behind and on side wall nearest the toilet.	Eng. & Water
Lavatories	
--Adjust or replace lavatory so that rim is no higher than 34 in.	City Hall, Fire Dept. HQ
--Adjust or replace lavatory so that there is at least 29 in. from the floor to the bottom of the lavatory apron (excluding pipes).	Fire Dept. HQ

Requirement	Needs to be done for:
Lavatories (cont.)	
--Replace faucet handles with paddle type.	Eng. & Water, Fire Dept. HQ
--Lower dispensers, hand dryers, etc. to 48 in. high or less.	Annex, City Hall, Fire Dept. HQ, Fire Depts., Public Service, Eng. & Water
--Lower or tilt down mirror so that bottom edge reflecting surface is 40 in. high or less.	City Hall, Eng. & Water, Fire Dept. HQ, Fire Depts., Public Service

Priority 4 -- Additional Access

Drinking Fountains	
--Provide cup dispensers for fountains with spouts that are too high.	City Hall, Fire Dept. HQ
--Provide accessible water cooler.	City Hall
--Replace fountain controls with those mounted on the front edge and operable with one closed fist.	City Hall
Telephones	
--Lower phone so that highest operable part is no higher than 48 in. (up to 54 in. if a side approach is possible).	City Hall
--Contact phone company to add induction coil to make phone hearing-aid compatible.	City Hall, Eng. & Water, Fire Dept. HQ, Fire Depts., Public Service
--Contact phone company to add volume control.	City Hall, Eng. & Water, Fire Dept. HQ, Fire Depts. Public Service
--Have a portable text telephone available.	Eng. & Water, Fire Depts., Fire Dept. HQ, Public Service, Zoo

Physical Accessibility Assessment

as of February 17, 1995

City Hall

Area	Problem	Date to be corrected	Cost
Priority 1			
Entrance accessiblity			
A. Entrance door	Needs to be ≤ 5lbs. or automatic		$5000
B. Door handles	Need lever handles		$100/ea.
Priority 2			
Restrooms			
A. Entry door	Needs to be ≤ 5lbs.		$1200
B. Lavatory rim	Needs to be ≤ 34 in. high		$200/ea.
C. Hand dryers	Need to be ≤ 48 in. high		$100
D. Mirror	Needs to be ≤ 40 in. high		$100
Priority3			
Signage	Need consistent Braille signage denoting accessibility	ORDERED	$1478
Priority 4			
Elevator			
A. Signage	Need Braille signage inside & outside		
B. Signals	Need audible signal for outside floor positions		$500
C. Door	Need intercom door/Adjust to open		$25
D. Door	Need lever handles on intercom door		
Other Priorities			
A. Fire alarms	Need visual strobes		$165
B. Fire alarms	Need to be ≤ 54 in. high		$104
C. Light switches	Need to be ≤ 54 in. high		$100
D. Offices	Need 36 in. paths		
E. Other controls	Need to be ≤ 54 in. high		$200
F. Tabletops/ counters	Need to be ≤ 34 in. high		$3000
G. Wheelchair seating	Needs to be scattered		$100
H. Water fountains	Spouts need to be ≤ 36 in.		$100

Area	Problem	Date to be corrected	Cost
City Hall -- Other Priorities (cont.)			
I. Public phone	Lowest part needs to be ≤ 48 in. (or 54 in. if side approach is possible)		
J. Public phone	Needs to be made hearing aid compatible & needs volume control		
K. TTD sign	Needs to be installed specifying TDD location		
	City Hall Total Cost: at least. $12,472 for costs listed		

City Hall Annex

Area	Problem	Date to be corrected	Cost
Priority 1			
Entrance Accessiblity			
A. Entrance door	Needs to be ≤ 5 lbs.		
B. Entrance door	Threshhold needs to be beveled or reduced to ≤ one-half in. high		
Priority 2			
Restrooms			
A. Doors	Need lever handles		
B. Stalls	Need to be 60 in. by 60 in.		
C. Toilet paper	Needs to be placed below grab bar		
D. Grab bar	Need one on back side of toilet		
E. Sink	Need to be ≤ 34 in. high		
F. Soap dispenser	Needs to be ≤ 48 in. high		
G. Hand dryers	Need to be ≤ 48 in. high		
H. Hand dryers	Need to be operable with a closed fist		
I. Mirror	Needs to be ≤ 40 in.high		
J. Light switches	Need to be ≤ 48 in. high		
Priority 5			
West Parking	Spaces need to widened for van clearance		

Area	Problem	Date to be corrected	Cost
City Hall Annex (cont.)			
Other Priorities			
A. Sidewalk	Need to trim bushes		
B. Vending machines	Need Braille directions		
C. Vending machines	Controls need to be $\leq$ 54 in. high		
D. Pathways	Need to be $\leq$ 36 in. wide		
E. Counter tops	Need to be $\leq$ 34 in. high		
F. Railings	Need inside to door on slope		

Refer to "Physical Evaluations" in the ADA Resource File for the checklists that were completed for each division.

CITY OF BLOOMINGTON
ENGINEERING DEPARTMENT

12/08/93

INTERSECTION RAMP SUMMARY

CODE	NORTH CROSSWALK			EAST CROSSWALK			SOUTH CROSSWALK			WEST CROSSWALK				% OF	
#	NW	NM	NE	EN	EM	ES	SE	SM	SW	WS	WM	WN	TOTAL	TOTAL	
1	51	1	48	32	0	32	39	1	33	40	0	36	313	4.73%	MEETS CURRENT STANDARDS
2	152	1	120	73	1	102	93	1	104	99	1	75	822	12.42%	NON-STANDARD RAMP
3	475	5	485	436	3	389	399	4	392	398	2	459	3447	52.08%	COULD BUILD RAMP
4	23	0	39	47	0	41	30	0	31	27	0	27	265	4.00%	CAN'T BUILD RAMP
5	260	4	263	192	0	201	189	4	189	202	0	163	1667	25.19%	NO SIDEWALK
6	11	0	14	14	0	12	10	0	14	4	1	25	105	1.59%	COMMON RAMPS
												TOTALS	6619	100.00%	

NOTE: This summary does not include state routes maintained by IDOT.

MAR 07 1995

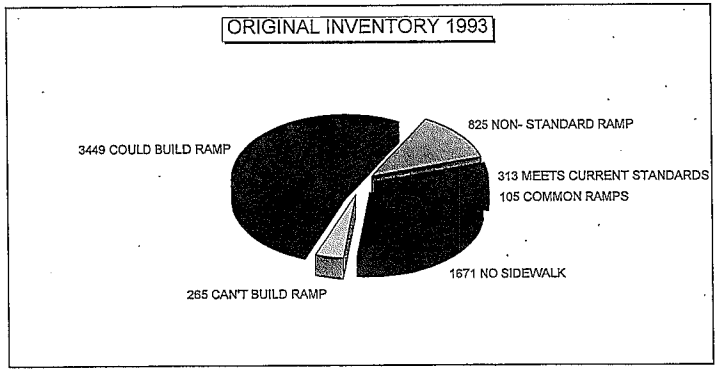
CITY OF BLOOMINGTON
ENGINEERING DEPARTMENT

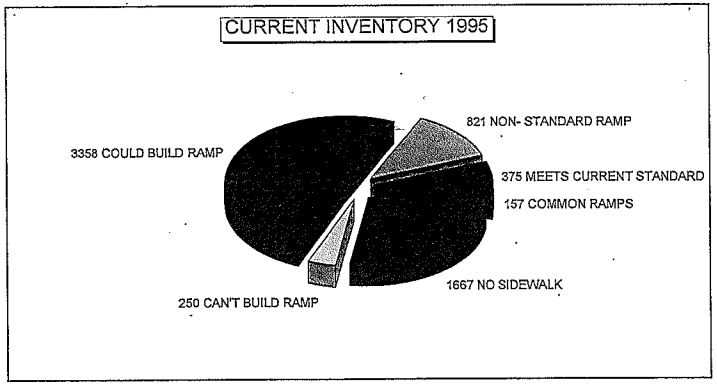
02/28/95

INTERSECTION RAMP SUMMARY

NOTE: This summary does not include state routes maintained by IDOT.

CROSS WALK	RAMP OR SIDEWALK LOCATION	ORIGINAL 1993 INVENTORY OR CURRENT	MEETS CURRENT STANDARDS	NON-STANDARD RAMP	COULD BUILD RAMP	CAN'T BUILD RAMP	NO SIDEWALK	COMMON RAMPS	
NORTH	WEST SIDE	NW ORIGINAL	51	152	476	23	260	11	
		NW CURRENT	59	151	463	21	260	19	
	MEDIAN	NM ORIGINAL	1	1	5	0	4	0	
		NM CURRENT	1	1	5	0	4	0	
	EAST SIDE	NE ORIGINAL	48	121	485	39	263	14	
		NE CURRENT	54	121	472	38	262	23	
EAST	NORTH SIDE	EN ORIGNAL	32	73	436	47	193	14	
		EN CURRENT	38	72	426	45	191	23	
	MEDIAN	EM ORIGINAL	0	1	3	0	0	0	
		EM CURRENT	0	1	3	0	0	0	
	SOUTH SIDE	ES ORIGINAL	32	103	389	41	204	12	
		ES CURRENT	39	103	382	37	203	17	
SOUTH	EAST SIDE	SE ORIGINAL	39	93	399	30	189	10	
		SE CURRENT	46	92	389	28	189	16	
	MEDIAN	SM ORIGINAL	1	1	4	0	4	0	
		SM CURRENT	1	1	4	0	4	0	
	WEST SIDE	SW ORIGINAL	33	104	392	31	189	14	
		SW CURRENT	43	104	379	30	189	18	
WEST	SOUTH SIDE	WS ORIGINAL	40	100	398	27	203	4	
		WS CURRENT	50	100	386	26	203	7	
	MEDIAN	WM ORIGINAL	0	1	2	0	0	1	
		WM CURRENT	0	1	2	0	0	1	
	NORTH SIDE	WN ORIGINAL	36	75	460	27	162	25	TOTAL
		WN CURRENT	44	74	447	25	162	33	
		ORIGINAL TOTAL	**313**	**825**	**3449**	**265**	**1671**	**105**	6628
		PERCENT OF ORIGINAL TOTAL	4.7%	12.4%	52.0%	4.0%	25.2%	1.6%	
		CURRENT TOTAL	**375**	**821**	**3358**	**250**	**1667**	**157**	6628
		PERCENT OF CURRENT TOTAL	5.7%	12.4%	50.7%	3.8%	25.2%	2.4%	





WORK ORDER

LOCATION

STREET/INTERSECTION: MAIN ST @: CT/N:

BETWEEN

FIRST CROSS-STREET: OAKLAND AVE CT/N: 1057000
SECOND CROSS-STREET: OLIVE ST CT/N: 1600074

MAR 27 1995

SUBJECT: EDGE LINE PAINTING

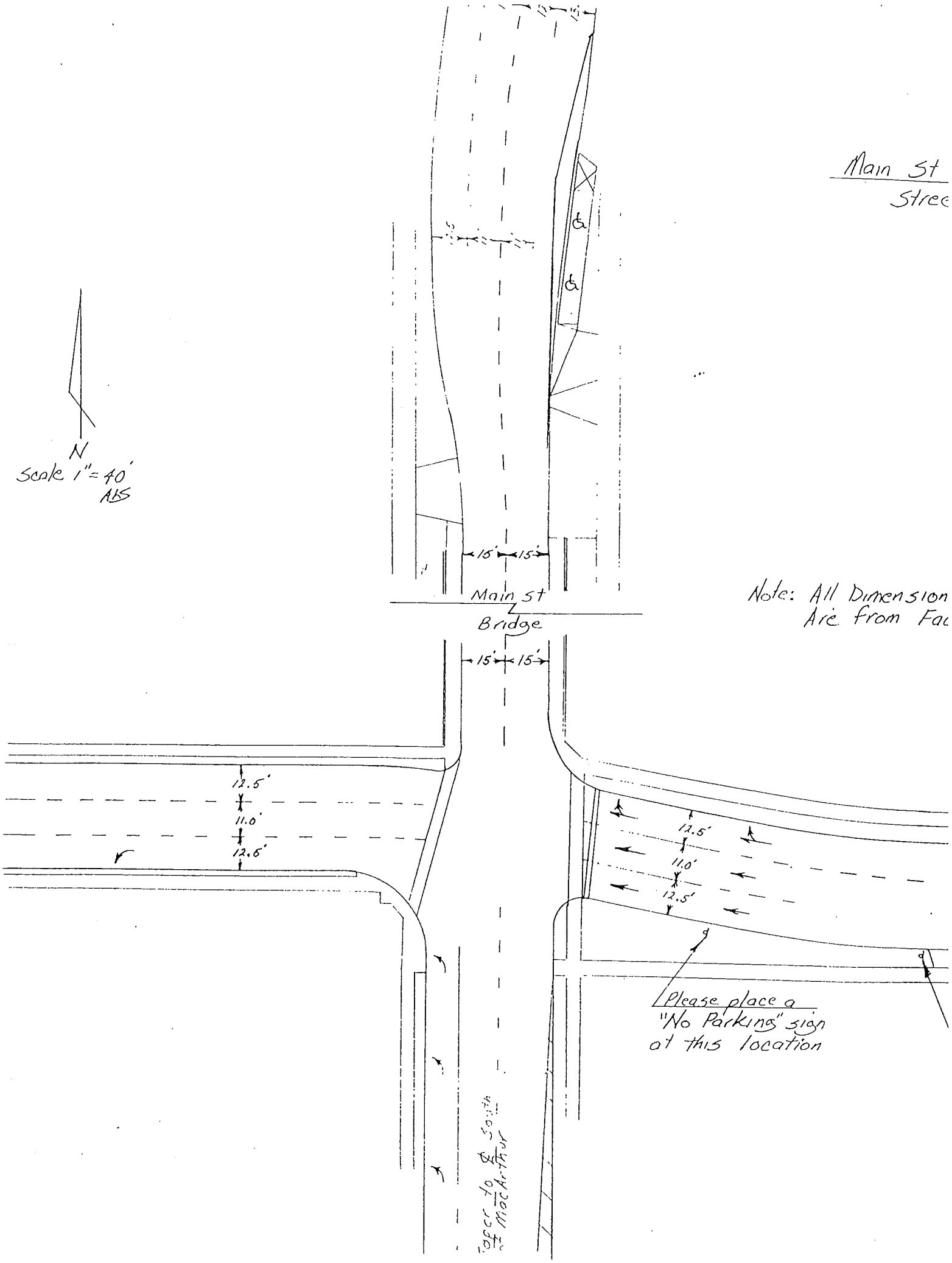
DO NOT COMPLETE WORK BEFORE:

DESCRIPTION OF WORK: PLEASE PAINT AN EDGE LINE ON THE EAST SIDE OF MAIN ST. FROM THE NORTH END OF THE BRIDGE TO THE BEGINNING OF THE RIGHT TURN LANE FOR THE NORTHBOUND RIGHT TURN AT OLIVE ST. THIS EDGE LINE SHOULD BE AN EXTENSION OF THE EAST FACE OF CURB LINE OF THE BRIDGE AND SHOULD EXTEND NORTH TO A POINT NORTH OF THE NORTH END OF THE TWO HANDICAP PARKING SPACES LOCATED ON THE EAST SIDE OF MAIN ST. ADJACENT TO THE SCOTT HEALTH RESOURCE CENTER. FROM THIS POINT THE EDGE LINE SHOULD TAPER AT A TAPER RATE OF 10:1 TO THE EAST EDGE OF PAVEMENT ON MAIN ST. THIS MARKING WORK IS SHOWN ON THE ATTACHED DRAWING.

COMPLETED BY: DATE:

COPIES TO

DIRECTOR OF PUBLIC SERVICE: X
POLICE DEPT. TRAFFIC DIV.:
ENGINEERING - TRAFFIC: X
SUPT. OF STREETS & SEWERS: X
FINANCE - PARKING:
OTHER: PACE - HEPPERLY - X
CRON: X


Main St
Stree
N
Scale 1" = 40'
ABS
15'
15'
Main St
Bridge
15'
15'
Note: All Dimension
Are from Fa
12.5'
11.0'
12.5'
12.5'
11.0'
12.5'
Please place a
"No Parking" sign
at this location
Lower to South
of MacArthur

Project Outline City of Bloomington

Americans With Disabilities Act

I. Review Forms, Policies, Procedures

II. Job descriptions (base)

III. Committee

IV. Audit Internal/External

V. Training

VI. Plan document

¶872 Transition Plan

If structural changes are required to provide program accessibility (see ¶830), the Department of Justice regulations require certain public entities to develop a "transition plan." Only public entities that employ 50 or more people are required to develop a transition plan, which outlines the steps and schedule for making facilities accessible to disabled individuals. The deadline for completing a transition plan is July 26, 1992.

Person responsible for overseeing action:

Projected date to initiate action:

Projected date to complete action:

Projected cost to complete project:

[The next page is Tab 800, Page 211.]

Bloomington Parks and Recreation Department

Memo

To: Rick Bailey, Assistant City Manager

From: Jerry Armstrong

Date: January 16, 1996

Subject: ADA Material

The attached is our list of ADA priorities as well as where curb cuts, playground surfacing, accessible fountains, etc. have to be installed. We also have a separate listing of what needs to be accomplished in each park if you need that type of detail.

ADA-Priorities

Location									
	Fountains	Misc.	Parking	Play Equip	Play Surf	Restrooms	Seating	Sidewalks	C. Cuts
Atwood									
Airport				$4,000-3	$4,500-2			$4,125-1	
Angler's									
Beich Soccer									
BHS Tennis Cts	$2,500-3							$2,820-3	$500-3
Brookridge				$2,500-3	$4,500-3			$1,050-1	
Buck-Mann				$2,000-3	$2,160-2			$1,350-1	
Clearwater									
Constitution Tr									
Eagle Crest									
Emerson					$2,200-1				
Evergreen					$2,500-1			$600-1	
Ewing I				$2,000-3	$4,500-2		$400-3	$2,550-1	
Ewing II					$2,200-2		$600-3	$900-1	
Ewing III								$450-1	$1,000-1
Fell Ave				$10,000-3	$2,500--3			$3,000-1	
Forrest				$3,000-3	$4,500-2	$3,000-1		$5,850-1	
Franklin					$2,200-3			$1,050-1	$2,000-1
Front St Park									
Highland GC									
Holiday					$4,500-3		$600-3	$3,675-1	$1,000-1
PJ Irvin					$2,200-2				
Lincoln Leisure									
Marie Litta				$2,500-3	$2,200-2			$1,800-1	
Miller Park	$1,500-1			$2,000-2	$9,000-1			$8,500-1	$2,000-1
Miller Pavilion	$1,000-1	$6,000-1				$19,000-1			
MIller Zoo		$10,000-2				$500-1		$500-3	
Northpoint				$2,500-3	$2,200-2		$400-3	$2,700-1	
Oakland School									
O'Neil Pool	$1,600-1	$100-1			$5,000-2	$7,500-1		$750-2	$2,500-1
Pepper Ridge									
Prairie Vista									
Rollingbrook								$1,650-1	
R T Dunn								$750-1	
Stevenson					$2.200-3		$600-1	$3,150-1	$1,000-1
Suburban East							$400-1	$450-1	
Sunnyside									
White Oak					$2.200-3				
Withers								$810-1	
TOTALS	$6,600	$16,100		$30,500	$61,260	$30,000	$3,000	$48,480	$10,000

ADA Worksheet

Water Fountains

Park	Description	Amount	Priority
O'Neil Pool	Install wall mount (Ordered)	$800	
O'Neil Softball	Install wall mount (Ordered)	800	
Pavilion	Replace unit on main level	1,000	
Miller Park	Replace fountain by Mini Golf	1,500	
B.H.S. Tennis	Replace fountain by courts	2,500	
	TOTAL	$6,600	

ADA Worksheet

Benches

Park	Description	Amount	Priority
Ewing I	Move existing benches into playground area-Add 2 by walk	$400	
Ewing II	Install two benches along sidewalk to shelter and two in playground	600	
Stevenson	Install two in playground area and make one by tennis counts accessible	600	
Holiday	Add 3 along walkways	600	
Northpoint	Add 2 along walkways	400	
Rollingbrook	Add 2 along walkways	400	
Suburban East	Add 2 along walkways	400	
	TOTAL	$3,400	

ADA Worksheet

Curb Cuts

Park	Description	Amount	Priority
B.H.S. Tennis Cts.	Install cut off Locust St.	$500	
Brookridge	Install off Barley Cr. by easement	500	
Ewing III	Two cuts on Jersey Av.	1,000	
Franklin Park	Install one cut at SW corner and replace SE corner-too steep		
	Install 2 in middle of park	2,000	
Holiday Park	Install two off Croxton Av.	1,000	
Miller Park	Four-playground to bandstand, Pavilion walk to cat house, play-ground to zoo walk, and bus stop at Wood St.	2,000	
O'Neil Pool	2 at Pool	1,000	
O'Neil Park	Install 3 across from Sheridan School on Hinshaw St.	1,500	
Stevenson	Install 2 at Hershey & Arrowhead	1,000	
	TOTAL	$10,500	

ADA Worksheet

Miscellaneous

Park	Description	Amount	Priority
Miller Park Pavilion	Door to east porch	$6,000	
Miller Park Zoo	Install automatic doors	10,000	
O'Neil Pool	Change door handle	100	
	TOTAL	$16,100	

ADA Worksheet

Playground Surfacing

Park	Description	Amount	Priority
Airport		$4,500	
Brookridge		4,500	
Buck Mann		2,160	
Emerson		2,200	
Evergreen		2,500	
Ewing I		4,500	
Ewing II		2,200	
Fell		2,500	
Forest		4,500	
Franklin		2,200	
Irvin, P.J.		2,200	
Holiday		4,500	
Marie Litta		2,200	
Miller		9,000	
Northpoint		2,200	
O'Neil		5,000	
Stevenson		2,200	
White Oak		2,200	
	TOTAL	$61,260	

ADA Worksheet

Parking

Park	Description	Amount	Priority
B.H.S. Tennis	Create one space	$30	
Dunn, R.T.	Designate 3 spaces	90	
Ewing I	One space in SW corner of lot	30	
Ewing II	Designate 4 spaces	120	
Holiday	Properly mark spaces that are currently there	60	
Northpoint	2 spaces	60	
O'Neil	Designate 7 spaces	210	
Rollingbrook	2 spaces	60	

ADA Worksheet

Playgrounds

Park	Description	Amount	Priority
Airport	Replace arch swing, whirl, and adapt 3 spring animals. Move baby swings and remove 1 swing.	$4,000	
Brookridge	Install transfer station	2,500	
Buck Mann	Install transfer station	2,000	
Ewing I	Remove whirl, modify 3 spring animals, and take swings off modular units. Add transfer station	2,000	
Fell	Remove whirl and replace wood modular unit	10,000	
Forrest	Install transfer station and check whirl, spring animals, etc.	3,000	
Holiday	Install transfer station and maybe add a couple pieces to this park	5,000	
Marie Litta	Add transfer station	2,500	
Miller	Install transfer station on tot unit	2,000	
Northpoint	Add transfer station	2,500	
	TOTAL	$35,500	

ADA Worksheet

Restrooms

Park	Description	Amount	Priority
Ewing I	Recommend removing the restroom and bringing in a porta-potty		
Forrest	Entrances & handrails	$3,000	
Miller	Bandstand	2,500	
Miller Park Pavilion	Main level (M)	1,500	
	Main level (W)	10,000	
	Upper level	5,000	
	Lower level (M)	500	
	Lower level (W)	2,000	
Miller Park Zoo	Lower urinal in men's	500	
O'Neil Pool	Both sides	7,500	
	TOTAL	$32,000	

ADA Worksheet

Shelters

Park	Description	Amount	Priority
Airport	Add accessible tables and one grill adjacent to slab	$150	
Brookridge	Install grill adjacent to slab	150	
Ewing I	Add grill	150	
Ewing II	Add grill	150	
Fell	Add grill & tables	450	
Forrest	Add grills at each shelter (5)	750	
Holiday	Add grills at each shelter (2)	300	
Northpoint	Add grills at each shelter (2)	300	
O'Neil	Add grill	150	
P.J. Irvin	Add grill	150	
Pepperidge	Add tables and grill	150	
Rollingbrook	Add grill	150	
Stevenson	Add grill	150	
Suburban East	Add grill	150	
White Oak	Add grills at each shelter (2)	300	
	TOTAL	$3,600	

ADA Worksheet

Sidewalks

Park	Description	Amount	Priority
Airport	Walk to ballfield, playground, and between court & shelter-1375 sq. ft.	$4,125	
B.H.S. Tennis	Walks to connect courts and fountain to main walk-940 sq. ft.	2,820	
Brookridge	Connect fountain and court to main walk-350 sq. ft.	1,050	
Buck Mann	Walk to playground-450 sq. ft.	1,350	
Dunn, R.T.	Walk to fountain-250 sq. ft.	750	
Evergreen	Walk to fountain-200 sq. ft.	600	
Ewing I	Walk to playground and pad for porta-potti-850 sq. ft.	2,550	
Ewing II	Walk to fountain-	900	
Ewing III	From curb cut to sidewalk	450	
Fell	Walk to fountain and playground-1,000 sq. ft.	3,000	
Forrest	1,950 sq. ft. of sidewalk	5,850	
Franklin	Picnic table pads-350 sq. ft.	1,050	
Holiday	1,225 sq. ft. of sidewalk	3,675	
Marie Litta	600 sq. ft. of sidewalk	1,800	
Miller	1,500 sq. ft.-Ramp to east porch & access to east ballfield, theater	8,500	
Miller Park Zoo	Ramp to NW door	500	
Northpoint	Walk from playground to shelter-875 sq. ft.	2,700	
O'Neil	Walk to playground-250 sq. ft.	750	
Pepperidge	Walk to playground-240 sq. ft.	720	
P.J. Irvin	750 sq. ft. of sidewalk	3,750	
Rollingbrook	Walk to playground and ballfield-550 sq. ft.	1,650	
Stevenson	1,050 sq. ft. of sidewalk	3,150	
Suburban East	Walk to playground-150 sq. ft.	450	
White Oak	Walk to fountain & fountain-375 sq. ft.	1,125	
Withers	Picnic table pad-270 sq. ft.	810	
	TOTAL	$54,075	

TO ENG.
6-9-92

TO: Todd Greenburg

FROM: Beth Eckhoff

DATE: April 29, 1992

RE: ADA Regulations Regarding Curb Cuts

Below is the information available on the ADA Redulations regarding changes to existing facilities. According to the ADA Compliance Guide (Volume II), Appendix III, Section 35.150 (pg. 178):

(b) Methods - (1) General. A public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section.

(c) Time period for compliance.
Where structural changes in facilities are undertaken to comply with the obligations established under this section, such changes shall be made within three years of January 26, 1992, but in any event as expeditiously as possible.

(d)(2) Transition Plan
If a public entity has responsibility or authority over streets, roads, or walkways, its transtion plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including state and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

(d)(3) The plan shall, at a minimum

1. Identify physical obstacles ...
2. Describe in detail the methods that will be used to make them accessible;
3. Specify the schedule for taking the steps...;
4. Indicate the official responsible for implementation.

All of this refers back to Timetable and Transition Plan for Structural Changes and Curb ramps must be installed, found in ADA Compliance Guied (Volume I), para. 835.

6-P

FOR COUNCIL: July 27, 1992

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Resolution Approving the Americans With Disabilities Act (ADA) Transition Plan for the City of Bloomington

The Americans With Disabilities Act was signed by President Bush on July 26, 1990. It is the first comprehensive federal civil rights statute to cover disabled people; the 1973 Rehabilitation Act prohibited the federal government, its grantees and contractors from discriminating on the basis of disability. To be considered "disabled" under the ADA, a person must have a condition that impairs a major life activity or have a history of such a condition, or be regarded as having such a condition.

Title I of the ADA prohibits employers (including city governments) from discriminating against qualified job applicants and workers who are or become disabled. Employers must provide reasonable accommodations which permit disabled workers to be employed, unless it would impose an undue hardship on the employer. Title II of the ADA prohibits state and local governments from discriminating against disabled people in their programs and activities. The transition plan before you tonight is one of the steps which must be followed by local governments in order to comply with the ADA.

The City of Bloomington already has a record of several years of efforts of evaluating its programs to determine its compliance with Section 504 of the 1973 Rehabilitation Act.

In 1978, the Police Department acquired what was then called a Teletypewriter (TTY) to enable deaf and hearing impaired individuals access to that department. In 1982, a TTY unit was installed in the Human Relations Department of City Hall. That same year, the City Council voted to install an elevator in City Hall to promote accessibility of the entire building from then-current parking areas.

Since 1973, the City has included the SOAR (Special Olympics and Recreation) Program as part of the Parks & Recreation Department as a community therapy recreation program for individuals with special needs.

In 1979, 1982 and 1984, the City conducted a self-evaluation of current policies and practices to determine its compliance with Section 504 of the Rehabilitation Act.

In October, 1986, the City amended the Land Subdivision Code to require construction of wheel chair ramps at all crosswalks in all new subdivisions and planned unit developments in the City.

Title II of the ADA prohibits public entities from denying qualified individuals with disabilities participation in or the benefits of a program or activity it offers because its facilities are inaccessible. If a public entity offers activities or services in an existing facility, it must insure "program accessibility". This means that, when viewed in its entirety, each service, program and activity is readily accessible to and usable by disabled people. In other words, it is the City's programs, not its buildings, which must be accessible. If accessibility can be insured through alternative means, such as providing auxiliary aids, relocating programs, or making home visits,

RESOLUTION NO. 1992-

A RESOLUTION ADOPTING A TRANSITION PLAN PURSUANT TO THE AMERICANS WITH DISABILITIES ACT

WHEREAS, the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12101, et seq.) requires public entities to adopt a transition plan which identifies physical obstacles in a public entity's facilities which limit the accessibility of its programs or activities to individuals with disabilities, describing in detail the methods which will be used to make the facilities accessible, specifying a schedule for such steps, and indicating the official responsible for implementation of the plan; and

WHEREAS, a transition plan required under the ADA must address only those policies and practices which were not included in transition plans required under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 791, et seq.); and

WHEREAS, the City has previously conducted transition plans under Section 504 of the Rehabilitation Act of 1973, with the exception that the City has not adopted a transition plan setting forth the means whereby it shall provide curb ramps on curbs under the responsibility or authority of the City of Bloomington; and

WHEREAS, the transition plan which is attached to this Resolution and incorporated as "Exhibit A" sets forth a schedule for providing curb ramps in existing curbs as required by the ADA,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bloomington, McLean County, Illinois:

That the ADA transition plan which is attached hereto and incorporated as "Exhibit A" is hereby adopted by the City of Bloomington.

ADOPTED this 27th day of July, 1992.

APPROVED this _____ day of July, 1992.

APPROVED:

JESSE R. SMART
Mayor

ATTEST:

EARLENE M. NELSON
City Clerk

Auxiliary Aids Summary

Most of the material in this section involves resources available to aid the City in providing information to disabled individuals. Further auxiliary aid information can be found in the ADA Auxiliary Aid File.

¶870 Practical Aids

The materials in this section are designed to help readers of the *ADA Compliance Guide* in their ADA compliance efforts. The forms, checklists and other materials that will be sent periodically are intended to be hands-on tools that state and local governments can use to put the legal language and requirements of the ADA into practice in their operations.

Subscribers to the *ADA Compliance Guide* may make copies of the materials in this section for use in evaluating their own agencies or departments.

[The next page is Tab 800, Page 187.]

In the event that it becomes necessary to communicate with persons having a disability or other language skills, the following list has been provided to assist residents in communicating effectively with City personnel.

Life - Cil 1328 Empire Bloomington, IL 61702 (309) 663 - 5433 (309) 663 - 8806 (TTY)	Braille transcription Sign language interpreters
Illinois State University Office of Disability Concerns Normal, IL 61761 (309) 438 - 5853 (309) 438 - 8620 (TTY)	Open/Closed caption decoding Real time captioning
Braille Line, Inc. 3901 N. Vincent Ave. Peoria Heights, IL 61614 (309) 686 - 0855	Braille transcription / Large print Accessibility audits/ Data entry/ Payroll
Illinois Relay Center 1-800-526-0857 1-800-526-0844 (TTY)	Statewide liaison between hearing and hearing-impaired population
Western Avenue Community Center 600 N. Western Avenue Bloomington, IL 61701 (309) 829 - 9231 (309) 829 - 4807	Various levels of Spanish interpretation

List of Interpreters	Home	Work
Spanish		
Cristina Deutsch		829-9231
Maria Alvarez		829-9231
Vielka Doza	828 - 5695	
Ramiro Bosques	828 - 8555	827 - 6251 (11PM - 7AM)
French		
David Parent	452 - 5893	438 - 7192
Vietnamese		
Kha Pham	454 - 3382	452 - 5019
German		
Effie Dennison	452 - 6481	663 - 4366
Richard Whitcomb	452 - 0447	
Russian		
Mark Kaiser (emergencies only)	452 - 9722	438 - 3604
Italian		
Joseph Laurenti	452 - 4817	438 - 7874

CONTACTS

For additional information on the Americans With Disabilities Act call:

Office on the American with Disabilities Act
Civil Rights Division
U.S. Department of Justice
P.O. Box 66118
Washington, D.C. 20035-6118
(202) 514-0301

For more specific information about ADA requirements affecting employment call:

Equal Employment Opportunity Commission
1801 L Street NW
Washington, D.C. 20507
800-USA-EEOC

For more specific information about ADA requirements affecting transportation call:

Department of Transportation
400 Seventh Street SW
Washington, D.C. 20590
(202) 366-9305

For more specific information about requirements for accessible design in new construction and alterations call:

Architectural and Transportation Barriers Compliance Board
1111 18th Street NW
Suite 501
Washington, D.C. 20036
800-USA-ABLE

For more specific information about ADA requirements affecting telecommunications call:

Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554
(202) 634-1837

ADA Regulations

Copies of ADA Regulations can be obtained from the following government sources free of charge.

Title I - Employment Regulations
Equal Employment Opportunity Cmsn.
1801 L Street, NW, Room 9024
Washington, DC 20507
(202) 663-4900 - Voice
(202) 663-4399 - TDD

Alternative formats are available from the following numbers:
(202) 663-4395/8 - Voice
(202 663-4399 - TDD

Title II - Public Services Operated by State and Local Governments
and
Title III - Public Accommodations and Services Operated by Private Entities
U.S. Department of Justice
P.O. Box 66118
Washington, DC 20530-6118
(202) 514-0301 - Voice
(202) 514-0381 - TDD

Architectural and Transportation Barriers Compliance Board Accessibility Guidelines for Buildings and Facilities; Final Guidelines
ATBCB
1111 18th Street, NW, Suite 501
Washington, DC 20036
(202) 653-7834 - Voice/TDD

Alternative formats are available in large print, Braille, electronic file on computer disk and audiotape.

All of the above rules are available on the electronic bulletin board accessed by dialing (209) 514-6193.

Title IV - Telecommunication Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act 1990.

Federal Communications Commission
Office of Public Affairs
1919 M Street, NW
Washington, DC 20554
(202) 632-7000
(202) 632-6999 (Voice/TDD)

DREDF has been funded by the Dept. of Justice to provide free technical assistance by phone. Call (800) 466-4ADA voice or TDD.

Communications Resources Available for ADA Compliance

Life-Cil 663 - 5433

Braille transcription -- offered by Life-Cil, but currently (as of January 26, 1995), there is no one in the office who can read Braille. Staff members are trying to remedy this situation.

Braille services may be able to be included in the five free hours of services the City receives each year; this will have to be discussed with the Life-Cil staff.

Interpreters -- provided by Life-Cil, but this service is not included in the five free hours of service. A nominal fee will be charged as compensation for the interpreter.

Braille Line, Inc. (309) 686 - 0855

The only professional Brailler in the state; provides Braille transcription at $25 per hour; rates are based on time it takes to transcribe document (1 text page = 4 Braille pages). They will type the document themselves, or the document may be sent on disk in DOS or Word Perfect 4.2 - 5.1. (This is cheaper because it takes less time). After the document is typed, the cost is $11 per hour for the operation of the Braille printer, which generally prints at the rate of 1 page per minute. This service will give a free estimate and guarantees to never exceed that estimate. All of their work is kept on file, so it may be used again at a later date.

Illinois Relay Center 1-800-526-0857 (for hearing population)
1-800-526-0844 (TTY)

The IRC is a statewide operator service available for the hearing impaired to communicate with the hearing population and vice versa. Before this service was established in 1989, PATH received 10 to 12 TTY calls per day and often functioned as a liaison between TTY users and the hearing population. Since this service began, however, PATH has received an average of only 10 to 12 TTY calls per week, most of which pertain to the operation of the TTY machine.

Further information on the IRC can be obtained by calling Telecommunicators of Central Illinois at (217) 523-2587.

**** One further note regarding correct terminology:** Roger Knoblauch at Life-Cil said that the term "person with a disability" is preferred over "disabled" or "handicapped." The only exception is in the case of "handicapped parking spaces"; Roger was not aware of any other terminology used in this case.

Suggestions for Improving Communication

Goal: To increase public awareness of services for the disabled offered by the City

Suggestions

-- Develop a standardized notice stating City's nondiscrimination policy toward citizens with disabilities. This notice should include the name and address of the ADA compliance coordinator. Include this notice on all written communication from City to public (i.e., letterhead, brochures, newspaper ads, comment cards, job announcements and applications, etc.). This notice could also include the accommodation options available for disabled citizens and could be posted at all City facilities. Specify that accommodation will be made with advance notice.

-- Include TTY number on all forms of written communication (i.e., letterhead, brochures, etc.) and on business cards of all City employees.

-- Send letter to citizens with disablities or publish a brochure containing information on services offered by the City. Provide notice regarding where individuals can obtain information on services, activities, and facilities that are accessible to and usable by the disabled.

-- Make sure all employees are familiar with policies and practices for the full participation of the disabled (i.e., what services are available, phone numbers to call for more information, etc).

-- Increase the involvement of the disabled community in policy formation/ recommendations. According to ADA guidelines, members of the disabled community are to be on the ADA committee. Possibly send a letter soliciting interested citizens for involvement.

-- Post a notice (in both regular and large print) in all City facilities to inform outside groups using the facilities that they must also comply with the ADA and are responsible for providing a qualified interpreter or other auxiliary aids upon request.

-- On registration forms for all programs offered by the City, include a space fo participants to indicate whether they are disabled and will need any special modifications or auxiliary aids.

-- Have a certain percentage of brochures (i.e., five percent) printed in large print and/ or Braille.

Communications Summary

Service Provided:	Currently Used By:	Suggested For Use By*:
1) Large Print	Library	PACE, Credit Union, Human Relations, Parks & Rec., SOAR, Scott HRC, City Clerk
2) Braille	Library	Parks & Rec., SOAR, Scott HRC
3) Audio Tape	Police Dept., City Clerk	Zoo
4) Interpreters	Finance, Human Relations, Police Dept., City Clerk	PACE, Parks & Rec.
5) TTY	Human Relations, Police Dept., Library	All Facilities
6) Hearing Aid Compatible Telephone	City Clerk	All Facilities

* All departments may have a use for each service at some time.

Illinois Telecommunications Access Corporation

Your Relay Center

Communications For Everyone In Illinois

Illinois Telecommunications Access Corporation

What Is It?

Illinois Relay Service, also known as Telecommunications Relay Service (TRS), is a 24-hour-a-day seven-day-a-week service which provides a communications link between those who use a teletypewriter (TTY) and those who use a standard voice telephone. TTY's are typewriter-style devices used by individuals who are deaf, hard-of-hearing, or have a speech disability to communicate over the telephone.

The Illinois Telecommunications Access Corporation (ITAC) provides relay service through the Illinois Relay Center (IRC). This service is supported by all telephone users in Illinois.

How Does The Service Work?

Specifically trained Communications Assistants (CA's) relay conversations over the telephone between a person who uses a TTY and a person who uses a voice telephone.

This is done by communicating simultaneously with each party. When the person using a standard phone speaks, the CA types the information to the TTY caller. When the TTY caller responds, the CA voices the typed information to the person using the standard phone.

How Do I Call?

TTY users dial 1-800-526-0844.
Telephone users dial 1-800-526-0857.

When the Communications Assistant answers, give the telephone number you wish to call, and the type of call you want to make. The CA must be given this information to connect your call.

The CA will then place the call for you.

continued