



# City of Bloomington ADA Transition Plan



Public Review Draft: 11/01/2021

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## **Mission Statement**

The City of Bloomington, Illinois recognizes its legal obligation to comply with the federally enacted Americans with Disabilities Act of 1990, as amended, (“ADA”) and establishes a transition plan to ensure compliance with Title II of this federal law, and rules and regulations promulgated as a result thereof, to avoid discrimination against its residents who have disabilities by identifying barriers to access both physical and non-physical, by identifying how and when barriers are to be removed, by providing a means to address complaints of discrimination, by encouraging public input to assess, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance.

## Application of the ADA to the City of Bloomington

The City of Bloomington is covered under ADA, title I (employment) and title II (programs, activities and services). The ADA requires the City to make all its programs, activities, and services readily accessible and useable by qualified persons with a disability when the programs, activities, and services are viewed in their entirety. The updated self-evaluation and transition plan are cornerstones to documenting and ensuring the City's effort to create and maintain inclusion as mandated by the ADA.

This document will guide the planning and implementation of necessary program, facility, and public rights-of-way modifications over the next several years. The ADA self-evaluation and transition plan update is significant in that they establish the City's ongoing commitment to the development and maintenance of policies, programs, and facilities that includes all residents. The final product is considered a "*working*" or "*living*" document and will be modified when barriers are removed, or alterations are made.

It should be noted that in the 2010 ADA Standards for Accessible Design (Department of Justice, Section 35.151 of 28 CFR Part 35), there is the inclusion of a **safe harbor** clause. It states that "if a public entity has constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 Standards or the Uniform Federal Accessibility Standards before March 15, 2012, the public entity is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel." In other words, if elements in existing facilities already comply with corresponding elements in the 1991 Standards and are not being altered, then entities are not required to make changes to those elements to bring them into compliance with the 2010 Standards.

It goes on to state that a **path of travel** "includes a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility."

### **ADA Grievance Procedure**

The City of Bloomington has a procedure for processing complaints of alleged violations of 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 participation in, be denied the benefits of or be subjected to discrimination” in programs or activities sponsored by the City.

The City of Bloomington complies with the requirements of the American with Disabilities Act in its facilities, activities, programs and services. Upon request, the City can provide auxiliary aids and services to persons with disabilities at no charge. To lodge a complaint of an alleged violation of Title II of the Americans with Disabilities Act:

***Please contact the ADA Coordinator at (309) 434-2468***

## **Five Titles of the ADA**

The ADA expands on the foundation laid by Section 504 by prohibiting discrimination based on disability by public entities regardless of whether they receive federal financial assistance. The Act is divided into five titles.

### ***Title I - Equal Employment Opportunity for Individuals with Disabilities***

This Title is designed to remove barriers that would deny qualified individuals with disabilities access to the same employment opportunities and benefits available to others without disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or individuals, unless an undue hardship would result.

### ***Title II - Non-discrimination of Disability in State and Local Government Services***

This Title prohibits discrimination on the basis of disability by public entities. The public entity is required to provide access to programs, activities, and services provided by the state or local government, when viewed in their entirety.

### ***Title III - Non-discrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities***

This Title prohibits discrimination on the basis of disability by private entities in places of public accommodation. Examples include: hotels, restaurants, golf courses, private schools, day care centers, health center, etc.

### ***Title IV - Telecommunications***

This Title requires telephone companies to have developed interstate and intrastate telephone relay services in every state. The relay services must provide speech-impaired or hearing – impaired individuals opportunities for communication that are equivalent to those provided to other customers. Also covered under this title are television closed-captioning regulations.

### ***Title V - Miscellaneous Provisions***

The final Title contains a variety of provisions relating to the ADA as a whole, including its relationship to other laws and its impact on insurance providers and benefits.

### **Notice Under the ADA**

The Americans with Disabilities Act In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Bloomington will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The City of Bloomington does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

**Effective Communication:** The City of Bloomington will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Bloomington's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** The City of Bloomington will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of Bloomington offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Bloomington, should contact Michael Hurt, ADA Coordinator by calling (309) 434-2218 or via postal mail at: The Office of Diversity & Inclusion; ATTN: Michael Hurt, ADA Coordinator; 115 E. Washington Street; Bloomington, IL 61701 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Bloomington to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

### **Public Involvement Opportunities**

The general public is encouraged to participate in identify need or barriers to accessibility. This may be done by contacting the ADA Coordinator, Michael Hurt at (309) 434-2468. Notice of a need or barrier may be communicated in person or by mail at The Government Center 115 E. Washington Street, Bloomington, Illinois 61701.

In addition, the general public is invited to attend any Bloomington Board of Public Works and Safety meeting or any Bloomington City Council Meeting to request a need to be addressed or to seek relief from a barrier to access.

The City Council meets on the 2nd and 4th Mondays every month at 6:00 PM in the Government Center Chambers on the 4th Floor.

No public meetings were held regarding the ADA Transition Plan due to COVID restrictions. However, information pertaining to the ADA Transition Plan was sent by email and regular mail to local disability advocacy groups and individuals known for their work with the disabled community.

The City also placed an ADA Transition Plan survey on its website. The survey revealed that the majority of respondents were individuals with disabilities. The top concerns noted in the survey.

- accessible pedestrian sidewalks and curb ramps
- accessible City owned properties
- accessible parking near dining and entertainment venues
- accessible parks, common areas including play areas, restrooms and trails

Notice of this Plan and the Notice Under the Americans With Disabilities Act created by the US Department of Justice shall be published on the City's website. Such notices shall also be provided to local news media and to the Bloomington Public Library.



### **Officials Responsible**

For the duration of the self-evaluation and transition plan schedule, the City has designated the ADA Coordinator and the Public Works Director as the officials responsible to oversee the implementation of the ADA Transition Plan. The Public Works Director has been designated responsible for the implementation of the barrier-mitigation schedule within the public rights-of-way; and also support the City's ADA Coordinator, where appropriate, in the planning, prioritization, and coordination of site improvements within City facilities.

The ADA Coordinator shall make reasonable efforts to educate the public regarding rights under the ADA and shall encourage various local institutions and agencies to implement rules and regulations designed to prevent discrimination when performing services, when offering job opportunities or when offering housing.

Any comments, additions, or suggestions about this plan may be directed to the ADA Coordinator or to the Public Works Director.

### **ADA Coordinator**

Michael Hurt, Chief Diversity & Inclusion Officer (Administration)  
115 E. Washington Street  
Bloomington, IL 61701  
(309) 434-2468

### **Public Works Director**

Kevin Kothe  
109 E. Olive Street  
Bloomington, IL 61701  
(309) 434-2225

### **Implementation Committee**

Multiple City of Bloomington staff members have been responsible for the creation of this plan which will be revised regularly and updated consistently moving forward.<sup>[UC1]</sup> Each of these staff members provide essential perspective and communication for different areas of the City's day-to-day operations. The ADA laws require state and local governments to make their goods, services, and facilities accessible to clients, customers, and individuals with disabilities. The following individuals are working together and efficiently to produce the best results for this ADA Transition Plan update:

- Mboka Mwilambwe, Mayor
- Tim Gleason, City Manager
- Billy Tyus, Deputy City Manager
- Jeff Jurgens, Corporate Counsel
- Steve Arney, Engineering Technician
- Michael Hurt, Chief Diversity & Inclusion Officer, ADA Coordinator
- Kevin Kothe, Director of Public Works
- Russ Waller, Director of Facilities
- Craig McBeath, Information Services Director
- Chad Wamsley, Assistant Police Chief
- Darren Wolf, Communications Center Manager
- Eric Veal, Interim Director of Parks, Recreation & Cultural Arts

### **Mayor and City Council**

The Mayor, City Manager, and City Council have reviewed and endorsed this plan. Those individuals include:

- Mayor- Mboka Mwilambwe
- Council Member Ward 1 - Jamie Mathy - Mayor Pro Tem
- Council Member Ward 2 - Donna Boelen
- Council Member Ward 3 - Sheila Montney
- Council Member Ward 4 - Julie Emig
- Council Member Ward 5 - Nick Becker
- Council Member Ward 6 - Vacant
- Council Member Ward 7 - Mary "Mollie" Ward
- Council Member Ward 8 - Jeff Crabill
- Council Member Ward 9 - Tom Crumpler

## **Service Animal Guideline**

In compliance with the provisions of the Americans with Disabilities Act (ADA), individuals with disabilities shall be permitted to be accompanied by their service animals in all unrestricted areas of the City's facilities. Exceptions may apply in certain areas.

## **Emotional Support Animals**

An emotional support animal (also known as a comfort animal) provides reassurance just by being with a person. Dogs, cats, birds, hamsters, and many other species can serve as emotional support animals. However, they do not qualify as "service animals" under the ADA and may not be allowed in certain areas on City premises.

## **Service Animals**

The ADA defines a service animal as a dog or miniature horse that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the service animal must be directly related to the person's disability. The City may ask individuals with service animals a few questions, including:

- Is the animal required because of a disability? What work or task has the animal been trained to perform?

Service animals are subject to local dog licensing and registration requirements. McLean County and the State of Illinois require that:

(a) Every owner of a dog 4 months or more of age shall have each dog inoculated against rabies by a licensed veterinarian. Every dog shall have a second rabies vaccination within one year of the first. The service animals must be vaccinated against rabies and other diseases typically found in that animal. (510 ILCS 5/8) (from Ch. 8, par. 358)

Service animals must be harnessed, leashed or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents them from using these devices,

in which case the individual must maintain control of the animal through voice, signal or other effective controls.

The service animal's owner must be in complete control of the service animal at all times. The care and supervision of a service animal is solely the responsibility of the individual. An individual who brings a service animal onto the City's premises is completely and solely liable for any injuries or damage to personal property caused by the animal. Any repair or cleaning costs incurred by a service animal will be charged to the individual.

The City also expects all service animals to exhibit reasonable behavior while on City premises. The service animal must be properly groomed and maintained so as to avoid disruption of others while on City property. In addition to the aforementioned requirements, a service animal may be removed from the City's premises for one of the following reasons:

- The service animal acts out of control or behaves poorly so as to cause a disruption, and the individual fails or is unable to take effective action to control the service animal.
- The service animal is unclean, and/or not housebroken.

If the service animal consistently behaves improperly, the individual may be directed not to bring the service animal onto the City's premises until the individual corrects the service animal's behavior.

**Reasonable Accommodation Requests:** The City of Bloomington has consistently reviewed all formal and informal requests for reasonable accommodations and has approved such requests unless they have imposed an undue hardship. An individual or his/her representative must let the employer know that an adjustment or change at work is needed for a reason related to a medical condition. There is no need to mention the ADA or use the phrase "reasonable accommodation."

## **Summary of City Responsibilities Under Title I of the ADA (Employment)**

The City of Bloomington is an equal opportunity employer and makes all employment decisions without regard to an individual's gender, race, ethnicity, national origin, religion, age, marital status, veteran status, disability, or any other category protected by local, state, or federal law. Accommodations are provided where appropriate to complete examination or screening.

**Job Descriptions:** Job duties and requirements are reviewed to identify non-essential items and/or to eliminate barriers to persons with disabilities. Requests for accommodations within specific positions are evaluated on a case-by-case basis.

**Job Applications:** Position vacancies are announced through various formats. They are available on the City's employment website at:

<https://www.governmentjobs.com/careers/cityblm/> and on the City's Facebook page. Job postings are also sent to colleges and universities as well as to various affinity groups.

Accommodation for completing an application is provided upon request.

**Interpreter:** City has implemented a system where various interpreters can be contacted by City of Bloomington personnel to assist in providing services to persons who are deaf or hard of hearing if requested by the applicant.

**Interviews:** Employment interviews conducted by the City of Bloomington are conducted in accordance with federal law that protects qualified individuals with disabilities from inquiries designed to identify the existence of an applicant's disability. Supervisors have been trained in this area and a video explanation of the process is available in the individual training platform that explains why certain interview questions are prohibited and helps interviewers develop questions that reveal an applicant's ability to perform the essential functions of the job.

**Pre-employment medical exams:** Applicants for certain job classifications are required to undergo a pre-employment medical exam which may include a physical examination, drug screening and/or psychological examination. These examinations are all conducted post-job offer and are given to all candidates who are offered a position within that job classification.

**Summary of City Responsibilities Under Title II of the ADA  
(State & Local Government)**

Implementing Regulation	Responsibilities
28 CFR 35.105	<p><b><i>Self-Evaluation</i></b></p> <ul style="list-style-type: none"> <li>• Evaluate current services, policies, and practices and make any necessary modifications to meet ADA requirements</li> <li>• Provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments</li> <li>• Maintain a list of interested persons consulted, a description of areas examined and any problems identified, and a description of any modifications</li> </ul>
28 CFR 35.106	<p><b><i>Notice</i></b></p> <ul style="list-style-type: none"> <li>• Make ADA information available to the public regarding applicability to City services, programs, and activities</li> </ul>
28 CFR 35.107	<p><b><i>Responsible Individual /Grievance Procedures</i></b></p> <ul style="list-style-type: none"> <li>• Designate a responsible individual to coordinate ADA efforts (referred to in this Plan as the ADA Coordinator); provide the ADA coordinator's name, office address, and telephone number</li> <li>• Adopt and publish grievance procedures providing for prompt and equitable resolution of complaints.</li> </ul>
28 CFR 35.130; 28 CFR 35.149	<p><b><i>General Prohibitions Against Discrimination</i></b></p> <ul style="list-style-type: none"> <li>• Do not exclude disabled persons from participation in or</li> </ul>

	<p>deny benefits of City services, programs, or activities</p> <ul style="list-style-type: none"> <li>• Do not discriminate on the basis of disability</li> </ul>
28 CFR 35.133	<p><b>Maintenance</b></p> <ul style="list-style-type: none"> <li>• Maintain facilities and equipment required to be accessible to persons with disabilities in operable working condition</li> </ul>
28 CFR 35.150	<p><b>Existing Facilities</b></p> <ul style="list-style-type: none"> <li>• Operate each service, program, or activity in a manner accessible to and usable by individuals with disabilities</li> <li>• Alter existing facilities or construct new facilities as necessary to comply with ADA requirements</li> <li>• Develop a transition plan outlining steps necessary to complete structural changes to facilities</li> </ul>
28 CFR 35.151	<p><b>New Construction and Alterations</b></p> <ul style="list-style-type: none"> <li>• Design, construct, and alter public facilities in a manner readily accessible to and usable by individuals with disabilities, unless structurally impracticable <ul style="list-style-type: none"> <li>• Provide curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway</li> </ul> </li> </ul>
28 CFR 35.160; 28 CFR 35.161	<p><b>Communications / Telecommunications</b></p> <ul style="list-style-type: none"> <li>• Ensure effective communications with disabled persons</li> <li>• Provide appropriate auxiliary aids and services to afford disabled individuals an equal opportunity to participate in and enjoy the benefits of City services, programs, and activities.</li> </ul>



28 CFR 35.163	<b><i>Information and Signage</i></b> <ul style="list-style-type: none"><li>• Provide information about the existence and location of accessible services, activities, and facilities</li></ul>
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**Self-Evaluation: Sidewalk & Ramp Replacement**

This program is designed to provide for construction of sidewalks and ramps that are compliant with standards related to the Americans with Disabilities Act. It includes other sidewalk repairs, and projects in which property owners voluntarily enter a 50 percent sharing agreement.

In the five completed budget years since City Council passage of the Sidewalk Master Plan in October 2015, the Program has funded construction of approximately 815 ramps.

Additional public sidewalk improvements have been funded through grants, private development, the street resurfacing program, and City projects funded through other contracts, such as the 2020 Hershey Road contract for concrete work.

<b>Fiscal Year</b>	<b>Square feet of sidewalk</b>	<b>Estimated miles of sidewalk</b>	<b>Estimated number of ramps</b>
FY 21	74,663	3.14	83
FY 20	67,235	2.83	109
FY 19	63,200	2.66	210
FY 18	69,394	2.92	152
FY 17	78,478	3.30	261
<b>5-YEAR TOTAL</b>	<b>352,969</b>	<b>14.85</b>	<b>815</b>

The primary mechanism is the Sidewalk Program. Funded through local motor fuel tax, the Program funds roughly three miles of concrete sidewalk replacement per year to make sidewalks compliant with the Americans with Disabilities Act.

A major element of the Program is construction of ramps, which connect sidewalks to street crosswalks. The City creates new ramps where needed and replaces ramps that do not meet modern ADA standards, as determined by the U.S. Access Board and the Illinois Department of Transportation.

The City is in its fifth year of a 10-year Sidewalk Master Plan. The funding level has equated to a service level envisioned in that plan. In the past, low funding levels meant patching problems, with Public Works having to leave other nearby problems unaddressed. In many cases now, the City is able to solve sidewalk problems for a half-block or entire block, rather than at just one property occupied by a person with a disability. The program budgeted \$1M for Fiscal Year 2021.

<b>FISCAL YEAR</b>	<b>SIDEWALK PROGRAM FUNDING</b>
2020-2021	\$940,731
*2019-2020	\$693,177
2018-2019	\$956,167
2017-2018	\$818,926
**2016-2017	\$899,244
2015-2016	\$422,877
***2014-2015	\$1,107,109
2013-2014	\$675,000
2012-2013	\$243,853
2011-2012	\$111,774
2010-2011	\$99,990
2009-2010	\$119,586
2008-2009	\$71,111
2007-2008	\$73,915
2006-2007	\$70,449
2005-2006	\$82,782
2004-2005	\$73,787
2003-2004	\$72,552
2002-2003	\$65,998
* Bid was approximately \$250,000 below estimate and budget. Remainder used for S. Hershey.	
**First year under Sidewalk Master Plan.	
***\$10 Million street bond included funds for sidewalk ramps.	

Starting in calendar year 2020, Public Works began directly collaborating with Connect Transit, with the City using Program funds to construct bus pads at Connect Transit bus stops where sidewalk work is being done.

Bloomington’s city government has aggressively pursued improvement to its public sidewalk system in recent years. Starting in 2015 and continuing to the present. A consistent, high level of funding and public support from the City Council and Administration has enabled Bloomington Public Works to rehab large sections of the 425-miles of sidewalks.

**Figure 7: City Sidewalk Ratings (2015)**

	<b>PASER Rating</b>	<b>Description</b>	<b>Miles</b>	
	<b>10</b>	<b>New</b>	<b>3</b>	
	<b>9</b>	<b>Excellent</b>	<b>11</b>	
	<b>8</b>	<b>Very Good</b>	<b>71</b>	
	<b>7</b>	<b>Good (+)</b>	<b>106</b>	
	<b>6</b>	<b>Good (-)</b>	<b>110</b>	
	<b>5</b>	<b>Fair (+)</b>	<b>55</b>	
	<b>4</b>	<b>Fair (-)</b>	<b>35</b>	
	<b>3</b>	<b>Poor</b>	<b>24</b>	
	<b>2</b>	<b>Very Poor</b>	<b>6</b>	
	<b>1</b>	<b>Failed</b>	<b>2</b>	
<b>Total = 423 miles of sidewalk</b>				

## **EXHIBIT A- Website Accessibility**

### **OUR COMMITMENT TO ACCESSIBILITY**

The City of Bloomington is committed to making its websites accessible to the widest possible audience. We are constantly working to increase the accessibility and usability of our website. We strive to meet W3C WAI's Web Content Accessibility Guidelines 2.0, Level AA conformance.

The City of Bloomington will be evaluating this site on a regular basis and it will continue to evolve and improve over time as new technologies and opportunities emerge.

### **ADOBE ACROBAT PDF FILES**

We have a large number of documents in Adobe Acrobat Portable Document Format (PDF). In order to improve the viewing of these files, download the latest free version of Adobe Reader. We are working on a process to ensure all PDFs are accessible.

### **HELP US MAKE OUR WEBSITES MORE ACCESSIBLE**

Should you have problems accessing information on this website, please let us know. We also welcome your questions about this accessibility statement and comments on how to improve the site's accessibility. Contact our Website Administrator for more information.

Additional information on the City's Accessibility plan can be found on at: [www.cityblm.org/ada](http://www.cityblm.org/ada)

## **Exhibit B - 911 Emergency Management/Communication**

**Premise Alert Program:** Emergency communications have greater requirements for accessibility so that everyone can respond to an emergency. The City participates in the Illinois Premise Alert Program (Public Act 96-0788) provides for Public Safety Agencies in the State of Illinois to allow people with special needs to provide information to Police, Fire and EMS personnel to be kept in a database. The information can then be provided to responders dealing with situations involving Special Needs Individuals. The City also maintains a list of qualified American Sign Language interpreters who are able to provide equal and effective communication to individuals who are hearing impaired. Real time captioning and audio description are also available. The Premise Alert Program can be found on the City's website listed below.

<https://www.cityblm.org/government/departments/police/premise-alert-program>

### **Protective Services Contact with the Deaf and Hard of Hearing Community**

It the policy of the City of Bloomington to ensure that steps are taken to provide for effective communication for persons that are deaf and hard of hearing. When a Bloomington responding police officer or fireman comes in contact with a person who is deaf or hard of hearing, that person must determine if he/she is capable of providing effective communications with the deaf or hard of hearing person to resolve the issue. Currently, the use of hand-written notes or texts is the most effective and readily accessible communication technique. The City also maintains a list of Certified ASL

interpreters. The responder may contact an Interpreter if the technique or process that most effectively communicates with the deaf or hard of hearing person is the use of a certified interpreter. The responding police officer or fireman may contact his supervisor and advise the supervisor of the need for an interpreter so that effective communications with the deaf or hard of hearing person will occur.

## **Review and Evaluation**

The ADA Transition Plan is a “living” document. In January of each year, commencing in 2023, Bloomington City Council or their designee shall meet with the ADA Coordinator to review the City’s efforts to comply with the ADA and to update the foregoing Plan. Progress shall be noted, and the Plan shall be evaluated for the purpose of determining its effectiveness. Modifications to the Plan may be recommended by the City Council, if deemed necessary or appropriate.

## Glossary of Terms

**ADA:** Americans with Disabilities Act.

**Accessible:** A facility that provides access to individuals with disabilities using the design requirements of the ADA.

**Americans with Disabilities Act:** A comprehensive, federal civil rights law that prohibits discrimination on the basis of disabilities in employment, state, and local government programs, activities, services, public accommodations, transportation, and telecommunications.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** The ADAAG contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the ADA.

**American Sign Language (ASL):** is a natural language that serves as the predominant sign language of Deaf communities in the United States.

**Disability:** With respect to an individual: A physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

**Illinois Accessibility Code (IAC):** This Code is intended to ensure that the built environment, including all spaces and elements of all applicable buildings and facilities in the State of Illinois is so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons.

**Inclusion:** Disability inclusion means understanding the relationship between the way people function and how they participate in society and making sure everyone has the same opportunities to participate in every aspect of life to the best of their abilities and desires.

**Program, activity, or service:** The programs, activities, and services offered by the City in fulfillment of its mission. It spans all offerings open to any of the audiences served by the City.



**Public Right-of-Way:** ADA-related facilities in the public right-of-way are defined as a network of streets, sidewalks, and trails creating public pedestrian access within the City of Bloomington limits. Some examples of public rights-of-way include: curb ramps, sidewalks, crosswalks, pedestrian signals, and parking. Public Right of Way Accessibility Guidelines (PROWAG) are guidelines for physical access for elements located within the public right of way. The public right of way is the roads, sidewalks, and shared-use paths controlled by a public entity. These are currently non-enforceable guidelines at this point.

**Qualified Individuals with a Disability:** An individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

**Reasonable Accommodation:** Making existing facilities used by individuals readily accessible to and usable by individuals with disabilities; and job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

**Self-evaluation:** An assessment of the City's current policies and practices to identify which ones are inconsistent with title II's requirements.

**Transition Plan:** Addresses physical barriers which can limit the accessibility of a City's programs, activities, and services to individuals with disabilities.

**Undue Hardship:** An action requiring significant difficulty or expense.