

SPENCER COUNTY
2016 ADA Transition Plan

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SPENCER COUNTY BOARD OF COMMISSIONERS
RESOLUTION 2016- 09

**A RESOLUTION OF THE SPENCER COUNTY COMMISSIONERS
ADOPTING THE ADA TRANSITION PLAN AND PROCEDURES AND
ESTABLISHING AN ADA COORDINATOR AND WORKGROUP
FOR SPENCER COUNTY, INDIANA**

Spencer County, Indiana recognizes its obligation to comply with the requirements of the Americans with Disabilities Act ("ADA"). The County desires to take necessary steps in order to insure such compliance within or upon public facilities and right of way improvements, as well as its services, programs and activities.

NOW, THEREFORE, BE IT RESOLVED:

1. That the ADA Transition Plan attached hereto is adopted.
2. In addition to the ADA Coordinator, that the Spencer County Planning Department Director shall serve as the County's ADA Co-Coordinator. The ADA Coordinator and Co-Coordination shall work with the ADA Workgroup which is hereby established to include the following: The ADA Coordinator and Co-Coordinator, representatives of the Spencer County Highway Department, the Spencer County Auditor and the Spencer County Attorney, along with other department representatives to be included from time to time.
3. The ADA Coordinator and Co-Coordinator are hereby directed to:
 - 3.1. Comply with the ADA Transition Plan,
 - 3.2. Review County facilities and right of way improvements to assess compliance with the ADA,
 - 3.3. Notify the general public concerning relevant information regarding Title II of the ADA, and how it applies to the programs, services, facilities, improvements and activities of Spencer County, Indiana,
 - 3.4. Seek public input regarding the needs of citizens with disabilities, and


- 3.5. Develop a reasonable transition plan or plans to be implemented to address issues of need or non-compliance, based upon prioritizing needs and the county's ability to finance such transition plan or plans.

Approved and adopted this 10th day of September, 2016.


BOARD OF COMMISSIONERS OF SPENCER COUNTY



Al Logsdon, President

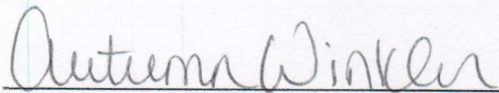


David Gogel



Jim Seiler

ATTEST:



Autumn Winkler, Spencer County Auditor

SPENCER COUNTY

Americans with Disabilities Act Transition Plan

1.0 INTRODUCTION

1.1 Background

The Spencer County Americans with Disability Act (ADA) Transition Plan (referred to as the Plan) is intended to guide the County's efforts to provide accessible facilities within the County. The purpose of the Plan is to identify deficiencies in Spencer County's policies, procedures, practices, and physical assets. The plan also provides guidance for the removal of accessibility barriers. The Plan outlines progress to date and identifies steps necessary to bring the Spencer County's programs into compliance with ADA regulations. The Plan is intended to be a living document that will be updated regularly to track ongoing achievements toward compliance.

1.1 Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability by any program or activity receiving federal financial assistance.

Discrimination may consist of exclusion from participation in or denial of the benefits of programs and activities operated by a department, agency, or other instrumentality of state or local government. Section 504 applies to Spencer County, as well as all sub-recipients of federal funds.

1.2 Title II of the Americans with Disabilities Act (ADA) of 1990

The American with Disabilities Act (ADA) of 1990 expands on the foundation laid by Section 504 by prohibiting discrimination on the basis of disability by public entities regardless of whether they receive federal financial assistance. The Act is divided into five titles describing requirements relating to (I) employment, (II) state and local government services, (III) public accommodations for Private Entities, (IV) telecommunications, and (V) miscellaneous provisions. Title I is overseen by the Spencer County Human Resources Department. Title II of the Act applies specifically to state and local government services and the programs and activities they administer, including features built before and after 1990. The Code of Federal Regulations (CFR) outlines regulations implementing ADA, which apply to Spencer County.

1.3 TITLE II COMPLIANCE

Title II of the ADA specifically addresses the requirement of making public services and public transportation accessible to those with disabilities. This is not limited to physical access to government facilities and programs, but also includes policy changes that must be made in order to provide equality to persons with disabilities and ensure they can benefit from services and programs provided by such facilities.

Spencer County, including all County buildings, departments, agencies, services and accommodations, is required to be in compliance with Title II of the ADA according to the Department of Justice (DOJ).

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The DOJ administers the ADA, and subsequently published revised regulations for Titles II and III of the ADA in the 2010 ADA Standards for Accessible Design in September of 2010. These Standards include Title 28 of the Code of Federal Regulations (CFR) Part 35, combined with the 2004 ADA Accessibility Guidelines (ADAAG). The combination of these regulations and guidelines requires Spencer County to perform certain administrative responsibilities that ensures no discrimination against individuals with disabilities. This includes the development of a Transition Plan.

2.0 ADA OVERVIEW

TITLE II: State and Local Government Activities

Title II requires that State and local governments, along with their departments and agencies, give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, regardless of the department's size or receipt of federal funding. These would include, but are not limited to, public education, employment, recreation, health care, social services, courts, voting, and any County meetings.

State and local governments are required to follow specific architectural and accessibility standards in the new construction or alteration of their buildings. They must also relocate programs, or provide access to otherwise inaccessible existing buildings. This would include communicating effectively with people who have hearing, vision, or speech disabilities.

Public entities are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. They are not required to take actions that would result in undue financial or administrative burdens.

3.0 TRANSITION PLAN

As a key component of ADA compliance, the Transition Plan and its required and related elements – including its context within the transportation planning process and relevant projects covered by Title II/ Section 504, plan stakeholders, the review process, and future updates are discussed in this section.

3.1 Outreach

Public input is an essential element in the transition plan development and self-evaluation processes. ADA implementing regulations require public entities to provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process and development of the transition plan by submitting comments (28 CFR 35.105(b) and 28 CFR 35.150(d)(1)).

SPENCER COUNTY ADA TRANSITIONAL PLAN

Public Involvement

Some of the most valuable information included in a Transition Plan is gathered from the community. Participation from the disabled community and other interested parties is integral in the development of the Plan. This can include input from the disabled community, advocacy groups, activists and any other similar organizations. Spencer County will inform the public, regarding accessibility, through their website and public meetings, and urges the community to continue providing information regarding perceived barriers. Comments are always encouraged, and should be sent to the ADA Coordinator.

Spencer County's ADA Workgroup Committee (referenced in 4.1.1 and **Appendix E**) will meet in the future with advocacy groups (such as Spencer County Council on Aging, Southern Indiana Resource Solutions [SIRS], and Ride Solutions) for an understanding of services provided, as well as gather information on possible perceived barriers. This will help to better understand what type of auxiliary devices, signage, material and other items to make available to the public. Advocacy groups and not-for-profit organizations like these are instrumental in contributing valuable information towards the development of the Transition Plan. Spencer County encourages these types of agencies to provide information that can be identified in the Plan.

A **Notice for Public Input** was posted on the County's web page. This Notice requests for input in identifying deficiencies and/or problem areas within the County controlled properties and ROW's. As of the posting of the Draft Transition Plan, there have not been any responses pertaining to Spencer County properties or ROW's.

Public Viewing & Involvement Opportunities

Spencer County's ADA Transition Plan is available for public viewing in the Auditor's Office at the Spencer County Courthouse and on the County's website at <http://spencercounty.in.gov/pages.cfm?DepartmentID=666> . Anyone that would like to comment on the Transition Plan can submit their comments to the ADA Coordinator listed below. Public comment opportunities are also available during regularly scheduled Commissioners' meetings.

Phil Brown, ADA & Title VI Coordinator
Jennifer Adams, ADA & Title VI Co-Coordinator
200 Main Street, Rm 6
Rockport, IN 47635
Ph: (812) 649-4376
Fax (812)649-6347
E-mail: SpencerADA@psci.net

3.2 Plan Elements/Requirements

Per 28 CFR §35.150(d)(3)(9-12-06), Title II requires the Transition Plan to accomplish the following tasks, at a minimum:

- Identify physical obstacles in a public agency's facilities that limit the accessibility of its programs or activities to individuals with disabilities;

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- Describe in detail the methods that will be used to make the facilities accessible;
- Specify the schedule for taking the steps necessary to upgrade pedestrian access to meet ADA and Section 504 requirements in each year following the Transition Plan;
- Include a schedule (referenced in 6.2 and Appendix G) for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by Title II, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas;
- Indicate the official responsible for the implementation of the plan; and
- Provide opportunities to interested persons and groups to participate in the development of the plan, including the Self-Evaluation leading to the plan.

3.3 Projects Covered by ADA and Section 504

Any project for construction or alteration of a facility that provides access to pedestrians must be made accessible to persons with disabilities. Projects that alter the use of the public right-of-way by making any changes that affect or could affect access, circulation, or use by affecting the structure, grade, or use of the roadway – must incorporate pedestrian access improvements within the scope of the project to meet the requirements of the ADA and Section 504.

Alterations include reconstruction, major rehabilitation, widening, resurfacing, signal installation and upgrades, and projects of similar scale and effect. Maintenance activities and resurfacing beyond normal maintenance are not considered to be alterations, per the Department of Justice (DOJ). The FHWA considers the following to be maintenance activities: actions intended to preserve the system, forestall future deterioration, and maintain the functional condition of the roadway without increasing the structural capacity such as nonstructural thin surface treatments, joint repair, pavement patching, shoulder repair, signing, striping, minor signal upgrades, and repairs to drainage systems.

3.4 Review Process

A Transition Plan will be periodically reviewed by County through a Self- Evaluation process (**Appendix F, G**), which should take place both prior to and following Transition Plan completion. These Self-Evaluation activities are intended to gauge the level of existing compliance and determine the potential need for additional areas of inclusion for accessibility improvements. Identified deficiencies should be catalogued and included in future Transition Plan updates.

3.5 Future Plan updates

The County will conduct Self-Evaluation activities, as necessary, to ensure that the Transition Plan document is current and meets the needs of disabled persons.

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Since each plan is required to have an annual schedule that is ideally aligned with annual funding allocations, annual milestones may be adjusted regularly to reflect changes in regarding current conditions.

4.0 COMPLIANCE HISTORY AND ONGOING EFFORTS

4.1 Administrative Requirements of ADA

Section 504 of the Rehabilitation Act of 1973 (49 CFR §27.13) and Title II of the Americans with Disabilities Act of 1990 (28 CFR §35.107) specify that any public entity with fifty (50) or more employees must designate at least one employee to coordinate compliance with the respective regulations. Spencer County has met this basic program requirement, which also serves as a key required element of the Transition Plan, by designating a formal ADA Coordinator. Spencer County has also developed several notices related to ADA— including a grievance procedure, among others— and is planning wider dissemination of these documents internally and to the public.

4.1.1 Designation of ADA Coordinator

Spencer County designated an ADA Coordinator and Co-Coordinator and has made available to all interested individuals the name, office address, and telephone number for contact. The contact information is also located in **Appendix A**.

Phil Brown, ADA & Title VI Coordinator
Jennifer Adams, ADA & Title VI Co-Coordinator
200 Main Street, Rm 6
Rockport, IN 47635
Ph: (812) 649-4376
Fax (812)649-6347
E-mail: SpencerADA@psci.net

The ADA Coordinator is charged with the responsibility for implementing, monitoring and ensuring the agency's compliance with Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. The functions performed by the ADA Coordinator are outlined below:

- Monitoring the County's current policies and practices for implementing ADA.
- Identifying shortcomings in compliance and developing remedies.
- Evaluating remedial steps taken to eliminate the effects of discrimination.
- Monitoring complaint procedures that incorporate appropriate due process standards and providing for prompt and equitable resolutions of complaints filed under ADA.
- Ensuring County compliance with ADA.
- Collaborating and coordinating with the heads of major divisions and Departments to enable ADA compliance efforts.
- Establishing and maintaining collaborative relationships with critical external stakeholders, such as disability advocacy groups and organizations.

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- Monitoring the County's ADA Transition Plan to ensure that all Department facilities remain in compliance with applicable accessibility standards.
- Monitoring established procedures to ensure that requested auxiliary aids are provided for persons with disabilities.
- Conducting annual reviews of ADA program areas.
- Conducting ADA training programs for department managers and employees.
- Monitoring the preparation of ADA information for dissemination to the general public, including the "Notice to the Public" offer to provide reasonable accommodation upon request.
- Identifying, investigating, and addressing ADA discrimination when it is found to exist.

4.1.2 Notice of ADA Requirements

Under Title II, Spencer County must make information about ADA requirements pertaining to its services, programs, and activities available to the public.

As identified in item 3.1.1, Spencer County has adopted an ADA Notice of Non-Discrimination statement (**Appendix B**) that is provided on all public notices and documents. Spencer County's website includes a description of the ADA program, ADA Coordinator contact information, the complaint procedure and form, and links to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Right-of-Way Accessibility Guidelines (PROWAG) documents. The County's website provides information about Spencer County's ADA program and opportunity for public feedback.

4.1.3 Establishment of Grievance Procedures

Public entities employing at least 50 people are required to adopt and publish grievance procedures providing prompt and equitable resolution of complaints. Spencer County has developed a grievance procedure and form included in **Appendix C** and is posted online (in a fillable PDF form) at the following link: <http://spencercounty.in.gov/images/contentimages/k22xow2jt.pdf>

A Complaint Log (**Appendix D**) documenting all ADA complaints will be kept by the ADA Coordinator for each calendar year. This log will be periodically reviewed by the ADA Work Group.

4.1.4 Assurances

In order to receive federal funding, Spencer County must guarantee non-discrimination and ensure new projects will be ADA compliant. Spencer County will include a non-discrimination statement on all contracts. The document requires Spencer County to comply with federal statutes, policies, and procedures.

The document states no person on the grounds of race, color, national origin, sex, age, and handicap/disability may be excluded from federally-funded programs. ADA compliance must also be met on all federally-funded projects conducted by sub-recipients.

4.1.5 Personnel Training

Spencer County provides ADA training for employees, focusing primarily on equal employment opportunity under Title I of the ADA.

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. This would include prohibiting discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It also restricts questions that can be asked about an applicant's disability before a job offer is made, and requires that employers make reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with disabilities, unless it results in undue hardship.

Interdepartmental Coordination

Spencer County's efforts to address and resolve ADA compliance issues recognize the importance of cross-county and interdepartmental coordination. Recent efforts aimed at greater collaboration include the institution of an ADA Work Group, provision of basic training and awareness within the departments, and identification of data and expertise-sharing opportunities across the County.

4.1.6 Establishment of ADA Workgroup

In September 2016, the County established an ADA Work Group to engage an internal body of stakeholders on ADA-related issues. Collectively, members of this group span several functions within the agency based on their varied expertise. The intent to bring this body together was to leverage the skills, experience, and expertise of the constituent members for matters and issues involving ADA compliance and accessibility. Current members of the ADA Work Group are shown in **Appendix E**. Additional members will be added, if required, to the ADA Work Group as priorities are set for the reduction of barriers.

4.1.7 Training, Awareness, and Information Dissemination

Spencer County's ADA Work Group will oversee the ADA Education and Training Program designed to review ADA regulations, demonstrate ADA's application in daily work activities, show how ADA has been integrated within the County's actions and protocols, and instruct personnel on the policies and procedures for appropriately managing ADA requests and inquiries. The County is dedicated to providing ongoing education and training to all staff members with regards to the current ADA regulations in force, each will be required sign acknowledgment forms.

5.0 COMMUNICATIONS

Government agencies must communicate and interact effectively with the public. Spencer County utilizes various communication methods to aid the disabled community including auxiliary aids, services, information, and signage.

5.1 Auxiliary Aids and Services

Spencer County addresses communication barriers by offering auxiliary aids and services to the disabled community, upon request. Spencer County strives to provide accessible information to the public and attempts to accommodate each request. Individuals with disabilities, requiring accommodations to participate in committee meetings or public hearings, should contact the Spencer County ADA Coordinator, 812-649-4376, and provide a (3) three-business day notice for accommodations.

5.2 Information and Signage

Title II requires public entities to ensure disabled persons can obtain information about the existence and location of accessible services, activities, and facilities. As mentioned above, Spencer County's website is a key platform for providing information to the public. To ensure accessibility, information provided on the website must be compatible with appropriate software to accommodate specific disabilities.

Signage is another major aid in providing public information and direction. Spencer County follows ADAAG guidelines to ensure signs are readable and accommodating to the disabled community.

6.0 FACILITIES AND RIGHT OF WAYS (ROW)

Under Title II of the ADA, Spencer County must assure that all of its physical assets are ADA compliant, including existing (but not limited to) and newly constructed features. Public facilities are defined to include office buildings, airports, maintenance buildings, Parks, 4H Fairgrounds, and Courthouses. Rights-of-way (ROW) features include elements such as curb ramps, sidewalks, crosswalks, median crossings, and pedestrian activated signal systems.

ADA compliant facilities and rights-of-way are designed and constructed in a manner readily accessible and usable by individuals with disabilities.

Examples of non-compliant accessibility barriers include steep curb ramp slopes that might hinder a person in a wheelchair, lack of handrails along stairway, or sidewalk discontinuities that may cause trip hazards.

The following sections discuss applicable Spencer County policies and guidelines and previous and ongoing inventory data collection, data tracking, and methods for removing physical accessibility barriers.

6.1 Design Standards and Construction Procedures

Spencer County's standards and policies provide guidance for installation of accessible features on newly constructed or altered public rights-of-way and facilities. The ADA Work Group serves as a key platform for dissemination of information and Departmental coordination with respect to changing regulations and policy updates.

Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Right-of-Way Accessibility Guidelines (PROWAG): ADAAG and PROWAG are guidelines and best practices used for the design of accessible features on new construction and alterations.

ADAAG: <http://www.access-board.gov/adaag>

PROWAG: <http://www.access-board.gov/prowac/nprm.htm>

The US Access Board developed ADAAG in 1991 and continues to maintain these guidelines for the design of accessible buildings and facilities. ADAAG focuses mainly on buildings and site work and generally does not address conditions unique to public rights-of-way.

Due to the need for accessibility guidelines specific to the public rights of way, the Access Board has proposed the use of PROWAG, which was most recently updated in 2011. The 2011 version serves as the current set of best practices for the design of accessible features in public rights-of-way. These guidelines have been identified as a current best practice by the FHWA for elements not fully addressed by ADAAG.

6.2 Inventory Data Collection (Self-Evaluation)

A self-evaluation of physical assets is necessary to indicate where physical barriers limit accessibility within Spencer County's ROW and facilities. The self-evaluation provides a baseline against which progress can be measured, making the process critical to the success of the Plan. These assessments include taking measurements and photo documentation of existing conditions to compare their level of compliance against the 2010 ADA Standards for Accessible Design.

Rights-Of-Way

The Spencer County Highway Department developed checklists for sidewalks, curbs ramps, and signalized pedestrian crossings (**Appendix F**) that have known deficiencies and an estimated cost to correct the known issues. These checklists were developed using the best practice for design described in the 2011 proposed PROWAG. The pedestrian facilities along the right of way are in the process of being inventoried and the data from the inventories will be entered into a database. The Spencer County Highway Department and ADA Coordinator will continue to update the database as new pedestrian facilities are added, existing deficiencies are corrected and new deficiencies are detected.

While sidewalks, pedestrian ramps, and signalized crossings are unique features with unique issues to be checked for compliance, they are integrally related to each other for the purposes of prioritization and correction.

Facilities

ADA inventories of Spencer County's main facilities are based on the 2010 Department of Justice's ADA Standards for Accessible Design guidelines. The data is collected using checklists from the Institute for Human Centered Design/ ADA National Network (**Appendix G**) in the field. Four main areas are examined when performing the evaluations of the facilities:

- Accessible approaches and entrances
- Access to goods and services
- Access to public toilet rooms
- Access to other items, such as water fountains
- Deficiency Results are stored on excel spreadsheets (**Appendix I**).

7.0 BARRIER PRIORITIZATION

Prioritization is an important step in addressing physical barriers that do not comply with ADA requirements. The barrier prioritization process identifies the most critical ADA needs and assists in implementing the Transition Plan in future years. ADA implementing regulations (28 CFR 35.150(d)(2)) note transition plans should give 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.

7.1 Right of Way Prioritization

Unlike facilities, the Spencer County Highway Department applies a more general prioritization method where multiple features can have the same prioritization value (**Appendix F**). This leaves the Highway Department with more flexibility when determining which deficiencies to correct first. The exact numbering system is not listed here as this will need to be refined over time and will have a subjective component. In general, the lower the prioritization numbers the higher the priority for correction. The primary factors that were taken into account when determining the prioritization number include the adjacent roadway classification, relationship to pedestrian generators, and the level/extent of the deficiency.

7.2 Facilities Prioritization

As Spencer County begins prioritizing the ADA deficiencies of its facilities, many factors will be considered when going through this process. The primary factors to be considered are budgets, building use, age of building, renovation schedules, and man power to complete projects. The Spencer County ADA Coordinator, the Buildings Commissioner, and Parks Department will prioritize deficiencies with "1" being Low priority and "10" being High priority. The Deficiency Results Spreadsheet is located **Appendix G**.

8.0 NEXT STEPS: GOALS

This Section includes a series of goals that Spencer County can undertake to support the phased-in approach to compliance discussed previously in the document. As mentioned, this Plan is intended to be a living document that will be updated regularly by the ADA Coordinator and later reviewed by the Work Group and approved by the Board of Commissioners.

8.1 Ongoing Goals/Activities

1. Work to identify and appropriate funding for barrier removal.
2. Conduct site inspections of facilities, as needed.
3. Engaging those in the disabled community in the process and begin assembling an external advisory group/stakeholder group to be involved in future Self-Evaluation and Transition Plan efforts, as a requirement of the Transition Plan. (Advocacy groups, etc.)
4. Include ADA upgrades in programmed projects.
5. Update the ADA inventory database.
6. Amend the ADA/Transition Plan based on ongoing inventory efforts and accomplishments.
7. Update ADA/Transition Plan (All sections, if applicable).
8. Conduct training activities on ADA compliance, with completed Employee Acknowledgment forms.
9. Complete and monitor annual progress of the curb ramp Transition Plan.

8.2 Short Term Goals (1-5 years)

1. Disseminate educational materials.
2. Expand training activities on ADA compliance.
3. Assure auxiliary aids are available upon request.
4. Develop stronger awareness by publicizing the Title II/Section 504 program and activities within the County, including establishing a presence on the Spencer County Intranet/Internet.
5. Develop a schedule for the ADA Work Group of periodic meetings—including training and/or refresher courses.

8.3 Long Term Goal (6+ years)

The long-term goal is to achieve the highest level of compliance with ADA regulations and incorporate ADA-related activities into the day-to-day activities of Spencer County.

9.0 PLAN AVAILABILITY

The Spencer County Transition Plan is available for public review and is available on Spencer County's webpage at the following link:

<http://spencercounty.in.gov/images/contentimages/qq5y49koh.pdf>

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Spencer County will distribute copies of the Plan to all County Departments. Alternate accessible formats of the document will be made available upon request or large-font versions. A letter will be sent to disability groups announcing the availability of the Plan and directing interested stakeholders to the Spencer County website and viewing locations. The adopted ADA Transition Plan will be available on the County's web page via PDF.

10.0 MONITORING AND EVALUATION

10.1 Annual Update report

The annual update report is a worksheet summarizing tasks completed pertaining to the ADA Transition Plan. The Spencer County ADA Coordinator will prepare an Annual Update Report at the end of each fiscal year and to be presented to the Board of Commissioners. The report will facilitate progress tracking and aid in Plan management.

10.2 Transition Plan Management and Updates

The Plan will be reevaluated and updated on a yearly basis.

11.0 Appendices

Appendix A	ADA Coordinator & Assistant Contact Information
Appendix B	Notice of Non-Discrimination
Appendix C	Grievance Procedures & Form
Appendix D	Complaint Log
Appendix E	ADA Work Group Members
Appendix F	ROW Self –Evaluation: Checklist/ Deficiency Results
Appendix G	Facilities Self –Evaluation: Checklists/ Deficiency Results

12.0 References

Rehabilitation Act of 1973 (Section 504) Americans with Disabilities Act of 1990 (ADA)

Institute for Human Centered Design/ADA National Network (2011) Code of Federal Regulations (CFR) (2012)

Department of Justice (DOJ) - 2010 ADA Standards for Accessible Design

Americans with Disabilities Act Accessibility Guidelines (ADAAG) (2004)

Proposed - Public Right-of-Way Accessibility Guidelines (PROWAG) (2011)

Federal Highway Administration (FHWA)

Appendix A

Spencer County ADA Coordinator & Co-Coordinator

Phil Brown

ADA & Title VI Coordinator

Jennifer Adams

ADA & Title VI Co-Coordinator

200 Main Street, Rm 6

Rockport, IN 47635

Ph: (812) 649-4376

Fax (812) 649-6347

E-mail: SpencerADA@psci.net

Appendix B

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: Spencer County 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: Spencer County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Spencer County'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: Spencer County 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 Spencer County 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 Spencer County, should contact the office of **Phil Brown- ADA Coordinator at (812) 649-4376** as soon as possible but no later than three (3) business days before the scheduled event.

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

Complaints that a program, service, or activity of Spencer County is not accessible to persons with disabilities should be directed to **Phil Brown- ADA Coordinator at (812) 649-4376**.

Spencer County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Appendix C

Grievance Procedures & Form

Spencer County Grievance Procedure under the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by **Spencer County**. Spencer County's Personnel Policy governs employment-related complaints of disability discrimination.

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 180 calendar days after the alleged violation to **Phil Brown, ADA Coordinator, 200 Main Street, Room 6, Rockport, IN 47635**.

Within 15 calendar days after receipt of the complaint, **Phil Brown** or **his** designee will arrange to meet with the complainant to discuss the complaint and the possible resolutions. Within 21 calendar days of the meeting, **Phil Brown** or **his** designee 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 **Spencer County** and offer options for substantive resolution of the complaint.

If the response by **Phil Brown** or **his** designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the County Commissioners or their designee.

Within 15 calendar days after receipt of the appeal, the County Commissioners or *their* designee will arrange to meet with the complainant to discuss the complaint and possible resolutions. Within 21 calendar days after the meeting, the County Commissioners or *their* 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 **Phil Brown** or **his** designee, appeals to the County Commissioners or *their* designee, and responses from these two offices will be retained by Spencer County for at least three years.

If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s), he or she shall be advised of their rights to appeal **Spencer County's** decision to INDOT, Federal Transit Administration, US Department of Transportation or US Department of Justice. The complainant has 180 calendar days after the appropriate County's final resolution to appeal to USDOT.

SPENCER COUNTY ADA TRANSITIONAL PLAN

Appendix A: Complaint/Grievance Form

Grievant Information:

Grievant Name:			
Address:	City:	State: IN	Zip Code:
Phone: () -			
Alternative Phone: () -			

Person Preparing Complaint Relationship to Grievant (If different from Grievant)

Name:			
Address:	City:	State:	Zip Code:
Phone: () -			
Alternative Phone: () -			

Please specify any location(s) related to the complaint or grievance (if applicable):

Please provide a complete description of the specific complaint or grievance:

Appendix D

Complaint Log

Appendix E

Spencer County ADA Work Group Members

Phil Brown

ADA/Title VI Coordinator
(812) 649-4376

Jennifer Adams

ADA/Title VI Co-Coordinator
(812) 649-6010

Highway Department Supervisor
(812) 362-8331

Highway Department Administrator
(812) 362-8331

County Auditor
(812) 649-6004

County Attorney
(812) 649-4571

County Commissioner
(812) 649-6004

Appendix F

Spencer County

ROW Self-Evaluation: Checklist Inventory/Deficiency Results

Deficiency Results EXAMPLE

LOCATION: (Example: Floor 1)

Building (if applicable): (Example: Courthouse)

BARRIER - PROBLEM	SOLUTION	ESTIMATED COSTS	PRIORITY LOW 1-10 HIGH (examples)	Comments
EX: Slope of accessible parking spaces are >2%	EX: Re-grade surface or relocate accessible parking	\$ TBD	2	
EX: Signage for accessible parking is <60" above the ground	EX: Re- install signage	\$ TBD	7	
EX: Cross slope of main entrance sidewalk >2%	EX: Re-grade slope	\$ TBD	2	
EX: Main entrance door closes <5 seconds	EX: Adjust closer	\$ TBD	8	
EX: Light switches are >48" above floor	EX: change height of controls	\$ TBD	2	
EX: Restroom coat hook >48" above floor	EX: Adjust/add accessible coat hook	\$ TBD	6	
EX: Drinking fountain spills onto floor	EX: Adjust controls	\$ TBD	8	

Appendix G

Spencer County

Facilities Self-Evaluation: Checklist/Deficiency Results

Spencer County utilizes the [ADA Checklist for Readily Achievable Barrier Removal](http://www.ADAchecklist.org), as provided on the ADA website: www.ADAchecklist.org

