



AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN UPDATE

City of Lathrop, CA



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1.0 Introduction

1.1 Summary

The American with Disabilities Act (ADA) is a comprehensive civil rights law protecting the rights of persons with disabilities to employment, civic engagement, and accessing goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." The ADA further states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities.

In 2014, the City of Lathrop adopted an ADA Self-Evaluation and Transition Plan (SETP) to fulfill the requirements for local governments set forth in Title II of the Americans with Disabilities Act. The 2014 SETP report identified policy, program, and physical barriers to accessibility within the City of Lathrop and proposed barrier removal solutions to facilitate the opportunity of access to all individuals. In the decade since the original plan was adopted, Lathrop has continued to grow and develop, which involved the construction of new public facilities and renovation of existing ones. The City recognized the need for an update to the SETP to address Lathrop's current needs.

This update to the City of Lathrop Self-Evaluation and Transition Plan identifies new or remaining barriers to accessibility in City policies and facilities as of 2024, proposes physical and programmatic solutions to those barriers, and provides a schedule for barrier removal of those barriers over the next 10 years. The focus of this update is on barriers in City owned or leased parks and building facilities; public right-of-way portions of this report are carried forward from the 2014

1.2 Legislative Mandate

The development of a Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that:

No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. Title II of the ADA covers programs, activities, and services of public entities. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act.

Specifically, the City may not, either directly or through contractual arrangements, do any of the following:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions.
- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered to others, even if the City offers permissibly separate or different activities.
- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

Title II of the ADA provides that public entities must identify and evaluate all programs, activities and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services. Recognizing that accessibility barriers may take extra time and resources to resolve, the ADA requires public entities to create a transition plan setting forth the steps necessary to complete such changes. This report and certain documents incorporated by reference, establishes the City's updated ADA Self-Evaluation and Transition Plan as of 2024.

1.3 ADA Self-Evaluation and Transition Plan Requirements and Process

An ADA Self-Evaluation and Transition Plan (SETP) is composed of two parts. The Self-Evaluation is the City's assessment of its current policies, practices, and procedures. The Self-Evaluation identifies and makes recommendations to correct those policies and practices that are inconsistent with Title II requirements. As part of the Self-Evaluation, the City:

- Identified the City's programs, activities, and services; and

- Reviewed the policies, practices, and procedures that govern the administration of the City's programs, activities, and services.

The second part of the SETP is the Transition Plan. The ADA sets forth specific requirements for preparation of an acceptable Transition Plan. These requirements include:

- A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be used to remove these barriers and make the facilities accessible;
- A schedule for taking the steps necessary to remove barriers to City programs, activities and services; and
- The name of the individual responsible for the plan's implementation and overseeing compliance with Title II of the ADA.

In order to assist the City of Lathrop's in planning for implementation of the Transition Plan, this report also includes planning-level cost estimates for barrier removal.

A public entity is further required to provide opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. Information about public outreach conducted as part of the creation of this plan is provided in Section 1.8.

1.4 Discrimination and Accessibility

There are two kinds of accessibility:

- Physical accessibility; and
- Program accessibility

Absence of discrimination requires that both types of accessibility be provided. Physical accessibility requires that a facility be free of architectural barriers to access. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Programmatic accessibility includes physical accessibility, but also entails all of the policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services and may be achieved by either structural or non-structural methods. Non-structural methods include

acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate sites.

Programs offered by the City to the public must be accessible. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

The City may achieve program accessibility by a number of methods:

Structural methods such as altering an existing facility;

- Acquisition or redesign of equipment;
- Assignment of aides; and
- Providing services at alternate accessible sites.

In compliance with the requirements of the ADA, the City must provide equality of opportunity. When choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities.

1.5 Undue Burden

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

The determination that an undue burden would result must be based on an evaluation of all resources available for use in the City. For example, if a barrier removal action is judged unduly burdensome, the City must consider other options for providing access to the benefits and services of the program or activity by individuals with disabilities.

1.6 Facility Survey

In 2023, the City completed a physical audit of facilities to identify facility barriers and identify recommendations and alterations in order to assist the City in removing barriers to programs, activities and services. The list of facilities surveyed included:

- City owned parks
- City owned buildings

The City's high priority pedestrian right-of-way areas were surveyed as part of the 2014 SETP and are not included in this update. The public right-of-way portions of the 2014 SETP have been appended to this report for reference.

1.7 Self-Evaluation

In 2012, the City of Lathrop evaluated its policies, programs, and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. A follow-up review was conducted between June 2023 and January 2024.

In June of 2023, an online questionnaire administered to directors of City departments provided updated information on the nature of each department's programs and services, forms and methods used to advertise the program's services and activities, the types of equipment and materials used, testing and entrance requirements for special programs, the level of staff training, and any special modifications provided. Questionnaires were distributed and received from the following City departments:

- City Attorney
- Economic Development
- Information Systems
- Parks, Recreation & Maintenance
- Government Services/City Clerk
- Community Development

Information provided in the completed questionnaires revealed that the City's existing policies, programs, and procedures may present barriers to accessibility for people with disabilities. It is the intent of the City to address the programmatic accessibility barriers in the following areas:

Accessible/Adaptive Equipment – The use of automated electronic equipment and auxiliary aids to assist individuals with disabilities participate in City programs.

Customer Service – Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including: procedures for program modifications and not charging additional fees for reasonable accommodation to the person with a disability for modification required to make a program accessible.

Outreach and Information – Notices, printed information, televised and audiovisual information, the City and departmental websites, public telephones and communication devices.

Programs and Activities – Program eligibility and admission, public meetings, tours and trips, transportation services, the use of consultants or contractors to provide city services, emergency evacuation procedures, special events and private events on City properties, maintenance of accessible programs and ongoing accessibility improvements.

Training and Staffing – The current level of training and experience of City staff with policies and procedures regarding providing services to individuals with disabilities.

Findings from each program provider's responses can be found in section 2.3. A copy of the survey questionnaire can be found in Appendix A.

1.8 Public Outreach

A public meeting in a hybrid in-person and virtual teleconference format was held in November of 2023 to obtain the perspective of Lathrop residents on the update to the ADA Self Evaluation and Transition Plan. The meeting was advertised on the City's social media pages, and event flyers were distributed to the Lathrop Community Center, Senior Center, and Generations Center. No residents attended the meeting, either in person or via teleconference, so the project status presentation and discussion prompts were recorded and published to the City's website along with a transcript and an electronic submission form for collecting comments.

A second meeting was held on January 11, 2024. [Placeholder for further Public Outreach process]

2.0 Policies & Programmatic Accessibility Findings & Actions

2.1 Introduction

Programs, activities and services offered by the City of Lathrop to the public must be accessible. Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

This section details the review of current City-wide policies, services, programs, and activities based on meetings with City staff and responses to the program accessibility questionnaire from the following departments and divisions:

- City Attorney
- Economic Development
- Information Systems
- Parks, Recreation & Maintenance
- Government Services/City Clerk
- Community Development

The findings and recommendations contained in this section will serve as a basis for the implementation of specific improvements for providing access to City programs as required by law. There were a total of 26 programmatic questionnaires submitted by the City of Lathrop Staff. Detailed department reports can be found in section 3.6.

2.2 Programmatic Modifications

The ADA Coordinator, or designee, will follow-up with each department to review the recommendations contained in this Self Evaluation Report. In those situations where a policy, program, or procedure creates a barrier to accessibility that is unique to a department or a certain program, the ADA Coordinator, or designee, will coordinate with the department head or program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

2.3 Findings and Recommended Actions – City-Wide Programs, Activities, and Services

This section is organized into categories based on the requirements of Title II of the ADA.

- Accessible/Adaptive Equipment
- Customer Service
- Notice Requirements
- Printed Information
- Televised and Audiovisual Public Information
- Website
- Public Telephones and Communication Devices
- Training and Staffing
- Program Eligibility and Admission
- Public Meetings
- Transportation Services
- Tours and Trips
- Use of Consultants for Delivering Program Services
- Emergency Evacuation Procedures
- Facilities
- Special Events on Public Properties

Accessible/Adaptive Equipment

Adaptive aids are devices, controls, appliances, or items that make it possible for persons with disabilities to improve their ability to function independently and participate in programs, services, and activities offered by the City. For example, a pen and clip board for the deaf or speech impaired to write notes on or accessible electronic equipment such as accessible computer stations.

Self-Evaluation Findings:

No departments reported allowing the public to use or access electronic equipment such as photocopiers and computers. City-owned electronic equipment is not generally accessible to the public. Most departments reported providing adaptive aids such as pen and paper and clipboards, accessible workstations, staff assistance or other accessible equipment as applicable.

Recommended Actions:

1. Provide standard equipment at each site where programs are administered to facilitate basic communications access using alternative formats. Equipment may include, but not be limited to, paper and pencil, an enlarging copy machine, and access to relay service (711) technology.
2. Collaborate with community organizations such as the Disability Resource Agency for Independent Living (DRAIL) and Disability Services and Legal Center (DSLCL) to develop and maintain a current resource list of assistive technology equipment and sources for acquiring them.
3. Establish and maintain a "Resources Toolkit" (see Section 6.0) of adaptive aids and human resources that should be available for use by individuals participating in City programs. Include information about the availability of specific equipment and/or individuals who are available to provide special services (e.g., ASL translation) in public information materials such as brochures and the City's website.
4. Include accessibility as a criterion for purchasing decision making. Whenever possible, evaluate furniture and building materials purchases for compatibility with a wide range of disabilities and sensitivities. Select items that are easily adjustable or can be modified to accommodate a variety of physical and ergonomic needs when purchasing items such as furniture, site furnishings, and office systems. Consultation with disability organizations and persons with disabilities (please see Section 6.0 for Disability Resources) will assist in this task.
5. Maintain accessible equipment.

Customer Service

In-person interaction with the public is one of the primary functions of most City departments. Some City departments have eligibility requirements.

Self-Evaluation Findings:

Some departments reported that they tracked accessibility requests while others reported no or that they did not know. No departments reported charging an additional fee for modifying a program for a person with a disability. Few departments indicated that they consult or have partnerships with outside organizations that provide services to people with disabilities. Some departments had policies or procedures for making informal changes to standard operating procedures to accommodate people with disabilities.

No departments reported having any policies which exclude service animals; however some did not know.

Recommended Actions:

1. Make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.
2. Allow the use of service animals to assist persons in accessing programs, activities and services in City facilities. Since service animals are not always dogs, staff should be made aware of the definition of a service animal and the protocol and etiquette for service animals.
3. Develop criteria for determining reasonable modifications to provide program accessibility, which may include acquisition or redesign of equipment, assignment of aides to persons with disabilities, and provision of services at alternative accessible sites. An approach should include:
 - a. Requests for reasonable modification in programs or services should be made to the department responsible for the program or service.
 - b. The department offering the program or service should meet with the individual with a disability to identify which aspects of the program limit participation and what modifications can be made.
 - c. The department offering the program or service should consult with the relevant program or service staff to determine the reasonable modification. The department offering the program or service may also consult with the City's ADA Coordinator or other resources providing services or information regarding persons with disabilities as appropriate.
 - d. The department offering the program or service should document the modification(s) that was offered and the response of the person with the disability to the modification(s) offered. This documentation should be filed with the City ADA Coordinator's office. All accessibility requests should be tracked. The ADA requests should be analyzed periodically to look for global issues that can be addressed and problems that can be solved proactively.

- e. If individuals with a disability are not satisfied with the results of this process, they should be directed to the City's ADA Grievance Procedure.
4. Assess the composition and needs of the disabled population. Take the necessary steps to improve communication and outreach to increase the effective participation of community members with disabilities in all City programs and activities.
5. Create partnerships with organizations that provide services to the disabled populations to assist in getting the word out about City programs. Keep programs up-to-date through increased community involvement and partnerships with organizations that offer services to persons with disabilities.
6. Publicize efforts to increase participation by persons with disabilities, which might include activities such as distributing program brochures to members of the disability community.
7. Continue the process of not charging an additional fee for program modifications or alternative formats.

Notice Requirements

Title II regulations require the City to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities.

Self-Evaluation Findings:

Some departments identified having a nondiscrimination statement that includes persons with disabilities, but most did not know if they have such a statement. Few departments reported posting a nondiscrimination statement in a location that maximizes public exposure. The nondiscrimination statement should include information about how to reach an ADA coordinator. Nearly all departments notify members of the public that meetings, hearings, and conferences will be held in accessible locations and that adaptive aids such as assistive listening devices will be provided upon request to participants with disabilities. Non-discrimination language is not consistently included on agendas.

Few departments reported notifying all persons about how and with whom to file a disability complaint and some did not know the procedure for filing a disability complaint.

Recommended Actions:

1. Increase outreach to persons with disabilities and the organizations that serve them. The City should inform the public of the possible modifications that can be provided to make services, programs, and activities accessible.
2. Include the following notice (or a similar notice) regarding the City's commitment to providing accessible services in all City publications that provide information about City services, programs, or activities. The notice should also be placed in all City departments in a location that will maximize public exposure.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Lathrop to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact department staff. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City ADA Coordinator can be reached at (209) 941-7432 Email: shunt@ci.lathrop.ca.us

3. Non-discrimination language should appear on both hard copies and documents posted on the web. Include the following notice (or a similar notice) regarding the City's non-discrimination policy in all City publications that provide general information about City services, programs, or activities.

POLICY ON NON-DISCRIMINATION ON THE BASIS OF DISABILITY

The City of Lathrop does not discriminate on the basis of disability in the admissions or access to its programs or activities. An ADA Coordinator has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Justice regulations implementing Subtitle A of Title II of the Americans with Disabilities Act (42 U.S.C. 12131), which prohibits discrimination on the basis on disability by public agencies.

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4. List those City agencies, departments, and specialized services that offer California Relay (711) services in printed City directories and include the following statement:

The City of Lathrop offers California Relay (711) services for persons with hearing or speech disabilities:

5. Develop a statement regarding accessible locations and the availability of auxiliary aids upon request that is included on all public announcements, postings for City programs, and applications, including:
 - a. The notice of non-discrimination;
 - b. Information regarding site accessibility, including the accessible bus route serving the program, facility, or event;
 - c. California Relay Service information, and the phone number and email address of the person who can provide assistance in meeting special needs; and
 - d. A notice that information is available in alternative formats with 72 hours notice.
6. Ensure all departments are aware of the procedures for filing a disability discrimination complaint.

Printed Information

In order to meet the ADA's communication standards, City departments must be able to provide information, when requested, in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape or CD, computer disk, or other formats as requested.

Self-Evaluation Findings:

All departments indicated they provide printed information to the public and many departments reported that they provided printed materials in alternative formats upon request. Some departments reported including pictures of people with disabilities in their printed materials while others did not know or did not include pictures in their publications. Some departments reported that they provide materials in easy-to-understand language for people with learning disabilities.

Recommended Actions:

1. Provide information to each department on how to produce printed information in alternative formats for persons with various

disabilities to ensure that requests are handled in a uniform and consistent manner.

2. Publicize the City's commitment to provide program information in alternative formats on an individual basis as requested.
3. Ensure the uniformity of charges for a publication for all formats of that publication.
4. Include the following notice on all materials printed by the City that are made available to the public:

This publication can be made available in alternative formats, such as, Braille, large print, audiotape, or computer disk. Requests can be made by calling (209) 941-7432 (Voice) or California Relay Services (711). Please allow 72 hours for your request to be processed.

5. Handle all requests for other alternative formats or lengthy documents on an individual basis.
6. Provide program, facility, permit, and reservation information in a variety of formats upon request (for example, enlarge print format for persons with visual disabilities or in simple language for persons with cognitive disabilities). Provide programmatic changes (e.g., staff assistance), upon request to assist in filling out forms or when alternative formats are unavailable or infeasible.
7. Produce meeting agendas and other public information distributed at meetings in alternative formats when requested.
8. When photos are provided, include photos of persons with disabilities.

Website – City and Departmental Websites

As people turn to the Internet as their primary source of information regarding services, programs, activities, and facilities, the City's website (<http://www.ci.lathrop.ca.us>) takes on increased importance as a communications tool.

Providing public access to City publications on-line is an effective means of reaching individuals with disabilities. New accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998 have set forth the technical and functional performance criteria necessary for such technology to be accessible.

Self-Evaluation Findings:

All departments indicated they provide information about their programs on a website. However, only some departments reported information about accessibility of facilities, such as locations of accessible parking and restrooms. Few departments note that they verified their websites are accessible to people with visual disabilities who use speaking browsers. Few departments ensured documents provided for downloading were accessible to persons with visual disabilities. Content is managed by a combination of departments and the IT Department.

Recommended Actions:

1. Increase outreach to persons with disabilities by having the website include more information about the City's commitment to providing accessible services.
2. Include the City's Policy on Non-Discrimination on the Basis of Disability on the City's website.
3. List those City agencies, departments, and specialized services that offer California Relay services in the website telephone directory, and include the following statement:

The City of Lathrop government offers California Relay (711) service for persons with speech or hearing disabilities.
4. Provide information regarding programs, facilities, permits, and reservations on the City's website in an accessible format. This information should be easily found by new web users.
5. Include the City's statement regarding accessible locations and the availability of auxiliary aids upon request on the website.
6. Continually improve the accessibility of web pages through the use of web accessibility analysis to meet and/or exceed Section 508 of the Rehabilitation Act guidelines for accessibility of electronic information. Acquire the technological resources necessary to create accessible PDF and graphics files as described in ADAAG standards for electronic and information technology.
7. Assign one department the authority to provide standards and oversight for outside vendors who create pages and for departments who post their own documents. This will support consistent and accessible web pages. Monitor web pages for continued compliance with accessible web page standards.

8. Provide training to City staff members in creating accessible PDF and other electronic files for posting on City or departmental websites.
9. Use services that help web page authors provide an accessible website by identifying and repairing barriers to access for individuals with disabilities.

See Section 6 for resources on creating and maintaining accessible websites.

Public Telephones and Communication Devices

Self-Evaluation Findings:

No departments reported using the California Relay Service, or 711, to communicate with the hearing and speech impaired. No departments reported that they published how they communicate with hearing or speech disability. No department stated they provide training on how to communicate with the hearing and speech impaired and a few departments were unsure if they provided training.

Recommended Actions:

1. Widely disseminate information regarding the availability and procedure for communicating over the telephone with a person with a hearing or speech disability using the California Relay Service (CRS) – 711.
2. All publications that list phone numbers should also include information on how the deaf and speech impaired can communicate with departments by phone.
3. Consider Video Remote Interpreting Services (VRI) for communicating with the deaf. There are many situations where a live interpreter is required, such as in medical situations, but RVI is a convenient, flexible, lower-cost alternative to live interpreters. Please see Section 6 for more resources for communicating with the deaf and hearing impaired.

Training and Staffing

Self-Evaluation Findings:

In general, City staff members did not report formal training or knowledge of standard policy for interacting with persons with disabilities. Many departments identified that interactions and accommodations are addressed on an individual basis. Many staff members may not be knowledgeable about the different types of reasonable modifications that would make their services accessible.

One of the most frequently identified needs by City departments is more and improved accessibility training. Different types of training are necessary depending on the type of work and the amount of public contact involved with a specific position. Few of the departments reported that their staff has had informal training about their department's obligations and policies to enable persons with disabilities to participate in their programs. Staff members have not yet been trained in areas such as:

- Communication and etiquette with persons with disabilities;
- Standardized, appropriate procedures for making programmatic accommodations;
- How to acquire or use assistive devices; and
- General evacuation procedures for buildings.

Recommended Actions:

1. Provide all City staff members with on-going awareness and sensitivity training. Provide resources such as the City of Long Beach's website, Disability Etiquette: Interacting with Persons with Disabilities (<http://www.longbeach.gov/hr/ada/default.asp>). Include persons with disabilities as trainers.
2. Provide training to City staff members who have contact with the public about how to provide modifications and use assistive devices to make their programs, activities and services accessible. Ensure that customer service training includes information about communicating with and providing modifications for persons with a variety of disabilities. Include program-specific adaptations, assistive devices, and modifications in each department's accessibility policy manual.
3. Develop a comprehensive disability access training program. Educate all City staff about their responsibilities under the ADA. The City's ADA Coordinator and line supervisors should be responsible for ensuring that staff members receive training. Reference materials that address special modifications should be included in this training.
4. Develop standard guidelines for training materials. These guidelines should include standard language that appropriately describes the City's policies on inclusion and non-discrimination, and staff members should receive training in using the guidelines effectively.
5. Whenever staff has contact with the public and depending on operational needs, consider offering training to employees who wish

- to learn basic American Sign Language (ASL) communication skills. This training should emphasize basic communication skills and should not be viewed as a substitute for employing qualified ASL interpreters when requested.
6. Train maintenance staff with respect to accessibility principles and building codes to achieve and maintain accessibility.
 7. Provide City staff members with training in general building evacuation procedures for assisting persons with hearing, speech, visual, mobility, and learning disabilities in an emergency.
 8. Designate one high-level manager in each department to serve as the department's Disability Access Liaison. The Liaison will be required to complete a training program and attend periodic retraining regarding accessibility issues.

Program Eligibility and Admission

The public should be able to access all programs, services, and activities, regardless of disability. Admission criteria, ability to complete forms, participation in interviews, should be available to all members of the public by providing reasonable accommodations.

Self-Evaluation Findings:

No departments reported having limitations or ratios requirements that would exclude persons with disabilities. Some departments noted that they have eligibility requirements. These requirements were physical or mental performance standards for staff based on performance and safety standards or age requirements for the Senior Center. Most forms used by programs do not contain a nondiscrimination statement. A few departments require an interview prior to participation.

Recommended Actions:

1. Ensure that individuals with disabilities are not excluded from regular programs or are required to accept special services or benefits. Involve individuals with disabilities in regular programs to the maximum extent possible.
2. Modify policies, practices, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of the program or create a hazardous situation.
3. Ensure that when specific requirements that exclude or limit the participation of persons with disabilities are necessary for the safe

operation of programs, those requirements are based on real risks, not on speculation, stereotypes, or generalizations.

4. Include a nondiscrimination statement on all forms.
5. When interviews are required for program participation, ensure that the meetings are held in an accessible location and that auxiliary aids are provided upon request.

Public Meetings

Self-Evaluation Findings:

Many departments hold public meetings or participate in them. Most meetings are required to be held in accessible locations. All departments reported that they are required to hold public meetings in accessible locations. They also all indicated that ASL interpreters, readers, or adaptive equipment can be provided when requested. All departments also indicated they ensure individuals with hearing disabilities who do not read sign language can participate effectively in meetings.

Recommended Actions:

1. Schedule public meetings at accessible locations. An accessible location includes, but is not limited to, the following: wheelchair accessible path-of-travel to the meeting room, accessible restrooms, accessible parking, an accessible route from transit and parking to the meeting facility, temperature control, signage, and the ability to provide access to fresh air for persons with chemical sensitivities.
2. Maintain a list of on-call American Sign Language interpreters who may be brought to meetings to assist individuals with hearing disabilities (see Section 6).
3. When a fully accessible site is not available, then make reasonable modification so that an individual with a disability can participate. These modifications may include phone-in participation, video recording, and meeting transcripts.
4. Make information available to City staff on the types of modification requests that may be made by persons with different types of disabilities. Provide information about auxiliary aids such as different types of assistive listening systems, sign language interpreters, readers, descriptive services, and other assistive technologies like "real-time captioning." Provide guidance in the

- layout of the room, sign-in table and refreshments table, to insure that these features are accessible.
5. Display a notice on meeting agendas indicating the availability of accessibility modifications.
 6. Provide agendas and other meeting materials in alternative formats, when requested.
 7. Consider assigning a staff member to be a greeter at public meetings and events. Identify the staff member as a resource for persons who may require assistance.
 8. Provide flexibility in the time limit on speaking for individuals with communication difficulties.
 9. Provide assistive listening devices at public meetings, when requested.
 10. Publicize the availability of American Sign Language (ASL) interpreters in all meeting announcements. Include the following notice in all meeting publicity:

All City public meetings are conducted in accessible locations.

If you require accommodations to participate in this meeting, these may be requested by calling: (209) 941-7432 or the California Relay Service (711) at least 72 hours in advance.

Copies of documents used in this meeting are available in accessible formats upon request.
 11. Develop a checklist for creating accessible meetings and selecting accessible meeting spaces, and make the list available to all City departments and programs.
 12. Prepare a list of already accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.
 13. Move disability-related agenda items to the beginning of agendas when possible. Some people with disabilities are unable to stay late at meeting because they use para-transit or have fixed schedules, as they need to use personal care attendants.

Transportation Services

Self-Evaluation Findings:

No department reported providing transportation services to the public.

Recommended Actions:

1. Ensure that when transportation is provided for City programs, accessible vehicles are available.
2. Ensure transportation schedules and promotional materials are available in alternative formats.
3. Train staff on providing accessible transportation.

Tours and Trips

Self-Evaluation Findings:

Only one department reported that they provide tours and trips to the public. This department indicated they do have procedures to make tours and trips accessible to individuals with disabilities.

Recommended Actions:

1. Ensure that tours are provided in a way that allows people with mobility, visual, speech, hearing and cognitive disabilities to fully participate.
2. Evaluate the destination of the tour or trip in order to determine the level of accessibility and any accommodations or modifications that may be required.
3. If a tour route or a portion of a route is not accessible, the tour will be rerouted or the department providing the tour will determine an alternate accommodation (e.g. photographs, close-captioned videos, etc.) that will allow the tour to be experienced.
4. Provide information to participants in advance of a tour or trip regarding the destination, transportation, and other characteristics of the event so that informed requests for accommodations can be made.
5. Provide information about accessibility of the tour on the program's website.

Use of Consultants for Delivering Program Services

Self-Evaluation Findings:

Few departments reported using consultants for delivering program services. Those that did reported they do ensure consultants are aware of their

obligations to facilitate participation of individuals with disabilities and that they do monitor this obligation.

Recommended Action:

1. For those departments that use outside contracted employees to provide services to the public, a procedure should be established to ensure that their work is consistent with City accessibility policies and standards, including contract language and a monitoring procedure.

Emergency Evacuation Procedures

Self-Evaluation Findings:

Most departments reported that they were unaware of or did not have a plan to safely evacuate people with disabilities in an emergency. Few City departments require established emergency evacuation procedures to safely evacuate persons with disabilities who may need special assistance in an emergency.

Recommended Actions:

1. Develop guidelines for the evacuation of persons with disabilities in various types of emergency situations. Each department, division, or program should use these guidelines to create their own emergency evacuation plans. These plans should:
 - a. Address what to do when an alarm is triggered;
 - b. Establish meeting places for assistance and evacuation chairs;
 - c. Provide direction on what to do if assistance is not available; and
 - d. Establish floor captains.

Specific suggestions for evacuation plans and procedures can be found through the US Access Board: <http://www.access-board.gov/evacplan.htm> and the Emergency Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the US Fire Administration.

2. Train City staff regarding emergency evacuation procedures with periodic drills, both announced and unannounced.
3. Review existing procedures dealing with emergencies to ensure that persons with disabilities can be alerted and that they can alert emergency service providers. Provide all evacuation policies and procedures in alternative formats when requested. Work with

- disability organizations to explore the use of other technologies such as audible exit signs for orientation and direction and vibrating paging systems.
4. Departments that routinely provide emergency services should have priority for receiving equipment that accommodates alternative format communication.
 5. Provide training for public safety personnel to enable them to communicate in basic American Sign Language in the event that there is an emergency condition and the area is being evacuated. For example, this training would be provided to police, firefighters, lifeguards, and building inspectors involved in post-disaster emergencies.
 6. Take the necessary steps to ensure that emergency teams are aware of persons with disabilities in their communities who may require special assistance in the event of an emergency.
 7. Provide American Sign Language interpreters at emergency facilities, on an as-needed basis. To accomplish this, form a pool of interpreters as a resource from which to draw upon (see Section 6).

Facilities

Self-Evaluation Findings:

Most departments reported that they had not received or track accessibility complaints related to City facilities.

Recommended Actions:

1. Provide accessible facilities such as parking, including van accessible parking, path-of-travel, entry doors, signage, and transaction counters at customer service locations. If alternative locations for providing accessible services are required, provide those services in the most integrated setting, without stigmatizing the user.
2. Provide information about facility accessibility on department publications including the department's website.
3. All requests relating to facility access should be tracked. The ADA requests should be analyzed periodically to look for global issues that can be addressed and problems that can be solved proactively.

4. If individuals with a disability are not satisfied with the results of this complaint process, they should be directed to the City's ADA Grievance procedure.

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Special Events on Public Properties

Self-Evaluation Findings:

Many departments reported that they did not offer special events on City property. Most departments who hold special events on City property have policies in place to ensure that the events are accessible to people with disabilities.

Recommended Actions:

1. In situations where private organizations sponsor events in City facilities, the City will inform private organizations about applicable ADA requirements.
2. The City will provide a checklist and information during the application process to inform organizers of their responsibility for accessibility under the ADA. The checklist and information will be available on the City's website.

2.4 Policy Review: City Municipal Code

This review was completed using the online version of Lathrop's municipal code in 2023.

Overall Recommendations:

1. Provide meeting agendas, hand-outs, forms and other written materials including information that is sent via postal mail in alternative formats upon request. Alternative formats may include large print, audio tape, CD, Braille, etc.
2. All public meetings must be held in accessible locations. Auxiliary aids such as American Sign Language interpreters or captioning must be provided upon request.
3. When requested, printed materials must be provided in alternative accessible formats for a person with disabilities.
4. When signatures are needed, give an alternative for a person with a disability to providing a written signature such as a signature stamp.
5. All City staff should be trained in providing customer service to people with disabilities.

Other Recommendations:

Title 6: Animals

Chapter 6.12 DOGS AND CATS

6.12.110 Dogs prohibited in food establishments.

No person shall allow, permit or take any dog (except seeing-eye dogs or dogs used by law enforcement officers) whether loose, on leash or in arms, into any restaurant, grocery store, meat market, fruit store or food establishment of any kind in the city, except for seeing-eye dogs, which may be lawfully taken into any food establishment of the city unless prohibited by the management thereof. (Prior code § 91.076)

Recommendation: Revise language from "seeing-eye dogs" to "service animals for persons with disabilities".

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Title 10: Vehicles and Traffic

Chapter 10.04 GENERAL PROVISIONS

10.04.050 Traffic prohibited during construction and repair.

No person shall walk, go, travel or drive with any animal, vehicle, motorcycle or bicycle, or ride or drive any animal across or over any highway in this city when the highway is being repaired or constructed before the repair or construction is finally completed. (Prior code § 70.05)

Recommendation: When pedestrian ways are interrupted by construction, insure that a temporary pedestrian access route is provided per 12.08.180 Interference with travel of general public.

Title 12: Streets, Sidewalks And Public Places

Chapter 12.08 ENCROACHMENTS

12.08.210 Standards, supervision and inspection.

All work done under a permit issued pursuant to this chapter shall conform to standard details and specifications established by the city engineer, or in the absence of established standard details and specifications, to recognized standards of construction and approved practices in connection with the work to be done. All work shall be constructed under the supervision of and to the satisfaction of the city engineer. Should any dispute arise regarding conformance to specifications, such dispute shall be decided by the city engineer, and the decision of the latter shall be final and conclusive. (Prior code § 97.30)

Recommendation: Reference the Americans with Disabilities Act (ADA) as a recognized standard of construction.

12.08.340 Trimming or removing trees.

Trimming of trees will be permitted only when and in the manner authorized by a permit issued pursuant to this chapter, and provisions of Chapter 12.16, that the shapeliness of the tree may be preserved. An application for removal of a tree will be approved and a permit issued only when a necessity for removal exists, and adjacent property owners concur, or when deemed necessary by the city engineer. When a tree is removed under authority of a permit, the entire stump shall be taken out for a distance of at least two feet below the ground surface unless otherwise specified in the

permit, and the hole backfilled and tamped. All debris from trimming or removal shall be removed from the site and the right-of-way restored to its former condition. (Prior code § 97.43)

Recommendation: Trees or other plant materials on private property that overhang a public ROW must be maintained with an 80 inch minimum clear height between the ground and the lowest branch. Plants shall not protrude into the width of a public sidewalk so that the vegetation reduces the clear width of the public sidewalk to 48 inches minimum. Consider placing this requirement in 12.16.120 Trees and shrubs designated as public nuisances on private property.

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3.0 Transition Plan

3.1 Introduction

Title II of the ADA states that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use must develop a Transition Plan to make their facilities meet the standards for Program Accessibility. Program Accessibility means that a program, activity and/or service are accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

This Transition Plan combines the findings of the facility surveys, public right-of-way surveys, policy assessments, and program evaluations. Specific policy and program recommendations can be found in Section 2.0. The specific architectural modifications required to make programs accessible are listed in the City of Lathrop—Facility Reports (please see Appendix E). Each facility report contains a complete list of architectural barriers and barrier removal actions. Not all of these barriers must be removed in order to provide program access. The first priority is to remove those barriers limiting access to programs, whether by making physical changes to facilities where programs are provided, or by relocating programs to accessible facilities.

This Transition Plan addresses facilities, which includes public portions of buildings, parks, and their related grounds. Public pedestrian right-of-way, which include sidewalks, curb cuts, and signalized intersections that fall within the City's area of responsibility, were addressed in the 2014 SETP and have been reproduced in this report.

In compliance with the requirements of the ADA, the City will maintain in working order equipment and features that are required to provide access to individuals with disabilities.

3.2 Facility Prioritization

Criteria for Prioritizing Facility and Program Areas

Workshops were held with City staff to review and set priorities for removing barriers to provide programmatic access for the public. All facilities in which the City provides programs, activities and services were reviewed and ranked based on the following criteria. Each of these criteria is deemed by the City to have equal importance with no single criteria having priority over another:

- **Level of use by the public:** Facilities that receive a high level of public use receive a higher priority;
- **Special User Groups:** Facilities highly utilized by special user groups, such as children, seniors, or people with disabilities, receive a higher priority;
- **Planned Obsolescence/Upcoming Projects:** Facilities that are expected to be renovated or replaced in the near future are de-prioritized, since corrections to those facilities will be made as part of planned projects. Facilities that do not have any upcoming projects planned receive a higher priority;
- **Identified Complaints:** Accessibility improvements can be directed towards facilities where there are identified accessibility complaints. Facilities receiving complaints or requests from the public receive a higher priority.

Each Facility evaluated received a numerical score from 1-3 for each of the criteria listed above, where a score of 1 indicated that the facility is a high priority under that criterion, and a score of 3 indicated that the facility is a low priority under that criterion. Totaling the scores for each facility generated a ranking that forms the basis for scheduling barrier removal efforts at that facility. The results of the prioritization exercise are listed on the following page. See Table 3.1 for further details.

Priority Ranking 1

- Community Center Shared Parking
- Generations Center & Library
- Lathrop Senior Center

Priority Ranking 2

- Apolinar Sangalang Park
- EPIC Academy
- Generations Center Park
- Joseph Widmer Elementary School
- Lathrop City Hall
- Lathrop Community Center
- Lathrop Elementary School
- Lathrop High School
- Lathrop Police Station
- Manuel Valverde Park
- Mossdale Elementary School
- Mossdale Landing Community Park
- River Islands Technology Academy
- STEAM Academy at River Islands
- Woodfield Parks

Priority Ranking 3

- Armstrong Park
- C-2 Park (River Islands)
- Corporation Yard
- Crescent Park
- Crystal Cove Park
- Libby Park
- Michael Vega Park
- Milestone Park
- Park West
- Reflections Park
- River Park North
- River Park South
- Rotary Park
- Somerston Park
- Summer House Park
- The Commons
- The Green
- Thomsen Park
- Tidewater Park
- William Moss Park

Milestone Park was under construction at the time of evaluation and assessment details are not available for that location.

School grounds assessment was limited to exterior approach from the public right-of-way to the primary building entrance, including drop-off lanes and sidewalks within the school property boundary.

Priorities for Barrier Removal within Facilities

The following guidelines assisted the City in prioritizing barriers found in City facilities:

1. Category One: The highest priority is placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place.

Examples:

- Connection to the public right-of-way
- Parking and passenger loading
- Entrance walks
- Entrance ramps
- Entrance stairs
- Entrance doors

2. Category Two: A second level priority is placed on those barrier removal items that improve or enhance access to program use areas. Examples:

- Transaction counters
- Conference and meeting rooms
- Public offices
- Recreation environments/features
- Public restrooms

3. Category Three: A third level priority is placed on those barrier removal items that improve access to amenities serving program areas. Examples:

- Drinking fountains
- Public telephones
- Vending machines

4. Category Four: A fourth level of priority is assigned to areas or features that are not required to be modified because there are no public programs located in the facility or portion of the facility, or because there are other locations that provide access to the program.

Facility Barrier Details

The Transition Plan for the removal of architectural barriers to program access must contain the following information:

- Identification of the barriers to program access
- Identification of the specific barrier removal action(s)
- Identification of a schedule for barrier removal and
- Identification of responsibility for ensuring barrier removal

The facility reports appended to this document provide the identification of barriers and the specific barrier removal actions. The City will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers and construction projects to remove architectural barriers.

The responsibility for ensuring barrier removal will reside with the City of Lathrop's ADA Coordinator.

3.3 Barrier Removal Schedule

Phasing Schedule for Facilities

Barriers in city facilities will be removed systematically, City-wide, based on established program priorities. It is the intent of the City to address and remove barriers to accessibility in public buildings and parks based on the criteria listed in the subsections under Section 3.2 above.

The City of Lathrop reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding constraints and opportunities. It is the goal of this Transition Plan to provide full access to the programs, activities and services provided by the City. Interim measures will be explored and implemented as needed in order to provide programmatic access to the public pending the implementation of physical barrier removal projects.

The following tables describe the priorities and schedule for barrier removal in public facilities. This preliminary schedule represents a 10-year plan for barrier removal. It is the City's intent to review all barriers during the first year of the implementation of this plan and address those barriers that can be resolved through programmatic modifications. The City will then revise the following schedule for the removal of the remaining barriers.

Table 3A: Phasing Schedule for City Facilities

City Owned Facility	Address	Priority Ranking	Year
Corporation Yard	2112 E Louise Ave	3	8-10
Community Center Shared Parking Lot	15557 5th St	1	1-4
Generations Center & Library	450 Spartan Way	1	1-4
Lathrop Senior Center	15707 5th St	1	1-4
Lathrop City Hall	390 Towne Centre Dr	2	5-7
Lathrop Community Center	15557 5th St	2	5-7
Lathrop Police Station	15597 7th St	2	5-7

Table 3B: Phasing Schedule for Schools (Exterior Approach & Drop-off)

School	Address	Priority Ranking	Year
EPIC Academy	2760 Penrose Ln	2	5-7
Joseph Widmer Elementary School	751 Stonebridge LN	2	5-7
Lathrop Elementary School	15851 5th St	2	5-7
Lathrop High School	647 Spartan Way	2	5-7
Mossdale Elementary School	455 Brookhurst Blvd	2	5-7
River Islands Technology Academy	1175 Commercial St	2	5-7
STEAM Academy at River Islands	18001 Commercial St	2	5-7

Table 3C: Phasing Schedule for Parks

Parks	Address	Priority Ranking	Year
Apolinar Sangalang Park	13470 Slate Street	2	5-7
Armstrong Park	230 Blue Sky Dr	3	8-10
C-2 Park (River Islands)	18001 Commercial St	3	8-10
Crescent Park	15980 Crescent Park Circle	3	8-10
Crystal Cove Park	1706 Academy Dr.	3	8-10
Generations Center Park	450 Spartan Way	2	5-7
Libby Park	575 Libby Lane	3	8-10
Manuel Valverde Park	15557 5th Street	2	5-7
Michael Vega Park	980 Lakeside Drive	3	8-10
Milestone Park	630 Milestone Drive	3	8-10
Mossdale Landing Community Park	700 Towne Centre Dr.	2	5-7
Park West	16130 Sheltered Cove Circle	3	8-10
Reflections Park	Garden Farms Avenue	3	8-10
River Park North	15551 Lathrop Rd	3	8-10
River Park South	17801 Inland Passage Way	3	8-10
Rotary Park	15650 Lathrop Rd	3	8-10
Somerston Park	Emerson Street	3	8-10
Summer House Park	18348 Big Bear Drive	3	8-10
The Commons	740 Green Plaza	3	8-10
The Green	16700 English Country Trail	3	8-10
Thomsen Park	435 Thomsen Road	3	8-10
Tidewater Park	1590 Huntington Way	3	8-10
William Moss Park	593 Inland Passage Way	3	8-10
Woodfield Parks	801 Lathrop Road	2	5-7

As described in the tables above, facilities with Priority Ranking 1 will be remediated during years 1-4 (2024-2027), Priority Ranking 2 Facilities will be remediated during years 5-7 (2028-2030), and Priority Ranking 3 Facilities will be remediated during years 8-10 (2031-2033).

3.4 Pedestrian Right-of-Way (PROW)

A. Surveys of Existing PROW Conditions

The City completed a PROW study identifying sidewalk hazards in 2013. A survey of high priority pedestrian facilities was also conducted in 2013 (Appendix C).

B. Pedestrian Right-of-way Prioritization

Under Title II of the ADA, a City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of ramps at some locations undesirable. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of curb ramps that the City is required to provide.

The City will prioritize PROW projects in the following order:

1. Government offices and facilities
2. Bus stops and transportation facilities
3. Places of public accommodation such as commercial and business areas
4. Facilities containing employers
5. Other areas such as residential neighborhoods and underdeveloped regions of the City.

Additional criteria for prioritization may be developed for replacing existing curb ramps. For example:

- Repair of hazardous conditions
- Distance from a City-operated program or building
- Distance from a bus stop
- Proximity to a facility serving disabled clients
- Level of pedestrian traffic
- Lack of feasible alternate routes
- Distance from non-City owned public facilities

C. Time Period for Pedestrian Right-of-way Improvements

In 2014, the City established a 30 year time frame to remove PROW barriers that limit program accessibility. The ADA Title II regulations states that if a Transition Plan will take more than one year to fully implement, it must contain interim steps that will be done to provide program accessibility. An interim action the City may consider is to publish accessibility maps on the City website that show the most accessible routes to follow.

D. PROW Construction Details

As of 2013, City of Lathrop pedestrian facility plans and specifications had been recently updated and were in the process of being brought into alignment with state and federal accessibility requirements.

E. Accessibility during Construction

When capital improvements are contracted by the City, the contractor is directed to maintain an accessible path of travel during construction. Provisions are included to provide safe and accessible passage for pedestrians.

F. Street or Sidewalk Closure

The City currently provides advance warning for street closure using signage posted at the area undergoing alteration or repair. The location and scope of construction projects throughout the City are posted on the City's website: www.ci.lathrop.ca.us

G. On-Street Accessible Parking

If a citizen would like to install an on-street accessible parking space, this can be requested through the Public Works Department by calling the ADA Coordinator at (209) 941-7422.

H. Citizen Request Process

If a citizen would like to make a request related to the PROW, they must contact the Public Works department to file a request. This can be done by calling by calling the ADA Coordinator at (209) 941-7422.

I. Street-Related Capital Improvement Projects

The City engages in annual maintenance efforts to repair cracked or heaved sidewalks and to address sidewalk improvements based on citizen's requests and/or needs at specific locations as budget allows. Street overlay and street reconstruction projects include repair of sidewalk and construction of ADA compliant curb ramps. Other CIP projects with ADA components are completed every year and there is a requirement for developers to install ADA-compliant driveways, sidewalks, and curb ramps through conditions of approval. Additionally, the City has an annual concrete maintenance contract that focuses on the installation of high priority sidewalks along school routes and other areas. This includes mitigating trip hazards, as well as replacing damaged sidewalks.

4.0 ADA Policy and Complaint Procedure

4.1 ADA Grievance Procedure

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance. The City of Lathrop has designated Carlos Carillo as its primary ADA Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated Title II of the ADA. The ADA Coordinator is also responsible for coordinating the efforts of the City to comply with Title 24 and all other applicable State and Federal physical and program accessibility requirements.

All complaints or grievances submitted to the City of Lathrop must be in writing on the designated form (available online at the following location: https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/public_works/page/6228/ada_form.pdf) or submitted through the Lathrop Cares application. Grievances must be submitted with specific information about the alleged violation or discrimination, including the name, address, telephone number of the complainant, and the location, date, and a complete description of the problem. Anonymous complaints or grievances will not be accepted. Complaints or grievances will be kept confidential to the greatest extent possible, unless ordered released by a court of competent jurisdiction (see Evidence Code 1040). Alternative means of filing complaints or grievances may be accepted at the discretion of the ADA Coordinator. These may be submitted by telephone, e-mail (e-mail confidentiality cannot be assured), letter, personal interview, or tape recording, upon request. However, all complaints or grievances must provide all the information required consistent with the format of the official complaint form. See Appendix F.

All complaints must be submitted by the complainant or his/her designee to the ADA Coordinator at the below location or, upon approval of a request to submit in an alternative method, by telephone at (209) 941-7422 (Voice); by fax at (209) 941-7449; or via e-mail at shunt@ci.Lathrop.ca.us. Complaints should be submitted as soon as possible, but no later than 60 calendar days, after the date of the alleged violation or discriminatory act.

City of Lathrop
Carlos Carillo, ADA Coordinator
390 Towne Centre Drive
Lathrop, CA 95330

If a complaint is regarding building or facility inaccessibility, the ADA Coordinator will forward the complaint within 5 business days to the appropriate City of Lathrop Department for investigation and will formally acknowledge receipt of the complaint to the complainant.

For all other complaints or grievances, the ADA Coordinator will contact the complainant to discuss the complaint or grievance within 10 business days after receipt of the complaint or grievance. Within 30 calendar days of this contact, the ADA Coordinator will respond in writing and, where appropriate, in an alternative format accessible to the complainant. The response will explain the position of the City of Lathrop and offer options for substantive and reasonable resolution of the complaint or grievance.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the decision may be appealed to the City Manager or his/her designee within 30 calendar days following receipt of the response.

Within 10 business days after receipt of an appeal, the City Manager or his/her designee will contact the complainant to discuss the complaint or grievance and possible resolutions. Within 15 business days of this contact, the City Manager will respond in writing and, where appropriate, in a reasonable format accessible to the complainant, with a final resolution of the complaint or grievance.

Every reasonable attempt will be made by the City of Lathrop to remedy the disability complaints or grievances in a timely manner subject to staff and budget constraints.

If any Title 24 Building Code or ADA complaint or grievance resides under the jurisdiction of another public entity, the complainant will be notified that the City of Lathrop lacks jurisdiction and will be referred to the appropriate jurisdiction.

5.0 Definitions

The following is a summary of many definitions found in the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations (<http://www.ada.gov/>).

5.1 Auxiliary Aids and Services

The term *auxiliary aids* and services include:

1. Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing disabilities;
2. Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual disabilities; and
3. Acquisition or modification of equipment or devices; and other similar services and actions.

5.2 Complaint

A *complaint* is a claimed violation of the ADA.

5.3 Disability

The term *disability* means, with respect to an individual:

1. A physical or mental disability that substantially limits one or more of the major life activities of such individual;
2. A record of such disability; or
3. Being regarded as having such disability.

5.4 Discrimination on the Basis of Disability

Discrimination on the basis of disability means to:

Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
Participate in a contract that could subject a qualified citizen with a

disability to discrimination;

Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;

Deny equal benefits because of a disability;

Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;

Use selection criteria that excludes otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and

Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

5.5 Having a Record of Disability

An individual is disabled if he or she has a history of having an disability that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such disability.

5.6 Physical or Mental Disabilities

Physical or mental disabilities may include, but are not limited to: vision, speech, and hearing disabilities; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental disabilities: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

5.7 Qualified Individual with a Disability

A *qualified individual* with a disability means an individual with a disability who, with or without reasonable modification 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 the City.

5.8 Reasonable Program Modifications

If the individuals' disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable these individuals to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

1. To a registration or application process to enable an individual with a disability to be considered for the program or activity;
2. To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and
3. That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability;
- It creates a hazardous situation;
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or
- It poses an undue burden on the City.

5.9 Regarded as Having a Disability

An individual is *disabled* if she or he is treated or perceived as having an disability that substantially limits major life activities, although no such disability exists.

5.10 Substantial Limitations of Major Life Activities

An individual is disabled if she or he has a physical or mental disability that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental disability substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

1. The nature and severity of the disability;
2. The duration or expected duration of the disability; and
3. The permanent or long-term impact (or expected impact) of or resulting from the disability.

5.11 Undue Burden

The City of Lathrop shall not provide an accommodation that imposes an undue burden on the operation of the City's business.

Undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City.

Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to the City of Lathrop, the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for the modification is available from an outside source. If no such funding is

available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

The following factors shall be considered in determining whether a program modification would create an undue burden: the nature and cost of the modification, the financial resources of the City available to make the modification, the impact the expense of the accommodation will have on the affected City operation, and the permanence of the alterations affecting the site.

DRAFT

6.0 Program Accessibility Guidelines, Standards & Resources

6.1 Introduction

In order to facilitate access to all City Programs and Departments, the City will maintain these program accessibility guidelines, standards and resources. This information is available to all employees and volunteers. The City will add to these guidelines when necessary to address its needs and include information and technological devices that help staff and volunteers communicate with individuals with a variety of disabilities. The City will periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included. The City will maintain relationships with groups which serve people with disabilities to assist in maintaining the resources in this section. This section also contains the accessibility standards of care that govern new construction and alterations to facilities.

6.2 Federal Accessibility Standards and Regulations and Resources

There are both State and Federal regulations for accessible facilities. Below are resources for both the State of California and Federal facility regulations.

U.S. Department of Justice

- The U.S. Department of Justice, <http://www.ada.gov>. The US DOJ provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line 1.800.514.0301 (Voice) or 1.800.514.0383 (TTY). Publications are available in standard print as well as large print, audiotape, Braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website.
- ADA Regulation for Title II, <http://www.ada.gov/reg2.html>. This publication describes Title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with

disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

- Title II Technical Assistance Manual (1993) and Yearly Supplements, <http://www.ada.gov/taman2.html> and supplement <http://www.ada.gov/taman2up.html>. This manual explains what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner.
- Current Text of the Americans with Disabilities Act of 1990, including changes made by the ADA Amendments Act of 2008 (P.L. 110-325), <http://www.ada.gov/pubs/adastatute08.pdf>. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. It also mandates the establishment of TTY/telephone relay services.
- ADA Information for Law Enforcement, <http://www.ada.gov/policeinfo.htm>. This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects, and others who have disabilities.

US Access Board

- The US Access Board, <http://www.access-board.gov>. The US Access Board writes Federal regulations for Facilities, Public Right-of-way, Transportation, and Communications. This page also contains research papers, newsletters, annual reports and more. In addition to regular print, publications are available in: large print, disk, audiocassette, and Braille. Multiple copies of publications can be ordered by sending a request to pubs@access-board.gov. In addition to the guidelines, guidance material is also available to assist staff in understanding and implementing federal accessibility guidelines. Copies of Advisory Committee Reports that have been written but not yet adopted as law are also provided.

6.3 State Of California Accessibility Standards and Regulations and Resources

Title 24, California Building Code

- The State of California has also adopted a set of design guidelines for accessible facilities, which can be found in the California Code of Regulations, Title 24, Part II, California Building Code (CBC), www.iccsafe.org. CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. Although California has adopted most of the ADAAG requirements, there are some differences. In general, the more restrictive requirement (whether federal or state) should be applied when designing accessible facilities. The complete Title 24, or any of its parts, is available for purchase from the International Code Council (ICC), 5360 South Workman Mill Road, Whittier, CA 90601, 1.800.423.6587, www.iccsafe.org or at various bookstores that carry technical books.

Since the CBC is updated every three years, the City should have an ongoing program of regularly reviewing these changes and updating policies and procedures related to accessibility to keep them current.

Division of the State Architect

- The Division of State Architect (DSA), <https://www.dgs.ca.gov/DSA/Publications>, also provides information and resources for accessible or universal design. The DSA's website is <https://www.dgs.ca.gov/DSA>. For technical assistance contact DSA's Access Compliance Program at 1130 K Street, Suite 101, Sacramento, California 95814 (916.322.4700).

DSA's 2003 California Access Compliance Reference Manual. The purpose of this book of regulations and statutes together is to clarify the obligations for architectural accessibility in California.

6.4 State and National Organizations that Provide Resources for People with Disabilities

- Disability Resources, Inc., <http://www.disabilityresources.org>. Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources.
- CATS, <http://www.atnet.org>. CATS is a statewide project of the California Department of Rehabilitation that promotes access to assistive technologies, related services, and information to enable people with disabilities to be successful, independent, and productive. CATS maintains several directories on their website including assistive technology vendors and service providers for Hard of Hearing/Deaf, Learning Disabled, Mobility/Physical/Orthopedic, Speech/Language, Visually Impaired/Blind.
- World Institute on Disabilities (WID) Accessibility and Assistive Technology Resource List: <https://wid.org/conference-accessibility-resources/>. WID maintains a comprehensive list of accessible technology resources.
- The Pacific ADA Center, <http://www.adapacific.org/> The purpose of the Pacific ADA Center (Pacific DBTAC) is to build a partnership between the disability and business communities and to promote full and unrestricted participation in society for persons with disabilities through education and technical assistance.
- The Center for Accessible Technology, <http://www.cforat.org>. CFORAT provides access to computers for people with disabilities. Their goal is for children with disabilities to succeed in school, adults with disabilities can find (and keep) jobs and all people with disabilities can use the internet, email and benefit from the digital revolution.
- Association of Assistive Technology Act Programs, <https://ataporg.org>. The Association of Assistive Technology Act Programs (ATAP) facilitates the coordination of state and territory AT Act Programs nationally and provides technical assistance and support to its members. ATAP is a national, member-based non-profit organization that seeks to enhance the effectiveness of AT Act Programs on the national, state, and local level.

State and National Organizations Who Provide Services for the Blind

- Lighthouse for the Blind and Visually Impaired, <http://www.lighthouse-sf.org>. The Lighthouse is the largest agency providing direct service,

advocacy, and information to the blind and visually impaired community of Northern California. Since 1902, they have offered solutions to living with vision loss.

- State of California Office of Special Services to the Blind: <http://www.cdss.ca.gov/cdssweb/PG83>. Under the Office for Special Services, the Office of Services to the Blind (OSB) provides information and referrals on services, programs, entitlements, and products of benefit to individuals who are blind or visually impaired and their families or service providers. OSB staff assists such individuals in understanding the availability of services, their eligibility for services, and the purpose and scope of the various service programs.
- Lighthouse International, <http://www.lighthouse.org>. Founded in 1905, Lighthouse International is a non-profit organization whose goal is to prevent the disability associated with vision loss and to enhance the daily lives of people with visual disabilities at any age. New York Lighthouse Vision Rehabilitation Services is a major provider of vision rehabilitation services in New York State. Other activities of Lighthouse International include professional education, research, prevention, and advocacy. In partnership with the Royal National Institute for the Blind, it built Vision Connection, a global Internet portal for people who are partially sighted or blind. It sells products for consumers through the Lighthouse Store, and to professionals through its Professional Products Division, also known as the Low Vision SuperStore.
- American Foundation for the Blind, <http://www.afb.org>. The American Foundation for the Blind is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual disabilities. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database. Local assistance is available through the American Foundation for the Blind-West, 44 Montgomery Street, Suite 1305, San Francisco, CA 94040 (415.392.4845) or by email at sanfran@afb.net.
- National Federation of the Blind, <http://www.nfb.org>. NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided on-line resources for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers, and sources of closed circuit TV (CCTV's).

- United States Association of Blind Athletes, <http://www.usaba.org>. The United States Association of Blind Athletes enhances the lives of blind and visually impaired people by providing the opportunity for participation in sports and physical activity.
- National Center for Accessible Media, <http://ncam.wgbh.org/index.html>. is a research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities.

State and National Organizations Who Provide Services for people with Auditory Disabilities

- Hearing and Speech Center of Northern California, www.hearingspeech.org.
- State of California Office for Deaf Access, <http://www.cdss.ca.gov/cdssweb/PG145> The ODA has two primary purposes. First, it acts as a liaison between the California Department of Social Services (CDSS) Director's Office and the deaf community, various programs, agencies, and other organizations concerned with deafness or hearing loss. Second, the ODA provides contract administration and program oversight of CDSS' contracts with a network of eight, private, non-profit agencies that provide a variety of DAP services to California's deaf, deaf-blind, hard of hearing and late-deafened populations.
- National Association of the Deaf, <http://www.nad.org/>. NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website.

State and National Organizations Who Provide Deaf/Blind Services

- A to Z Deafblind, <http://www.deafblind.com>.
- Center for the Deaf Blind, www.deaf-blind.org.
- Guidelines for Working/Playing with Deaf-Blind People, <http://dss.jsu.edu/db.htm>.

National Organizations Who Provide Services For Wheelchair Users and People With Mobility Disabilities

- ADA Document Portal, <https://adata.org/ada-document-portal>, provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers.
- Beneficial Designs, <http://www.beneficialdesigns.com>. Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource.

State and National Organizations Who Provide Information about Cognitive Disabilities

- National Alliance on Mental Illness (NAMI), <http://www.nami.org>. For three decades, NAMI has established itself as the most formidable grassroots mental health advocacy organization in the country. Dedication, steadfast commitment and unceasing belief in NAMI's mission by grassroots advocates have produced profound changes. NAMI's greatest strength is the dedication of their grassroots leaders and members. NAMI promotes awareness, support, and advocacy for the mentally ill and their families.
- Internet Mental Health, <http://www.mentalhealth.com>. This site is a free encyclopedia of mental health information created by a Canadian psychiatrist. The site provides current information about mental illness, state-of-the-art, interactive cognitive tools. Internet Mental Health does not accept any corporate sponsors.

State and National Organizations Who Provide Information about Developmental Disabilities

- Area 9 Developmental Disabilities Board, <http://www.scdd.ca.gov/>. Area Board 8 serves the consumers of Mariposa, Madera, Merced, Fresno, Kings, Tulare and Kern counties.
- California Department of Developmental Services, <http://dds.ca.gov>. The California Department of Developmental Services is the agency through which the State of California provides services and support to individuals with developmental disabilities.

- State Council on Developmental Disabilities, <http://www.scdd.ca.gov>. The State Council on Developmental Disabilities (SCDD) is established by state and federal law as an independent state agency to ensure that people with developmental disabilities and their families receive the services and support they need.
- The Arc, <http://www.thearc.org>. The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families. Local information is available from Arc California, 1225 Eighth Street, Suite 590, Sacramento, CA 95814 (916.552.6619) or by email at arcca@quicknet.com.

State and National Organizations Who Provide Information about Learning Disabilities

- Recording for the Blind & Dyslexic (RFB&D), <http://www.rfbd.org>. Recording for the Blind & Dyslexic® (RFB&D), a national nonprofit, volunteer organization, has been the leading accessible audio book library for students with disabilities such as visual disability or dyslexia that make reading standard print difficult or impossible for the last 60 years. With titles available in every subject area and grade level, RFB&D's digitally recorded audio textbooks on CD and downloadable audio textbooks help students challenged by the printed page.

State and National Organizations Who Provide Information about Speech Disabilities:

- About the National Dissemination Center for Children with Disabilities, <http://www.nichcy.org/Disabilities/Specific/pages/SpeechLanguageDisabilities.aspx>
- The Stuttering Foundation, <http://www.stutteringhelp.org/>. The Stuttering Foundation provides free online resources, services and support to those who stutter and their families, as well as support for research into the causes of stuttering.

Local Organizations Who Provide Information about Multiple Chemical Sensitivity

- Resources for Independent Living, Central Valley: <http://www.ricv.org/>. Since 1976, Resources for Independence, Central Valley (RICV) has worked with consumers to promote their independence in the community. RICV provides information and

referral on a broad range of topics including a crisis hotline, Financial Aid, Food Programs, Housing, Specialized Transportation and much more. RICV's service area includes the five counties of Fresno, Kings, Tulare, Madera and Merced.

- City of Visalia Disabled Community Services Directory:
<https://www.visalia.city/civicax/filebank/blobdload.aspx?blobid=3739>
- Accessibility Resource list for the City of Fresno:
<https://www.fresno.gov/publicworks/ada/ada-faqs/>

State and National Organizations Who Provide Information about Multiple Chemical Sensitivity

- Job Accommodation Network Employees with Multiple Chemical Sensitivity and Environmental Illness,
https://askjan.org/organizations/MCS-Advocacy-com.cfm?csSearch=6222592_1
- Understanding & Accommodating People with Multiple Chemical Sensitivity, <https://askjan.org/disabilities/Multiple-Chemical-Sensitivity.cfm>
- Environmental Health Network, <http://ehnca.org/>.
- Multiple Chemical Sensitivity Referral and Resources, <http://www.mcsrr.org/>

6.5 Accessible Websites

State and National Organizations who Provide Information about Creating and Maintaining Accessible Websites

How to tell if your site is accessible

- Free website accessibility checker provided by HiSoftware, <http://www.cynthiasays.com>.
- IBM's Rational Policy Tester® for accessibility compliance (website accessibility checker), <https://public.dhe.ibm.com/software/ch/pdfs/RAD14007USEN.pdf>. This software helps determine the site's level of compliance with government standards.
- Web Accessibility Initiative for Evaluating Website Accessibility, <http://www.w3.org/WAI/eval/Overview.html>. This is a list of resources which provide general procedures and tips for evaluation in different situations, from evaluation during Web site development to ongoing monitoring of existing sites. This list is intended to supplement other content management and quality assurance procedures.
- List of Communication and Information Technology Resources maintained by the Access Board, <https://www.access-board.gov/ict.html>.

Resources for Web developers

- Accessibility of State and Local Government Websites to People with Disabilities, <http://www.ada.gov/websites2.htm>. Publications providing guidance on making state and local government websites accessible.
- Section 508 guide for web developers, <https://ictbaseline.access-board.gov/glossary/6.6> Emergency Preparedness

State and National Resources for Emergency Preparedness Plans

- National Organization Disability resources on Emergency Preparedness for Employers and Businesses, <http://www.nod.org/index.cfm?fuseaction=Page.viewPage&pageId=1564>.

- Prepare Now Earthquake Tips for the Hearing Impaired, https://oes.ucsc.edu/emergency-preparedness/procedures/earthquake_guide_disabilities_afn2.pdf.
- United States Department of Labor Emergency Preparedness for People with Disabilities, <https://www.dol.gov/agencies/odep>. The Office of Disability Employment Policy (ODEP) assumed a leadership role on the Interagency Coordinating Council as chair of the Subcommittee on Emergency Preparedness in the Workplace. The subcommittee has developed Preparing the Workplace for Everyone, a framework of guidelines for federal agencies related to including employees and visitors with disabilities in emergency plans: http://www.dol.gov/odep/pubs/ep/preparing/Workplace_Final.pdf.
- Federal Agency for Emergency Management, <http://www.fema.gov/plan/prepare/specialplans.shtm>. This site has a helpful checklist for including individuals with special needs in evacuation plans.
- National Center for Accessible Media Accessible Emergency Alerts for People with Disabilities, <http://ncam.wgbh.org/alerts/>. The Access to Emergency Alerts project unites emergency alert providers, local information resources, telecommunications industry and public broadcasting representatives, and consumers in a collaborative effort to research and disseminate replicable approaches to make emergency warnings accessible.

6.7 Providing Accessible Facilities and Programs: Museums, Parks and Recreation, Schools

Facilities and Programs

- ADA Document Portal, <http://www.adaportal.org>. The ADA document portal provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers
- DisabilityInfo.org: A one-stop interagency portal for information on federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.
- Beneficial Designs, <http://www.beneficialdesigns.com>. Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive

technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource.

- Common ADA Errors, <http://www.ada.gov/error.htm>. This document lists a sampling of common accessibility errors or omissions that have been identified through the Department of Justice's ongoing enforcement efforts. The significance of the errors is discussed and references are provided to the requirements of the ADA Standards for Accessible Design.

Museums

- American Association of Museums, <http://www.aam-us.org>. Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, the Accessible Museum, which offers model programs of accessibility for older people and people with disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors.
- Smithsonian Institution, <https://www.si.edu/Content/Accessibility/Publication-Guidelines.pdf>. The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design.
- Department of Justice's Resources on Museum Accessibility, <http://www.ada.gov/business.htm#museumaccess>

Parks and Recreation

- Access Board Recreational Guidelines, <https://www.access-board.gov/ada/guides/chapter-10-sports-facilities/>. Final accessibility guidelines to serve as the basis for standards to be adopted by the Department of Justice for new construction and alterations of recreation facilities including amusement rides, boating facilities, fishing piers and platforms, golf courses, miniature golf, sports facilities, and swimming pools and spas.
- National Center on Accessibility, <http://www.ncaonline.org>. NCA is a cooperative project between the National Park Service and Indiana University to provide information and technical assistance, primarily on recreation access. NCA publishes What is an Accessible Trail?, which summarizes the federal guidelines for outdoor developed areas and is available for downloading from its website. The NCA website also has information on campground accessibility, accessible picnic tables,

access to beaches, and inclusion of people with disabilities in aquatic venues.

- National Center on Physical Activity and Disability, <http://www.ncpad.org>. The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps, and health and leisure services.
- United Cerebral Palsy's Sports and Leisure: <https://ucp.org/resource-guide/health-and-wellness/>. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities.
- Paralyzed Veterans of America (PVA) Sports and Recreation Resources, <https://pva.org/adaptive-sports/>. PVA is a national advocacy organization representing veterans. PVA's Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness.
- United Spinal Association list of Wheelchair Recreation, Sports & Travel in California, <https://unitedspinal.org/chapter/golden-state-chapter-of-united-spinal-association/>
- United States Association of Blind Athletes, <http://www.usaba.org>. The United States Association of Blind Athletes enhances the lives of blind and visually impaired people by providing the opportunity for participation in sports and physical activity. More resources for the blind and visually impaired are available in the Blind/Visually impaired section below.

Schools

- Disabilities, Opportunities, Internetworking, and Technology (DO-IT), <http://www.washington.edu/doi>. DO-IT serves to increase the participation of individuals with disabilities in challenging academic programs and careers. It promotes the use of computer and networking technologies to increase independence, productivity, and participation in education and employment.
- DisabilityInfo.org online resources for Education, <https://disabilityinfo.org/>. A comprehensive list including college preparatory materials, transition issues for children with special needs

in elementary, middle school, high school, and secondary education. Guidelines for Accessing Alternative Format, inclusion materials, educational technology.

Transportation

Programs that provide transportation for their programs should provide accessible transportation as needed/requested by program participants. The City should continue to maintain its accessible transportation fleet. The City should purchase or contract lift-equipped vans or buses to transport individuals who use wheelchairs and use City-provided transportation.

6.8 General Disability Etiquette

- A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers in addition to staff training. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and that they are sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities. Some examples of disability etiquette guides:
- Easter Seals Disability Etiquette website, http://www.easterseals.com/site/PageServer?pagename=ntl_etiquette

Visual Disability Etiquette: Things to Know, Things to Do

Things to Know

- The definition of legally blind is 20/200 vision with best correction. Most persons who are considered blind have some sight.
- Most people who are blind are mobile and independent.
- While many persons who are blind can use Braille, the majority of persons who are blind do not.

Things to Do

- Introduce yourself. Identify who you are and what your job or role is. Give the person verbal information that is visually obvious to those who can see.
- Be descriptive when giving directions. For instance, saying, "Over there," has little meaning to someone who cannot see you point.

Instead, saying, "Four doors after turning right from the elevator," would be much more helpful.

- Always ask someone if they need your assistance and how you can assist them. Lead someone who is blind only after they have accepted your offer to do so. Allow them to hold your arm rather than you holding theirs. It is important that they control their own movements.
- Many techniques are used as tools for independence. Some persons who are blind use a "clock" reference for things directly in front of them such as a meal. For example, something could be positioned at three o'clock (to their right) or six o'clock (directly in front and close). Before using this technique, ask the person if this is useful. Remember to describe things from their perspective, not yours.

Auditory Disability Etiquette: Things to Know, Things to Do

Things to Know

- Most persons who are deaf or hard-of-hearing have some hearing.
- Sign language is not another form of English. It is a language with its own grammar, context and rules.
- Lip-reading, while helpful without sound clues, is only about 30% effective.
- Long conversations with persons who lip-read can be very fatiguing.
- Not all persons who are deaf use sign language, read or write.
- Not all persons who are deaf speak or lip-read.

Things to Do

- Determine how the person prefers to communicate.
- If the person uses an interpreter, address the person directly, not the interpreter.
- If the person reads lips, speak in a normal not exaggerated way. Short, simple sentences are best.
- If the person reads lips, avoid blocking their view of your face. Make sure the lighting is good.
- Gain their attention before starting a conversation.

- If there is any doubt that you have been misunderstood, ask if they understand you.
- Be aware of situations where a person may be waiting for assistance (i.e., transportation, a table, the start of an activity), where the common method of communication is by announcement or the calling of the person's name. Develop an alternative method for notifying the deaf and/or hard-of-hearing person.

Deafblindness (Both Deaf and Blind): Things to Know, Things to Do

Things to Know

- Many people who are deaf and blind became so later in life. Many deaf/blind people have some vision and/or some hearing. People who were deaf and became blind later in life may prefer finger spelling and sign, but people who were blind first may not know any sign language.
- There are many different ways to communicate with deaf/blind people. Be flexible and patient. Communication with deaf/blind people can take a long time.
- Plan things in advance so the deaf/blind individual knows what to expect and can plan accordingly. Try not to make last minute changes. If for any reason plans must change, explain the situation.
- Tunnel or other kinds of partial vision can be confusing to the deaf/blind. If a deaf/blind person has some vision, it may be more confusing than useful at times.

Things to Do

- Treat a person who is deaf-blind as you would treat anyone else. Always be natural – never patronizing in your words and your actions.
- Offer your arm when walking with a person who is deaf-blind. Do not push him or her ahead of you; let them hold your arm, just below the elbow.
- Address a person who is deaf-blind directly, not through someone else. Speak by forming the letters of the manual alphabet distinctly while he or she holds one hand lightly over yours to feel the position of your fingers. Be careful to move the fingers directly from the position of one letter to the next and pause slightly between words. If you or the person who is deaf-blind are unfamiliar with the manual alphabet, you can print capital letters in their palm. Be sure to pause between words.

- Let the person who is deaf/blind know when you enter or leave the room. Always communicate who you are.
- Use the words “see” and “hear” or “blind” naturally, without hesitation if your conversation calls for them.
- Personal items such as wallets, purses and keys should not be touched unless you are asked. A deaf-blind person can handle money, pay the check, open doors etc. Do not move a coat, cane etc. without first telling the deaf/blind person.
- Guide his hand to objects by leading with yours. Let his hand rest lightly on the back of your hand as you move it slowly towards what you want to touch. When you make contact, slowly slip your hand out from underneath. This works for objects you want to show him for whatever reason. It might be just so he can explore it, or it might be a handrail on the stairs, or even a drink or snack.
- *If you need to immediately evacuate a building, trace the letter 'X' on the back of a deaf/blind person.* They will know to immediately let you lead them out of a building.
- Let the deaf/blind person think for herself. Give as much information as possible, then let the deaf/blind person make the decisions for herself.
- Allow time for a deaf/blind person to answer a question. A pause of a few seconds may well mean she is considering, not that she has no idea.

Physical /Mobility Disability: Things to Know, Things to Do

Things to Know

- There are many reasons (not just paralysis) why someone uses a wheelchair or has mobility disability.
- There is a wide range of physical abilities among those who use wheelchairs. Persons using them may require different degrees of assistance or no assistance at all.
- Some people do not use wheelchairs exclusively, but may use canes, leg braces, and in some cases, no assistive devices at all for short periods.

- Some people with mobility disabilities have a hidden mobility disability, such as a person with heart disease who can not walk very far.

Things to Do

- If you are requested to fold, carry or store a wheelchair, treat it with care. Wheelchairs can break, and are difficult to repair on short notice. It is extremely disruptive to the user if their wheelchair is unavailable.
- When speaking to someone who uses a wheelchair, give the person a comfortable viewing angle of your face. Having to look straight up is not a comfortable viewing angle.
- Make sure all wheelchair-accessible routes have good signage. The signs should be placed low enough so that a wheelchair user can see them. If construction temporarily changes an accessible path of travel, make sure that this new route is well signed.
- Always ask before offering help.

Cognitive Disabilities: Things to Know, Things to Do

Things to Know

- People who have cognitive disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make them most comfortable and respect their needs to the maximum extent possible.
- People with cognitive disabilities may at times have difficulty with daily life activities. Their disorder may interfere with their ability to feel, think or relate to others. Most people with cognitive disabilities are not violent. One of the main obstacles they face is the attitudes that people have about them. Because it is a hidden disability, chances are you will not even realize that the person has a mental health condition.
- A person with a cognitive disability may have poor impulse control. The person may make inappropriate comments and may not understand social cues or “get” indications that they have offended someone. In their frustration to understand, or to get their own ideas across, they may seem pushy.
- Remember that the person is an adult and, unless you are informed otherwise, can make their own decisions.

Things to Do

- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- Speak to a person with a cognitive disability in clear sentences, using simple words and concrete—rather than abstract—concepts. Break down complex questions into smaller parts.
- Gauge the pace, complexity, and vocabulary of your speech according to theirs. Do not use baby talk or talk down to people who have cognitive disabilities.
- Provide a direct line that bypasses a phone tree if a person has trouble handling phone menus. For some people, using a phone menu is a challenging task.
- In a crisis, stay calm and be supportive as you would with anyone. Ask how you can help, and find out if there is a support person who can be sent for. If appropriate, you might ask if the person has medication that he needs to take
- People with cognitive disabilities may be anxious to please and always give you the answer they think you want to hear. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.
- Try to keep the pressure of the situation to a minimum.

Developmental Disabilities: Things to know, Things to Do

Things to Know

- People who have developmental disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make him most comfortable and respect his needs to the maximum extent possible.
- People with developmental disabilities may at times have difficulty with daily life activities. Their disorder may interfere with their ability to feel, think or relate to others.
- A person with a brain injury may have poor impulse control. The person may make inappropriate comments and may not understand social cues or “get” indications that she has offended someone. In

their frustration to understand, or to get ideas across, they may seem pushy. All of these behaviors arise as a result of the injury.

- Remember that the person is an adult and, unless you are informed otherwise, can make their own decisions.

Things to Do

- Provide a direct line that bypasses a phone tree if a person has trouble handling phone menus. For some people, using a phone menu is a challenging task.
- People with learning disabilities have a different way of learning. They may require more time or alternative formats to be able to understand new things.
- Ask what will make him most comfortable and respect his needs to the maximum extent possible. People who have developmental disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual.
- Speak to a person with a developmental disability in clear sentences, using simple words and concrete—rather than abstract—concepts. Break down complex questions into smaller parts.
- Gauge the pace, complexity, and vocabulary of your speech according to theirs. Do not use baby talk or talk down to people who have developmental disabilities.
- In a crisis, stay calm and be supportive as you would with anyone. Ask how you can help, and find out if there is a support person who can be sent for.
- People with developmental disabilities may be anxious to please and always give you the answer they think you want to hear. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.
- Stress can affect the person's ability to function. Try to keep the pressure of the situation to a minimum.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.

- Provide clear signs with pictograms. These can help a person who has developmental disabilities to find their way around a facility.

Learning Disabilities: Things to Know, Things to Do

Things to Know

- People with learning disabilities have a different way of learning. They may require more time or alternative formats to be able to understand new things.

Things to Do

- Ask the person how you can best relay information. Be direct in your communication. A person with a learning disability may have trouble grasping subtleties.
- People with dyslexia or other reading disabilities have trouble reading written information. Give them verbal explanations and allow extra time for reading.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.

Speech Disabilities: Things to Know, Things to Do

Things to Know

- Speech disabilities can be caused by a variety of conditions.
- Speech disabilities may be a single condition, or may be part of other disabilities. For example, some disorders only affect the sound of the voice. Other disorders are part of a more complex condition, such as cerebral palsy.
- Most people with speech disorders understand everything that is said to them.

Things to Do

- Give the person your full attention. Do not interrupt or finish the person's sentences. If you have trouble understanding, don't nod or pretend to understand. Ask them to repeat. In most cases the person won't mind and will appreciate your effort to hear what they have to say.

- If you are not sure whether you have understood, you can repeat for verification.
- Move your conversation to a quieter environment.
- After trying, you still cannot understand the person, ask them to write it down or to suggest another way of facilitating communication or dial 711 and for the California Relay System for the hearing and speech impaired.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- Ask the person how you can best relay information. Be direct in your communication. A person with a learning disability may have trouble grasping subtleties.
- If you are not sure that the person understands you, ask if they would like you to write down what you were saying.
- Provide a direct line that bypasses a phone tree in case the person needs to call.

Multiple Chemical Sensitivity: Things to Know, Things to Do

Multiple Chemical Sensitivity (MCS) is an unusually severe sensitivity or allergy-like reaction to many different kinds of pollutants including solvents, VOC's (Volatile Organic Compounds), perfumes, petrol, diesel, smoke, "chemicals" in general and often encompasses problems with regard to pollen, house dust mites, and pet fur & dander. The problem is ongoing, and not a one-time event. A person with MCS may be affected by several different triggers.

Things to know

- A person with MCS may need to wear a mask in order to protect themselves from perfumes, smoke, and other substances that are generally not a problem for most people, but are for that individual.
- People with MCS may have many different triggers. Some scents may harm some persons with MCS, but not others.

Things to Do

- Open a window, or allow the person with MCS to sit next to an open window.

- Accommodate the individual by phone if possible so they can avoid exposure to scents.
- Avoid the use of air fresheners, scented cleaning products. Avoid wearing any perfumes or other fragranced products such as laundry detergent, fabric softeners, hair care products, lotions, aftershave, deodorants.
- Provide advance notice of building events such as new construction, remodeling, roofing, pesticide applications, floor waxing, carpet shampooing and similar activities with provisions for alternative workspace as necessary. Post signs at all entrances and exits to notify building occupants of upcoming or recent activities.
- Keep the ventilation system functioning at optimum performance and free of contaminants. Install and maintain separate exhaust systems to remove fumes from restrooms, cooking areas and copy rooms.
- Eliminate or minimize the use of carpeting. If carpeting and carpet adhesives are used, select the least toxic products with low or no Volatile Organic Compound's (VOC's) and air well prior to installation. Avoid flooring materials that require frequent stripping and waxing. Select the least toxic/allergenic/unscented building materials, furnishings and supplies. Materials should have no or low VOCs including formaldehyde.

6.9 Assistive Technology Resources

Large Print

A copy machine capable of enlarging printed materials should be available for staff. It is often easier to obtain an electronic copy of a document and enlarge the font than to use a photocopier to make the font larger.

- Guidelines for large print for people with low vision: <https://www.aph.org/accessibility-solutions/>
- Large Print Reviews, <http://www.largeprintreviews.com>. Presenting reviews of large print books, audio book reviews, low vision software evaluations, and other items of interest to individuals with low vision. Including articles on eye health, eye diseases and disorders, accessibility issues, literature, products for the blind and visually impaired, plus travel articles and travel tips.

Optical Character Recognition (OCR) Systems

Optical character recognition (OCR) systems provide persons who are blind or visually impaired with the capacity to scan printed text and then have it spoken in synthetic speech or saved to a computer file.

- American Foundation for the Blind list of OCR products, <https://www.afb.org/blindness-and-low-vision/using-technology/assistive-technology-products>

Relay services, Interpreters, Captioning, Assistive Listening Devices

City Programs should have training about and access to a text telephone or have access to a telephone transfer service such as the California Relay Service or 711, as required by the law and offered by public telephone companies.

- California Relay Service (CRS) or 711, <https://caconnect.org/relay/>. The CRS provides specially-trained operators to relay telephone conversations back and forth between people who are deaf, hard of hearing, or speech-disabled and all those they wish to communicate with by telephone.
- U.S. Access Board Guidelines on accessibility, usability, and compatibility of telecommunications, <https://www.access-board.gov/ict/guide/telecommunications.html>.
- TDI, <http://www.tdi-online.org>, TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more.

ASL Interpreters

A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their availability. Some programs may need to have a pool of interpreters who are available on a twenty-four-hour basis to handle emergency procedures.

The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, certain circumstances, such as the provision of emergency medical services, may

require interpreters who are approved by the courts and can ensure a level of confidentiality.

You may want to contact each agency in advance of a need for services to determine their rates so that you are prepared to cover the communication expenses, should the need arise.

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

Individuals who are hard of hearing generally do not use ASL interpreters. Always ask the individual requesting an accommodation what type of accommodation works best for them. Determining what accommodation(s) will be provided is an interactive process. Depending on the situation, accommodating an individual who is hard of hearing may include note writing, use of assistive listening devices, and/or provision of Computer Assisted Real-Time (CART) captioning.

Captioning

All audiovisual presentations such as videos and broadcasts of meetings must be closed captioned. To the extent practical, City Departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.

- List of captioning resources from AT Network including both California-based and remote captioning services, <http://www.atnet.org/index.php?page=captioning-services-2>.
- Advocacy for Captioning, <https://www.nad.org/resources/technology/television-and-closed-captioning/#:~:text=The%20NAD%20continues%20to%20advocate,wEEK%2C%20regardless%20of%20program%20content..>

Computer Assisted Real-Time (CART)

Computer Assisted Real-Time (CART) captioning is available by contacting any of the following individual providers:

- ASL interpreter list and CART referrals from Deaf Counseling, Advocacy Referral Agency (DCARA), http://www.dcara.org/index.php?option=com_mtree&task=listcats&cat_id=7&Itemid=27. This is an extensive list of deaf communications providers.

Assistive Listening Systems and Devices

Systems and devices to amplify sound for persons with hearing disabilities should be available for public meetings and events. Various technologies exist for these devices. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

- American Speech-Language-hearing Association page on Assistive Listening Devices, http://www.asha.org/public/hearing/treatment/assist_tech.htm
- The California Telephone Access Program (CTAP), <http://www.ddtp.org/>. The California Telephone Access Program (CTAP) distributes telecommunications equipment and services to individuals certified as having difficulty using the telephone. CTAP is a California State mandated program, under governance of the California Public Utilities Commission (CPUC). Equipment and some network services are available at no charge to eligible consumers.

Accessible/Adaptive Equipment for the Deaf/Blind: Adaptive TTY

- Adaptive TTY, http://en.wikipedia.org/wiki/Telecommunications_Relay_Service#Deaf_Blind_variation

Auxiliary Aids/Assistive Devices for People with Mobility Disabilities

- The following Assistive Devices may be useful for providing customer services to people who use wheelchairs.
- Staff can provide a pen and clipboard for completing forms.
- Flexible lighting to accommodate a person who is sitting or standing at the counter.
- Accessible electronic equipment such as a laptop.
- Chairs with arm rests or higher seats may be easier to use for people with limited mobility.

6.10 Funding For Projects and Assistive Technology

- CalTrans has published a transportation funding guidebook in August 2008 titled "State and Federal Funds Available for Local Agency Projects", <http://www.dot.ca.gov/hq/LocalPrograms/lam/lagb.htm>. This document provides concise, high-level overviews of several

Federal and State transportation funding programs available to local agencies. Each program description contains key facts about eligibility, project selection, significant dates, references, sources for assistance and other essential information.

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Appendices

Appendix A: Pedestrian Right-of-way Reports and Maps

Appendix B: Facility Assessment Reports

Appendix C: ADA Grievance Form

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