

2.0 ADA Self-Evaluation of Policies, Procedures, and Programs

The self-evaluation included a review of policies and practices that govern the administration of ACHD programs, activities, and services to ensure that they do not adversely affect the full participation of individuals with disabilities. Public documents available on the ACHD website were reviewed, including regulations, administrative manuals and guides, policy directives, memoranda, standards, and specifications. A review of current ACHD policies, services, programs, and activities was also conducted based on meetings with staff and responses to the program accessibility questionnaire. The questionnaire was available online in January and February 2018. The recommendations developed from this evaluation will serve as a basis for the implementation of specific strategies that will improve access to ACHD programs.

Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids and services, transportation, and policies. ACHD is required to communicate effectively with people who have communication (vision, hearing, or speech) disabilities. The goal is to ensure that communication with people with these disabilities is equally effective as communication with people without disabilities. The requirements apply to written documents provided at the program delivery site or on the website, telephone communications, and televised and audiovisual programs. This may include providing auxiliary aids and services such as alternative formats for written materials or qualified interpreters for people who are deaf or have hearing loss, speech, or language disorders. Programs, activities, and services offered by ACHD to the public must be accessible as required by law.

2.1 Programmatic Modifications

The ADA Title II Coordinator, or designee, will follow-up with each department to review the recommendations contained in the self-evaluation. 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 program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

2.2 Program Accessibility Questionnaire

The findings from the self-evaluation questionnaire were organized into categories based on the requirements of title II of the ADA. Each category includes a brief description and a list of barrier removal actions. Some actions are always required, such as posting a notice of nondiscrimination, while other actions are only required when requested, such as providing alternative formats like large print agendas.

Implementation strategies for each category are provided in Appendix B and additional accessibility resources can be found in Appendix I.

Accessible/Adaptive Equipment

Adaptive equipment includes 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 ACHD. It can range from a pen and clipboard to accessible electronic equipment and computer stations.

Barrier Removal Actions

- Provide and maintain, in working order, accessible equipment for people with disabilities when equipment such as computers are provided to the public.¹⁰
- Provide auxiliary aids where programs are administered to facilitate basic communications access using alternative formats.¹¹

Customer Service

In-person interaction with the public is one of the primary functions of most ACHD departments. To meet ADA standards for in-person interactions, staff should be aware of the formal procedures for accommodating people with disabilities, including appropriate responses to requests for program modifications and guidelines for accommodating service animals.¹²

¹⁰ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

¹¹ DOJ, Title II Regulations Subpart E § 35.160 General

¹² Only dogs are recognized as service animals under title II of the ADA. In limited cases, miniature horses that are individually trained to perform tasks for people with disabilities may also qualify to provide services. Emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA.

Barrier Removal Actions

- Make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.¹³
- Continue the policy of not charging an additional fee to people requesting a program modification due to their disability.¹⁴
- Continue the policy of allowing service animals in ACHD facilities.¹⁵

Notice Requirements

Title II regulations require ACHD to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities. It is the obligation of the head of the public entity to determine the most effective way of providing notice to the public about their rights and the public entity's responsibilities under the ADA. Publishing and publicizing the ADA notice is not a one-time requirement. State and local governments should provide the information on an ongoing basis, whenever necessary.

Barrier Removal Actions

- Maintain the position of the ADA coordinator.¹⁶
- Make available to all interested individuals the office address of the ADA Coordinator.¹⁷
- Continue to publish a notice regarding ACHD's commitment to providing accessible services. Proposed updates to the existing notice are provided in Section 4 of this plan.¹⁸

¹³ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

¹⁴ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

¹⁵ DOJ, Title II Regulations Subpart B § 35.136 Service animals

¹⁶ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

¹⁷ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

¹⁸ DOJ, Title II Regulations Subpart A § 35.106 Notice

- Maintain a grievance procedure for providing prompt and equitable resolution of complaints alleging any action prohibited under title II of the ADA. Proposed updates to the current grievance procedure and form are provided in Section 4 and Appendix F of this plan.¹⁹
- Ensure effective communication so that interested persons can obtain information as to the existence and location of accessible services, activities, and facilities.²⁰

Printed Information

To meet the ADA's communication standards, ACHD 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.

Barrier Removal Actions

- Provide alternative formats to printed information upon request.²¹
- Address requests for alternative formats for lengthy documents on an individual basis.²²
- Ensure that additional costs for alternative forms of communication are not assigned to the person with a disability requesting the alternative format.²³
- Provide assistance, upon request, in filling out forms when alternative formats are unavailable or infeasible.²⁴

Television and Audiovisual Information

Televised and audiovisual information is a means for disseminating public information through presentations produced by ACHD departments. All televised and audiovisual information must be accessible to persons with disabilities, especially as technology changes.

¹⁹ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

²⁰ DOJ, Title II Regulations Subpart E § 35.163 Information and signage

²¹ DOJ, Title II Regulations Subpart E § 35.160 General

²² DOJ, Title II Regulations Subpart E § 35.160 General

²³ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

²⁴ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Barrier Removal Actions

- Provide alternative formats to televised and audiovisual presentations produced by ACHD, upon request.²⁵

Website

As people turn to the Internet as their primary source of information regarding services, programs, activities, and facilities, the ACHD website at <http://www.achdidaho.org/> takes on increased importance as a communications tool. Providing public access to ACHD publications online can be an effective means of reaching persons with disabilities. New standards for electronic and information technology in the Rehabilitation Act Amendments of 1998 provide the technical and functional performance criteria for accessibility.²⁶

Barrier Removal Actions

- Take appropriate steps to ensure that ACHD's online communication with people with disabilities is as effective as other communications with the public.²⁷

Telephones and Communication Devices

Even with cell phones, texting, and instant messaging, provision of alternative communication technologies such as teletypewriters (TTY), telecommunication display devices (TDDs), or relay services (711) are still required for conducting communications with the public.

Barrier Removal Actions

- Ensure that staff members are proficient in the use of alternative communication technologies such as TTY, TDDs, or TRS, or are able to direct the public to knowledgeable staff.²⁸

²⁵ DOJ, Title II Regulations Subpart E § 35.160 General

²⁶ Section 508 of the Rehabilitation Act requires that federal agencies' electronic and information technology is accessible to people with disabilities, including employees and members of the public. Many state and local public agencies are adopting these standards as best practices. See Title 29, Chapter 16, § 794d Electronic and information technology.

²⁷ DOJ, Title II Regulations Subpart E § 35.160 General

²⁸ DOJ, Title II Regulations Subpart E § 35.161 Telecommunications

- Ensure that ACHD publications that list phone numbers also include information on how people who are deaf or who have hearing loss or speech disorders can communicate with departments by phone.²⁹

Training and Staffing

As a part of ACHD 's ongoing staff development and training, the incorporation of disabilities awareness, standards, and resources is encouraged for all staff interfacing with the public or who maintain the facilities used by the public.

Barrier Removal Actions

- Ensure that staff is knowledgeable about providing accessible services, programs, and activities to the public, and that accessible facilities are maintained in working order.³⁰

Program Participation

The public must be able to access programs, activities, and services, regardless of disability.

Barrier Removal Actions

- Provide reasonable modifications to program participants with disabilities to ensure they are included in regular programs to the maximum extent possible.³¹
- Ensure that individuals with disabilities are not excluded from regular programs and are not required to accept different or separate aids, benefits, or services, even if they are as effective as those provided to others.³²
- Modify standard policies, practices, and procedures to avoid discrimination unless the modification would fundamentally alter the nature of the program, result in an undue financial or administrative burden, or create a hazardous situation for the participant or others.³³

²⁹ DOJ, Title II Regulations Subpart E § 35.161 Telecommunications; § 35.163 Information and signage

³⁰ DOJ, Title II Regulations Subpart E § 35.160 General; Subpart B § 35.130 General prohibitions against discrimination

³¹ DOJ, Title II Regulations Subpart B §35.130 General prohibitions against discrimination

³² DOJ, Title II Regulations Subpart B §35.130 General prohibitions against discrimination

³³ DOJ, Title II Regulations Subpart B §35.130 General prohibitions against discrimination

- Ensure that determinations to exclude or limit the participation of people with disabilities due to safety considerations are based on real risks, not on speculation, stereotypes, or generalizations.³⁴

Program Eligibility Requirements and Admission

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

Barrier Removal Actions

- Ensure that interviews for program participation are held in accessible locations and that modifications, alternative formats, and auxiliary aids are provided upon request.³⁵
- Ensure that program eligibility requirements or criteria do not screen out people with disabilities from participating in any service, program, or activity, unless the criteria are necessary for the provision of the service, program, or activity being offered.³⁶

Public Meetings

Public agencies regularly hold public meetings. The main objective of any public meeting is to impart and solicit information on issues of importance to the local government. Where these meetings are held is an important consideration in meeting the requirements of the ADA.

Barrier Removal Actions

- Continue holding public meetings in accessible facilities.³⁷
- Provide agendas and other meeting materials in alternative formats upon request.³⁸
- Provide flexibility in the time limit on speaking or testifying for individuals with communication difficulties at public meetings.³⁹

³⁴ DOJ, Title II Regulations Subpart B §35.130 General prohibitions against discrimination

³⁵ DOJ, Title II Regulations Subpart B §35.130 General prohibitions against discrimination; Subpart E § 35.160 General

³⁶ DOJ, Title II Regulations Subpart B §35.130 General prohibitions against discrimination

³⁷ DOJ, Title II Regulations Subpart E § 35.160 General

³⁸ DOJ, Title II Regulations Subpart E § 35.160 General

³⁹ DOJ, Title II Regulations Subpart E § 35.160 General

- Provide assistive listening devices available for public meetings where the sound at the meeting is amplified.⁴⁰

Transportation Services

Many public agencies provide public transportation services. The public accommodation standards for these services are set forth by the Federal Transit Administration.⁴¹

Barrier Removal Actions

- Make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability or to provide program accessibility to public transportation services.⁴²

Tours and Trips

Many public agencies provide or facilitate tours and trips as part of their service. These tours and trips are subject to title II regulations. ACHD is responsible for ensuring that the tour can be experienced by people with disabilities, by making accommodations or modifications.

Barrier Removal Actions

- Modify tours and trips, upon request, to enable people with mobility, visual, speech, hearing, and cognitive disabilities can participate.⁴³

Contracting, Licensing, or Other Arrangements

Many public agencies rely on the use of contractors, licensees, consultants, and other entities for the delivery of services. These entities are considered an extension of ACHD's services and are required to adhere to the same ADA regulations as ACHD. ACHD provides guidance for consultants on capital projects, including a set of documents to ensure ADA compliance during construction projects.

⁴⁰ DOJ, Title II Regulations Subpart E § 35.160 General; 2010 Standards 219.2 Required Systems

⁴¹ Title 49, Subtitle A, Part 38 - Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles. See specifications for transportation vehicles at <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=2efb7bdb786c2e63145ea6e1cf788693&mc=true&r=PART&n=pt49.1.38>.

⁴² DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Title 49, Subtitle A, § 38.1 Purpose

⁴³ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Barrier Removal Actions

- Ensure that contractors, licensees, consultants, and other entities providing or delivering services for ACHD adhere to the same ADA regulations as ACHD.⁴⁴

Emergency Evacuation Procedures

Planning for emergencies and evacuations from ACHD facilities must include plans for people with disabilities. ACHD is responsible for ensuring that staff are aware of these procedures and are trained to implement them during an emergency.

Barrier Removal Actions

- Ensure that plans for emergency evacuations from ACHD facilities include guidelines for assisting people with disabilities.⁴⁵ These plans should:
 - Address what to do when an alarm is triggered;
 - Establish meeting places for assistance and evacuation chairs;
 - Provide direction on what to do if assistance is not available; and
 - Establish floor captains.
- Ensure that plans for emergency evacuations from ACHD facilities include staff training for assisting people with disabilities.⁴⁶

Facilities

The identification of structural barriers in buildings and the public rights-of-way is a required element of an ADA Transition Plan. To meet this requirement, ACHD evaluated its two buildings and collects accessibility-specific data on its sidewalks and curb ramps.

Barrier Removal Actions

- Ensure that the public can obtain information regarding the existence and location of accessible services, activities, and facilities.⁴⁷

⁴⁴ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

⁴⁵ 42 U.S.C. § 12132; see generally, DOJ, Title II Regulations Subpart B § 35.130, Subpart D § 35.149 Discrimination prohibited

⁴⁶ 42 U.S.C. § 12132; see generally, DOJ, Title II Regulations Subpart B § 35.130, Subpart D § 35.149 Discrimination prohibited

⁴⁷ DOJ, Title II Regulations Subpart E §35.163 Information and signage

Special Events and Private Events on Public Properties

All events on public property should be accessible to people with disabilities. When a public agency rents or provides its properties to a third party for special events, the responsibility for maintaining an accessible environment is temporarily deferred to the tenant.

Barrier Removal Actions

- Maintain ACHD facilities in an accessible order to help ensure the accessibility of events held by public and private organizations.⁴⁸

2.3 Policy and Program Review

Public documents including regulations, administrative manuals and guides, policy directives, memoranda, standards, and specifications were reviewed. Table 1 lists recommendations for implementing specific improvements for providing access to ACHD programs as required by the ADA. Appendix B lists the policies and programs reviewed.

Table 1. ACHD Policy and Program Review Recommendations

Policy/Program	Recommendations
Contact Information	<ul style="list-style-type: none"> • Provide email and TTY contact information where other contact information is provided.
Use of the Word Handicap	<ul style="list-style-type: none"> • Use of the word “handicap” is generally to be avoided: <ul style="list-style-type: none"> ○ When referring to a person, recommend use of disability, disabled, or person with a disability. ○ When referring to parking, recommend use of accessible parking.

⁴⁸ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

Policy/Program	Recommendations
Documents	<ul style="list-style-type: none"> • Ensure that documents are formatted for accessibility with screen readers and people with vision disabilities. • Incorporate language about availability of documents in alternative formats. • Ensure alternative formats of images, documents, and digital files are available upon request. • Complete accessibility checks for PDFs to ensure readability. • Ensure that accessibility features are maintained in PDFs that are optimized and/or reduced. • Develop alternatives to scanned documents, which might create challenges for screen readers.
Applications, Forms, and Permits	<ul style="list-style-type: none"> • Provide information for applicants who may need modifications, assistance in the application process, or assistance filling out forms or permits. • Provide fillable PDF forms wherever possible. • Ensure that documents are formatted for accessibility with screen readers.
Public Records	<ul style="list-style-type: none"> • Ensure that people with disabilities have access to public records, particularly by ensuring that the Public Records Request form is available in alternative formats upon request. • Include language for requesting modifications in public records policies.
Images in Digital Documents and Online	<ul style="list-style-type: none"> • Add alternative text to images and charts in PDFs and on the ACHD website, especially when they are critical elements of the information being conveyed. • Incorporate pictures of people with disabilities where pictures of people are included.

Policy/Program	Recommendations
Maps	<ul style="list-style-type: none"> • Ensure information contained in maps is available in alternative formats upon request. • Incorporate alternative text into PDF maps.
Meeting Accessibility	<ul style="list-style-type: none"> • Ensure that off-site meetings are held at accessible locations. • Include a notice on agendas or the website about the accessibility of meeting facilities.
Committees	<ul style="list-style-type: none"> • Ensure that efforts for pedestrians also consider people with disabilities, including those using mobility devices.
Request for Modifications	<ul style="list-style-type: none"> • Include a notice on agendas or the website about meeting modifications. • Establish an advance notice requirement for modification requests.
Videos	<ul style="list-style-type: none"> • Ensure that videos are accessible for people with disabilities. In some cases, this might require captions or transcriptions.
Policy Manual	<ul style="list-style-type: none"> • Permit the Presiding Officer to change the order of public commenters to accommodate speakers with disabilities. • Ensure that the Clerk is available to assist people with disabilities during the sign-in process at public meetings. • Ensure that the requirement to make a comment from the speaker’s rostrum does not inhibit participation for people with disabilities. • Add accessibility of goods to considerations for procurement. • Develop an evacuation plan for visitors with disabilities. • Ensure that modifications are made for all people with disabilities upon request, rather than only those with hearing or visual impairments.

Policy/Program	Recommendations
Commuteride	<ul style="list-style-type: none"> Assess the Commuteride vanpool fleet for accessibility. Vanpools are considered a “Demand Responsive” type of transportation under federal transit laws.
Notice of Nondiscrimination	<ul style="list-style-type: none"> Include notice of nondiscrimination under the ADA on the ACHD website.
Filing an ADA Complaint	<ul style="list-style-type: none"> Simplify the content and language in the complaint procedure. Update to conform to DOJ standards as provided in Section 4 and Appendix F of this plan. Incorporate a statement notifying potential complainants that alternative means of filing are available to people with disabilities who require such an alternative to written complaints.

2.4 Standard Drawings & Specifications

The recommendations made to the following documents were based on a review of standard plans and specifications provided by ACHD and found on the ACHD’s website:

- 2017 ACHD Supplemental Specifications to the 2017 ISPWC;
- ACHD 2017 Standard Special Provisions;
- ACHD Policy Manual Sections 3100, 5100, 5188, 5188 Appendices, 6000, and 7200;
- ACHD Safe Sidewalk Program;
- Memorandum to ACHD’s Design Consultants: ADA During Construction for Three Separate Conditions;
- Memorandum to ACHD’s Design Consultants: Project Development - ADA During Construction; and
- Traffic Standards/Specifications Requirements for ACHD Roadways.

The standards for the public right-of-way are supplemented with best practice guidance from the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). ACHD will seek to implement best practices such as PROWAG where deemed feasible and practical by qualified engineering staff.

After the adoption of this plan, ACHD will pursue an implementation phase by undertaking a complete review of policies and practices relating to construction sites. This will help ACHD update its policies and practices to achieve consistent compliance with the requirements of the ADA and the MUTCD for both ACHD and third-party construction sites. During this implementation phase, training will be conducted for everyone performing construction activities in the public right-of-way. Complete markups of ACHD standards with associated recommendations are provided in Appendix C of this document.