City of Springfield

Americans with Disabilities Act Self-Evaluation and Transition Plan

January 19, 2015

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1. Introduction

1.1. ADA Background

In enacting the Americans with Disabilities Act of 1990 (ADA), Congress intended to "provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." The City of Springfield recognizes the importance of that mandate, and continually strives to achieve equal access for all its programs, services, activities, and facilities for persons with disabilities. The Americans with Disabilities Act Self-Evaluation and Transition Plan establishes the City’s ongoing commitment to that effort.

The Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act makes it illegal for the federal government, federal contractors, and any entity receiving federal financial assistance to discriminate on the basis of disability. Local governments that receive federal funds must ensure that persons with disabilities have equal access to any programs, services, or activities receiving federal financial assistance. Covered entities also are required to ensure that their employment practices do not discriminate on the basis of disability.

The Americans with Disabilities Act of 1990

Signed into law by Congress in 1990, the ADA builds upon the foundation laid by Section 504 of the Rehabilitation Act. It uses as its model Section 504’s definition of disability and then goes further, covering all state and local governments. The ADA has five separate titles; Title II is the section specifically applicable to “public entities” (state and local governments) and the programs, services, and activities they deliver. Title II prohibits state and local governments from denying persons with disabilities the equal opportunity to participate in its services, programs, or activities, either directly or indirectly through contractual arrangements.

1.2. ADA Coordinator

Title II of the ADA requires all state or local government entities with 50 or more employees to appoint a responsible person to coordinate the administrative requirements of ADA compliance and to respond to complaints filed by the public.

The City of Springfield’s ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II.

ADA complaints, requests for accommodation, and other ADA-related correspondence can be directed to the City ADA Coordinator:

Tom Mugleston
City of Springfield
225 Fifth St
Springfield, OR 97477
1.3. Requesting an Accommodation

Under Title II of the ADA, all state and local governments are required to take steps to ensure that their communications with people with disabilities are as effective as communications with others. The City is required to make accommodations for persons with disabilities, except when providing an accommodation would fundamentally alter the nature of the service or program in question or would result in an undue financial and administrative burden.

Public Meetings

For public meetings an interpreter can be provided for the hearing impaired within 48 hours notice prior to the meeting. For meetings in the Council Meeting Room, a “personal PA receiver” for the hearing impaired is also available. To arrange for services, contact the City Manager’s Office at 541-726-3700 or cmo@springfield-or.gov or the city ADA Coordinator Tom Mugleston at 541 726-3724 or tmugleston@springfield-or.gov.

Accommodation Request

To request an accommodation, a person with a disability or their representative must submit a request for an accommodation. Requests for accommodation should be submitted at least 5 days prior to the date of the scheduled program, activity, or meeting for which the accommodation is requested, to allow enough to time to fulfill the request. The following are some of the accommodations that may be made available upon request.

Hearing Assistance/Sign Language Interpreters

If you need a sign language interpreter to attend a meeting or public meeting, please contact the City Manager’s Office or the City ADA Coordinator. Contact information can be found in the Public Meetings section of this document.

Alternate Formats

Requests for city materials such as brochures, forms, newsletters, reports and plans to be put in alternate formats such as Braille, large print or in electronic form can be made through the ADA Coordinator or the applicable department. The City will respond to the request for an alternate format within 15 calendar days at no cost to the requestor. All requests for accommodations will be kept on file for at least three years.

If another type of accommodation is requested or if further assistance is needed, please contact the ADA Coordinator (contact information can be found in section 1.2.).

1.4. Filing an ADA Complaint

To better serve the public, the City of Springfield has instituted a formal ADA complaint procedure. The complaint procedure provides citizens with a means to file complaints alleging discrimination on the basis of disability in the City’s provision of services, activities, programs,
and benefits, or in the City’s employment practices and policies. A copy of the City’s ADA Complaint Procedure is available here http://www.springfield-or.gov/accessibility-statement-w3c/.

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

The complaint should be submitted to the City by the complainant or their designee as soon as possible but not later than 60 calendar days after the alleged discrimination occurred. The City has provided a complaint form, available here http://www.springfield-or.gov/accessibility-statement-w3c/, to assist persons with filing complaints. All complaints should be submitted to the City ADA Coordinator.

The ADA Coordinator or another city representative will contact the complainant within 15 calendar days to schedule a meeting to discuss the complaint and possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator will respond to the complaint in writing, and where appropriate and requested, in a format accessible to the complainant. The written response will explain the position of the City and offer suggestions for substantive and feasible resolution of the complaint. If the complainant is not satisfied with the City ADA Coordinator's decision, the person may appeal the decision to the City Manager within 15 calendar days of the date of the decision.

The City’s formal complaint process is not exclusive. A person filing a complaint with the City may also file a complaint with other state or federal agencies or the courts. Other agencies may have different time limits for filing complaints. All ADA complaints received by the City, responses by the City, and other records of resolution of the complaint shall be retained by the City of Springfield for a minimum period of 3 years from the date of the complaint.

1.5. Self-Evaluation and Transition Plan Process

Title II of the ADA requires public entities with more than 50 employees to conduct self-evaluations to review the accessibility of their programs, services, and activities. The ADA also requires public entities with more than 50 employees to develop a Transition Plan that sets forth the necessary steps for and program changes or structural changes to facilities that are needed to make programs accessible.

In July 1992, the City of Springfield published its first self-evaluations and Transition Plan, and published a Final Report in 1995 detailing the progress made up to that point. However, since 1995, the original plan has become outdated as technologies, case law around the ADA, and City programs and facilities have evolved. This Americans with Disabilities Act Self-Evaluation and Transition Plan updates, revises, and replaces all other previously published Transition Plan documents.

In its effort to revisit its original Transition Plan, the City has developed this American with Disabilities Self-Evaluation and Transition Plan. Every City department completed a self-evaluation survey to identify any policies or practices that are inconsistent with the requirements of the ADA. The findings of the departmental self-evaluations and the recommendations for
making all City services, programs, and activities accessible can be found in Section 2 of this plan. A copy of the City’s self-evaluation survey form can be found in the appendix to this plan.

The City has also systematically reviewed the accessibility of buildings and other public facilities owned or operated by the city. The Transition Plan detailing the City’s plan to remove barriers to accessibility in its buildings and public facilities can be found in Section 3 of The Americans with Disabilities Act Self-Evaluation and Transition Plan. In addition, the City has undertaken a major effort to evaluate the accessibility of city streets, sidewalks, and curbs. A [draft] Transition Plan explaining the steps that the City has taken or will take to evaluate accessibility and remove barriers on city streets, sidewalks, and curbs can be found in section 3 of The Americans with Disabilities Act Self-Evaluation and Transition Plan.

Going forward, the City will continue to periodically review the accessibility of its programs, activities, and services, by conducting departmental self-evaluations. Initially, The Americans with Disabilities Act Self-Evaluation and Transition Plan will be reviewed six months and one year after being posted on the City’s website. It will then be reviewed every 3 to 5 years thereafter. The City will also annually update The Americans with Disabilities Act Self-Evaluation and Transition Plan section(s) to track the City’s progress in making needed changes to the accessibility of City services, programs and activities and structural changes to its facilities.

1.6. Public Outreach

As required by the ADA, The Americans with Disabilities Act Self-Evaluation and Transition Plan will remain posted on the City’s website for public comment for three years. Other ADA documents, including the City of Springfield’s American with Disabilities Notice and Nondiscrimination Notice, are available on the City’s website at http://www.springfield-or.gov/accessibility-statement-w3c/. Alternate forms of these documents will be made available for persons with disabilities as requested.
2. Self-Evaluation of City Services, Programs, and Activities

2.1. Customer Service (walk-in, telephone & letters/emails)

The City has done an excellent job addressing physical accessibility problems at its facilities identified in previous transition plans through renovation of existing facilities and relocation of key departments and services to compliant buildings. In addition, the City has fully embraced and encouraged use of electronic communications tools, like the Internet and email, to interact with and provide information to its customers. Recommendations of this Transition Plan are:

- Provide at least one TTY text telephone.
- Publicize the City TTY number in all email signature blocks, letterhead, phone books or Web pages that include the City’s main information telephone number (541-726-3700).
- For departments that use automated phone menu systems on their main, public line (i.e. press 1 for…), ensure there is an easy one-step way to bypass the message and reach a live person during regular business hours. If lack of staffing makes this impossible, ensure there are other ways for people to reach your staff (e.g. email addresses posted on your Department’s Web page, allow in-person drop-in visits, etc.).
- Publicize the state Relay service number used by the City (711) in all email signature blocks, letterhead, phone books or Web pages that include an individual employee or department’s regular voice telephone numbers.
- Ensure that pathways are clear of temporary or permanent barriers such as tables, chairs, coat racks, easels, signs, equipment or boxes.
- Ensure that all permanent directional and room identification signage use large fonts, high contrast colors, non-reflective materials, raised lettering and Braille translations where appropriate, and are clear of visual or physical obstructions.
- Install signage at any non-accessible entrance to a public facility with directions to the nearest accessible entrance.
- Include the following information beneath the signature line of every letter or email sent to a customer:
  
  To request other formats, please contact [your department or division name here].
  Voice: 541-__________/ TTY: ____________/ Relay: 711
  Email: ____________@springfield-or.gov
  
  Or, you can include the above contact information in your signature line and simply add this (or similar) sentence to your email or letter:
  
  Please contact me to request this document or its attachments in another format, such as Braille, audio recordings or text-only documents.
  
  Whenever possible, make sure that any documents sent to a customer as an attachment to an email are in an accessible format (i.e. a PDF that was created using Adobe Acrobat, NOT a document that was scanned electronically and converted to PDF or TIF).
  
  Post a Notice of Program and Service Accessibility flyer in the lobby or public reception area of each department or facility clearly stating the City’s intent to provide equal access to all services, programs and activities.
2.2. Public Meetings/Hearings & Events

The City works hard to ensure its public meetings, hearings and events are open and accessible to all citizens, regardless of disability. In addition, the City works directly with community event organizers to help ensure events using City streets, parks or other resources are compliant with the ADA. Recommendations of this Transition Plan are:

- All public meetings, hearings or other public events must be able to provide accommodations to people with disabilities, as requested. This includes providing American Sign Language interpreters, providing additional wheelchair seating and providing additional disabled parking spaces close to the entrance(s). Instructions about how to accommodate these requests should be provided to all employees, with reminders sent out once a year.
- Ensure that doorways and primary paths of travel at a meeting or event location are clear of obstructions or barriers, such as signs, boxes, chairs and electrical cords.
- Locate and inventory all assistive listening devices/FM transmitters and create a system for making them available to all departments (e.g. Outlook calendar checkout system), and include step-by-step operating instructions for use with each device. Verify that devices are operational once per year or in advance of any requested use, and replace/repair devices promptly.
- Include the following statement (or something similar) at the end of any email, news release, advertisement or mailed invitation sent out about a City-sponsored meeting or event:
  
  To request reasonable accommodations at this (meeting/event), please contact (name of event contract, phone #, TTY # - if any, Relay: 711, Email: ____@springfield-or.gov) by (insert date – usually 1-2 weeks before the event, depending on when the notice is sent out).

2.3. Printed Materials

The City produces a variety of informational and promotional materials for public use, including maps, brochures, forms, newsletters, fact sheets, reports, and plans. Recommendations of this Transition Plan are:

- All departments must be able to provide documents and other printed materials in alternate formats, as requested. This includes Braille, audio recordings, enlarged print and digital formats at no charge to the individual making the request. Instructions about how to provide these alternate formats should be provided to all employees, with reminders sent out once a year.
- Include the following information (or similar) on all printed materials provided to the public, including brochures, fact sheets, handouts, flyers, maps, plans, forms, reports and newsletters:
  
  To request other formats, please contact [your department or division name here].
  Voice: ___________ / TTY: _________ (if any) / Relay: 711
  Email: ___________@springfield-or.gov

  Note: If a document is going to be used for more than one year without updates, please select a generic customer service telephone number and email address for your department, if available.
2.4. Website (www.ci.springfield.or.us)

In 2016, the City of Springfield will complete a comprehensive redesign of its website. The new design will include a variety of accessibility-related improvements, including text size and color, providing alternate text on photos and other graphics consistently, and providing accessible PDF documents. Recommendations of this Transition Plan are:

- Ensure that all fillable electronic forms are accessible by computer screen reading software for those with sight limitations. The Webmaster may want to purchase screen reading software like that used by people with such disabilities, in order to test the accessibility of certain key Web pages, forms and documents.
- Post links to PDF documents only if they were created using Adobe Acrobat from the original, editable document.
  - Do not use TIF or JPG formats for documents with text unless another link to an accessible PDF or text-only document is provided along with it.
  - Do not use a document scanner to create a PDF or TIF for your Web pages unless you also provide a text version of the document along with it.

2.5. Contracting/Purchasing

The City currently uses criteria that do not discriminate based on disability when selecting contractors, consultants or vendors for City projects or services. However, federal regulations also require that any outside contractors receiving City funding, or receiving federal funding through the City, comply with the requirements and regulations of Title II of the ADA and Section 504 of the Rehabilitation Act. Recommendations of this Transition Plan are:

- Include a statement in all Request for Proposals, contracts or other bid solicitation documents or Web pages explaining that businesses, organizations or individuals contracting with the City of Springfield must comply with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, and provide links to Web sites or other resources about the ADA and Section 504.

2.6. Staff Training

A key deficiency revealed by the self-evaluation survey conducted in early 2014 was the need for regular and recurring employee training about a variety of subjects related to the requirements and regulations of the ADA. This information can be provided to employees through written procedures and other self-directed training tools (e.g. PowerPoint presentations, videos, etc.), through online training courses or through formal classroom training. The Northwest ADA Center is a great resource for ADA training (www.dbtacnorthwest.org). The City’s training and education needs include:

- Location and use of TTY text telephones (placing and receiving calls)
- Use of State of Oregon third-party Relay telephone system (placing and receiving calls)
- Responding to requests for materials in alternate formats, including accessing Braille printers, getting audio recordings, providing enlarged text, etc.
• Responding to requests for accommodations at public meetings and events, including getting a sign language interpreter, securing additional disabled parking spots, etc.
• Providing accessible Web content (alternate text, fonts, PDFs)
• General information about working with disabled customers (culture and etiquette)
• General information about the ADA and its legal requirements as it pertains to the City
• General information about Section 504 of the Rehabilitation Act of 1973 and its legal requirements
• How both the ADA and Section 504 are different from Section VI of the Civil Rights Act of 1964

In addition to providing this information to all existing employees and new hires, the City should provide all employees with annual reminders about the ADA requirements with links to instructional information. Any changes to the law affecting the City should also be monitored and shared with employees as appropriate. This continuing education effort should occur in coordination with the annual updates that will be made to The Americans with Disabilities Act Self-Evaluation and Transition Plan.
3. City Facilities ADA Transition Plan

3.1. Public Buildings and Facilities

3.1.1. City Buildings

This section will include a list of any changes needed to city buildings or other public facilities, other than city streets, sidewalks, and curbs, to comply with ADA requirements. A hypothetical example includes: “Exterior signage needed at non-accessible City Hall entrances directing people to the accessible entrance.” The list of changes to be made should include an explanation of how the problem will be fixed, and should give a completion date. If completion will take longer than one year, the intermediate steps to be taken need to be listed. If there are changes that need to be made to comply with ADA, but the city does not plan to make the changes due to an undue burden, the specific reasons justifying an undue burden should be addressed.

3.2. City Streets, Sidewalks, and Curbs

City staff has already begun the process of updating this part of the Transition Plan, but it may take considerably longer to complete this section of the report due to the complexity and expense involved in surveying city streets. The Department of Development and Public Works is in the process of inventorying curb ramps and sidewalks with projected completion dates.

Financial resources are limited and as such, curb ramps and/or barriers on streets and sidewalks will be updated whenever an intersection is rebuilt.

[This section will include the work already being done to update the city’s curb ramps transition plan. Eventually, this section will comprise of a list or map showing all barriers to city sidewalks, pedestrian crossings, curbs, shared use trials, bus stops, and public facility parking lots, with projected completion dates. This section must include a schedule for barrier removal, and should show how the city will prioritize barrier removals (i.e. near public buildings and schools first, then near bus stops, etc.).]