



Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan

Public Review Draft January 2021



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Acknowledgments

Many individuals were involved with the development of the City of Lynnwood ADA Self-Evaluation and Transition Plan. Implementation of this Plan will include efforts of City Leadership and across City Departments.

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1. Introduction

This ADA Self-Evaluation and Transition Plan (Plan) will support the City of Lynnwood to fulfill the requirements set forth in title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This Plan will assist the City in identifying policy, program, and physical barriers to accessibility, and will guide the City in developing barrier removal solutions.

The evaluation of policies, programs, and services is described in *Section 2 – Self-Evaluation of Policies, Procedure, and Programs* of this document. Section 2 details the review of City policies, services, programs, and activities and is based on responses to a program accessibility questionnaire, which was completed by City staff, and a review of City documents and policies.

A description of the evaluation of physical barriers in the built environment at City facilities where programs, activities, and services are available to the public and the strategy for the removal of barriers is included in *Section 3 – ADA Transition Plan*.

An overview of the topics the City should consider and address when implementing barrier removal efforts is provided in *Section 4 – Barrier Removal Considerations for Plan Implementation*.

Section 5 – ADA Policy and Complaint Procedure includes the City's notice under the ADA and the City's ADA Grievance Procedure.

Commonly used terms within this document and in the ADA are included in *Section 6 – Definitions*, and *Section 7 – Program Accessibility Guidelines, Standards, and Resources* contains a directory of disability organizations, guidelines, and resources for addressing the recommendations included in this Plan.

The City of Lynnwood has established a designated ADA Title II Coordinator. The ADA Coordinator is responsible for tracking the efforts of the City to comply with title II and for the coordination and investigation of accessibility-related complaints. The ADA Coordinator is also considered a resource for City Departments to achieve ADA compliance and assist with policy and program development to ensure program accessibility.¹

¹ Department of Justice, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination and Subpart D § 35.149 Discrimination prohibited.

1.1 Legislative Mandate

The ADA is a comprehensive civil rights law for persons with disabilities in both employment and the provision of 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.” 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. Congress passed the ADA on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. Under the requirements of the ADA:

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.²

Further, 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.³ This Plan and certain documents incorporated by reference establish the City of Lynnwood’s ADA Self-Evaluation and Transition Plan.

Application of Regulations

As a public entity, the City of Lynnwood is subject to the ADA’s title II Requirements for State and Local Government Programs and Services, and is responsible for the provision of accessible programs and facilities that are available without discrimination toward people with disabilities. A fundamental tenet of title II of the ADA is “the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services.”⁴ This principle is referred to as program accessibility.

A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as “program accessibility,” applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible.⁵

As a public entity, the City is required to ensure program accessibility for the programs it provides to the public.

² Department of Justice, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination.

³ Department of Justice, Title II Regulations Subpart A § 35.105 Self-evaluation.

⁴ The Americans with Disabilities Act, Title II Technical Assistance Manual II-3.3000.

⁵ The Americans with Disabilities Act, Title II Technical Assistance Manual II-5.1000.

Maintaining Accessible Facilities

In addition to providing programmatic access, the City is obligated to maintain all accessible facilities in working order. Exceptions are provided for temporary disruptions. The ADA contains the following language regarding the maintenance of accessible features:

Maintenance of Accessible Features. *Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.*

Where a public entity must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation, if the object is promptly removed. Similarly, accessible doors must be unlocked when the public entity is open for business.

Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated, if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.⁶

1.2 Discrimination and Accessibility

This section provides an overview of physical and programmatic accessibility and the basic methods of providing access. Absence of discrimination requires that both types of accessibility be provided.

Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility.

Programs offered by the City to the public must be accessible. Program accessibility requires that individuals with disabilities are provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids and services, transportation, policies, and communication.

The City may achieve program accessibility by several methods:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aids; and/or
- Providing services at alternate accessible sites.

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

⁶ The Americans with Disabilities Act, Title II Technical Assistance Manual II-3.10000.

1.3 ADA Self-Evaluation and Transition Plan Requirements and Process

The ADA Self-Evaluation and Transition Plan is intended to provide a framework for the continuous improvement of City programs and facilities for people with disabilities. The Plan is intended to be a living document that is regularly updated as programs and services change, as barriers are removed, and new facilities come under ownership or control of the City.

The ADA Self-Evaluation identifies and makes recommendations to correct policies and practices in the City's programs and services that are inconsistent with title II regulations and result in limited access for people with disabilities. As part of the Self-Evaluation, the City:

- Evaluates services, policies, and practices;
- Identifies modifications needed to services, policies, and practices; and
- Involves people with disabilities in the self-evaluation process.⁷

Programs, activities, and services offered by the City to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of programs or services provided by the City, including:

- Accessible/adaptive equipment;
- Contracting, licensing, or other arrangements;
- Customer service;
- Emergency evacuation procedures;
- Facilities;
- Notice requirements;
- Printed information;
- Program participation;
- Public meetings;
- Special events and private events on public properties;
- Telephones and communication devices;
- Televised and audiovisual information;
- Tours and trips;
- Training and staffing;
- Transportation services; and
- Website.

The Transition Plan is a document that outlines a strategy for the City to progress toward compliance with the ADA. The Transition Plan identifies physical barriers for persons with disabilities and a schedule to remove those barriers over time and must:

- List barriers;
- Identify feasible solutions to each barrier;
- Establish a timeline for removing barriers;
- Identify the person responsible for title II compliance; and
- Involve people with disabilities in the preparation of the Plan.⁸

⁷ Department of Justice, Title II Regulations Subpart A § 35.105 Self-evaluation.

⁸ Department of Justice, Title II Regulations Subpart A § 35.150 (d) Transition plan.

Self-Evaluation

The City of Lynnwood 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. Recommended actions for City programs, activities, and services are incorporated as part of this Plan.

Transition Plan

The City completed a physical audit of facilities to identify potential facility barriers and identify recommendations and alterations to meet state and federal accessibility standards. The type of facilities evaluated include:

- City-owned and maintained parks;
- City-owned and maintained trails;
- City-owned and maintained buildings; and
- City-owned and maintained public right-of-way.

At the time of the facility evaluations, the following resources were used to identify barriers at City facilities: the 2010 ADA Standards for Accessible Design, 2015 Washington State Amended International Building Code (WAC), 2015 Architectural Barriers Act (ABA) Standards for Outdoor Developed Areas, and the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)⁹. Building codes and standards are revised every few years. The barrier evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

⁹ In 2014, *Fortyone v. City of Lomita*, the US Court of Appeals for the Ninth Circuit provided direction on providing accessible programs and services where there is an absence of technical standards relevant to the situation.

“...The panel stated that the text of the ADA, the relevant implementing regulations, and the Department of Justice’s interpretation of its own regulations all led it to conclude that public entities must ensure that all normal governmental functions are reasonably accessible to disabled persons, irrespective of whether the DOJ has adopted technical specifications for the particular types of facilities involved.”

Plainly stated, even in the absence of adopted technical design standards, public agencies have an obligation to make their programs accessible to all users. When designing for accessibility in the absence of adopted technical standards title II entities should consider comparable design standards or program access.

1.4 Public Outreach

Public entities are required to accept comments from interested persons on their ADA Self-Evaluation and Transition Plan, including individuals with disabilities and organizations that represent them to assist in the self-evaluation process. A page is designated on the City's website to serve as an information portal for the ADA Self-Evaluation and Transition Plan process. During development of this Plan, people with disabilities, and those that provide assistance or services to others with disabilities, senior citizens, people with experience and knowledge of ADA planning and requirements, and other interested Lynnwood residents participated in a stakeholder group. In 2018, ADA stakeholder group meetings were held to introduce the project and receive questions and comments and provide input on the prioritization of barriers. Participants shared their opinions and experiences related to City facilities, programs, and services as they relate to the ADA. Meeting agendas and notes are available on the City's website on the [ADA Self-Evaluation and Transition Plan project webpage](#). The Plan was provided to the stakeholder group for review and to the public for comment on the City's website in 2021.

2. ADA Self-Evaluation of Policies, Procedures, and Programs

Accessibility of the City’s programs, activities, and services applies to all aspects of the City’s offerings, including advertisement, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication. The City of Lynnwood undertook a self-evaluation that included a staff questionnaire, a review of City policies and practices, and an evaluation of the City’s standards and specifications. The self-evaluation¹⁰ process identified barriers and provided a mechanism for developing strategies and recommendations to correct policies and practices that are inconsistent with title II regulations and result in limitations to access for people with disabilities. This section summarizes the outcomes of this effort. The recommendations contained in this section will serve as a basis for the implementation of specific strategies that will improve access to City programs, as required by law.

2.1 Programmatic Modifications

The ADA Coordinator, or designee, will follow-up with each department to review the recommendations contained in the self-evaluation¹¹. 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 and Policy Review Summary

The two primary components of the City’s self-evaluation are a program accessibility questionnaire administered to City staff and a complementary evaluation of the City’s services, policies, and practices. The review included the Municipal Code, policies and administrative rules for departments, planning, and other public documents, forms and applications, and a wide range of the City’s programmatic offerings, and the City’s standards and specifications. The results of the analysis serve as a basis for implementation of specific improvements for improving access to City programs as required by the ADA. The reviewed services, policies, and practices were provided to the City in an ADA Self-Evaluation of Policies, Programs, and Activities report available under separate cover upon request. The recommendations in this Plan are 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 Information
- Website
- Telephones and Communication Devices
- Training and Staffing
- Program Participation
- Public Meetings
- Transportation Services
- Tours and Trips
- Contracting, Licensing, or Other Arrangements
- Emergency Evacuation Procedures
- Facilities
- Special Events and Private Events on Public Properties

¹⁰ Department of Justice, Title II Regulations Subpart A § 35.105 Self-evaluation.

¹¹ Department of Transportation fund recipients need to establish a system for periodically reviewing and updating the evaluation per 49 CFR § 27.11(c)(2)(i-v).

Required actions are listed based on the ADA legislation for accessibility. 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. In many cases, the City has many alternatives in selecting methods for providing accessible programs, activities, and services. Recommended actions for implementation are also provided to help ensure requirements are met. Where applicable, links are provided to the Department of Justice ADA.gov online best practices tool kit.¹²

Accessibility/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.¹³ For example, a pen, note pad, and clip board provided to a person who is deaf, hard of hearing, or a person with a speech disability to write notes for brief communication or electronic equipment such as an accessible computer station are considered adaptive equipment.

Required Actions

1. Provide and maintain in working order, accessible equipment for people with disabilities when the public is allowed or required to use equipment such as computers, copy machines, telephones, or other technologies.¹⁴
2. Provide appropriate auxiliary aids and services in a timely manner, giving primary consideration to the requests of individuals with disabilities.¹⁵
3. Make reasonable modifications to avoid discrimination on the basis of disability unless the modifications would fundamentally alter the nature of the service, program, or activity.¹⁶

Recommended Actions

- Collaborate with community organizations that serve people with disabilities to develop and maintain a current resource list of assistive technology equipment and sources.
- Establish and maintain a toolkit of adaptive aids and resources for staff who interact with the public. Include information about both onsite and contracted services.
- Include accessibility as a criterion for purchasing equipment such as furniture, site furnishings, and office systems. Whenever possible, evaluate furniture and building material purchases for compatibility with a wide range of disabilities and sensitivities.
- Provide ongoing training to city personnel regarding techniques for providing accessible and adaptive equipment.

¹² “The Tool Kit should be considered a helpful supplement to – not a replacement for – the regulations and technical assistance materials that provide more extensive discussions of ADA requirements. It also does not replace the professional advice or guidance that an architect or attorney knowledgeable in ADA requirements can provide.” For the full “Best Practices Tool Kit for State and Local Governments,” see <https://www.ada.gov/pcatoolkit/toolkitmain.htm>.

¹³ See <https://www.ada.gov/pcatoolkit/chap1toolkit.htm>.

¹⁴ DOJ, Title II Regulations Subpart B § 35.133 Maintenance of accessible features

¹⁵ DOJ, Title II Regulations Subpart E § 35.160 General

¹⁶ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Customer Service

In-person interaction with the public is one of the primary functions of most City departments. To meet ADA standards for in-person interactions, staff should be aware of the formal and informal procedures for accommodating people with disabilities, including appropriate responses to requests for program modifications and guidelines for accommodating service animals.¹⁷

Required Actions

1. Make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.¹⁸
2. Continue the policy of not charging an additional fee to the person requesting accommodation for their disability for program modifications or alternative formats.¹⁸
3. Continue the policy of not excluding service animals in City facilities.¹⁹

Recommended Actions

- Develop a process for determining reasonable modifications as they are requested. The process should address the following considerations:
 - Ensure the public has easy access to information about how to make a request for modifications and who to contact.
 - Ensure all staff can direct a person making a request to the appropriate staff member.
 - Ensure requests can be accepted from someone on behalf of the person with a disability and are not required to be in writing.
 - Record and monitor accessibility requests. The ADA Coordinator can analyze these periodically to look for global issues that can be addressed and problems that can be solved proactively.
- Publicize efforts to increase participation by persons with disabilities, which might include activities such as distributing program brochures to members of the disability community.
- Assess the composition and needs of the population of people with disabilities within Lynnwood and 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.
- Create partnerships with organizations that provide services to people with disabilities to assist in communication about accessible City programs. Keep programs up to date through increased community involvement and partnerships with organizations that offer services to persons with disabilities.

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. 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

¹⁷ 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.

¹⁸ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

¹⁹ DOJ, Title II Regulations Subpart B § 35.136 Service animals

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.²⁰

Required Actions

1. Continue to provide public notice regarding the City's commitment to providing accessible services.²¹
2. Continue to publish the ADA complaint and grievance procedures to provide fair and prompt resolution of accessibility-related complaints.²²
3. Provide a public notice for interested people to obtain information about the existence and location of accessible services, programs, activities, and facilities.²³
4. Provide information about the availability of program modifications for people with disabilities.²⁴
5. Ensure that people claiming a violation of title II are not retaliated against or discriminated against for making such a claim.²⁵

Recommended Actions

- Ensure that the notice about the availability of program modifications, alternative formats of materials, and auxiliary aids includes contact information for the member of staff who can provide assistance and a notice that 72 hours is required.
- Ensure staff is aware of the public locations of the nondiscrimination statement and the procedure for filing a disability discrimination complaint.
- Increase outreach to persons with disabilities and the organizations that serve them to provide information of the possible modifications that can be provided to make services, programs, and activities accessible.
- Republish and rebroadcast radio, newspaper, television, or mailings of the notice periodically, as applicable.
- Include a nondiscrimination notice in City publications similar to the following:

The City of Lynnwood 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 nondiscrimination requirements contained in the Department of Justice regulations implementing Subtitle A of title II of the Americans with Disabilities Act (42 U.S.C. 12131-12134), which prohibits discrimination on the basis on disability by public agencies.

²⁰ See <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.

²¹ DOJ, Title II Regulations Subpart A § 35.106 Notice

²² DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance

²³ DOJ, Title II Regulations Subpart E § 35.163 Information and signage

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

²⁵ DOJ, Title II Regulations Subpart B § 35.134 Retaliation or coercion

Printed Information

To meet the ADA's communication standards, City departments must be able to provide information, upon request, in alternative formats such as using easy-to-understand language, braille, large-print format, audiotape or CD, computer media, or other formats as requested.²⁶

Required Actions

1. Provide alternative formats to printed information, upon request.²⁷
2. Address requests for other alternative formats for lengthy documents on an individual basis.²⁷
3. Continue the practice of not assigning costs for alternative formats to a person with a disability making the request, and update policies for public records requests as needed.²⁸
4. Provide or improve the alternative text for graphics when documents are provided in a digital format.²⁷

Recommended Actions

- Include a notice on public materials printed by the City, similar to the following:
This publication can be made available in alternative formats, such as large print, braille, or electronic format. Requests can be made by calling the ADA Coordinator at 425-670-5081, email at crussell@lynnwoodwa.gov, or by using the 711 Telecommunications Relay Service. Please allow 72-hours for your request to be processed.
- Provide instruction 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.
- Include images of people with disabilities when images of people are included in City printed materials.

²⁶ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>.

²⁷ DOJ, Title II Regulations Subpart E § 35.160 General

²⁸ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

Televised and Audiovisual Information

Televised and audiovisual information is a means for disseminating public information through presentations produced by City departments. All televised and audiovisual information, including PowerPoint presentations, must be accessible to persons with disabilities. As more communication is done remotely through the internet, it is increasingly important that all communication tools maintain accessibility as technology changes.²⁹

Required Actions

1. Provide alternative formats to audiovisual presentations produced by the City, upon request, including transcripts, captions, or other options.³⁰
2. Ensure that televised and audiovisual communications with people with disabilities is as effective as televised and audiovisual communications with others.³⁰³⁰³⁰

Recommended Actions

- Review City presentations, videos, and recordings of meetings to identify potential barriers to accessibility and corresponding solutions.
- Encourage presenters to read the slides and describe the graphic content when presenting visual presentations.
- Include images of people with disabilities when images of people are included in audiovisual materials.

Website

As people turn to the internet as their primary source of information regarding services, programs, activities, and facilities, the City's website at <http://www.lynnwoodwa.gov/> takes on increased importance as a communications tool. Providing public access to City publications online is an effective means of reaching persons with disabilities.³¹ The federal 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.³² As of 2018 the technical requirements of Section 508 incorporate the Web Content Accessibility Guidelines (WCAG), including WCAG 2.0 A and AA. The WCAG guidelines are considered the best practice for web accessibility and provide the industry standards for accessible web content.³³

²⁹ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>.

³⁰ DOJ, Title II Regulations Subpart E § 35.160 General

³¹ See <https://www.ada.gov/websites2.htm> and <https://www.ada.gov/pcatoolkit/chap5toolkit.htm>

³² 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 have adopted these standards as best practices. See Title 29, Chapter 16, § 794d Electronic and information technology.

³³ <https://www.w3.org/WAI/standards-guidelines/wcag/>

Required Actions

1. Take appropriate steps to ensure that the City's online communication with people with disabilities is as effective as other communications with the public.³⁴
2. Ensure that people with disabilities are not excluded from participating in or benefitting from the City's online services, programs, or activities.³⁵

Recommended Actions

- Conduct web accessibility analyses to periodically measure the accessibility of the department's websites. Consider adopting standards that meet or exceed Section 508 of the Rehabilitation Act guidelines for the accessibility of electronic information.
- Continue to publish the Policy of Non-Discrimination, including on the Basis of Disability, on the City's website.
- Provide information on the City website about the accessibility of City facilities.
- Acquire the technological resources or staffing expertise to create accessible documents for posting on the department website.
- Ensure images, documents, and digital files are accessible for those with vision disabilities.

Telephones and Communication Devices

Even with technological advances such as cell phones, texting, and instant messaging, provision and use of alternative communication technologies such as teletypewriters (TTY), telecommunication display devices (TDDs), or telecommunications relay services (TRS) is still required for conducting communications with the public.³⁶

Required Actions

1. 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.³⁷
2. Ensure that City 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.³⁸

Recommended Actions

- Explore options for Video Remote Interpreting Services (VRI) for communicating with people who are deaf, have hearing loss, or speech disorders. There are many situations where a live interpreter is required, such as in medical situations, but VRI may be an alternative when a live interpreter is unavailable, if circumstances, equipment, and training allow for it to provide effective communication.
- Train staff on the use of alternative communication technologies.

³⁴ DOJ, Title II Regulations Subpart E § 35.160 General

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

³⁶ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>.

³⁷ DOJ, Title II Regulations Subpart E § 35.161 Telecommunications

³⁸ DOJ, Title II Regulations Subpart E § 35.161 Telecommunications; § 35.163 Information and signage

Training and Staffing

As a part of the City's on-going 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.

Required Actions

1. Ensure that City staff is knowledgeable in providing accessible services, programs, and activities for the public and that accessible facilities are maintained in working order.³⁹

Recommended Actions

- Provide all City staff members with ongoing awareness and sensitivity training.
- Develop a comprehensive disability access training program. Educate all City staff about their responsibilities under the ADA. The City's ADA Coordinator and department supervisors should be responsible for ensuring that staff members receive training. Reference materials that address special modifications should be included in this training.
- Develop standard guidelines for training materials. These guidelines should include standard language that appropriately describes the City's policy on inclusion and non-discrimination, and staff members should receive training in using the guidelines effectively.
- 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.
- Train maintenance staff regarding accessibility compliance and the fundamentals of building codes to maintain facilities in an accessible condition.
- Consider offering training for basic American Sign Language (ASL) communication skills to staff who have contact with the public and depending on operational needs. This training should emphasize basic communication skills and should not be viewed as a substitute for utilizing qualified ASL interpreters when requested.

³⁹ DOJ, Title II Regulations Subpart E § 35.160 General; Subpart B § 35.130 General prohibitions against discrimination; Subpart B § 35.133 Maintenance of accessible features

Program Participation

The public must be able to access all programs, service, and activities, regardless of disability, unless a modification would result in a fundamental alteration to the nature of a service, program, or activity, or result in undue financial and administrative burdens.⁴⁰

Required Actions

1. Include individuals with disabilities in regular programs to the maximum extent possible.⁴¹
2. Provide reasonable modifications to program participants with disabilities to include them in regular programs to the maximum extent possible. Do not require the use of different or separate aids, benefits, or services, even if they are as effective as those provided to other individuals.⁴¹
3. Modify standard policies, practices, or 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.⁴¹
4. Ensure that when the City determines it necessary to exclude or limit the participation of people with disabilities to ensure the safe operation of programs or services, those determinations are based on real risks, not on speculation, stereotypes, or generalizations.⁴¹
5. Ensure that when interviews are required for program participation, they are held in an accessible location and that alternative formats or auxiliary aids are provided upon request.⁴²

Recommended Actions

- Increase outreach to persons with disabilities and the organizations that serve them to ensure program accessibility. The City should also inform the public of the possible modifications that can be provided to make programs, services, and activities accessible.
- Include a nondiscrimination statement and a notice of alternative formats on application or registration forms.

⁴⁰ DOJ, Title II Regulations Subpart E § 35.164 Duties

⁴¹ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

⁴² DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Subpart E § 35.160 General

Public Meetings

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

Required Actions

1. Ensure that public meetings are held in accessible facilities to accommodate the participation of people with mobility disabilities.⁴³
2. Provide agendas and other meeting materials in alternative formats upon request.⁴³
3. Provide flexibility in the time limit on speaking for individuals with communication difficulties.⁴³
4. Ensure that assistive listening devices are available for public meetings where the sound at the meeting is amplified.⁴⁴

Recommended Actions

- Display a notice on meeting agendas indicating the availability of accessibility modifications.
- Prepare a list of accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.
- Move disability-related agenda items to the beginning of agendas when possible. Some people with disabilities are unable to stay late at meetings because they use transit, have fixed schedules, and/or rely on personal care attendants.
- Maintain a list of on-call American Sign Language interpreters who may be brought to meetings to assist individuals with hearing disabilities.
- Develop a checklist and provide instruction to staff on ensuring the accessibility of meetings. Guidelines should include examples of the types of modification requests that may be made by people with different types of disabilities, including assistive listening systems, sign language interpreters, readers, descriptive services, and other assistive technologies like real-time captioning. Other considerations include the layout of the room and the locations of the sign-in and refreshments tables, bathrooms, and other elements to ensure these features are accessible.
- Assign a member of staff as a greeter at public meetings and events. Identify this person as a resource for people who may require assistance.

⁴³ DOJ, Title II Regulations Subpart E § 35.160 General

⁴⁴ DOJ, Title II Regulations Subpart E § 35.160 General; 2010 Standards 219.2 Required Systems

Transportation Services

Many public agencies provide public transportation services. The public accommodation standards for these services are set forth by the Federal Transit Administration.⁴⁵ At the time of the self-evaluation the City did not provide public transportation services.

Required Actions

1. Make reasonable modifications in policies, practices, or procedures for public transportation when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services.⁴⁶

Recommended Actions

- Periodically review any available transportation programs to proactively ensure accessibility. Develop strategies for modifications as appropriate.

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. The City is responsible for ensuring that the tour can be experienced by people with disabilities, by making accommodations or modifications.

Required Actions

1. Modify tours and trips, when requested, to enable people with mobility, visual, speech, hearing, and cognitive disabilities to participate.⁴⁷

Recommended Actions

- Incorporate opportunities to request accessibility modifications in registration materials for tours or trips.
- 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 modifications or accommodations can be made.
- Evaluate the destination of tours or trips and the means of transportation to determine accessibility and any modifications that may be required. If a tour route or a portion of a route is inaccessible and modifications are requested, continue the practice of rerouting the tour or providing program modifications that will allow the tour to be experienced (for example: photographs, videos with closed captioning).

⁴⁵ 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>.

⁴⁶ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Title 49, Subtitle A, § 38.1 Purpose

⁴⁷ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

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 the City's services and are required to adhere to the same ADA regulations as the City.

Required Actions

1. Ensure that contractors, licensees, consultants, and other entities providing or delivering services for the City adhere to the same ADA regulations as the City.⁴⁸

Recommended Actions

- Ensure contractors, licensees, and other entities are aware of their obligation to make City programs and activities are accessible.
- Monitor programs and activities to ensure continued accessibility.
- Provide a checklist and information to inform contractors, licensees, and other entities of their responsibility for accessibility under the ADA.

Emergency Evacuation Procedures

Life and safety protocols and procedures are required to include plans for people with disabilities.⁴⁹ The City is responsible for ensuring that staff are aware of these procedures and are trained to implement them during an emergency. Issues that have the greatest impact on people with disabilities include:

- Notification;
- Evacuation;
- Emergency transportation;
- Access to medications, refrigeration, and back-up power;
- Access to their mobility devices or service animals while in transit; and
- Access to information.

In planning for emergency services, the City is required to develop strategies for notifying and assisting people with the widest range of disabilities. The City is responsible for ensuring that staff are aware of these procedures and are trained to implement them during an emergency.⁴⁹

⁴⁸ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination.

⁴⁹ See <https://www.ada.gov/pcatoolkit/chap7emergencymgmt.htm>

Required Actions

1. Train staff to safely evacuate people with disabilities in various types of emergency situations when developing guidelines and a plan for emergency evacuations.⁵⁰
2. Include strategies for people with disabilities in various types of emergency situations when developing guidelines and a plan for emergency evacuations.⁵⁰
3. Provide direct access to telephone emergency services, including 911 services, for people who use TDD's and computer modems.⁵¹
4. If the City becomes involved in providing emergency shelters, provide emergency sheltering programs that are accessible to people with disabilities.⁵²

Recommended Actions

- Incorporate the following elements into emergency planning:
 - 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.
- Test the City's emergency plan and evacuation procedures with periodic drills, both announced and unannounced. Enlist people with different disabilities to role-play during emergency simulations.
- Review existing procedures dealing with emergencies to ensure that people with disabilities can be alerted and that they can alert emergency service providers.
- Review suggestions for evacuation plans and procedures on the U.S. Access Board website at <http://www.ada.gov/emergencyprepguide.htm>. As applicable, review other resources such as the Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the U.S. Fire Administration.
- Work with disability organizations to explore the use of technologies such as audible exit signs for orientation and direction or vibrating paging systems.
- To review specific suggestions for evacuation plans and procedures at the US Access Board website at <http://www.ada.gov/emergencyprepguide.htm>, and the Emergency Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the US Fire Administration.

⁵⁰ 42 U.S.C. § 12132; see generally, DOJ, Title II Regulations Subpart A § 35.130, § 35.149.

⁵¹ DOJ, Title II Regulations Subpart E § 35.162 Telephone emergency services

⁵² DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination; Subpart D § 35.149 Discrimination prohibited

Facilities

City facilities should be accessible to people with different types of disabilities. A public entity is not necessarily required to make each of its existing facilities accessible, where other methods are effective in achieving program access. However, they must ensure that each service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. The identification of structural barriers in facilities such as buildings, parks, and the public rights-of-way are a required element of an ADA Transition Plan.

Required Actions

1. Ensure that interested persons can obtain information regarding the existence and location of accessible services, activities, and facilities.⁵³

Recommended Actions

- Provide information about facility accessibility in publications, including the website. Relevant information includes the locations of accessible bathrooms, accessible parking, and accessible routes from transit and parking to program locations.
- Record and monitor accessibility requests and analyze periodically to look for global issues that can be addressed and problems that can be solved proactively.

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 its properties to a third party for special events, the responsibility for maintaining an accessible environment is temporarily deferred to the tenant.

Required Actions

1. Maintain City facilities in an accessible order to help ensure the accessibility of events held by public and private organizations.⁵⁴

Recommended Actions

- Inform private organizations that coordinate or sponsor events at City facilities about applicable ADA requirements.
- Provide a checklist and information during the application process to inform organizers of their responsibility for accessibility under the ADA.

⁵³ DOJ, Title II Regulations Subpart E § 35.163 Information and signage

⁵⁴ DOJ, Title II Regulations Subpart A § 35.133 Maintenance of accessible features

3. ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use to develop a Transition Plan to ensure their facilities meet the standards for program accessibility. Program accessibility means that a program, activity, or service provided to the public is accessible when viewed in its entirety. Simply put, a Transition Plan assists in turning inaccessible facilities into environments that are accessible to and useable by individuals with disabilities.

The process of developing an ADA Transition Plan includes the identification of access barriers within the built environment. The Transition Plan for the removal of structural 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.

This Transition Plan addresses facilities under the City's ownership and maintenance responsibility and is organized into two parts: 1) parks, trails, and buildings (Section 3.1), and 2) the public right-of-way (Section 3.2), which includes curb ramps, sidewalks and driveways that fall within the City's area of responsibility.

3.1 Park, Trail, and Building Facilities

The barrier assessments for parks, trails, and buildings includes all public interior and exterior elements of a site. The assessment identifies physical barriers in each facility that limit accessibility. Evaluations were undertaken using a consultant team equipped with measuring devices, City facility data, and evaluation checklists. Diagrams and maps of each site were annotated during the evaluation process and were included with the ADA Facility Assessment Report, available from the City.⁵⁵ The elements included in the evaluations are as follows:

- Assembly Areas
- Bathing Facilities
- Built-in Elements
- Corridors/Aisles
- Curb Ramps
- Doors/Gates
- Dressing, Fitting, Locker Rooms, or Saunas
- Drinking Fountains
- Eating Areas
- Elevators
- Exercise Machines and Equipment
- Game and Sports Areas
- Hazards
- Judicial Facilities
- Kitchens
- Libraries
- Other Features
- Outdoor Constructed Features
- Parking Areas
- Passenger Loading Zones
- Picnic Areas
- Play Equipment Areas
- Ramps
- Restrooms
- Rooms
- Signs
- Stairways
- Swimming Pools/Wading Pools/Spas
- Telephones
- Trails
- Walks

Accessibility Standards

At the time of the facilities evaluations, the 2010 ADA Standards for Accessible Design, 2015 Washington State Amended International Building Code (WAC), 2015 Architectural Barriers Act (ABA) Standards for Outdoor Developed Areas, and the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) were used to identify barriers at City facilities. Building codes and standards are revised every few years. The barrier evaluations assessed current conditions as viewed by current code and provide a baseline for future barrier removal.

⁵⁵ The ADA Facility Assessment Reports are available under separate cover by contacting the City’s ADA Title II Coordinator. The ADA Facility Assessment Reports are a snapshot in time of the facility at the time of evaluation. The reports do not reflect the dates or history of construction or alterations of city facilities. In some cases, the items contained in the reports are not required to be remediated because those items were compliant at the time of construction or alteration, or other options are available to the City to provide similar accessible programs, activities, and services. The reports do not necessarily reflect actions that the City must undertake, but rather constitute a list of elements that were not consistent with accessibility standards current at the time of the evaluation.

Barrier Categorization

The removal of accessibility barriers is guided by a categorization process referenced in the ADA regulations. The principle is to ensure that basic access is provided, access to activities is provided, amenities are accessible, and alternatives to architectural modifications are allowed when appropriate. The categorization process includes the following programmatic categories:

- **Category 1:** The highest category 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 (e.g., parking, walks, ramps, stairs, doors, etc.).
- **Category 2:** A second category is placed on those barrier removal items that improve or enhance access to program use areas (e.g., transaction counters, conference rooms, public offices, restrooms, etc.).
- **Category 3:** A third category is placed on those barrier removal items that improve access to amenities serving program areas (e.g., drinking fountains, telephones, site furnishings, vending machines).
- **Category 4:** A fourth category identifies areas or features not required to be modified for accessibility (no public programs located in this area, or duplicate features).

This categorization was applied to each identified barrier at Lynnwood parks, trails, and buildings. Some barriers will require further evaluation by City staff for programmatic solutions. These barriers were assigned two category values (i.e. “2 or 4”), indicating the barrier will need to be assigned one of the values but not both. This information has been incorporated into the Excel barrier analysis tool the City has for tracking the implementation of the Plan.

Priorities for Barrier Removal at Facilities

To develop a schedule for the removal of barriers at the City's facilities, prioritization criteria were developed with input from the ADA stakeholder group. All facilities in which the City provides programs, activities, and services were reviewed based on the following criteria. Each of these criteria is deemed to have importance with no single criterion having priority over another:

- **Level of use by the public:** Facilities that have a high level of public use can be assigned a higher priority.
- **Program uniqueness:** Some programs are unique to a building, facility, or park and cannot occur at another location. Seasonal availability and programs that emphasize health and wellness can be assigned a higher priority.
- **Geographic distribution:** Selecting a range of facilities that are distributed throughout the City and considering the proximity of these facilities to public transportation helps provide maximum accessibility for all residents.
- **Critical nature of the service provided:** Facilities that provide services related to accessibility, health, safety, and the administration of essential City services such as permitting and licensing can be assigned a higher priority.
- **Identified complaints:** Facilities that have a history of citizen complaints related to accessibility can be assigned a higher priority.

As part of the prioritization process, City staff reviewed the facilities and the programs, activities, and services provided to the public at each location. Each facility was evaluated using the criteria. The prioritization of the facilities resulted in a schedule for the removal of barriers, contained within this section. Over time the criteria may be updated to reflect changing stakeholder and City priorities as adjustments are made to the schedule for facility improvements.

Schedule for Facility Improvements

Title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. This plan proposes a preliminary 10-year strategy for removing barriers at parks, trails, and buildings and identifies facility projects that will be addressed in 11 or more years due to the complexity and or anticipated cost of the project. The City reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. The barrier removal strategy for the next 10 years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise.

It is the goal of this Transition Plan to provide access to the programs, activities, and services provided by the City. Interim measures will be explored and implemented to provide programmatic access to the public pending the implementation of physical barrier removal projects. It is also assumed that as facility barriers will be evaluated in greater detail as part of future projects and complaints, a percentage of the barriers will fall within the safe harbor provisions, explained later this document. The City will then revise and update the inventory of barriers and, when applicable, revise the transition plan schedule on a regular basis for the removal of remaining barriers.

The information contained in the ADA Facility Assessment Reports has been incorporated into a barrier analysis Excel workbook with companion facility GIS data, which is intended to be the living Transition Plan and the City's ongoing record of the remediation of barriers. The tracking tool will be updated over time as the City removes barriers or finds programmatic solutions to barriers. The following includes a list of the facilities for inclusion in the transition plan and tables that illustrate the transition plan schedule followed by a map of the facility locations. Taking into consideration that not all barriers require the same level of effort to mitigate, the timeline for barrier removal was informed by both maintenance projects and capital projects.

Buildings⁵⁶:

- City Hall
- Civic Justice Center
- Lynnwood Library
- Lynnwood Recreation Center & Pool
- Lynnwood Senior Center
- Municipal Golf Course Pro Shop
- Waste Water Treatment Plant

⁵⁶ At the time of this plan's development, the City was in the process of leasing a new space for the City's Business and Development Services and an evaluation was not conducted. ADA barrier information at this location will be incorporated into the City's ADA barrier analysis tool maintained by the ADA Coordinator

Table 3.1: City Buildings Transition Plan Phasing Schedule⁵⁷

Facility	2021/22	2023/24	2025/26	2027/28 ⁵⁸	2029/30	2031+
City Hall	●	●				
Civic Justice Center		●	●			
Lynnwood Library	●			●		
Lynnwood Recreation Center & Pool	●	●	●	●	●	●
Lynnwood Senior Center	●					
Municipal Golf Course Pro Shop	●		●			
Waste Water Treatment Plant		●	●			

Parks and Trails

- Daleway Park
- Gold Park
- Golf Course Trail
- Heritage Park
- Interurban Trail
- Lynndale Park and Off-leash Dog Area
- Maple Mini Park
- Meadowdale Park
- Meadowdale Playfields⁵⁹
- Mesika Trail/Civic Center Buffer
- Municipal Golf Course
- North Lynnwood Park
- Pioneer Park
- Scriber Creek Park
- Scriber Creek Trail
- Scriber Lake Park
- South Lynnwood Park
- Sprague's Pond Mini Park
- Spruce Park
- Stadler Ridge Park
- Veterans Park
- Wilcox Park

The Parks, Recreation, and Cultural Arts Department (Parks) intends to address barrier mitigation activities systematically through two approaches. The first is to address barriers with specific park elements systemwide and the second is to address maintenance and capital projects at individual park locations holistically based on the criteria for barrier removal. The tables on the following page illustrate the two approaches.

⁵⁷ The most current information on the status of barrier identification and mitigation is contained in the City’s ADA Barrier Analysis Tool maintained by the City’s ADA Title II Coordinator.

⁵⁸ Planning for larger capital projects will begin during these years to address barrier needs outside of general maintenance.

⁵⁹ The ballfields at Meadowdale Playfields were under construction at the time of the initial ADA evaluation. Any identified ADA barriers will be incorporated into the City’s ADA barrier analysis tool maintained by the ADA Coordinator.

Table 3.2: Systemwide Park Element Transition Plan Schedule⁶⁰

Park Element	2021/22	2023/24	2025/26	2027/28	2029/30	2031+
Signs	●					
Restroom Fixtures	●					
Fall Surfacing	●					
Hazards	●					
Drinking Fountains		●				
Vegetation Management		●				
Curb Ramps			●			
Picnic Areas			●			
Pathway Regrading				●		
Site Furnishings					●	
Parking Lot Regrading						●

Table 3.3: Park Project Specific Transition Plan Schedule⁶⁰

Park	2021/22	2023/24	2025/26	2027/28	2029/30	2031+
Daleway Park		●				
Gold Park						●
Golf Course Trail				●		
Heritage Park				●		
Interurban Trail			●			
Lynndale Park			●			
Maple Mini Park		●				
Meadowdale Park					●	
Meadowdale Playfields					●	
Mesika Trail/ Civic Center Buffer						●
Municipal Golf Course				●		
North Lynnwood Park				●		
Pioneer Park						●
Scriber Creek Park		●				
Scriber Creek Trail		●	●			
Scriber Lake Park			●			
South Lynnwood Park	●					
Sprague's Pond Mini Park						●
Spruce Park				●		
Stadler Ridge Park					●	
Veterans Park	●					
Wilcox Park			●			

⁶⁰ The most current information on the status of barrier identification and mitigation is contained in the City's ADA Barrier Analysis Tool maintained by the City's ADA Title II Coordinator.

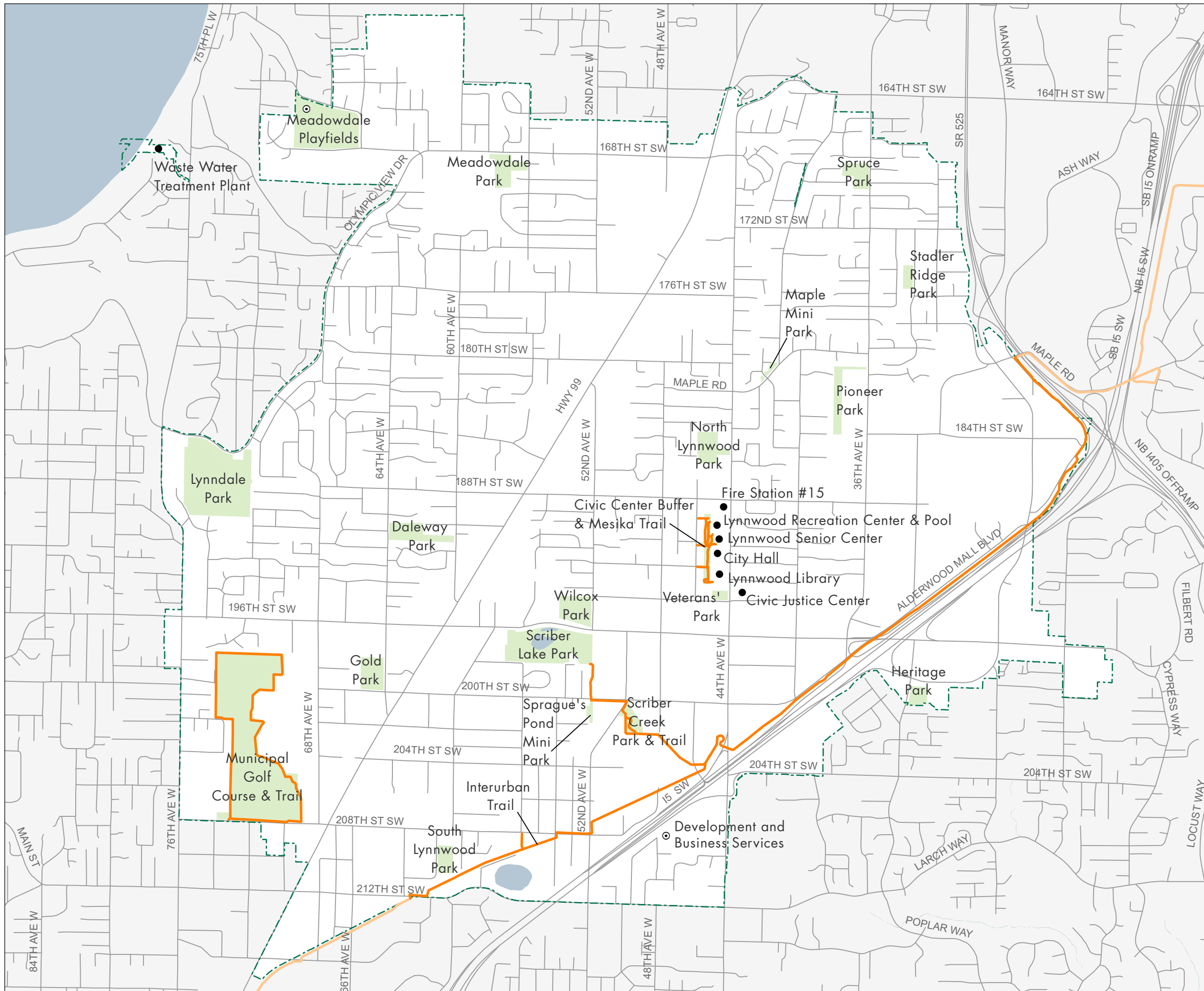
During the development of this Plan the Parks Department completed a hundred barrier mitigation projects of various variety and locations as noted in Table 3.4.

Table 3.4: Completed Barrier Removal Projects for Park Sites⁶⁰

Park	2018	2019	2020
Daleway Park		●	
Heritage Park	●	●	
Interurban Trail		●	
Lynndale Park		●	
Meadowdale Park		●	
Meadowdale Playfields	●		
Municipal Golf Course Trail		●	●
North Lynnwood Park		●	
Scriber Lake Park		●	●
Spruce Park		●	●
Stadler Ridge Park		●	
Wilcox Park		●	

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Parks, Trails, and Buildings



Facility Type

- Trail
- Building
- ⊙ See Note Below

Context

- Water Feature
- Streets
- Park
- City Limits

The Meadowdale Playfields ballfields were under construction and the Lynnwood Development and Business Services office was under lease negotiation at the time of the barrier assessments. Any barriers identified at these facilities will be incorporated into the City's ADA barrier analysis tool and transition plan schedule maintained by the City's ADA coordinator.



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3.2 Public Right-of-Way Facilities

The ADA addresses accessible public right-of-way where sidewalks are provided by the City. The ADA does not mandate the installation of sidewalks but does require curb ramps at intersections where existing pedestrian walkways intersect the roadway.⁶¹ Under title II of the ADA, the City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make the construction of ramps unsafe at some locations. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility, where individuals with disabilities need only travel a marginally longer route.

In 2002, the United States Court of Appeals for the Ninth Circuit, which has jurisdiction over Oregon, held for the first time that sidewalks constitute a service, program, or activity of a public entity.⁶² Sidewalks are, therefore, subject to the ADA's program accessibility regulations. Before this decision, the law was unclear about whether transition plans for public entities should address barrier removal from sidewalks. When originally written, the ADA specifically addressed curb ramps; this court decision added sidewalks.

Accessible Pedestrian Signal and Pushbutton Policy

In addition to curb ramps and pedestrian access routes, recipients and subrecipients of Federal Highway Administration funding are required to establish a reasonable and consistent policy for installing accessible pedestrian signals and pushbuttons (APS).⁶³ The following is the City's APS Policy.

Newly installed traffic signals with accessible pedestrian crossings will include APS pushbuttons and countdown pedestrian displays as described in the most recently adopted version of the FHWA Manual for Uniform Traffic Control Devices (MUTCD).

Newly installed mid-block accessible flashing pedestrian crossings will include APS pushbuttons.

For replaced or modified accessible pedestrian crossings at traffic signals, countdown pedestrian displays will be installed as described in the most recently adopted version of the FHWA MUTCD.

For replaced or modified accessible pedestrian crossings at traffic signals and mid-block crossings with flashers, the City Engineer shall, on a case by case basis, determine if APS pushbuttons will be installed.

All construction projects at new or existing signalized intersections meeting program thresholds set by state or federal requirements install APS pushbuttons. Additionally, as funds and personnel resources allow, the City of Lynnwood annually replaces existing pedestrian signal heads and pedestrian pushbuttons with new countdown pedestrian heads and APS pushbuttons at two to six (often more) existing traffic signals. All new mid-block marked crosswalks with pedestrian activated beacons are fitted with APS.

⁶¹ DOJ, Title II Regulations Subpart D §35.151(i)

⁶² Barden v. City of Sacramento, 292 F.3d 1073 (9th Cir. 2002)

⁶³ WSDOT, Local Agency Guidelines, Chapter 29

Public Right-of-Way Evaluations

The evaluations of the public right-of-way facilities included curb ramps and pedestrian access routes⁶⁴. The facilities were evaluated using the 2010 ADA Standards, 2015 WAC, and 2011 PROWAG. The site evaluations were completed using a consultant team equipped with measuring devices and data tablets to collect GPS barrier information for curb ramps at street intersections, and sidewalks and driveways along pedestrian access routes. A summary of the barriers identified within the public right-of-way is included later in this section.

Schedule for Public Right-of-Way Improvements

The transition plan for the right-of-way proposes a strategy for removing barriers through a variety of activities such as new construction, roadway alterations, maintenance, and repair projects, and policies that specifically address the removal of ADA barriers. The City can modify or adjust barrier removal priorities to provide flexibility in accommodating community requests, petitions for reasonable modifications from people with disabilities, funding opportunities and constraints, and changes in City programs. The barrier removal strategy incorporates this flexibility and allows the City to respond to new opportunities as they arise.

As part of this planning process, the City developed a GIS inventory of the barriers identified at facilities in the public right-of-way. The resulting inventory is intended to be the living transition plan tracking tool for monitoring the Plan's implementation and tracking the long-term maintenance needs of curb ramps and other facilities within the public right-of-way. The on-going tracking and monitoring will ensure that the City progresses toward a barrier-free environment in the public right-of-way.

Approach for Barrier Removal

The City plans to address public right-of-way barriers through multiple strategies:

- The City will continue to take barrier removal requests and complete upgrades that can be completed within the operations and maintenance budget.
- The City currently has in place a pavement management program that schedules roadway rehabilitation and maintenance over a rolling five-year schedule. The City plans to review public right-of-way barriers during the implementation of this Plan and address those barriers that can be resolved as part of the on-going pavement maintenance and rehabilitation program.
 - Through the pavement management plan, within the next 20 to 25 years, all arterial roadways will be resurfaced, and 776 curb ramps (56 percent) will be addressed through this process.
 - Additionally, the curb ramps along State Routes 99 and 524 are roadways with shared responsibility for maintenance and operational activities between the City and the Washington State Department of Transportation (WSDOT). These ramps will be addressed through WSDOT's pavement management program when not addressed through an alternate prioritization mechanism. This includes 182 curb ramps (13.2 percent) which are identified in the tables and maps later in this section.

⁶⁴ This includes hazards such as sidewalk changes of level, sidewalk and driveway cross slope exceeding two percent, overhanging and protruding objects, openings greater than one-half inch and/or parallel to the direction of travel, and obstacles that narrow the width of the accessible route.

- The City will continue to provide a dedicated budget category for ADA barrier removal in the public right-of-way through its paving and curb ramp projects budget. This money will be used to address barriers that are not being resolved through other mechanisms. Barrier removal addressed by this strategy will be prioritized based on the criteria in this transition plan.
- At the time of this Plan, the City is in the process of updating the standards and specifications for facilities in the right-of-way by following the recommendations identified during the self-evaluation process to ensure that accessible facilities are constructed. This effort will be completed in 2021.
- Any new capital construction projects will address barriers within the footprint of the project.
- The City will explore policies that address ADA barrier removal through property turnover and development policies, and then develop and implement such policies if found feasible.
- Link existing maximum extent feasible (MEF) documentation to the curb ramp inventory and develop a process of recording this MEF documentation with any alterations or new construction.
- The City will consider the development of a maintenance program for sidewalks.
- The City will explore policy options that engage property owners in the maintenance of the sidewalks adjacent to their properties.
- The City will explore options for funding sidewalk maintenance and repairs through utility improvements or a voter-approved tax.

During the development of this Plan, the City completed various barrier mitigation projects in the public right-of-way. The intersection projects listed below are illustrated in the companion barrier priority maps included in this section.

2019 Intersection Projects

- Ash Way and Maple Rd
- Alderwood Mall Pkwy and Maple Rd
- 33rd Ave W and 30th Pl W
- 33rd Ave W and Maple Rd
- 33rd Ave W and Alderwood Mall Pkwy
- 188th St SW and 55th Ave W
- 188th St SW and 52nd Ave W
- 188th St SW and 51st Pl W
- 188th St SW and 48th Ave W
- 212th St SW and 63rd Ave W
- 212th St SW and midblock crossing east of 63rd Ave W
- 212th St SW and 61st Pl W

2020 Intersection Projects

- 36th Ave W and 165th Pl W
- 36th Ave W and 166th Pl SW
- 36th Ave W and 167th Pl SW
- 36th Ave W and Spruce Park entrance
- 36th Ave W and 168th Pl SW
- 36th Ave W and mid-block crossing south of 168th and southern Spruce Park entrance
- 36th Ave W and 169th St SW
- 36th Ave W and 170th Pl SW
- 36th Ave W and 171st St SW
- 36th Ave W and 172nd St SW
- 36th Ave W and 173rd Pl SW
- 36th Ave W and 174th Pl SW
- 36th Ave W and 175th St SW
- 36th Ave W and 176th St SW
- 36th Ave W and 176th Pl SW
- 36th Ave W and 177th Pl SW
- 36th Ave W and 179th Pl SW
- 68th Ave W and 202nd St SW
- 68th Ave W and 200th St SW
- 68th Ave W and mid-block crossing north of 200th St SW

The City has planned for the following near-term projects:

Intersection Projects

- 200th St SW & Scriber Lake Rd
- Scriber Lake Rd & 198th St SW
- 44th Ave W and 211th St SW
- 44th Ave W and 209th St SW
- 44th Ave W and 20800 Block
- 48th Ave W and 194th St/Veterans Way
- 196th St SW and 48th Ave W
- 196th St SW and 44th Ave W
- 196th St SW and 40th Ave W
- 196th St SW and 37th Ave W
- 194th St/Veterans Way near City Hall – 3 ramps
- 194th St/Veterans Way and 40th Ave W – 1 ramp

Street Projects

176th St SW – 10 ramps along north side between 44th Ave W and SR99

Mid-block Crossing:

Scriber Lake Rd (between 200th & 198th)

Public Right-of-Way Prioritization

The prioritization criteria for assigning the barrier removal phasing schedule were developed using title II regulation § 35.150(d)(2).

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The prioritization criteria include the following:

- Locations serving government offices and public facilities;
- Locations serving transportation;
- Locations serving commercial districts and employers; and
- Locations serving other areas.

In addition to the required criteria, the City has prioritized the following:

- Location of citizen complaint/request (ADA title II Program Access)

Barrier Priorities and Categories

Matrices included on the following pages illustrate the prioritization criteria for curb ramp, pedestrian access routes, and driveway barrier removal projects in the City's public right-of-way. Each facility evaluated was assigned a rank based on its barrier priority and category. The priority given is based on the information described above, and the barrier category is based on the condition of the facility. The descriptions for each category are provided after each matrix.

The columns in the matrix indicate the assigned priority and are in order of importance from left to right, with the left column having the highest importance. The rows indicate the category of condition assigned to each facility during the evaluation process, with the top row having the highest importance. The table shading indicates the priority rank with the darkest shading indicating the highest priority when the priorities and categories are combined. Each matrix is followed by a description of the barrier categories, a table summarizing removal actions by barrier priority, and maps showing each identified barrier's location. Note that categories are hierarchical: higher-level categories (i.e., one and two) may include lower-level category conditions (i.e., three and four), but lower-level categories cannot include higher level category conditions. The following pages describe each of the three types of facilities evaluated and summarizes the barrier findings as follows:

- A matrix showing Geospatial Proximity Priorities by category;
- Descriptions of the barrier categorizations;
- Summary tables of the identified barriers; and
- Maps showing the locations of identified barriers.

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**Table 3.4:
Curb Ramp Priority Matrix**

		ADA 35.150(d) Geospatial Proximity Priorities ⁶⁵				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen ADA Complaint and/or Request	Location Serving Government Offices & Public Facilities	Location Serving Transportation	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	A1	B1	C1	D1	E1
2	See Category 2 Description	A2	B2	C2	D2	E2
3	See Category 3 Description	A3	B3	C3	D3	E3
4	See Category 4 Description	A4	B4	C4	D4	E4
5	No deficiencies identified	A5	B5	C5	D5	E5

⁶⁵ The priorities listed under columns B, C, D, and E are specified under title II 28 CFR § 35.150 (d).

Curb Ramp Barrier Descriptions

Category 1:

- The curb ramp is significantly damaged or deteriorated and is unsafe.
- There is no accessible path of travel to the curb ramp.
- The curb ramp has no detectable warning.
- The curb ramp has no receiving ramp.
- The curb ramp has no design specifications for end of sidewalk or is an asphalt shoulder adjacent to locations serving government offices and public facilities.

Category 2:

- Barrier located along a freeway and/or expressway or a major arterial:
 - Width of ramp is less than 48 inches.
 - Running slope of ramp exceeds 8.33 percent or five percent for a blended transition.
 - There is a grade break on the surface of the ramp.
 - A four-by-four-foot clear space at the bottom of the ramp outside of the travel lane is not provided.
 - The curb ramp has no design specifications for end of sidewalk or is an asphalt shoulder adjacent to locations serving transportation.

Category 3:

- Top turning space is less than four-by-four feet or constrained space is less than four-by-five feet or slope exceeds two percent.
- Cross slope of ramp exceeds two percent.

- Counter slope of the curb ramp is greater than five percent
- The curb ramp has a lip or vertical discontinuity greater than a half-inch.
- The curb ramp has no design specifications for end of sidewalk or is an asphalt shoulder adjacent to locations serving commercial districts and employers.
- Barrier located along minor arterial or local road:
 - Width of ramp is less than 48 inches.
 - Running slope of ramp exceeds 8.33 percent or five percent for a blended transition.
 - There is a grade break on the surface of the ramp.
 - A four-by-four-foot clear space at the bottom of the ramp outside of the travel lane is not provided.
 - The curb ramp has no design specifications for end of sidewalk or is an asphalt shoulder adjacent to locations serving transportation.

Category 4:

- Slope of ramp flared sides (if applicable) exceeds 10 percent.
- Diagonal curb ramp design without existing physical constraints.
- The curb ramp has a lip or vertical discontinuity less than a half-inch but greater than a quarter inch.
- The detectable warning surface does not meet standard.
- The curb ramp has no design specifications for end of sidewalk or is an asphalt shoulder adjacent to locations serving other areas.

Category 5:

No deficiencies identified.

Table 3.5: Curb Ramp Barrier Removal Projects - Summary by Rank

Rank	Total Curb Ramps	Percent of Total	Shared Responsibility with WSDOT	Percent of Total
High	224	16.2%	48	3.5%
Medium	738	53.3%	134	9.7%
Low	296	21.4%	0	0.0%
No Deficiency	84	6.1%	9	0.7%
2019-2020 Project	42	3.0%	0	0.0%
Total	1,384	100.0%	195	13.8%

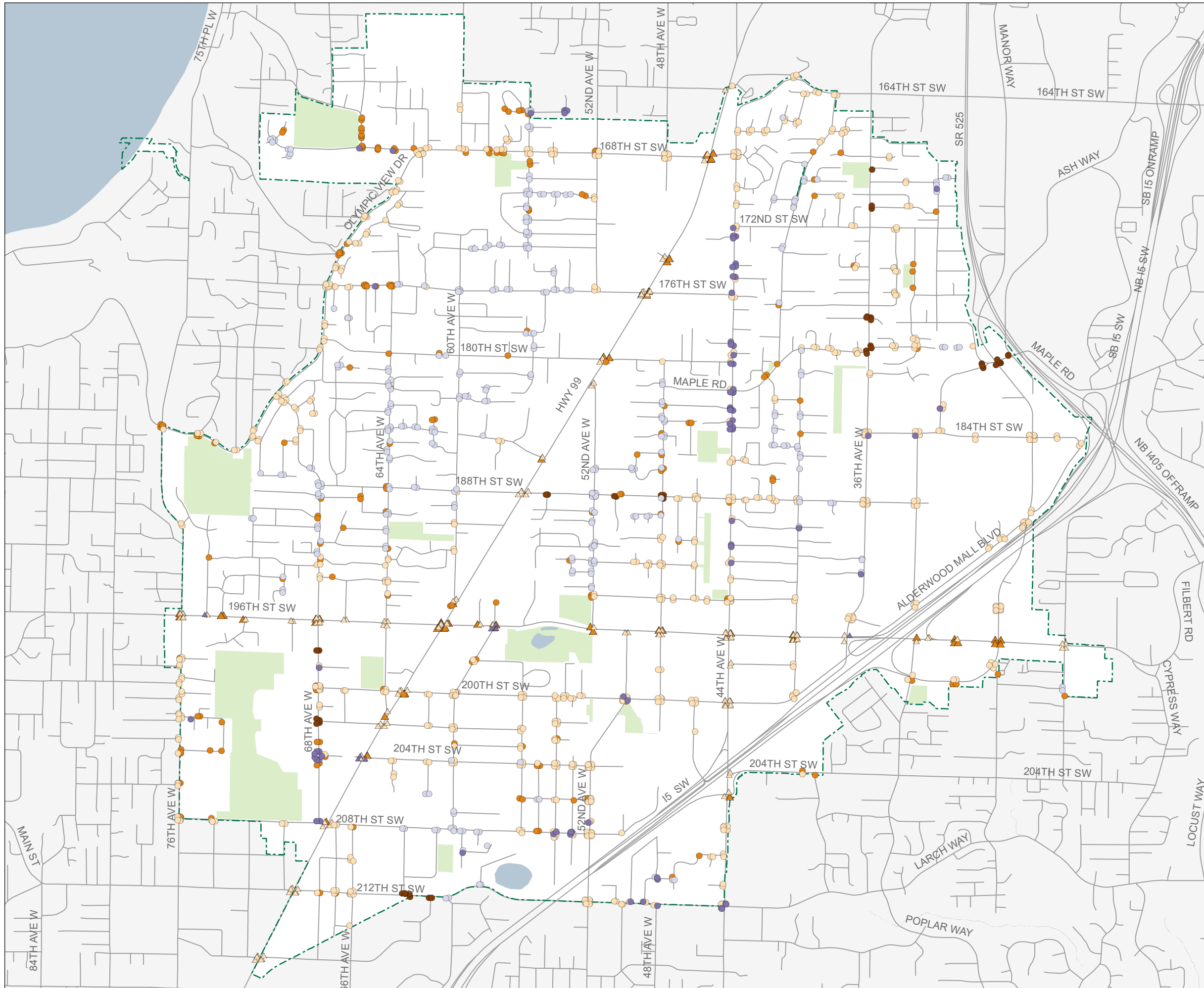
Table 3.6: Curb Ramp Barrier Removal Projects by Rank and Category –Shared Responsibility

Rank	Category	Priority	Curb Ramp Total	Percent of Total
High	1	B1	1	0.1%
High	1	C1	12	0.9%
High	2	B2	1	0.1%
High	2	C2	33	2.4%
High	3	B3	1	0.1%
Medium	3	C3	122	8.8%
Medium	4	C4	12	0.9%
Low	-	-	-	-
No Deficiencies	5	C5	9	0.7%
2019-2020 Project	-	-	-	-

Table 3.7: Curb Ramp Barrier Removal Projects by Rank and Category – City Responsibility

Rank	Category	Priority	Total Driveway Curb Ramps	Percent of Total
High	1	B1	5	0.4%
High	1	C1	44	3.2%
High	1	D1	1	0.1%
High	1	E1	53	3.8%
High	2	C2	2	0.1%
High	3	B3	71	5.1%
Medium	3	C3	576	41.6%
Medium	3	D3	11	0.8%
Medium	4	B4	1	0.1%
Medium	4	C4	16	1.2%
Low	3	E3	291	21.0%
Low	4	E4	5	0.4%
No Deficiencies	5	B5	10	0.7%
No Deficiencies	5	C5	54	3.9%
No Deficiencies	5	E5	11	0.8%
2019-2020 Project	1	C1	3	0.2%
2019-2020 Project	1	D1	1	0.1%
2019-2020 Project	3	B3	2	0.1%
2019-2020 Project	3	C3	20	1.4%
2019-2020 Project	3	D3	4	0.3%
2019-2020 Project	3	E3	5	0.4%
2019-2020 Project	5	C5	7	0.5%

Barrier Removal Projects: Curb Ramps



- City Responsibility
Barrier Removal Rank**
- No Deficiencies Identified
 - Low Priority
 - Medium Priority
 - High Priority
 - Recent and Near-Term Project

- Shared Responsibility
Barrier Removal Rank**
- ▲ No Deficiencies Identified
 - ▲ Low Priority
 - ▲ Medium Priority
 - ▲ High Priority

- Context**
- Water Feature
 - Streets
 - Park
 - ⋯ City Limits

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**Table 3.8:
Pedestrian Access Route -
Sidewalks Priority Matrix**

		ADA 35.150(d) Geospatial Proximity Priorities ⁶⁶				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen ADA Complaint and/or Request	Location Serving Government Offices & Public Facilities	Location Serving Transportation	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	High Priority ----- A1	B1	C1	D1	E1
2	See Category 2 Description	A2	B2	C2	D2	E2
3	See Category 3 Description	A3	B3 Medium Priority -----	C3	D3	E3
4	See Category 4 Description	A4	B4 Low Priority -----	C4	D4	E4
5	No deficiencies identified	A5	B5	C5	D5	E5

⁶⁶ The priorities listed under columns B, C, D, and E are specified under title II 28 CFR § 35.150 (d).

Pedestrian Access Route Barrier Descriptions

Category 1:

- The sidewalk width is less than 48 inches.

Category 2:

- Barrier located along a freeway and/or expressway or a major arterial:
 - Running slope of sidewalk exceeds grade of road and is greater than five percent.
 - The sidewalk has cross slopes that exceed two percent more than half the sidewalk segment.
 - The sidewalk cross slope at driveway entries exceeds two percent.
 - The sidewalk has a significant number of vertical changes that exceed a quarter inch **–and–** openings greater than a half inch or are parallel to direction of travel (more than one per 100 feet).

Category 3:

- Barrier located along a minor arterial or local road:
 - Running slope of sidewalk exceeds grade of road and is greater than five percent.

- The sidewalk has cross slopes that exceed two percent more than half the sidewalk segment.
- The sidewalk cross slope at driveway entries exceeds two percent.
- The sidewalk has a significant number of vertical changes that exceed a quarter inch **–and–** openings greater than a half inch or are parallel to direction of travel (more than one per 100 feet).

Category 4:

- The sidewalk has cross slopes that exceed two percent less than half the sidewalk segment.
- The sidewalk has a significant number of vertical changes that exceed a quarter inch **–or–** openings greater than a half inch (more than one per 100 feet), but not both.
- The sidewalk has overhanging or protruding objects along its route.

Category 5:

No deficiencies identified.

Table 3.9: Pedestrian Access Route Barrier Removal Projects: Sidewalks - Summary by Rank

Rank	Total Sidewalk Miles	Percent of Total
High	10.1	7.3%
Medium	82.1	59.7%
Low	41.0	29.8%
No Deficiency	2.9	2.1%
2019-2020 Project	1.4	1.0%
Total	137.5	100.0%

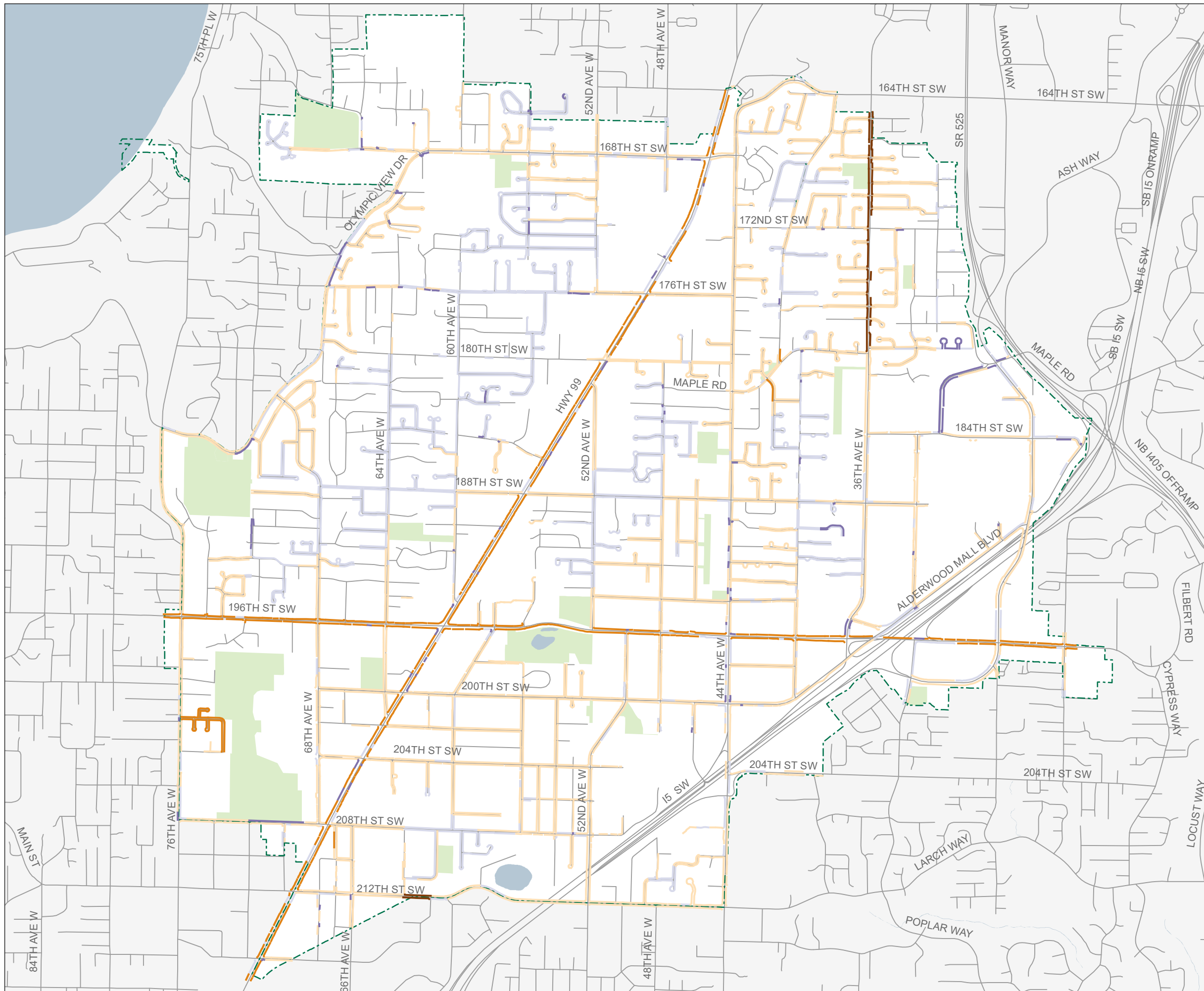
Table 3.10: Pedestrian Access Route Barrier Removal Projects: Sidewalks - Summary by Rank and Category

Rank	Category	Priority	Total Sidewalk Miles	Percent of Total
High	1	B1	0.3	0.2%
High	1	C1	0.7	0.5%
High	2	B2	1.0	0.7%
High	2	C2	8.1	5.9%
Medium	3	B3	10.1	7.3%
Medium	3	C3	69.0	50.2%
Medium	3	D3	3.0	2.2%
Low	3	E3	31.9	23.2%
Low	4	B4	0.8	0.6%
Low	4	C4	7.0	5.1%
Low	4	D4	0.2	0.2%
Low	4	E4	1.0	0.7%
No Deficiencies	5	B5	0.5	0.3%
No Deficiencies	5	C5	1.7	1.2%
No Deficiencies	5	D5	0.03	0.03%
No Deficiencies	5	E5	0.7	0.5%

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Rank	Category	Priority	Total Sidewalk Miles	Percent of Total
2019-2020 Project	1	C1	0.03	0.03%
2019-2020 Project	3	B3	0.1	0.10%
2019-2020 Project	3	C3	0.6	0.42%
2019-2020 Project	3	D3	0.2	0.14%
2019-2020 Project	4	B4	0.01	0.01%
2019-2020 Project	4	C4	0.4	0.31%
2019-2020 Project	5	C5	0.04	0.03%

Pedestrian Access Route Barrier Removal Projects: Sidewalks



Barrier Removal Rank

- High Priority
- Medium Priority
- Low Priority
- No Deficiencies Identified
- Recent and Near-Term Project

Context

- Water Feature
- Streets
- Park
- City Limits

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**Table 3.11:
Pedestrian Access Route -
Driveways Priority Matrix**

		ADA 35.150(d) Geospatial Proximity Priorities ⁶⁷				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen ADA Complaint and/or Request	Location Serving Government Offices & Public Facilities	Location Serving Transportation	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	High Priority ----- A1	B1	C1	D1	E1
2	See Category 3 Description	A3	Medium Priority ----- B3	C3	D3	E3
3	See Category 4 Description	A4	Low Priority ----- B4	C4	D4	E4
4	No deficiencies identified	A5	B5	C5	D5	E5

⁶⁷ The priorities listed under columns B, C, D, and E are specified under title II 28 CFR § 35.150 (d).

Driveways Barrier Descriptions⁶⁸

Category 1:

- Driveway with cross slope greater than two percent along freeway and/or expressway.

Category 2:

- Driveway with cross slope greater than two percent along major collector road.

Category 3:

- Driveway with cross slope greater than two percent along minor arterial or local road.

Category 4:

No deficiencies identified.

⁶⁸ During the field evaluations, additional driveway apron barrier data was collected at each driveway that will be addressed at the time of redevelopment.

Table 3.12: Pedestrian Access Route Barrier Removal Projects: Driveways - Summary by Rank

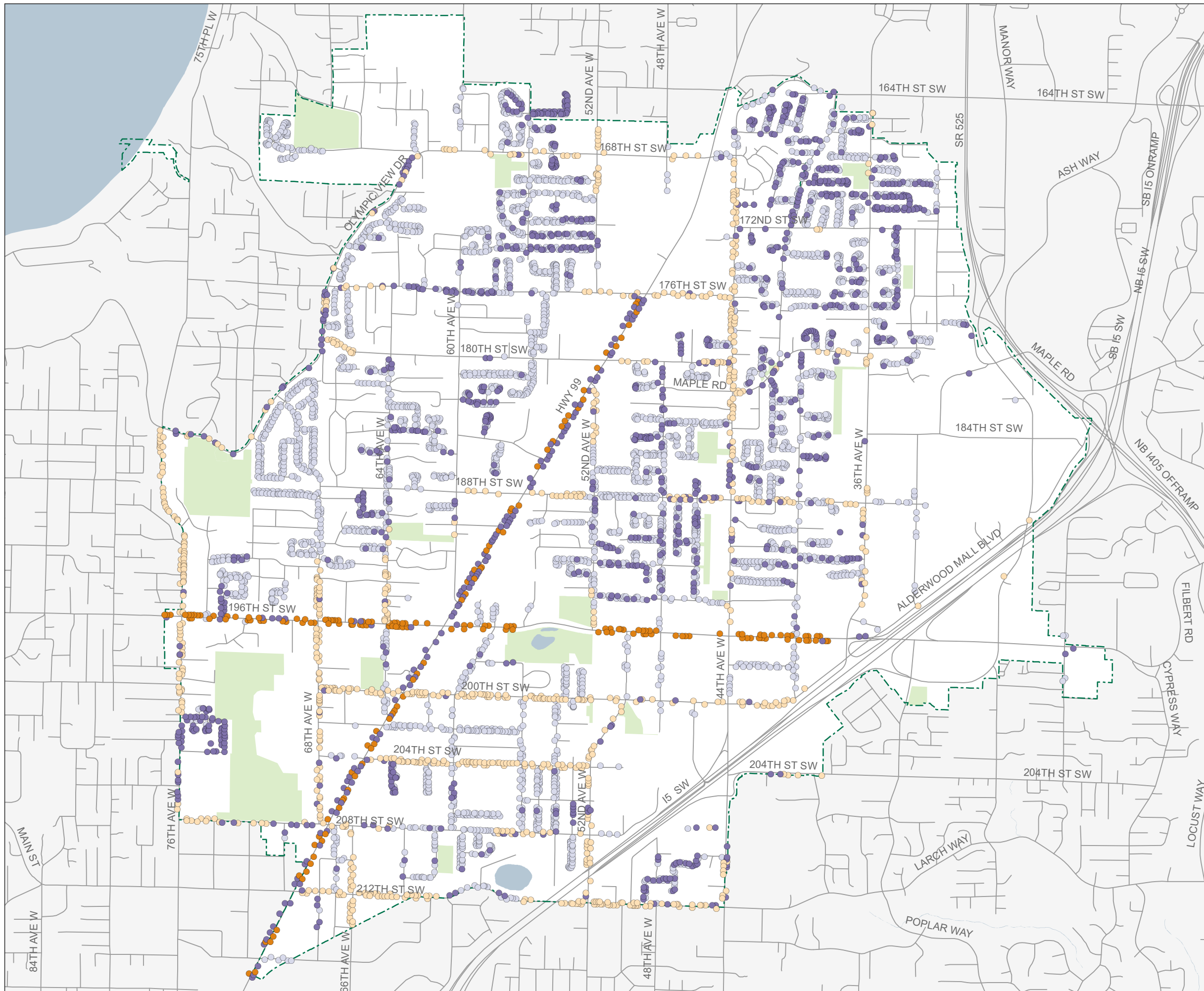
Rank	Total Curb Ramps	Percent of Total
High	184	3%
Medium	807	15%
Low	3,329	60%
No Deficiency	1,208	22%
Total	5,528	100%

Table 3.13: Pedestrian Access Route Barrier Removal Projects: Driveways - Summary by Rank and Category

Rank	Category	Priority	Curb Ramp Total	Percent of Total
High	1	B1	25	0.5%
High	1	C1	159	2.9%
Medium	2	B2	101	1.8%
Medium	2	C2	623	11.3%
Medium	2	D2	83	1.5%
Low	2	E2	203	3.7%
Low	3	B3	154	2.8%
Low	3	C3	1,316	23.8%
Low	3	D3	45	0.8%
Low	3	E3	1,611	29.1%
No Deficiencies	4	B4	80	1.4%
No Deficiencies	4	C4	600	10.9%
No Deficiencies	4	D4	22	0.4%
No Deficiencies	4	E4	506	9.2%

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Pedestrian Access Route Barrier Removal Projects: Driveways



Barrier Removal Rank

- High Priority
- Medium Priority
- Low Priority
- No Deficiencies Identified

Context

- Water Feature
- Streets
- Park
- City Limits

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4 Barrier Removal Considerations for Plan Implementation

Title II of the ADA requires a public entity to “operate each service, program or activity so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.”⁶⁹ This requirement does not:

- Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;
- Require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or
- Require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or impose undue financial and administrative burdens.

4.1 Triggers for Barrier Removal

The responsibility for ensuring barrier removal will reside with the ADA Coordinator, or designee. This process will be accomplished with two strategies: policy and procedure modifications to remove programmatic barriers to be coordinated by the City’s ADA Coordinator, and maintenance and construction projects to remove structural barriers to be coordinated by the Department heads over the operating areas in which the structural barriers exist. Two conditions determine when barriers must be removed: to provide access to programs, activities, and services, and when a facility is altered.

Program Accessibility

A public entity must ensure that individuals with disabilities are not excluded from services, programs, and activities because existing buildings are inaccessible. A state or local government's programs, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as program accessibility⁷⁰, applies to facilities of a public entity that existed on January 26, 1992. Public entities do not necessarily have to make each of their existing facilities accessible. They may provide program accessibility through a number of methods including alteration of existing facilities, acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate accessible sites.

⁶⁹DOJ, Title II Regulations Subpart D §35.150 Existing facilities

⁷⁰DOJ, Title II Regulations Subpart D §35.151(b) Existing facilities

Facility Alterations

Although structural changes may not be mandated for program accessibility, the City is required to remove physical barriers when it alters a facility. Alterations are defined in the ADA standards as a change in a building or facility that affects or could affect its usability. Many types of projects are considered alterations, including remodeling, renovation, rehabilitation, reconstruction, restoration, resurfacing of circulation paths or vehicular ways, and changes or rearrangement of structural parts, elements, or walls. Normal maintenance, reroofing, painting, or wallpapering, or changes to mechanical and electrical systems are not considered alterations unless they affect a facility's usability. For example, a project limited to an HVAC system would not affect the usability or occupancy of a facility and would not constitute an alteration that would trigger path of travel upgrades.

Where alterations are performed solely for the purpose of barrier removal, they will not trigger additional path of travel improvements.⁷¹ The ADA standards ensure that the opportunities for accessibility presented by an alteration are taken. How and to what extent the standards apply is determined by the scope of a project and the elements and spaces altered. Only those elements or spaces altered are required to comply, but alterations made to areas containing a primary function (a major activity for which a facility is intended) also require an accessible path of travel.

The City is not required to remove barriers identified within a City-owned facility as part of the Transition Plan:

- Where programmatic modifications can be made to provide an equivalent experience;
- Where there are nearby and available equivalent accessible features;
- Where there are no public programs or activities provided at that portion of the site; or
- When safe harbor⁷² conditions are met.

It is also possible that an alteration is technically infeasible, in which case compliance is not required. Technical infeasibility refers to "something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements." Where technical infeasibility is encountered, compliance is still required to the maximum extent technically feasible. For example, if providing accessibility for people with one type of disability is not feasible, accessibility must still be provided for people with other types of disabilities to the maximum extent feasible.

⁷¹ DOJ, Title II Regulations Subpart D §35.151(b) Alterations; 11B-202.4 Path of travel requirements in alterations, additions and structural repairs. Also see *State and Local Government Facilities: Guidance on the Revisions to 28 CFR 35.151 in Guidance on the 2010 ADA Standards for Accessible Design* <https://www.ada.gov/regs2010/2010ADASTandards/Guidance2010ADASTandards.htm#titleII>.

⁷² The concept of safe harbor is explained later in this chapter under 'Safe Harbor Provisions', DOJ, Title II Regulations Subpart D § 35.150(b)(2)(ii) Safe Harbor

Public Right-of-Way Alterations and New Construction

In an alteration or new construction project in the public right-of-way, the City must incorporate ADA accessibility standards to the maximum extent feasible.⁷³ As part of the Plan's implementation, the City's Public Works Department should document all design exceptions. The ADA title II toolkit incorporates the following guidance about sidewalks and curb ramps:⁷⁴

- When pre-ADA streets or sidewalks are altered, space limitations may restrict the ability to install accessible curb ramps. In these cases, the installed curb ramps must comply with the ADA to the maximum extent feasible, but there are still requirements to meet.
- In rare instances when it is technically infeasible to install a fully compliant curb ramp during alterations to pre-ADA roadways and walkways because of physical or site constraints, state and local governments must still provide accessibility to the maximum extent feasible. Before reaching a conclusion about technical infeasibility, public entities should consider the extent to which physical or site constraints can be addressed by alternative curb ramp designs. The burden of proving technical infeasibility lies with the state or local government that constructed it.
- When highways, streets, and roads are built or altered post-ADA, they must have curb ramps at certain locations: wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, wherever there are curbs or other barriers to entry at any designated pedestrian crosswalks that are located mid-block, wherever sidewalks or walkways intersect with highways, streets, or roads and pedestrians may legally cross the vehicular way, and at public transportation stops.
- For pre-ADA highways, streets, roads, and sidewalks that have not been altered, public entities may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb, but they are not necessarily required to do so. Alternative routes to buildings may be acceptable where people with disabilities must travel only a marginally longer route than the general public.

Roadway Alterations and Maintenance

The DOJ, in coordination with the US Department of Transportation, specifies that public agencies are required to provide curb ramps or upgrade curb ramps whenever roadways are altered. An alteration is a change that affects or could affect the usability of all or part of a building or facility.⁷⁵ Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect.⁷⁶ Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations⁷⁷ and do not trigger barrier removal. The list on the following page distinguishes between roadway alterations versus maintenance activities.

⁷³ DOJ, Title II Regulations Subpart D §35.151(b) Existing facilities

⁷⁴ See <https://www.ada.gov/pcautookit/chap6toolkit.htm>.

⁷⁵ DOJ, Title II Regulations Subpart D § 35.151(b)(1) Alterations.

⁷⁶ 2010 ADA Standards, 106.5.

⁷⁷ "Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing." July 8, 2013.

Alteration

- Addition of new layer of asphalt
- Cape seals
- In-place asphalt recycling
- Microsurfacing and thin-lift overlay
- Mill and fill / mill and overlay
- New construction
- Open-graded surface course
- Rehabilitation and reconstruction
- Resurfacing of a crosswalk

Maintenance

- Chip seals
- Crack filling and sealing
- Diamond grinding
- Dowel bar retrofit
- Fog seals
- Joint crack seals
- Joint repairs
- Pavement patching
- Painting or striping
- Scrub sealing
- Slurry seals
- Spot high-friction treatments
- Surface sealing

4.2 Safe Harbor Provisions

The 2010 Standards introduced the concept of *safe harbor*, a new exception that allows facilities built prior to March 15, 2012 and that were in compliance with the 1991 ADA Standards to remain as-is until a public entity plans an alteration to the structural feature. For example, the 1991 Standards allowed 54 inches maximum for a side reach range, while the 2010 Standards lowered the side reach range to 48 inches maximum. Existing items, built prior to March 15, 2012, that are positioned at the 54-inch height, would fall under the safe harbor provision until the time of planned alterations.⁷⁸

This safe harbor is not a blanket exemption for facilities. If a public entity undertakes an alteration to a primary function area, only the required elements of a path of travel to that area that already comply with the 1991 Standards are subject to the safe harbor. If a public entity undertakes an alteration to a primary function area and the required elements of a path of travel to the altered area do not comply with the 1991 Standards, then the public entity must bring those elements into compliance with the 2010 Standards⁷⁹.

This exception applies to elements that might otherwise have to be modified under:

- The program access requirement for public entities;
- The readily achievable barrier removal requirements for places of public accommodation; or
- The path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility.

⁷⁸ DOJ, Title II Regulations Subpart D § 35.150(b)(2)(i) Safe harbor

⁷⁹ DOJ, Title II Regulations Subpart D § 35.151(b)(4)(ii)(C) Path of travel--safe harbor.

If a public entity constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 Standards or the Uniform Federal Accessibility Standards before March 15, 2012, the public entity is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel.⁸⁰

The 2010 Standards also identify structural elements that do not fall under the safe harbor provision [28 *CFR* § 35.150(b)(2)(ii)]. The following elements are not eligible for element-by-element safe harbor because technical or scoping specifications for them were not addressed in the 1991 ADA but were added as supplemental requirements prior to 2010.

- Residential facilities dwelling units, sections 233 and 809.
- Amusement rides, sections 234 and 1002; 206.2.9; 216.12.
- Recreational boating facilities, sections 235 and 1003; 206.2.10.
- Exercise machines and equipment, sections 236 and 1004; 206.2.13.
- Fishing piers and platforms, sections 237 and 1005; 206.2.14.
- Golf facilities, sections 238 and 1006; 206.2.15.
- Miniature golf facilities, sections 239 and 1007; 206.2.16.
- Play areas, sections 240 and 1008; 206.2.17.
- Saunas and steam rooms, sections 241 and 612.
- Swimming pools, wading pools, and spas, sections 242 and 1009
- Shooting facilities with firing positions, sections 243 and 1010.
- Miscellaneous:
 - team or player seating (section 221.2.1.4),
 - accessible route to bowling lanes (section. 206.2.11),
 - accessible route in court sports facilities (section 206.2.12).

4.3 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.

A determination of undue financial or administrative burden can only be made by the head of a department or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination that undue burdens would result must be based on all resources available for use by the City. If an action would result in such an alteration or such burdens, the City must take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.

⁸⁰ DOJ, Title II Regulations Subpart D § 35.150(b)(2)(ii) Safe Harbor

4.4 Historic Buildings and Facilities

Alterations to a qualified historic building or facility must comply with the 2010 ADA Standards.⁸¹ A qualified historic property is one that is listed in or eligible for listing in the National Register of Historic Places or is designated as historic under state or local law.

Barrier removals at City historic properties should be done in full compliance with the alteration standards for other types of buildings to the maximum extent feasible. However, if following the usual standards would threaten or destroy the historic significance of a building or site feature as determined by the State Historic Preservation Office exceptions can apply.⁸²

⁸¹ DOJ, Title II Regulations Subpart D § 35.151(b) Alterations: ADAAG at 36 CFR part 1191; Section 4.1.7 Accessible Buildings: Historic Preservation.

⁸² DOJ, 2010 ADA Standards for Accessible Design: §206.2.1, Ex. 1, §206.2.3, Ex. 7, §206.4, Ex. 2, and §213.2, Ex. 2.

5. ADA Coordinator, Notice Policy, and Grievance Procedure

Title II of the ADA requires a state or local government agency that employs 50 or more people to designate at least one employee, often referred to as the ADA Coordinator, to coordinate the City's efforts to implement the plan and provide the name, office address, and telephone number to staff and the public.⁸³ give notice of the ADA's requirements, and establish a grievance procedure.

5.1 ADA Coordinator Roles and Responsibilities

The ADA Coordinator is responsible for organizing and communicating the City's efforts to comply with and fulfill its responsibilities under title II of the ADA, as well as all other applicable state and federal laws. The ADA Coordinator's responsibilities include investigating complaints that the City has engaged in any action prohibited by title II. The City has a designated an employee to fulfill these responsibilities.

5.2 Notice Under the Americans with Disabilities Act

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. 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, such as the following, is not a one-time requirement. Public agencies should provide the information on an ongoing basis and update the information whenever necessary. The following is the City of Lynnwood's current notice under the ADA.

Notice Under the Americans with Disabilities Act

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

Employment: The City of Lynnwood is an equal opportunity employer and does not discriminate on the basis of disability in its hiring or employment practices. The City complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA and any amendments to the ADA.

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

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

⁸³ DOJ, Title II Regulations Subpart A § 35.107 Designation of responsible employee and adoption of grievance procedures

prohibited, as long as the animal does not create a legitimate safety risk or fundamentally alter the nature of the City's services.

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

Anyone who requires an auxiliary aid, service, translation or interpretation for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Lynnwood, should complete an [Accommodations, Translation or Interpreter Request](#) through the ADA Coordinator, as soon as possible but no later than three (3) calendar days before the scheduled event.

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

5.3 ADA Complaint and Grievance Procedure

A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints.⁸⁴

ADA Complaints

Complaints that a program, service, or activity of the City of Lynnwood is not accessible to persons with disabilities should be directed to the Curt Russell, Safety Officer and ADA Coordinator crussell@LynnwoodWA.gov, 425-670-5081, City Hall 19100 44th Ave W, Lynnwood WA 98036.

Complaints can be submitted by email, letter, or if necessary, your complaint will be heard verbally. A record of your complaint and the action taken will be maintained in a complaint file in the ADA Coordinator's office.

Grievance Procedure

Citizen (non-employee) complaints regarding improper denial of rights under the ADA by the City of Lynnwood should be submitted as per the following grievance procedure:

1. A complaint may be filed either in writing or verbally and shall contain the name and address of the person filing it, or on whose behalf it is filed, and shall briefly describe the alleged violation of the ADA regulations. A complaint should be filed within twenty working (20) days after the complainant becomes aware of the alleged violation or as soon as reasonably possible thereafter if the twenty days has passed.
2. An investigation, as may be appropriate, shall follow a filing of complaint. The ADA Coordinator or the designee of the ADA. Coordinator shall commence the investigation within ten (10) working days following the filing of a complaint. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit information relevant to such investigation.

⁸⁴ Department of Transportation fund recipients need to keep the complaints on file for one year and maintain a record, which may be in summary form, for five years per 49 CFR § 27.121 (b) Compliance reports.

3. A written determination as to the validity of the complaint and a resolution of the complaint, if any, shall be issued by the ADA Coordinator and a written copy mailed to the complainant within twenty (20) working days following the filing of the complaint unless the complexities of the complaint require additional time.
4. The ADA Coordinator shall maintain the files and records of the City of Lynnwood related to the complaints filed.
5. The complainant may request a reconsideration of the case determination of the ADA Coordinator in instances where he or she is dissatisfied with the resolution. The request for reconsideration shall be made within ten (10) working days following the date the complainant receives the determination of the ADA. Coordinator. The request for reconsideration shall be made to the Mayor, City of Lynnwood, P.O. Box 5008, Lynnwood, WA 98046-5008, (425) 670-5000. The Mayor shall review the records of said complaint and may conduct further investigation when necessary to obtain additional relevant information. The Mayor shall issue his or her decision on the request for reconsideration within twenty (20) working days of the filing of the request for reconsideration unless the complexities of the complaint require additional time. A copy of said decision shall be mailed to the complainant.
6. The complainant may request a reconsideration of the case determination of the Mayor in instances where he or she is dissatisfied with the decision of the Mayor. The request for reconsideration should be made within twenty (20) working days following the date the complainant receives the determination of the Mayor. The request for reconsideration shall be made to the City Council by giving notice thereof to the City Council through the Finance Director, City of Lynnwood, P.O. Box 5008, Lynnwood, WA 98046-5008, (425) 775-1971. The City Council shall review the records of said complaint and may conduct further investigation when necessary to obtain additional relevant information and shall issue its decision thereon within twenty (20) working days of the filing of the request of reconsideration unless the complexities of the complaint require additional time. A copy of said decision shall be mailed to the complainant.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is an administrative remedy, the result of which may be appealed to the Superior Court.
8. These rules shall be construed to protect the substantive rights of interested persons; to meet appropriate due process standards and comply with the ADA and its implementing regulations.

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6. Definitions

The following is a summary of many definitions found in this document and within the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations.⁸⁵

Accessible. A site, building, facility, or portion thereof is deemed accessible when it is approachable and usable by persons with disabilities in compliance with technical standards adopted by the relevant Administrative Authority.

Administrative Authority. A governmental agency that adopts or enforces regulations and guidelines for the design, construction, or alteration of buildings and facilities.

ADA Coordinator. The individual 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. Also known as *Disability Access Manager* or *Accessibility Manager*.

Alteration in the Public Right-of-Way. A change to an existing facility that affects or could affect pedestrian access, circulation, or use. Alterations include, but are not limited to, resurfacing, rehabilitation, reconstruction, historic restoration, or changes or rearrangement of structural parts or elements of a facility.

Alternative Text. Refers to the text equivalent for an image appearing in an online document. It is read by screen readers in place of the image so that the content and function of the image is accessible to people with visual or certain cognitive disabilities.

Auxiliary Aids and Services. Refers to ways to communicate with people who have communication disabilities such as blindness, vision loss, deafness, hearing loss, a combination of vision and hearing loss or speech or language disorders. The key to deciding what aid or service is needed to communicate effectively with people with disabilities and their companions is to consider the nature, length, complexity, and context of the communication as well as the person's normal method(s) of communication. Auxiliary aids and services include the use of interpreters, notetakers, readers, assistive listening systems, captioning and TTYs or the provision of alternate formats such as braille, ASCII text, large print, recorded audio and electronic formats like CDs and DVDs.

Blended Transition. A raised pedestrian street crossings, depressed corners, or similar connections between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that have a grade of 5 percent or less.

Clear Ground Space. The minimum unobstructed ground space required to accommodate a single, stationary wheelchair and occupant. Clear ground space provides a location for a wheelchair user to approach and make use of an element.

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

Cross Slope. The grade that is perpendicular to the direction of pedestrian travel. On a sidewalk, cross slope is measured perpendicular to the curb line or edge of the street or highway.

⁸⁵ DOJ, Title II Regulations Subpart A § 35.104 Definitions

Curb Line. A line at the face of the curb that marks the transition between the curb and the gutter, street, or highway.

Curb Ramp. A ramp that cuts through or is built up to the curb. Curb ramps can be perpendicular or parallel, or a combination of parallel and perpendicular ramps.

Disability. The term disability means, with respect to an individual:

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

Discrimination on the Basis of Disability.⁸⁶ 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 modifications to known physical or mental limitations of an otherwise qualified individual with a disability unless it can be shown that the modification would impose an undue burden on the City's operations;
- Use selection criteria that exclude 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.

Effective Communication. Communication with people who have vision, hearing, and/or speech disabilities that is equally effective as communication with people without disabilities.

Element. An architectural or mechanical component of a building, facility, space, site, or public right-of-way.

Facility. All or any portion of buildings, structures, improvements, elements, and pedestrian or vehicular routes located in the public right-of-way.

Fundamental Alteration. A modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. If a public entity can demonstrate that the modification would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification. If a public accommodation (private entity) can

⁸⁶ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination.

demonstrate that a modification would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations it provides, it is not required to make the modification.

Grade. The degree of inclination of a surface. See Slope. In public right-of-way, grade is the slope parallel to the direction of pedestrian travel.

Grade Break. The line where two surface planes with different grades meet.

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

International Symbol of Accessibility (ISA). The ISA is recognized worldwide as a symbol identifying accessible elements and spaces. Standards issued under the ADA and ABA Standards reference and reproduce the ISA to ensure consistency in the designation of accessible elements and spaces. Uniform iconography promotes legibility, especially for people with low vision or cognitive disabilities. Guidance on use of the ISA under the ADA is available at <https://www.access-board.gov/attachments/article/1898/ISA-guidance.pdf>.

Maintenance. Routine or periodic repair of all pedestrian facilities to restore them to the standards to which they were originally designed and built. Maintenance does not change the original purpose, intent, or design of public sidewalks, shared-use paths, curb ramps, crosswalks, pedestrian islands, or other public walkways.

Operable Part. A component of an element used to insert or withdraw objects, or to activate, deactivate, or adjust the element. The technical requirements for operable parts apply to operable parts on accessible pedestrian signals and pedestrian pushbuttons and parking meters and parking pay stations that serve accessible parking spaces.

Other Power-Driven Mobility Device (OPDMD). Any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for locomotion and designed to operate in areas without defined pedestrian routes.

Path of Travel. A path of travel is a continuous, unobstructed way of pedestrian passage by means of which a newly constructed or altered area may be approached, entered, and exited and which connects an area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility and other parts of a facility. An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms, and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements. Within the context of alterations, path of travel also includes restrooms, telephones and drinking fountains serving the altered area.

Pedestrian Access Route. A continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path in the public right-of-way.

Pedestrian Circulation Path. A prepared exterior or interior surface provided for pedestrian travel in the public right-of-way

Physical or Mental Impairments.⁸⁷ Physical or mental impairments may include, but are not limited to, vision, speech and hearing impairments; 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 impairments: 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.

Primary Function. A major activity for which a facility is intended. Areas that contain a primary function include, but are not limited to, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity using a facility are carried out.

Program Accessibility. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities.

Public Entity. Any state or local government; any department, agency, special-purpose district, or other instrumentality of a state or local government.

Public Right-of-Way. Public land or property, usually in interconnected corridors, that is acquired for or dedicated to transportation purposes.

Qualified Historic Facility. A facility that is listed in or eligible for listing in the National Register of Historic Places or designated as historic under an appropriate state or local law.

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.

Reasonable Modification.⁸⁸ A public entity must modify its policies, practice, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of its service, program, or activity.

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

Running Slope. The grade that is parallel to the direction of pedestrian travel.

⁸⁷ DOJ, Title II Regulations Part 35, Appendix B, Test C—Being regarded as having such an impairment.

⁸⁸ DOJ, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination.

Scoping. Requirements that specify what features are required to be accessible and, where multiple features of the same type are provided, how many of the features are required to be accessible.

Service Animal. Service animals are dogs (and in certain circumstances, miniature horses) that are individually trained to perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting, and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Guidance on the use of the term *service animal* in the 2010 Standards has been published online at https://www.ada.gov/service_animals_2010.htm

Title II regulations now include assessment factors to assist public entities in determining whether miniature horses can be accommodated as service animals in their facilities:

- Whether the miniature horse is housebroken;
- Whether the miniature horse is under the owner's control;
- Whether the facility can accommodate the miniature horse's type, size, and weight; and
- Whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

Slope. Ground surface that forms a natural or artificial incline. Slope is typically conveyed as either a percentage or a ratio that represent the change in elevation between two points of an incline divided by the horizontal distance between the two points.

- Cross Slope: The slope that is perpendicular to the direction of travel.
- Running Slope: The slope that is parallel to the direction of travel.

Substantial Limitations of Major Life Activities. An individual is disabled if she or he has a physical or mental impairment 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 impairment 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:

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

Technical Standards. Specify the design criteria for accessible features, including the specific numbers, conditions, and measurements that are required.

Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements.

Telecommunications Display Device (TDD). A telecommunications display device for the deaf (TDD) is an electronic device for text communication via a telephone line, used when one or more of the parties has hearing or speech difficulties. Other names for TDD include TTY.

Telecommunications Relay Service (TRS) or 711. The free, nationwide telecommunications relay service, reached by calling 711, uses communications assistants who serve as intermediaries between people who have hearing or speech disabilities who use a text telephone (TTY) or text messaging and people who use standard voice telephones. The communications assistant tells the telephone user what the other party is typing and types to tell the other party what the telephone user is saying. TRS also provides speech-to-speech transliteration for callers who have speech disabilities.

Text Telephone (TTY). Teletypewriters or text telephones have a keyboard and a visual display for exchanging written messages over the telephone. The ADA established a free, nationwide relay network to handle voice-to-TTY and TTY-to-voice calls, which is reached by calling 711. TTY is a more general term for teletypes but is often referred to as TDD.

Vertical Surface Discontinuities. Vertical differences in level between two adjacent surfaces.

Video Relay Service (VRS). Video relay service (VRS) is a free, subscriber-based service for people who use sign language and have videophones, smart phones, or computers with video communication capabilities. For outgoing calls, the subscriber contacts the VRS interpreter, who places the call and serves as an intermediary between the subscriber and a person who uses a standard voice telephone. The interpreter tells the telephone user what the subscriber is signing and signs to the subscriber what the telephone user is saying.

Wheeled Mobility Device. A manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion. Also referred to as a manual wheelchair, a power wheelchair, or an electric scooter.

7. Program Accessibility Guidelines, Standards, and Resources

7.1 Federal, State, and Local Laws, Standards, and Ordinances

Federal Government

U.S. Department of Justice, Civil Rights Division, Disability Rights Section

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (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.

<http://www.ada.gov/>

- Americans with Disabilities Act (ADA) title II Regulations: Nondiscrimination on the Basis of Disability in State and Local Government Services. 2010.
https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.pdf
- 2010 ADA Standards for Accessible Design. 2010.
www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm
- Title II Technical Assistance Manual (1993) and Yearly Supplements.
<http://www.ada.gov/taman2.html>
- Accessibility of State and Local Government Websites to People with Disabilities. 2003.
<https://www.ada.gov/websites2.htm>
- ADA Best Practices Tool Kit for State and Local Governments. 2008.
<https://www.ada.gov/pcatoolkit/abouttoolkit.htm>
- ADA Guide for Small Towns. 2000.
<http://www.ada.gov/smtown.htm>
- The ADA and City Governments: Common Problems. 2000.
<http://www.ada.gov/comprob.htm>
- ADA Requirements: Effective Communication. 2014.
<https://www.ada.gov/effective-comm.htm>
- ADA Requirements: Service Animals. 2010.
https://www.ada.gov/service_animals_2010.htm
- ADA Information for Law Enforcement. 2008.
<http://www.ada.gov/policeinfo.htm>
- Commonly Asked Questions About the ADA and Law Enforcement. 2006.
http://www.ada.gov/q&a_law.htm
- Communicating with People Who are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers. 2006.
<http://www.ada.gov/lawenfcomm.htm>
- Model Policy for Law Enforcement on Communicating with People Who are Deaf or Hard of Hearing. 2006.
<http://www.ada.gov/lawenfmodpolicy.htm>
- Questions and Answers: The ADA and Hiring Police Officers. 1997.
<http://www.ada.gov/copsq7a.htm>

- ADA Requirements: Wheelchairs, Mobility Aids and Other Power-Driven Mobility Devices. 2014.
<https://www.ada.gov/opdmd.htm>
- An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities. 2008.
<https://www.ada.gov/emergencyprepguide.htm>
- Access for 9-1-1 and Telephone Emergency Services. 1998.
<http://www.ada.gov/911ta.htm>
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities. 2014.
https://www.ada.gov/ada_voting/ada_voting_ta.htm
- ADA Checklist for Polling Places. 2016.
<https://www.ada.gov/votingchecklist.htm#toc1>

U.S. Access Board—Architectural and Transportation Barriers Compliance Board

The full texts of federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available for free and can be downloaded or ordered by completing a form available on the Access Board's website. In addition to regular print, publications are available in large print, disk, audiocassette, and braille.

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

- ADA and ABA Accessibility Guidelines (ADAAG), (36 CFR Parts 1190 and 1191). Final Rule published in the Federal Register, July 23, 2004; as amended through May 7, 2014.
<https://www.access-board.gov/attachments/article/412/ada-aba.pdf>
- Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines, Correction. Final Rule published in the Federal Register, November 12, 2013.
<https://www.federalregister.gov/documents/2013/11/12/2013-26780/americans-with-disabilities-act-ada-accessibility-guidelines-for-buildings-and-facilities>
- Architectural Barriers Act (ABA). Pub. L. 90–480 (42 U.S.C. §§4151 et seq.). 1968.
<https://www.access-board.gov/the-board/laws/architectural-barriers-act-aba>
- Architectural Barriers Act Accessibility Guidelines; Outdoor Developed Areas (). Final Rule published in the Federal Register, September 26, 2013. <https://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas>
- Electronic and Information Technology Accessibility Standards; (36 CFR Part 1194). Final Rule published in the Federal Register, December 21, 2000.
[https://www.access-board.gov/attachments/article/523/508standards\(1\).pdf](https://www.access-board.gov/attachments/article/523/508standards(1).pdf)
- Guidance on Use of the International Symbol of Accessibility Under the Americans with Disabilities Act and the Architectural Barriers Act. 2017.
<https://www.access-board.gov/attachments/article/1898/ISA-guidance.pdf>
- Information and Communication Technology (ICT) Final Standards and Guidelines (36 CFR Parts 1193 and 1194). Final Rule published in the Federal Register, January 18, 2017.
<https://www.access-board.gov/attachments/article/1877/ict-rule.pdf>

- Outdoor Developed Areas: A Summary of Accessibility Standards for Federal Outdoor Developed Areas. May 2014.
<https://www.access-board.gov/attachments/article/1637/outdoor-guide.pdf>
- Telecommunications Act Accessibility Guidelines. Final Rule published in the Federal Register, February 3, 1998.
<https://www.access-board.gov/attachments/article/1067/255rule.pdf>
- Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way. 2011.
<https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines>

State of Washington

The State of Washington Administrative Code (WAC) Title 51, Chapter 51-50, adopts the 2015 International Building Code including Appendix E: Supplementary Accessibility Requirements and ICC/ANSI A117.1-2009 as of the writing of this document. The State Building Code and the Revised Code of Washington (RCW) under Title 70: Public Health and Safety, Chapter 70.92 intend to make buildings and facilities accessible to and usable by individuals with disabilities. Additionally, the Washington Department of Transportation published an ADA field guide to assist jurisdictions with developing accessible public rights-of-way.

Because building codes are updated every few years, the City should regularly review changes and update policies and procedures related to accessibility to ensure compliance with current code.

- WAC Title 51, Chapter 51-50: State Building Code Adoption and Amendment of the International Building Code
<http://apps.leg.wa.gov/wac/default.aspx?cite=51-50>
- Washington State Building Code
<https://fortress.wa.gov/ga/apps/sbcc/page.aspx?nid=14>
- Washington State Department of Transportation: Field Guide for Accessible Public Rights of Way
https://www.wsdot.wa.gov/Publications/Manuals/ADA_Field_Guide.htm
- RCW Title 70: Public Health and Safety, Chapter 70.92
<http://app.leg.wa.gov/RCW/default.aspx?cite=70.92>

7.2 Local and National Organizations Supporting People with Disabilities

The Arc

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.

<http://www.thearc.org>

American Association of People with Disabilities

The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States.

<http://www.aapd.com/>

American Council of the Blind (ACB)

ACB is a national organization advocating on behalf of persons who are blind or have low vision.

<http://www.acb.org/>.

American Foundation for the Blind (AFB)

AFB 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 impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database.

<http://www.afb.org/>

Center for Independence (CFI)

CFI serves as a resource for individuals with disabilities to fully access and participate in the community through outreach, advocacy, and independent living skills development. The organization is a resource for senior citizens with senior-related disabilities as well and serves people in Island, Pierce, San Juan, Skagit, Snohomish, Thurston, South King, and Whatcom counties. It is also a member of the Association of Centers for Independent Living in Washington (ACIL-WA).

<http://www.cfisouth.org/index.html>

Center on Technology and Disability

Funded by the US Department of Education's Office of Special Education Programs, the Center on Technology and Disability provides a wide range of resources on assistive technology, from introductory fact sheets and training materials to in-depth discussion of best practices and emerging research.

<http://www.ctdinstitute.org/>

Disability Rights Washington

Disability Rights Washington is a private non-profit organization that protects the rights of people with disabilities statewide. Its mission is to advance the dignity, equality, and self-determination of people with disabilities. The organization works to pursue justice on matters related to human and legal rights, with a focus on systemic cases that will improve service systems for people with disabilities.

<https://www.disabilityrightswa.org/>

Institute for Human Centered Design

The Institute (formerly known as Adaptive Environments) is a non-profit organization committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. The organization provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements for human centered design for places, things, communication, and policy that integrate solutions with the reality of human diversity.

<http://humancentereddesign.org/>

National Association of the Deaf (NAD)

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.

<http://www.nad.org/>

National Federation of the Blind (NFB)

NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provides 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).

<http://www.nfb.org/>

National Organization on Disability

National Organization on Disability promotes the full and equal participation and contribution of America's 54 million men, women, and children with disabilities in all aspects of life. NOD maintains an on-line directory of information and links including transportation-related resources.

<http://www.nod.org/>

Northwest ADA Center, National Institute on Disability and Rehabilitation Research

The ADA National Network Centers are a national platform of ten centers comprised of ADA professionals and experts charged with assisting businesses, state and local governments, and people with disabilities as they manage the process of changing our culture to be user friendly to disability and the effect the variety of health conditions can have on society. The Northwest ADA Center is a part of the Department of Rehabilitation Medicine at the University of Washington and collaborates with the Center for Technology and Disability Studies, a program within the Center for Human Development and Disability and the Department of Rehabilitation Medicine.

<http://nwadacenter.org/>

Office of Disability Employment Policy

Online resources list for a variety of disability topics including benefits, civil rights, community life, education, employment, emergency preparedness, health, housing, technology, and transportation.

<https://www.dol.gov/odep/topics/disability.htm>

Outdoors for All Foundation

Based out of Seattle, the Outdoors for All Foundation transforms lives through outdoor recreation as a national leader in delivering adaptive and therapeutic recreation for children and adults with disabilities. The organization enriches the lives of individuals with disabilities and helps them to get out and enjoy the great outdoors. Outdoors for All's programs includes snowboarding, snowshoeing, cross country and downhill skiing, cycling, hiking, yoga, kayaking, day camps, rock-climbing, camping, and custom events.

<https://outdoorsforall.org/>

Paralyzed Veterans of America (PVA)

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. PVA's website provides information on useful sports publications and a list of contacts.

<http://www.pva.org>

Snohomish County Division of Developmental Disabilities

This division of the County's Department of Human Services fosters inclusive communities that support people with developmental disabilities to fully participate in and contribute to all aspects of community life. Its programs provide support to families, individuals, and communities, including direct services, referrals, and a variety of programs.

<https://snohomishcountywa.gov/428/Developmental-Disabilities>

United Cerebral Palsy Association (UCP)

UCP's mission is to advance the independence, productivity, and full citizenship of people with cerebral palsy and other disabilities, through a commitment to the principles of independence, inclusion, and self-determination. 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. Information about the Sports and Leisure Channel is available on UCP's website.

<http://www.ucp.org>

United Spinal Association

United Spinal Association is a membership organization serving individuals with spinal cord injuries or disease. Formerly known as the Eastern Paralyzed Veterans Association, the organization expanded its mission to serve people with spinal cord injuries or disease regardless of their age, gender, or veteran status. Information on accessibility training and consulting services and recreational opportunities for people with spinal cord injuries or disease is available on their website.

<http://www.unitedspinal.org>

Washington State Developmental Disabilities Administration (DDA)

This division of the Department of Social and Health Services provides support and fosters partnerships that empower people to live the lives they want. DDA strives to develop and implement public policies that will promote individual worth, self-respect, and dignity such that each individual is valued as a contributing member of the community.

<https://www.dshs.wa.gov/dda>

Work Opportunities

This local non-profit organization was founded in 1963 and promotes self-determination, self-respect, and valued participation in the community for persons with disabilities through work. It has a branch office in Lynnwood.

<http://workopportunities.org/>

World Institute on Disability

WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design, and ADA.

<http://www.wid.org/resources/>

7.3 Guidance Documents and Articles – Creating Accessible Documents

Adobe Software

- Creating Accessible Adobe PDF Files.
<https://helpx.adobe.com/acrobat/using/creating-accessible-pdfs.html>
- Create and verify PDF accessibility (Acrobat Pro).
<https://helpx.adobe.com/acrobat/using/create-verify-pdf-accessibility.html>
- Accessibility by product.
<https://www.adobe.com/accessibility/products.html>

American Council of the Blind (ACB).

Best Practices and Guidelines for Large Print Documents used by the Low Vision Community. 2011.
<http://acb.org/large-print-guidelines>

Braille Authority of North America and the Canadian Braille Authority.

Guidelines and Standards for Tactile Graphics (Web Version). 2012.
<http://www.brailleauthority.org/tg/web-manual/tgmanual.html>

GSA Government-wide Section 508 Accessibility Program

Create Accessible Electronic Documents (a compilation of federal guidance, checklists, and testing information for creating and maintaining accessible documents in various popular electronic formats, including Word, PDF, Excel, and PowerPoint).

<https://www.section508.gov/content/build/create-accessible-documents>

Guidance from the Accessible Electronic Document Community of Practice (AED COP) on creating and testing accessible Microsoft Word documents includes:

- Section 508 Basic Authoring and Testing Guides, MS Word 2010 and MS 2013. 2015.
<https://www.section508.gov/content/build/create-accessible-documents>
- Basic Authoring and Testing Checklists, MS Word 2010 and MS 2013. 2015.
<https://www.section508.gov/content/build/create-accessible-documents>
- Baseline Tests for Accessible Electronic Documents—MS Word 2010 and MS 2013. 2015.
<https://www.section508.gov/content/build/create-accessible-documents>

Smithsonian Institution.

Smithsonian Guidelines for Accessible Publication Design. 2001.
<https://www.si.edu/Content/Accessibility/Publication-Guidelines.pdf>

Social Security Administration, Accessibility Resource Center (SSA-ARC).

SSA Guide: Producing Accessible Word and PDF Documents, Version 2.1. 2010.
https://www.ssa.gov/accessibility/files/The_Social_Security_Administration_Accessible_Document_Authoring_Guide_2.1.2.pdf

Sutton, Jennifer.

A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired. 2002.
<http://www.sabeusa.org/wp-content/uploads/2014/02/A-Guide-to-Making-Documents-Accessible-to-People-Who-are-Blind-or-Visually-Impaired.pdf>

University of Washington.

Creating Accessible Documents. <https://www.washington.edu/accessibility/documents/>

7.4 Guidance Documents and Articles – Web Design

National Center for Accessible Media (NCAM)

NCAM is a research and development facility dedicated to addressing barriers to media and emerging technologies for people with disabilities in their homes, schools, workplaces, and communities. NCAM is part of the Media Access Group at Boston public broadcaster WGBH, which includes two production units, The Caption Center and Descriptive Video Service® (DVS®). Tools and guidelines for creating accessible digital media can be found on the NCAM website.

<https://www.wgbh.org/foundation/ncam/guidelines/accessible-digital-media-guidelines>

Utah State University, Center for Persons with Disabilities, WebAIM

WebAIM (Web Accessibility in Mind) is a non-profit organization based at the Center for Persons with Disabilities at Utah State University that has provided comprehensive web accessibility solutions since 1999. Documents and training materials, including the following publications, can be downloaded from the WebAIM website.

<http://www.webaim.org/>

- Color Contrast Checker. <https://webaim.org/resources/contrastchecker/>
- Web Accessibility Evaluation Tool (WAVE). <http://wave.webaim.org/>
- WCAG 2 Checklist. <https://webaim.org/standards/wcag/checklist>
- Web Accessibility for Designers. <https://webaim.org/resources/designers/>

Web Accessibility Initiative (WAI)

WAI develops guidelines widely regarded as the international standard for Web accessibility, support materials to help understand and implement Web accessibility, and resources, through international collaboration. The Web Content Accessibility Guidelines (WCAG) was developed with a goal of providing a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally. Documents and training materials, including the following publications, can be downloaded from the WAI website.

<https://www.w3.org/WAI/>

- Caldwell, Ben, Michael Cooper, Loretta Guarino Reed and Gregg Vanderheiden (eds.) Web Content Accessibility Guidelines (WCAG) 2.0. 2008. <https://www.w3.org/TR/WCAG20/>

7.5 Guidance Documents and Articles – Signage

APH Tactile Graphic Image Library

American Printing House for the Blind, Inc. (APH). The website requires registration for access, and it is free. <http://www.aph.org/tgil/>

Designing for People with Partial Sight and Color Deficiencies

Arditi, Aries. Effective Color Contrast: 2005. https://pages.mtu.edu/~nilufer/classes/cs3611/interesting-stuff/designing-with-colors-1/color_contrast.htm

Signage and the 2010 ADA Standards

Luminant Design LLC. v2.1. 2011. <http://www.luminantdesign.com/ada.html>

Signage Requirements in the 2010 Standards for Accessible Design

Society for Experiential Graphic Design (SEGD).

https://segd.org/sites/default/files/SEGD_2012_ADA_White_Paper_Update.pdf

U.S. Department of the Interior, National Park Service – Harpers Ferry Center Accessibility Committee

Harpers Ferry Center (HFC) serves as the Interpretive Design Center for the National Park Service. HFC works to ensure that the highest level of accessibility that is reasonable is incorporated into all aspects of interpretive media, planning, design, and construction. This includes ensuring that all new interpretive media are provided in such a way as to be accessible to and usable by all persons with a disability. It also means all existing practices and procedures are evaluated to determine the degree to which they are currently accessible to all visitors, and modifications are made to assure conformance with applicable laws and regulations. The HFC website includes accessibility resources, guidelines and updates, Department of the Interior Section 504, photographs of best practices, and more.

<http://www.nps.gov/hfc/accessibility/>

7.6 Training Resources

ADA National Network

2020. <https://adata.org/ada-training>

Great Lakes ADA Center

2020. <http://www.adagreatlakes.org/ProgramsAndServices/Trainings/>

Northwest ADA Center

2020. <http://nwadacenter.org/training>

United States Access Board

2020. <https://www.access-board.gov/training>

Southeast ADA Center

2020. <http://adasoutheast.org/training/courses.php>

ADA Coordinator Training Certificate Program

2020. <https://www.adacoordinator.org/default.aspx>