

City of Crossville ADA Transition Plan and Self-Evaluation

Transition Plan Purpose

The Americans with Disabilities Act (ADA) is a civil rights law prohibiting discrimination against individuals on the basis of disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. The ADA consists of five titles outlining protections in the following areas:

- I. Employment
- II. State and local government services
- III. Public accommodations
- IV. Telecommunications
- V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services provided by public entities. The City of Crossville must comply with this section of the Act, as it specifically applies to public service agencies. Title II of ADA states that “no qualified individual with a disability shall, by reason of such 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 such entity.” (42 USC Sec. 12132; 28 CFR Sec. 35.130)

As required by Title II of ADA (28 CFR Part 35 Sec. 35.105 and Sec. 35.150), the City of Crossville has conducted a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way; and has developed this Transition Plan detailing the methods to be used to ensure compliance with ADA accessibility requirements.

Agency Requirements

Under Title II, the City of Crossville must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [28 CFR Sec. 35.150].
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [28 CFR Sec. 35.130 (a)].
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [28 CFR Sec. 35.130(b)(7)].
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 CFR Sec. 35.130(b)(iv) & (d)].
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [29 CFR Sec. 35.160(a)].
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is typically referred to as the ADA Coordinator. The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process

Designation of Responsibility

In accordance with 28 CFR 35.107(a), the City of Crossville has designated the following person to serve as ADA Coordinator, to oversee the City's policies and procedures:

Leah Crockett
Human Resources Manager
392 North Main Street
Crossville, TN 38555
PH. (931) 484-5113

Self-Evaluation

Under Title II of the ADA (28 CFR Sec. 35.105), public entities are required to perform a self-evaluation of their current services, policies and practices with regard to accessibility. The goal of the self-evaluation is to verify that, in managing its programs and facilities, the agency is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The intent of the ADA self-evaluation is to review the agency's entire public program, including all facilities on public property and within public rights-of-way, in order to identify any obstacles or barriers to accessibility that need to be addressed. The general categories of items to be evaluated include:

- Communications, Information & Facility Signage.
- Public Building Facilities – these include offices, garages and other types of buildings.
- Pedestrian Facilities

Process & Findings

In 2018, the City of Crossville began a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way with regard to accessibility. Inventories and findings from this review are provided in the Appendix.

An important component of the self-evaluation process is the identification of obstacles or barriers to accessibility, and the corresponding modifications that will be needed to remedy these items.

Communications, Information & Facility Signage

Title II of ADA includes the following requirements regarding Communications:

General (28 CFR Sec. 35.160)

- A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity.
- In determining what type of auxiliary aid and service is necessary, a public entity shall give primary consideration to the requests of the individual with disabilities.

Information and Signage (28 CFR Sec. 35.163)

- A public entity shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.
- A public entity shall provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility.

Improvement Schedule

Moving forward, the City of Crossville plans to implement improvements for items that have been identified as potential obstacles to accessibility. The City conducted an accessibility evaluation of its buildings/facilities based on the *ADA Checklist for Existing Facilities* publication. The findings from this evaluation are provided in the Appendix.

Previous Practices

Since the adoption of the ADA, the City of Crossville has striven to provide accessible features as part of the City's capital improvement projects. As additional information was made available regarding the methods of providing accessible features, the City updated its procedures to accommodate these methods.

Methodology

The City of Crossville will utilize two methods for upgrading pedestrian facilities to current ADA standards. The first is through scheduled building, street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The facility improvements will follow schedules for capital improvement and budget approvals.

The second method is through specific sidewalk and ADA accessibility improvement projects that are identified individually. These projects will be incorporated into the Capital Improvement Program (CIP) on a case-by-case basis as determined by the Tennessee Department of Transportation and/or City of Crossville staff.

Policy

The City of Crossville's goal is to continue to provide accessible features as part of its capital improvement projects. The City will consider, and respond, to all accessibility improvement requests. Accessibility improvements that are deemed reasonable will be given a level of priority and submitted through the proper channels for review and approval. The City will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of facilities within the public rights-of-way will continue to follow the policies set forth by the City. Examples of typical maintenance items relating to accessibility include: snow removal and ice control for sidewalks (where applicable), sidewalk repairs, maintenance of crosswalk markings and signal hardware. Requests for accessibility improvements can be submitted to the ADA Title II Coordinator. Contact information for the Coordinator is provided in the Appendix.

External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of the City of Crossville. The City will make every attempt to coordinate with those agencies to assist with identifying and facilitating elimination of accessibility barriers along their routes.

Public Outreach

The City of Crossville recognizes that public participation is an important component in the development, and maintenance, of a Transition Plan. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of The City of Crossville.

To properly manage and maintain the Transition Plan the City will make efforts to conduct meetings with groups, and organizations, that can participate in identifying barriers that continue to exist within its jurisdiction.

Public Notice of ADA Requirements and Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities with regard to ADA compliance. The public notice that the City publishes is attached in the Appendix.

If users of the City of Crossville's facilities and services believe the City has not provided a reasonable accommodation, they have the right to file a grievance. In accordance with 28 CFR Sec. 35.107(b), the City has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints or concerns. This grievance procedure is attached in the Appendix.

Transition Plan Management and Monitoring

This Transition Plan is considered to be a living document that will continue to be updated as conditions within the City evolve. The initial schedule is to formally review the complete document at least once per year, to identify any need for updates. Updates to the Plan can be made by the Coordinator, or their designee, as needed.

The City of Crossville recognizes that ADA compliance is an ongoing responsibility which will require monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Title II Coordinator and their designee will establish a monitoring program, or process, to ensure that facilities continue to comply with ADA requirements. City employees will also be encouraged to report any accessibility concerns or deficiencies that are identified.

Formal Adoption of City of Crossville's ADA Transition Plan

This ADA Transition Plan is hereby adopted by the City of Crossville, effective December 23, 2019.

ADA Title II Coordinator

Date

ADA Transition Plan Implementation Coord.

Date

Authorizing Official

Date