

ATLAS SAFETY & SECURITY DESIGN, INC.

HOW TO CONDUCT AN ADA TITLE II SELF-EVALUATION SURVEY

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By Randall Atlas Ph.D., AIA

Atlas Safety & Security Design, Inc.
Miami, Florida

The Americans with Disabilities' Act of 1990 (ADA) requires that a thorough self evaluation process occur on Public Accommodations (Title III), such as hotels, restaurants, and shopping centers; and on Public Entities (Title II), such as state and local government buildings like jails and prisons, courthouses, and police stations. The deadline for completing the self-evaluation plan is January 26, 1993.

The focus of Title II Self-Evaluation Surveys for ADA is program accessibility, not just architectural barrier removal, which is the focus of Title III compliance. However, the Title II self-evaluation does require the public entity to examine the physical plant and make a determination of architectural barriers that impede the delivery of a program, service, or activity. It is also important that the public entity consider any anticipated programs that may come up in the future that will also have accessibility concerns. If the local or state government is planning renovations, additions, or new construction they will have to design with full compliance of the ADAAG (ADA Accessibility Guidelines) or UFAS (Uniform Federal Accessibility Standards). There are no exceptions for new construction, such as alternative methods for service delivery that is granted to existing facilities. Personnel conducting the surveys must be familiar with not only federal regulations (ADAAG and UFAS), but also state and local regulations (State fire codes, state handicapped codes, building codes, local zoning codes, Life Safety Code 101, etc.). There may be conflict between the different codes and the

applications in existing and new buildings. These conflicts must be documented and resolved of which has precedence.

WHERE TO START?

The first step in the self-evaluation process is to have the Public Entity meet with their legal counsel and determine which code the surveys will be compliant with (ADAAG or UFAS). Once that determination is made, a team should be assembled for putting together the survey instruments and documentation. While in-house staff can do many of the tasks, they must be sufficiently trained and knowledgeable of the codes, ordinances, and regulations in order to conduct the survey properly and meet the intent of the law. If staff are unable to accomplish the task, professional consultation should be sought. A professional that is familiar with the law, the physical facilities, and local codes and ordinances will be a valuable asset. The survey team need to assemble a comprehensive list of the programs, services, and activities of the facility or organization. The entity should describe, in general, the nature of the program, the purpose, scope, general activities, and program participants. The survey team will need to find out if any of the programs were included in a self-evaluation conducted under Section 504 of the Rehabilitation Act.

If the answer is yes, that program need not be included in the ADA self-evaluation. It is important that the public entity seek out the participation of disabled persons in the completion of the self-evaluation survey. The entity must document steps taken to insure that disabled persons, or their representatives, participate in the completion of the self-evaluation.

THE SURVEY

The self-evaluation should address recruitment and advertisement practices that avoid discrimination. The public entity should list the steps undertaken to ensure accessibility and what are the opportunities for full participation by disabled persons. Describe the approaches the entity uses to insure effective communications with persons with vision and hearing impairments, such as provision of auxiliary aids for presentation of materials in alternative formats.

Document the entity's efforts to ensure inclusion of entity's compliance with the ADA in all materials and advertisements. List any organizations, disabled specialists, or outside persons involved in these recruitment, advertising, or information efforts. If appropriate, list all facilities, and parts of facilities used during the recruitment and advertising efforts, including those not owned, but possibly leased by the entity and if these facilities are accessible. If these facilities are not accessible, is there information available at an accessible location.

The self-evaluation should address program eligibility and admission requirements. Document if there are any limitations on the number of qualified disabled persons who can participate in or be admitted to a program, service, or activity. If there are any criteria used for admission, briefly describe all criteria, such as health, residency, skills, achievement tests, etc. If any of the criteria have or could have an adverse affect on disabled program participants, carefully document the negative impacts for each criteria. If there are criteria that discriminate document alternative criteria or tests that will be used to ensure non discrimination. List steps to be taken to make potential program applicants, including those with hearing and vision impairments and learning disabilities aware of alternative testing and criteria.

If interviewing is required before an applicant enters a program, discuss the interview process and steps taken to ensure non discrimination in interviewing. If there any forms for admission in the program, testing, or other submission criteria, are the forms available in alternative formats, such as taped, Braille, or reader. The entity should list the steps taken to ensure that program applicants are not asked pre-admission inquiries about the nature and extent of a disability, including any forms or written materials. The survey should document if all facilities, and parts of facilities used for testing, collecting or submitting forms, interviewing, and other activities related to program eligibility requirements are accessible to people with disabilities. Once a person has been admitted into a program, service, or activity the entity should document what post-admission inquires are made regarding disabled status in order to make accommodations for disabled persons.

Describe any orientation and materials used and steps undertaken to ensure effective communication for all participants in the program. If there any written material, special tools or equipment used for the program, document the accessibility. If any equipment modification or provision of auxiliary aids are needed to ensure program materials and equipment is accessible, the entity should document them. If any of the alternative methods of providing accessibility, equipment modification, or auxiliary provisions would pose an undue financial or administrative burden it should be documented. The entity should document if program participants receive services or if benefits are equally as effective for and usable by disabled persons, that administration of these services and/or benefits are free from discrimination based on disability, that communications will reach all persons including those with sight and hearing impairments, and that there are effective application procedures for disabled persons to receive the services. The entity should document steps undertaken to ensure that information regarding program schedules and activities are communicated to all participants, including the hearing and visually disabled.

If there are any outside persons or organizations involved in any aspects of the program it should be documented. Are all facilities used during the program, including

those not owned or operated by the entity, accessible to people with disabilities? What steps is the entity planning to make the facility accessible? Can the program be made accessible with provision of auxiliary aids or use of alternative materials or formats? Are any structural changes necessary for the buildings that the public entity owns or operates? Have these changes been included in the required Transition Plan that was to be completed by July 26, 1992? The entity should take steps to ensure that all staff involved in the programs, including recruitment, admission, testing, running the programs, and provision of any services or benefits, will be trained and made to understand the policy of non-discrimination on the basis of disability. The ADA may also apply to those outside persons or organizations that receive significant assistance from the public entity.

For example, if the jail prepares meals that are delivered to an elderly or community center, it must be documented that persons or organizations do not discriminate on the basis of disability in the provision of any aid, benefit, or service to the program participants. The outside organization may have to make changes in their administration of the program, facility alterations, or discontinue the relationship.

FACILITIES USED FOR PROGRAMS, SERVICES, AND ACTIVITIES

The entity should survey all facilities, or portion of facilities, structures, equipment, roads, walks, parking lots, or other real or personal property, or interest in such property, that is owned, operated, or leased used for the programs and activities of that organization. The survey should list for each facility, or portion of, any inaccessible features that limit program accessibility. The entity should list the steps that are planned to ensure existing facilities are program accessible, or if alternative means of delivery is proposed. The entity should document that all future construction and renovation work, after January 1992, will architecturally comply with the ADA Accessibility Guidelines or Uniform Federal Accessibility Standards. Document what non-structural measures will be taken to ensure program accessibility for existing facilities, such as relocating the activity to an accessible space, being able to relocate upon notice given by a qualified disabled person, revising the structure or format of the activity so the space is not needed, modifying equipment or redesigning equipment, or alternative delivery of services. The entity should document steps that it has undertaken to ensure periodic communications with disabled program participants concerning accessible and inaccessible facilities.

The facility survey should be organized in a notebook, with tabular breakouts of the different architectural areas, and how they correspond to the sections of ADAAG or UFAS. The facility survey should have a checklist for each of the items of ADAAG or UFAS and allow a respondent to check off an item for compliance, non-compliance, and allow for comments. It is very helpful if the survey team has a floor plan of the facility, usually reduced to a 11" by 14" format, and to take photographs of non-

compliant elements. As non-complaint elements are identified they can be keyed to the floor plan and corresponding photographs. The following is a sample outline of the scope of the survey requirements.

INSTITUTIONAL SELF-EVALUATION FORMAT

- ◆ Date:
- ◆ Background Information:
- ◆ Noncompliance issue identified:
- ◆ Action to be taken:
- ◆ Person responsible for completion:
- ◆ Procedures to be followed:
- ◆ Data or information required for completion:
- ◆ Schedule for completion:

1. Projected procedural/operational impact on the institution:

- ◆ Outside organizations and resource persons used in evaluation:
- ◆ Policy changes needed:
- ◆ Staffing considerations:
- ◆ Space or facility needs:
- ◆ Parking spaces -
- ◆ Parking area -
- ◆ Passenger Loading Zone -
- ◆ Exterior Accessible Route -
- ◆ Curb ramps -
- ◆ Ramps -
- ◆ Platform Lifts -
- ◆ Entrance and Exterior Doors -
- ◆ Exterior signage -
- ◆ Interior signage -
- ◆ Interior Accessible Route -
- ◆ Stairs -
- ◆ Toilet rooms -

- ◆ Bathrooms -
- ◆ Accessories -
- ◆ Interior Doors -
- ◆ Drinking Fountains -
- ◆ Public Telephones -
- ◆ Elevator Entrances -
- ◆ Elevator Cab -
- ◆ Seating and Tables -
- ◆ Storage -
- ◆ Detectable Warnings -
- ◆ Assistive Listening Devices -
- ◆ Alarm Systems -
- ◆ Communication needs -
- ◆ Equipment, supply, or vehicle needs -
- ◆ Cost factors -
- ◆ Other considerations -

II. Interim Comments on Progress toward Completion

III. Final Information

- ◆ Date action was completed:
- ◆ Action Taken:

IV. Describe steps that will be taken to ensure that the policy, practice, or procedure developed as the result of this action will be followed in the future.

- ◆ Describe any steps that will be taken to monitor future action.

V. Describe any additional voluntary steps that will be taken to eliminate the effects of program accessibility discrimination.

- ◆ Set up a task force to coordinate all ADA compliance efforts
- ◆ Review the requirements of each section applicable
- ◆ Discuss building accessibility with disabled employees
- ◆ Consult with local accessible design consultants
- ◆ Develop detailed policy and procedures of accessibility for the facilities, goods, services, programs, etc.
- ◆ Communicate the requirements of ADA with your design professionals, maintenance staff, supervisory staff, and line staff
- ◆ Establish procedure for all future construction projects to comply
- ◆ Survey your existing facilities for identification of barriers
- ◆ Develop a implementation plan for removal of barriers
- ◆ Maintain records of surveys, design decisions, policies, etc.
- ◆ Update the accessibility needs of the facility as needs dictate

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- ◆ Title II of the ADA: Technical Assistance Manual. Department of Justice. 1991
- ◆ Uniform Federal Accessibility Standards. U.S. Architectural & Transportation Barriers Compliance Board, 1991

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