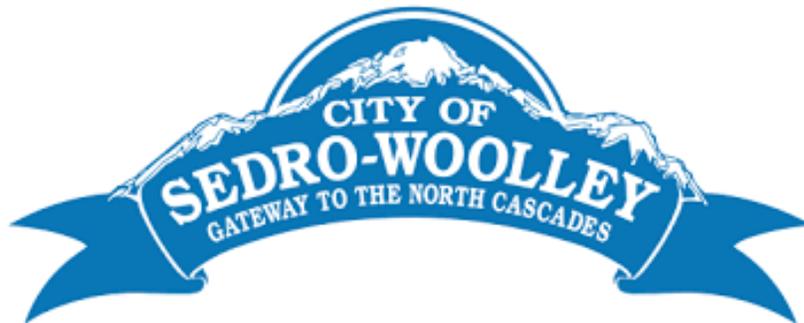


# **City of Sedro-Woolley**

## **ADA Transition Plan**



## **Appendix J**

### **Programmatic ADA Compliance Checklist Tool**

**April 2021**

**Prepared by  
Transportation Solutions, Inc**

Contact Information and Department			Answers
	1	Name	
	2	Department	
	3	Role	
<b>ADA Coordinator, Public Notice under the ADA, Grievance Procedure (28 CFR Part 35.106-35.107)</b>			<b>Date Completed/Initials</b>
<b>ADA/504 Coordinator (28 CFR Part 35.107 (a) &amp; 49 CFR Part 27.13(a))</b>	4	Staff know where to find the name, office address and phone number of your agency's ADA/504 Coordinator (published internally and externally such as on your agency's website).	
<b>Public Notice Under the ADA (28 CFR 35.106)</b>	5	Staff know where to find the Notice Under the ADA online (notice explains how the agency will address ADA Accessibility in its employment, communication, policies, and resolution of complaints).	
	6	Staff know how to produce the Notice Under the ADA in alternate formats - i.e. large print, Braille or rich text/screen-reader-friendly format, audio format, and/or accessible electronic format.	
<b>Grievance Policy &amp; Procedure (28 CFR Part 35.107 (a) and 49 CFR Part 27.13 (b))</b>	7	Staff are familiar with the Grievance Policy and Procedure that: 1) describes how and where a complaint may be filed; 2) provides alternative means of filing; 3) describes time frames and processes to be followed by complainant and government entity; 4) describes how to appeal an adverse decision; and 5) states how long complaints will be retained.	
	8	Staff know where to find the Grievance Policy and Procedure publicly available online and in public areas.	
	9	Staff know how to produce the Grievance Procedure in alternate formats - i.e. large print, Braille or rich text/screen-reader-friendly format, audio format, and/or accessible electronic format.	
	10	Staff have been instructed to keep a record of filed grievances and responses and annually reviews the log to check for patterns/make service improvements.	
<b>Effective Communication - "Communication with persons with disabilities shall be as effective as communications with others" (28 CFR Part 35.160) and ADA Title II Tutorial</b>			
<b>Auxiliary Aids and Services</b>	11	Your staff are aware of the public entity's obligation to provide auxiliary aids and services.	
	12	Your staff are aware that people with disabilities may not be charged a fee to cover the cost of measures, such as the provision of auxiliary aids or program accessibility, to the programs and services offered by your agency.	
<b>Aids for People who are Deaf or Hard of Hearing</b>	13	<b>Your staff know how to provide upon request at least the following starred (*) auxiliary aids for people who are deaf or hard of hearing.</b> (Other items listed below may be requested by members of the public. Your agency is encouraged to provide as wide a variety of accessible formats/technologies as are feasible in order to accommodate requester's preferred format. Your staff may deny a requester's preferred format if : 1) it causes undue financial burden, and/or 2) would fundamentally alter the program, and 3) another accessible format alternative is made available.)	
	-	*Qualified sign language, oral, and cued speech interpreters	
	-	*Qualified notetakers	
	-	*Assistive listening devices	
	-	*Open and closed captioning of videos and television programs produced by your agency and videos on your agency's website	
	-	*Use of the 711 Telecommunications Relay Services (TRS)	
	-	*Use of a (TTY) Text Telephone or (TDD) Telecommunication Device	
	-	Telephone handset amplifiers	
	-	Computer-assisted real-time transcription (CART) services	
	-	Real time captioning of television programs	
	-	Video Interpreting Services (VIS) or Video remote interpreting (VRI) services	
	-	Closed-caption decoders	

<b>Aids for People who are Blind or Visually Impaired</b>	14	Your staff know how to provide upon request at least the following starred (*) auxiliary aids for people who are <b>blind or visually impaired and others with print reading disabilities</b> . (Other items listed below may be requested by members of the public. Your agency is encouraged to provide as wide a variety of accessible formats/technologies as are feasible in order to accommodate requester's preferred format. Your staff may deny a requester's preferred format if : 1) it causes undue financial burden, and/or 2) would fundamentally alter the program, and 3) another accessible format alternative is made available.)	
	-	*Documents and/or information in large print.	
	-	*Documents and/or information in Braille.	
	-	*Information in audio recorded format.	
	-	*Documents and/or information in accessible electronic formats that can be accessed in plain text or HTML.	
	-	*Screen reader software installed on a computer that is used by the public.	
	-	Magnification software installed on a computer that is used by the public.	
	-	Optical readers.	
<b>Service Animals</b>	15	Your staff are aware that a public employee may only ask two questions related to a service animal: A) If the animal is required because of a disability; and B) What work or task the animal has been trained to perform).	
<b>Television and Video</b>	16	If your agency produces public television programs or videos, your staff is aware that it must comply with the agency's website accessibility policy to ensure that publicly accessible filmed content is available with captioning and audio- descriptive formats.	
<b>Telephone Communications (28 CFR Part 35.161)</b>	17	If your department has telephones available to the public for making outgoing calls, your staff know the location(s) of text telephone (TTY) equipment or 711 Telecommunications Relay Services (TRS) upon request for people with hearing and speech disabilities.	
	18	Your staff know where to find the City's text telephone (TTY) number and 711 Telecommunications Relay Service (TRS) information <b>and</b> the phone number and address of the person responsible to respond to requests for accommodation, <b>and</b> that these numbers are included on your department's hard copy and website publications wherever the City's telephone number is publicized.	
	19	Your staff know how to accept relayed calls (i.e. to ensure that deaf people are allowed to handle matters over the phone as is allowed for others).	
<b>Sign Language Interpreters</b>	20	Your staff know how to provide access to requests for qualified sign language interpreters or have arrangements with one or more vendors to provide interpreting services when needed (within a reasonable time frame).	
<b>Qualified (versus Certified) Interpreter</b>	21	Your staff are aware that a sign language interpreter must be qualified to convey communications effectively, accurately, and impartially and use any necessary specialized vocabulary (but is not required to have certification).	
	22	Your staff are aware that it is inappropriate to request that family members and friends of people who are deaf serve as sign language interpreters, except in emergencies or if the individual wants the family member or friend to interpret and it is appropriate to do so.	
<b>Qualified (versus Certified) Reader</b>	23	Your staff are aware that a reader must be qualified to convey communications effectively, accurately, and impartially and use any necessary specialized vocabulary and be capable of assisting individuals in completing forms by accurately reading instructions and recording information on each form per the form's instructions and the instructions provided by the individual who requires the assistance (but the reader is not required to have certification).	
<b>Primary Consideration</b>	24	Your staff know to give primary consideration to the preferred type of auxiliary aid requested by the person with a disability when determining what type of auxiliary aid or service to provide.	
<b>Situations When Granting Primary Consideration is Not Required</b>	25	Your staff are aware of the following situations when granting a request for primary consideration (preferred auxiliary aid type) is not required: 1) The public entity can demonstrate that another equally effective means of communication is available; 2) Use of the preferred means would result in a fundamental alteration in the service/program/activity; 3) the preferred means would result in an undue financial and administrative burden.	

City of Sedro-Woolley  
Internal Programmatic ADA Compliance Checklist Tool

<b>Policies and Procedures</b>	26	Your staff know where to access the effective communication policy (see Notice Under the ADA in question 5 above) on your agency's public website and can provide it in an accessible format so people with disabilities know about any reasonable advance notice requirements that your entity adopts.	
	27	Your staff know the policies and procedures in place to respond to requests from the general public for documents in Braille, large print, audio recording, and/or accessible electronic format (email, compact disk, USB drive containing the document in plain text, word processing format, HTML or some other format that can be accessed with screen reader software).	
	28	Your staff know the policies and procedures in place to respond to requests from the general public for sign language, oral and cued speech interpreters that: a) specifies a time frame for reasonable advance notice; b) makes clear it is generally inappropriate to request family members and companions of deaf persons to serve as sign language interpreters; and c) specifies that deaf persons requesting interpreters should not be charged for the cost of the interpreter; and d) specifies how the agency, should provision of an interpreter result in undue financial and administrative burden, nevertheless ensures an individual with a disability receives benefits/services accompanied by a written statement of the reasons for denying an interpreter after considering all resources available for use.	
	29	Your staff know the policies and procedures in place to respond to requests from the general public for note-takers, computer-assisted real-time transcription services, or other aids/services for providing effective communication.	
<b>Training</b>	30	Staff who answer the telephone have been trained to ensure that incoming calls made through a relay service are handled as quickly and effectively as other calls.	
	31	Staff who interact with the public have been trained on the compliant policies and procedures to follow when a person requests an interpreter or another auxiliary aid/service.	
<b>Inventory Lists of Communication Items and Technologies</b>	32	Your department keeps a list of printed materials provided by the dept to the public and indicate whether those materials are: 1) provided, upon request, in an alternate accessible format; and 2) include the name and address of the person responsible for accommodating requests for alternative formats; and 3) includes TTY and 711 Telecommunications Relay Service numbers wherever an agency phone number is provided.	
	33	Your department maintains a list of any videos or television programs produced by your department and indicates whether these videos or programs have captioning and audio descriptions.	
	34	Your department has a list of where text telephones/teletypewriters (TTYs) are provided in your dept/agency.	
<b>Website Accessibility (Section 508, 29 USC 794(2); 36 CFR 1194. Must provide access or alternative access option that is equal in terms of hours of operation and the range of options and programs available on website. See guidelines in <i>Accessibility of State and Local Web sites to People with Disabilities (June 2003)</i> available at <a href="http://www.ada.gov/websites2.htm">http://www.ada.gov/websites2.htm</a> ).</b>			
<b>Policy &amp; Procedures</b>	35	Your staff know where to find the Website Accessibility Policy posted on your agency's website and can direct members of the public to it when requested.	
	36	Your staff know the procedures in place for submitting website content to the appropriate department to be checked for accessibility compliance.	
	37	Your agency's website home page includes easy-to-locate information, including a telephone number and email address, for use in reporting website accessibility problems and requesting accessible services and information.	
	38	You have procedures in place to assure a quick response to website visitors with disabilities who are having difficulty accessing information or services available via the website.	
<b>Website Accessible Features - Complete if your department manages any website content</b>	39	The top of each page with navigation links has a "skip navigation" link (This feature directs screen readers to bypass the row of navigation links and start at the webpage content, thus enabling people who use screen readers to avoid having to listen to all the links each time they move to a new page).	
	40	All links have a text description that can be read by a screen reader.	

City of Sedro-Woolley  
Internal Programmatic ADA Compliance Checklist Tool

	41	All of the photographs, maps, graphics and other images on the website currently have HTML tags (such as an "alt" tag or a long description tag) with text equivalents of the material being visually conveyed.	
	42	All the documents posted on your website including those in PDF format are also available in HTML or another text-based format such as rich text format (RTG) or word processing format.	
	43	If your website has online forms, HTML tags describe all of the controls (including all text fields, check boxes, drop-down lists, and buttons) that people can use in order to complete and submit the forms.	
	44	If a webpage has data charts or tables, HTML is used to associate all data cells within column and row identifiers.	
	45	All video files on your website have audio descriptions of what is being displayed to provide access to visually convey information for people who are blind or have low vision.	
	46	All website videos have written captions of spoken communication synchronized with the action to provide access for people who are deaf or hard of hearing.	
	47	All audio files on your website have written captions of spoken communication to provide access to people who are deaf or hard of hearing.	
	48	All webpages been designed so they can be viewed using visitors' web browser and operating system settings for color and font.	
	49	Alternative ways of accessing web-based information, programs, activities, and services are available for people with disabilities who cannot use computers.	
	50	A designated/qualified staff member checks the HTML of all new webpages to confirm accessibility before the pages are posted.	
<b>Plan to Make All Website Content Accessible</b>	51	If your website contains inaccessible content, there is a specific written plan including timeframes in place now to make all of your existing webcontent accessible.	
<b>Training</b>	52	In-house and contracted staff have received appropriate training on the website accessibility policy and procedures for how to ensure website accessibility (see the DOJ's technical assistance document "Accessibility of State and Local Government Websites to People with Disabilities").	
<b>Emergency Services including Communication, Evacuation and Maintenance (28 CFR, 35.130, 35.133, 35.149, 35.160 and ADA Title II Tutorial)</b>			
<b>Service</b>	53	The hours of operation of the telephone emergency services provided for TTY users are equal to the hours of operation of the telephone emergency services provided to others.	
	54	If the telephone emergency services provide additional features (such as automatic number identification, automatic location identification, automatic call distribution), the features provided to TTY users are equal to the features provided to others to provide swift and effective emergency response. (Feasibility should be determined based on the availability of technology in the marketplace to perform the function for communications received from TTY users.)	
<b>Equipment and Maintenance</b>	55	Every call-taking position within your agency's PSAP (Public Safety Answering Point) or equivalent have its own TTY or TTY-compatible equipment.	
	56	The accessible features and equipment are in operable working condition.	
	57	Your agency has procedures for maintaining TTY or TTY-compatible equipment that are equally effective as the maintenance procedures for voice telephone equipment.	
	58	Your department conducts unannounced tests of your telephone emergency services to ensure direct, equal access for people using TTYs (and keep records of the results of all test calls to check for compliance with standard operating procedures).	
<b>Procedures</b>	59	Your agency has procedures for back-up TTY or TTY-compatible equipment in case of malfunctions, telephone line malfunctions, or power failure that are equally effective as the procedures for back-up provided for voice telephone equipment.	
	60	Call takers respond to each silent, open line call by querying the line with a TTY.	
	61	Call takers can switch back and forth easily between TTY mode and voice mode during the same call.	

City of Sedro-Woolley  
Internal Programmatic ADA Compliance Checklist Tool

<b>Training</b>	62	TTY training is mandatory for all emergency communications services personnel who may have contact with individuals from the public who have hearing or speech disabilities.	
	63	Telephone emergency services requires or offer refresher training for TTYs at least as often as they require or offer training for voice calls.	
<b>Emergency Evacuation</b>	64	Staff know procedures for assisting in the evacuation of individuals with disabilities during an emergency (If emergency warning systems are provided, then they shall include both audible alarms and visual alarms).	
<b>Employment Procedures (29 CFR Part 35.140, Title I of the ADA, and ADA Title II Tutorial)</b>			
<b>Identify Employees w/ Decision Making Responsibility</b>	65	There is a roster of all agency employees with decision making responsibility for the employment process.	
<b>Job Advertisements/ Announcements</b>	66	Your agency's employment advertisements/announcements that include a telephone number also include a text telephone (TTY) number and the 711 Telecommunications Relay Service number.	
	67	Your agency's employment advertisements/announcements identify the essential functions of the job for applicants who have appropriate qualifications.	
	68	Information about job openings is accessible in alternative formats.	
<b>Application Process</b>	69	Application forms do not ask applicants to identify the presence of a disability.	
<b>Interview Process</b>	70	Interviews are conducted in accessible locations.	
	71	Your agency is prepared to provide a qualified sign language interpreter if requested by an applicant (with reasonable advance notice per the agency's effective communication policy).	
	72	All staff who may be conducting pre-employment interviews have been trained in what questions may or may not be asked in the pre-employment process.	
	73	All staff who may be conducting pre-employment interviews been made aware that medical examinations may not be conducted until after a conditional job offer has been made.	
<b>Employee Records</b>	74	Staff are aware that confidential, disability-related materials must be kept in secure files separate from other employment and personnel files.	
<b>Training</b>	75	Your agency ensures that all employees with decision making responsibilities for the employment process are aware of, and comply with, the ADA-mandated nondiscrimination requirements. (Recommended Tutorial for ADA Title II requirements: <a href="https://www.adatitle2.org/">https://www.adatitle2.org/</a> )	
<b>Eligibility and Participation Requirements for Services/Programs/Activities (28 CFR Part 35.130, ADA Title II Tutorial)</b>			
	76	Staff 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.	
	77	Staff may not require a person with a disability to participate in a program or service specifically designed for individuals with disabilities.	
	78	Staff must provide programs and services in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity.	
	79	Staff shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.	
	80	Staff must eliminate eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs, or activities unless such standards or rules are essential for the provision of the service, program or activity (Note: safety requirements that are necessary for the safe operation of the program in question, such as vision standards for eligibility for drivers' licenses, may be imposed if they are based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities.)	
	81	Staff may not establish requirements that tend to screen out individuals with disabilities, such as requiring a driver's license as the only acceptable means of identification.	

City of Sedro-Woolley  
Internal Programmatic ADA Compliance Checklist Tool

	82	Staff are required to make reasonable modifications in policies, practices, and procedures that deny equal access to individuals, unless a fundamental alternation in the program would result.	
	83	Staff must furnish auxiliary aids and services, such as alternate formats, assistive listening devices, or qualified interpreters, when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result.	
	84	Staff may provide programs, services and activities, beyond those required by the regulation, to individuals with disabilities, but they may not require that individuals with disabilities participate in such programs, services and activities, rather than in those available to the general public.	
	85	Staff may not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters.	
<b>Existing Facilities Used (28 CFR Part 35.150)</b>			
	86	Staff are aware of and comply with the following: Public entities may provide program accessibility by a number of methods including alteration of existing facilities (including existing parks and recreational sites), acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate accessible sites. Title II's program access requirement does not require a public entity to make each of its facilities physically accessible, as long as the program is accessible when <b>viewed in its entirety</b> . However, in determining which structures must be altered to provide physical accessibility, the equal opportunity requirement also applies. <b>"When viewed in its entirety" means</b> that the location of the accessible facility (or facilities) is comparable in convenience to those facilities that are inaccessible, and the range of programs and services offered at both is equivalent. This obligation does not necessarily require a city to make each and every park or recreational facility accessible.	
<b>Tours and Transportation (28 CFR Part 35.130, ADA Title II Tutorial)</b>			
	87	Staff are aware of and comply with the following: For City-administered services, programs, and activities-such as tours or field trips-that include transportation as part of the event, accessible modes of transportation must be provided at no additional cost to <b>eligible*</b> participants with the disabilities. *If one of the eligibility requirements is payment of a participation fee, persons with disabilities must pay the participation fee as do persons without disabilities.	
<b>Public Meetings (28 CFR Part 35.130, ADA Title II Tutorial)</b>			
	88	Staff ensure that: 1) advertisements for public meetings include the name and contact information needed for making requests for accommodation (per the Notice Under the ADA policies referenced in question 5); 2) the TTY and 711 Telecommunication Relay Service numbers are included wherever a City phone number is provided; and 3): meetings occur in physically accessible locations.	
<b>Use of Contracted Services and Purchasing (28 CFR Part 35.130)</b>			
	89	In the selection of procurement contractors, staff does not use criteria that subject qualified individuals with disabilities to discrimination on the basis of disability.	
	90	Staff share the Public Notice Under the ADA with procurement contractors and inform contractors of their responsibility to comply with the stated policies within the Public Notice under the ADA in their services, programs, and activities (Title II requires public entities to ensure contractors operating services and programs on their behalf comply with the ADA.)	
<b>not</b>			
<b>Accessible Pedestrian Signal (APS) Policy</b>	91	Staff are aware of the Public Works Department's "reasonable and consistent" policy for installing accessible pedestrian signals and pushbuttons should members of the general public inquire.	