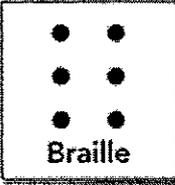
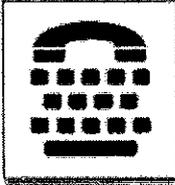


APPENDIX L: THE WISCONSIN PROGRAMS AND SERVICES ACCESS SELF-ASSESSMENT CHECKLIST

		
 Braille		
Large Print		
		

Note: images are linked to definitions, located elsewhere in Appendix I. To jump to an image definition, hold down the ctrl key, while clicking on the image.

Introduction

Section 504 of The Rehabilitation Act of 1973, as amended, (29 U.S.C. 794), HHS 45 C.F.R. Part 84 provide much broader protections than any disability law that came before it. The Rehabilitation Act makes it illegal for the federal government, federal contractors, and their sub-recipients that receive federal financial assistance to discriminate on the basis of disability. Section 504 obligates state and local governments and their sub-recipients to ensure that persons with disabilities have equal access to any programs, services, or activities receiving federal financial assistance. State and local governments and their sub-recipients must also insure that their employment practices do not discriminate on the basis of disability.

The Americans with Disabilities Act of 1990 The ADA is built upon the foundation previous laid by the Rehabilitation Act. It uses as its model Section 504 definition of disability and then goes further. While Section 504 apply to entities receiving federal financial assistance only, the ADA covers all state and local governments, their federally funded recipients and sub-recipients, the law also apply to private businesses that meet the ADA's definition of "public accommodation" (restaurants, hotels, movie theaters, and doctors' offices hospitals, social service agencies, schools are just a few examples), commercial facilities (office buildings, factories, and warehouses), and many other private employers.

Title II is the section specifically applicable to "public entities" (state and local governments) and to the programs, services, and activities they administer. The Department of Justice ("DOJ"), through its Civil Rights Division (CRD), and the US Department of Health and Human Services (DHHS) through its Office of Civil Rights (OCR), are the key agencies responsible for enforcing Title II and for coordinating with other federal agencies' enforcement activities under Title II. The DOJ has the ability to enforce the employment provisions of Title I of the ADA through the US Equal Employment Opportunity

Commission (EEOC), as they pertain to state and local government employees. DOJ is the only federal entity with the authority to initiate ADA litigation against state and local governments for employment violations under Title I of the ADA and for all violations under Title II of the ADA.

Title II regulations for state and local governments are found at Title 28, Code of Federal Regulations Part 35 (abbreviated as 28 CFR pt. 35). The ADA Standards for Accessible Design are located in Appendix (A) of Title 28, Code of Federal Regulations, Part, 36 (abbreviated as 28 CFR pt. 36 app. A).

Title III regulations prohibits discrimination on the basis of disability in "places of public accommodation" (Businesses and non-profit agencies that serve the public) and "commercial facilities" (other businesses). The regulation includes Appendix (A) to Part, 36 - Standards for Accessible Design establishing minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility.

PURPOSE

Section 504 of the Rehabilitation Act of 1973 and the ADA of 1990 require recipients to complete a self-assessment of their programs, services and physical accessibility to the facilities by persons with disabilities. The self-assessment must be conducted with the assistance of interested persons, including disabled persons and/or organizations representing disabled persons. All federally assisted recipients and sub-recipients must review their current policies and practices and the effects thereof that do not or may not meet the requirements of Section 504. Recipients and sub-recipients must modify and take remedial steps to eliminate the effects of any discrimination that resulted from adherence to existing policies and practices after consultation with interested persons, including disabled persons and/or organizations representing disabled persons.

Public entities that employ fifty (50) or more employees must retain a copy of the self-assessment for a period of three-years. Public entities with less than fifty (50) employees are not required to retain their self-assessment by federal law; however, DHS, DCF and DWD encourage all entities to retain a copy of the self-assessment if one was conducted in the previous compliance period as evidence of the public entity's good faith efforts to comply with Title II requirements. Title II self-assessment requirements apply only to those policies and practices that previously had not been included in a self-assessment required under Section 504 if a previous Section 504 self-assessment was conducted. Since Section 504 self-assessment might have been done many years ago, DHS, DCF and DWD expects that many public entities will have to re-examine all their policies and practices. Programs and functions may have changed significantly since the Section 504 self-assessment was last completed. Actions that were taken to comply with Section 504 may not have been implemented fully or may no longer be effective.

In addition, Section 504 coverage was changed by statutory amendment by the Civil Rights Restoration Act of 1987 which expanded the definition of a covered "program or activity." Public entities need to ensure that all programs, activities, and services are examined fully, except where there is evidence that all policies were previously scrutinized when they last conducted a Section 504 self-assessment. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are; however, required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

Similarly, entities considered to be public accommodations must also conduct a self-assessment to comply with specific requirements related to architectural standards for new and altered buildings. They are expected to make modifications to policies, practices, and procedures; providing effective communication to people with hearing, vision, or speech disabilities; and other access requirements. Public accommodations may have to remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodation's resources. Under the ADA,

Appendix L

public accommodations and other places of lodging designed or constructed after January 26, 1993, must be usable by persons with disabilities.

The following self-assessment checklists are being provided to help local government programs, and public accommodation entities receiving federal assistance to comply with these laws.

A self-assessment must be conducted "with the assistance of interested persons, including disable persons or organizations representing disable persons in order for it to be acceptable(45 C.F.R. § 84.6(c). We recommend entities seek the assistance of persons with disabilities or organizations that represent persons with disabilities to assist with the internal self-assessment to insure that knowledgeable persons who have major disabilities such as: visual, hearing, mobility, and mental impairments, interest and concerns are addressed.

The self-assessment must identify the interested persons who have assisted in the process, the areas examined, the programs identified and the modifications made and/or remedial steps taken to correct the problems identified.

ACCESS ELEMENT	Suggested Modifications or Remedial Steps Taken	
<p>1. Has your facility(s) completed a self-assessment of its policies and practices to determine compliance with:</p> <ul style="list-style-type: none"> √ Section 504 √ Title II of the ADA (State & Local Governments) <ul style="list-style-type: none"> √ Title III of the ADA (Entities considered to be Public Accommodations) 	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>2. If your facility previously completed a self-assessment that is less than three-years old, you may not have to conduct another self-assessment. Provide a copy of the complete self-assessment to the CRC monitoring team at the time of your on-site-monitoring visit.</p> <p>Check which type of self-assessment checklist was used to assess your programs, services and your facility:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Section 504 of the Rehabilitation Act of 1973; <input checked="" type="checkbox"/> Title II of the ADA (State, County and local Municipalities) <input type="checkbox"/> Title III of the ADA (Entities covered under Public Accommodations) <input type="checkbox"/> Other Please identify _____ 	<p>Date self-assessment completed <u>2007</u></p>	<p>CURRENTLY UPDATING – WILL COMPLETE IN 2013</p>
<p>3. Entities with fewer than fifteen (15) employees are not required to complete a full self-assessment but must describe and keep on file, a description of the process used to evaluate the covered entity's accessibility to programs, services, activities and buildings. Description of the self-assessment process must include the following:</p> <ul style="list-style-type: none"> √ A list of disable persons or other interested persons consulted. <ul style="list-style-type: none"> √ A brief description of the policies, practices and structural issues examined. √ A brief description of the problems identified, modifications made or remedial steps taken. 		
<p>3a. Entities or facilities that employ fifteen (15) or more persons must designate at least one person to coordinate its efforts to comply with Section 504 and the ADA. The Equal Opportunity Coordinator may serve this purpose when Section 504 and ADA duties are assigned</p>	<p>Name of Equal Opportunity Coordinator <u>JOYCE M. ROLING</u></p>	

<p>3b. Entities that employ fifteen (15) or more persons must adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 and the ADA. Entities utilizing DHS, DCF, and DWD Model Complaint Policies and Procedures are compliant with this requirement; otherwise, the entity's grievance procedures must incorporate due process standards as outline in Section 504 and ADA regulations.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>4. A self-assessment compliant process that meets Section 504 and ADA requirements must be performed with the assistance of interested persons with disabilities or organizations representing persons with disabilities.</p> <p>Entities must provide:</p> <p>A list of all interested persons consulted.</p> <ul style="list-style-type: none"> √ Identify the disabilities of each of the person (i.e., hearing impaired, use of wheelchair, blind, etc.). √ Identify each disability organization contacted. √ Identify other interested persons contacted. <p>A list of all policies and practices examined relating to services and employment.</p> <p>A list of all areas reviewed to determine physical accessibility.</p> <p>A list of the problems identified.</p> <p>A description or list of the modifications made and/or remedial steps taken to correct the problems identified</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>5. Has the entity taken initial and continuing steps to notify participants/customers, applicants and employees that you do not discriminate on the basis of disability?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>6. Has the entity notified unions or professional organizations that you have collective bargaining or professional agreements of your nondiscrimination policies?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>7. Has the entity taken steps to include persons with impaired vision or hearing in fulfilling the community notification requirements of your nondiscrimination policies?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>8. Dose the entity's published material include a nondiscrimination notice stating the entity does not discriminate on the basis of disability?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>9. Has the entity reviewed contracts it may have with employment and referral agencies, with labor unions, with organizations providing or administering fringe benefits to employees, and with organizations providing training and apprenticeship programs to make sure that you are not, subjecting disable persons to discrimination through such contracts?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>10. Has your entity included a nondiscrimination clause in your contracts and subcontract(s)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>11. Has your entity taken steps to ensure that, when you recruit for employees, your hiring procedures do not exclude any class of disabled persons because of the nature of the media used?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>12. Has the entity reviewed policies related to hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right to return from layoff and rehiring to ensure that they are not discriminatory?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

Appendix L

Grant County

13. Has the entity reviewed fringe benefits such as medical, hospital, accident or life insurance, and retirement offering to ensure that they are not discriminatory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Is the entity's in-service educational, social and recreational opportunities and activities made available to all employees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
15. Does the entity have a policy concerning reasonable accommodation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
16. Does the entity have an adequate process and procedures to insure documentation of decisions regarding refusal to hire or promote because of undue hardship?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
17. Is the entity's Human Resource Office located in a facility that is full accessible?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
18. Has the entity conducted a review of the physical and mental requirements of the primary duties of each job descriptions to ensure that no criteria are included that would discriminate against disable persons unless such criteria are specifically necessary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
19. Is the entity's employment application form and hiring process devoid of questions regarding disabilities?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
20. If the answer to item # 20 is no, does the entity employment application questions comply with 45 C.F.R. § Section 84.14 Pre-employment Inquires of the regulations and compliant with <u>ADA Title I requirements</u> ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21. Are all your programs or activities readily accessible to disabled persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
22. In choosing methods to make your programs accessible, have you given priority to those methods that allow disabled persons to participate in your programs or activities in the most integrated setting appropriate?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
23. If you are planning structural changes, has the entity developed a transitional plan that identifies methods to be used to ensure program accessibility?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
24. Are you aware of the ADA requirements that contain the scoping and technical requirements that apply to design, construction and alteration of buildings and facilities of covered entities under Title II and Title III of the ADA?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
25. Has the covered entity completed an ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) Checklist prior to designing, constructing or doing alterations to existing buildings and facilities?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
26. Does the covered entity have procedures to ensure that qualified disabled persons are not denied benefits or services solely on the basis of their disability?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
27. Does the covered entity have procedures to ensure that different or separate services or benefits to disabled persons are not provided unless necessary to provide qualified disable persons with benefits and services that are as effective as those provided to other?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
28. Is the covered entity's postings and notification statements clearly stated, visible, and in alternate formats and sufficient for insuring that people with impaired sensory or speaking skills receive information as to the existence and location of services, activities and facilities accessible to and usable by disabled persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
29. Has the covered entity established procedures for communicating with hearing-impaired persons for the purpose of providing direct services or in the case of a hospital provision of emergency care during an ER visit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

30. Has the covered entity prepared plans, procedures, and methods for providing auxiliary aids to disable persons to afford them an equal benefit to the services offered by the entity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
31. Covered entities that are hospitals, out-patient facilities and ADOA programs must have procedures to ensure that a drug or alcohol abuser, who is suffering from a medical condition, is not denied admission or treatment solely because of his other drug abuse or alcoholism?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

**The American with Disability Act of 1990
2010 Standards for Accessible Design
“2010 Standards”**

Americans with Disabilities Act (ADA) of 1990

The ADA is a major civil rights law prohibiting discrimination on the basis of disability in the private and state and local government sectors. The ADA requires access to programs and services, transportation, the built environment, employment, and communication. Under the ADA, the United States Access Board develops and maintains accessibility guidelines for the construction and alteration of facilities covered by the law, as well as guidelines for the design of transportation vehicles. These guidelines serve as the basis of standards used by other Federal agencies to enforce the ADA's design requirements.

ADA Standards

The ADA standards applicable to our funded recipients are issued by the Department of Justice (DOJ) and apply to facilities covered by the ADA in new construction and alterations. DOJ's standards apply to all facilities covered by the ADA, except public transportation facilities. The standards for covered entities of DOJ and are very similar to those covered under the Department of Transportation (DOT) and are closely based on the Board's **ADA Accessibility Guidelines (ADAAG)**. However, each contains a few unique provisions, which are included in this edition of the standards.

Department of Justice ADA Standards (2010)

DOJ published revised regulations for Titles II and III of ADA in the *Federal Register* on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design “2010 Standards” or “Standards”. The 2010 Standards set minimum requirements – both scoping and technical -- for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities.

The 2010 standards became mandatory on March 15, 2012. They include provisions that modify certain portions of Chapters 1-10, including provisions addressing the following areas:

- Assembly Areas (221)
- Medical Care Facilities (section 223)
- Places of Lodging (sections 224)
- Housing at Places of Education (224 and 233)
- Detention and Correctional Facilities (section 232)
- Social Service Center Establishments (233)
- Residential Dwelling Units (section 233)

Adoption of the 2010 Standards also establishes a revised reference point for Title II entities that choose to make structural changes to existing facilities to meet their program accessibility requirements; and it establishes a similar reference for Title III entities undertaking readily achievable barrier removal.

DOJ has assembled into a separate publication the revised regulation guidance that applies to the Standards. It includes guidance in its revised ADA regulations published on September 15, 2010. This guidance provides detailed information about the DOJ's adoption of the 2010 Standards including changes to the Standards, the reasoning behind those changes, and responses to public comments received on these topics. The document, **Guidance on the 2010 ADA Standards for Accessible Design**, can be downloaded from www.ada.gov

This version includes:

2010 Standards for State and Local Government Facilities Title II

2010 Standards for Public Accommodations and Commercial Facilities Title III

- The full text of DOJ's **2010 ADA Standards**

DOJ's **ADA regulations** implementing the 2010 ADA Standards

Access (Other Than Print or Braille) for Individuals Who Are

BLIND OR HAVE LOW VISION



BLIND OR HAVE LOW VISION symbol may be used to indicate access for people who are blind or have low vision, including: a guided tour, a path to a nature trail or a scent garden in a park; and a tactile tour or a museum exhibition that may be touched.

SYMBOL FOR ACCESSIBILITY



SYMBOL FOR ACCESSIBILITY, known as the wheelchair symbol, should only be used to indicate access for individuals with limited mobility including wheelchair users. For example, the symbol is used to indicate an accessible entrance, bathroom or that a phone is lowered for wheelchair users. Remember that a ramped entrance is not completely accessible if there are no curb cuts, and an elevator is not accessible if it can only be reached via steps.

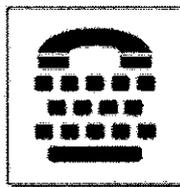
AUDIO DESCRIPTION



AUDIO DESCRIPTION is a service for persons who are blind or have low vision that makes the performing arts, visual arts, television, video, and film more accessible. Description of visual elements is provided by a trained Audio Descriptor through the Secondary Audio Program (SAP) of televisions and monitors equipped with stereo sound. An adapter for non-stereo TVs is available through the American Foundation for the Blind, (800) 829-0500. For live Audio Description, a trained Audio Descriptor offers live commentary or narration (via headphones and a small transmitter)

consisting of concise, objective descriptions of visual elements: i.e., a theater performance or a visual arts exhibition.

TELEPHONE TYPEWRITER (TTY)



TELEPHONE TYPEWRITER (TTY) device is also known as a text telephone (TT), or telecommunications device for the deaf (TDD). TTY indicates a device used with the telephone for communication with and between deaf, hard of hearing, speech impaired and/or hearing persons.

VOLUME CONTROL TELEPHONE



VOLUME CONTROL TELEPHONE symbol indicates the location of telephones that have handsets with amplified sound and/or adjustable volume controls.

ASSISTIVE LISTENING SYSTEMS



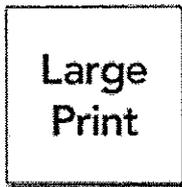
ASSISTIVE LISTENING SYSTEMS transmit amplified sound via hearing aids, headsets or other devices. They include infrared, loop and FM systems. Portable systems may be available from the same audiovisual equipment suppliers that service conferences and meetings.

SIGN LANGUAGE INTERPRETATION



SIGN LANGUAGE INTERPRETATION symbol indicates that Sign Language Interpretation is provided for a lecture, tour, film, performance, conference or other program.

Accessible Print (18 pt. or Larger)



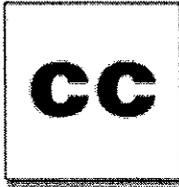
The symbol for large print is "Large Print" printed in 18 pt. or larger text. In addition to indicating that large print versions of books, pamphlets, museum guides and theater programs are available, you may use the symbol on conference or membership forms to indicate that print materials may be provided in large print. Sans serif or modified serif print with good contrast is important, and special attention should be paid to letter and word spacing.

THE INFORMATION SYMBOL



One of the most valuable commodity of today's society is information; to a person with a disability and others are essential. For example, the symbol may be used on signage or on a floor plan to indicate the location of the information or security desk, where there is more specific information or materials concerning access accommodations and services such as "LARGE PRINT" materials, audio cassette recordings of materials, or sign interpreted tours.

CLOSED CAPTIONING (CC)



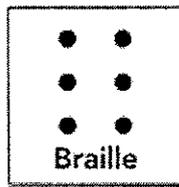
CLOSED CAPTIONING (CC) symbol indicates a choice for whether or not to display captions for a television program or videotape. TV sets that have a built-in or a separate decoder are equipped to display dialogue for programs that are captioned when selected by the viewer. The Television Decoder Circuitry Act of 1990 requires TV sets (with screens 13" or larger) to have built-in decoders as of July, 1993. Also, videos that are part of exhibitions may be closed captioned using the symbol with instruction to press a button for captioning.

OPENED CAPTIONING (OC)



OPENED CAPTIONING (OC) symbol indicates that captions, which translate dialogue and other sounds in print, are always displayed on the videotape, movie or television program. Open Captioning is preferred by many including deaf and hard-of-hearing individuals, and people whose second language is English. In addition, it is helpful in teaching children how to read and in keeping sound levels to a minimum in museums and restaurants.

BRAILLE SYMBOL



BRAILLE SYMBOL indicates that printed material is available in Braille, including exhibition labeling, publications and signage.