

BROWN COUNTY, INDIANA

Americans with Disabilities Act Self-Evaluation and Transition Plan



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Prepared by:



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List of Abbreviations/Acronyms

AA – Affirmative Action
AASHTO – American Association of State Highway and Transportation Officials
ABA – Architectural Barriers Act of 1968
ADA – Americans with Disabilities Act of 1990
ADASAD – Americans with Disabilities Act Standards for Accessible Design
CDBG – Community Development Block Grant
CEMP – Comprehensive Emergency Management Plan
CFR – Code of Federal Regulations
D.A.R.E. – Drug Abuse Resistance Education
DDRS – Indiana Division of Disability & Rehabilitative Services
DHHS – Deaf & Hard of Hearing Services, Indiana Division of Disability & Rehabilitative Services
DOJ – U.S. Department of Justice
DOT – U.S. Department of Transportation
EEOC – Equal Employment Opportunity Commission
EMS – Emergency Medical Services
FHWA – U.S. DOT Federal Highway Administration
FTA – U.S. DOT Federal Transit Administration
G.E.D. – General Educational Development
GIS – Geographic Information System
HR – Human Resources Department
HTML - Hyper Text Markup Language
INDOT – Indiana Department of Transportation
ISA – International Symbol of Accessibility
IT – Information Technology Department
NCA – National Center on Accessibility
OTRB – Over-the-Road Buses
PDF – Portable Document Format
PROWAG – Proposed Accessibility Guidelines for Pedestrian Facilities within Public Right-of-Way
RA – Rehabilitation Act of 1973
ROW – Right-of-Way
RTF – Rich Text Format
SETP – Self-Evaluation and Transition Plan
TDD – Telecommunications Devices for Deaf Persons
TTY – Teletypewriter
UFAS – Uniform Federal Accessibility Standards

Executive Summary

The Americans with Disabilities Act (ADA) is a comprehensive Federal civil rights statute enacted in 1990. Comprised of five major parts, or “titles”, the ADA’s stated purpose was to provide a “clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities”. It is estimated by the U.S. Census Bureau that over 50 million U.S. residents have a disability, and over 50% of senior citizens age 65 or older have a disability. Title II requires that all public entities with 50 or more employees perform a self-evaluation, prepare a transition plan, make the transition plan available for three years, publish a notice of non-discrimination, designate an ADA Coordinator, and develop a formal complaint form and grievance procedure.

Brown County has completed this self-evaluation of all County facilities, including the public right-of-way (ROW), programs, and procedures and prepared a Transition Plan that outlines the necessary steps to be fully compliant with the requirements of Title II of the ADA. The County will strive to ensure that all residents and visitors are able to access all services, programs and activities and will promptly investigate any formal grievance filed according to the grievance procedures outlined. Additionally, the County will strive to include annual budgetary allotments to make required improvements that will eventually make the various facilities fully accessible, with emphasis given to the improvements that most impact the ability of persons with disabilities to access facilities or programs. Where access cannot be provided, alternate means to provide the same opportunities to persons with disabilities will be provided.

In performing this self-evaluation, only areas open to the public were assessed at the following County facilities identified by Brown County as having programs/services provided:

- County Courthouse
- County Building
- Community Corrections & Veteran’s Affairs Building
- Deer Run Park & Parks Office
- Emergency Management Agency
- Extension Office
- County Fairgrounds
- Highway Department & Solid Waste
- Prosecutor’s Office
- Sycamore Valley Community Center (County Owned, not operated)
- Sheriff’s Office and Jail
- Pedestrian facilities inside the ROW under Brown County jurisdiction
- Bean Blossom Overlook
- 4 Corners Pavilion

Areas of these facilities open to the public generally included parking lots, walks, park amenities, and areas within buildings that are not restricted to employees. Some buildings or areas of certain buildings have infrequent public access and were evaluated under the same guidelines. The decision to exclude areas of County facilities, or entire facilities, restricted to employees does not obviate the need of the County to ensure full accessibility is provided to employees with disabilities, consistent with the requirements of Title I of the ADA.

In addition to County facilities, the self-evaluation reviewed existing County policies and procedures within each department. The focus of this review began with distribution of a questionnaire to each department, followed by interviews or other data gathering if needed to better understand the responses or the operation of each department. Key items reviewed within each department included ADA-specific training of employees, past interaction and accommodation of persons with disabilities, review of publications produced by each department, and staff suggestions to help them accommodate persons with disabilities. Following this review, recommendations were made to improve accessibility of programs for each department.

It is the goal of Brown County to make facilities for all services, programs and activities fully accessible within 20 years, though this will be largely dependent on a number of economic factors and future changes to the ADA Standards for Accessible Design (ADASAD) or other unforeseen requirements that would necessitate additional improvements to County facilities. The County has committed to provide training for staff on the requirements of the ADA and make accommodations for employees with disabilities, many of which can be done without costly architectural renovations. The Transition Plan will be reviewed and updated periodically to ensure the County is fully compliant with ADASAD standards.

The results of the self-evaluation identified a number of architectural barriers at County facilities. The estimated cost to correct these deficiencies is \$357,350. The degree to which these barriers limited accessibility and their priority for corrective action was subjectively categorized as “high”, “medium”, or “low”. “High” priority included barriers that effectively prohibited access to a service or program or present a safety hazard. “Medium” priority included barriers that either partially prohibited access or made it quite difficult. “Low” priority barriers typically do not limit access but are not compliant with standards. The improvements will be categorized into a phasing program to spread the cost for implementation out and address the most serious deficiencies at the most used County facilities. The actual implementation schedule, budgeting, and prioritization is up to the administration and is likely to be impacted by complaints, new regulations and requirements, and availability of funding. Note that these costs are to resolve accessibility issues by making architectural improvements and in many instances there are procedural or other modifications that can be made to provide equal access to County programs and some modifications are not required until renovations are completed. These modifications are noted within this report.

1.0 Introduction and Overview

1.1 Introduction

The [Americans with Disabilities Act of 1990](#) (ADA), enacted on July 26, 1990, is a Federal civil rights statute, under the jurisdiction of the United States Department of Justice (DOJ), which provides civil rights protection to qualified individuals with disabilities in the areas of employment, public accommodations, state and local government services, transportation, and telecommunications. The law states its purpose is “to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities”. Similar protections are provided by [Section 504 of the Rehabilitation Act of 1973](#). The ADA was signed into law by President George Bush on July 26, 1990, extending civil rights protections to individuals with physical or mental disabilities in the following areas:

1. **Title I** – Employment (all Title II employers and employers with 15 or more employees)
2. **Title II** – Public Services (state and local government including public school districts and public transportation)
3. **Title III** – Public Accommodations and Services operated by Private Entities
4. **Title IV** – Telecommunications
5. **Title V** – Miscellaneous

Brown County is located in south central Indiana (Figure 1) with a population of approximately 15,000 and is classified as a “public entity” pursuant to Title II of the ADA. The County is also required to comply with Title I, which requires state and local government entities to practice nondiscrimination in all parts of the employment process.

The DOJ is the lead agency that oversees the ADA. The ADA in itself is not enforceable by any state or local governmental unit code official.

1.2 Purpose

The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government. It is divided into 50 titles that represent broad areas subject to Federal regulation. Each volume of the CFR is updated once each calendar year and is issued on a quarterly basis.

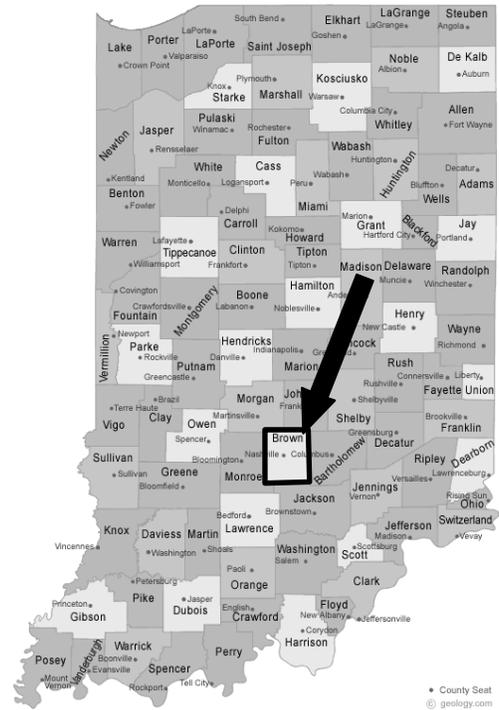
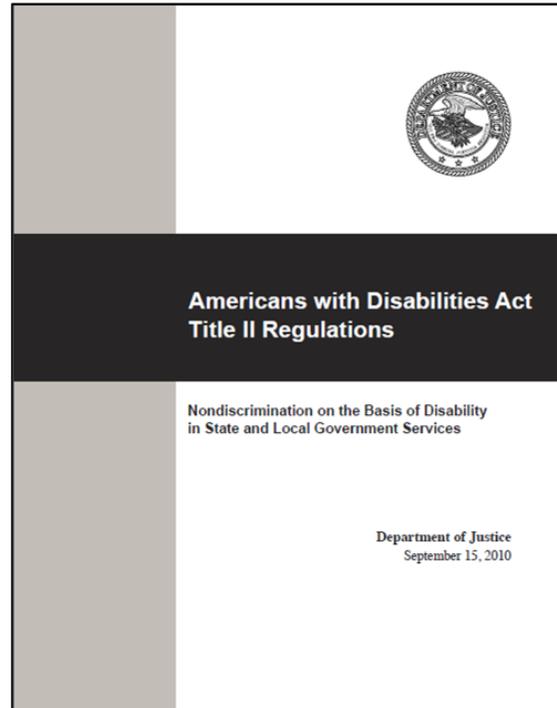


Figure 1. Brown County Location Map.

Relative to the ADA on July 26, 1990, the DOJ issued rules implementing Title II, which is codified at [28 CFR Part 35](#), which applies to Brown County. Title II requires state and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also to policy changes that state and local governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of state and local governments.

The ADA regulations [ref. *U.S. DOJ, 28 CFR Part 35, Subpart A, 35.105 and 35.150(a) and (d)*] require state and local governments to conduct a self-evaluation of their programs and services to identify barriers to access. One of the fundamental reasons for performing the self-evaluation is to identify potential problems before they occur, so that discrimination complaints won't be necessary. By identifying the policies, programs, services, and activities that do not comply, the County can take action to remove those barriers to ensure that the County is not discriminating against individuals with disabilities. Title II of the ADA stipulates that Brown County is required to perform six administrative responsibilities:

1. Publicize the name and contact information of the designated ADA Coordinator responsible to oversee compliance [28 CFR 35.107 (a)]
2. Administer and write a self-evaluation of the programmatic barriers in services offered by the local government and provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments [28 CFR 35.105]
3. Publicize and inform applicants, participants, and beneficiaries of the County's policy of nondiscrimination on the basis of disability related to County services, programs, and activities [28 CFR 35.106]
4. Establish a complaint/grievance procedure to respond to complaints of noncompliance from the public [28 CFR 35.107 (b)]
5. Develop a transition plan if structural changes are necessary for achieving program accessibility [28 CFR 35.150 (a) and (d)]
6. Retain the self-evaluation and provide it for public inspection for three years [28 CFR 35.105 (c)]



Brown County is committed to complying with the tenets of Title II of the ADA of 1990, and other Federal and state statutes and regulations intended to make County-owned and operated facilities, programs, services, and activities accessible to persons with disabilities. This ADA Self-Evaluation and Transition Plan (SETP) establishes a new benchmark for compliance with ADA and identifies a plan to remove barriers.

1.3 Transition Plan Overview

In 2012, Brown County was made aware of issues related to non-compliance with certain requirements of the ADA by the Federal Highway Administration (FHWA) and Indiana Department of Transportation (INDOT). The County responded by contracting DLZ Indiana, LLC to assist in preparing a SETP in 2013.

A work plan to assess County-owned and operated facilities, programs, policies, services, and activities for compliance with ADA was initiated to complete the ADA SETP. This work plan included:

- Facility audit (interior and exterior)
- Self-evaluation of County programs, services and activities

- Facilitate designating an ADA Coordinator
- Develop grievance procedures
- Outreach to advocacy groups and the general public
- Prioritize facilities improvements for accessibility
- Develop written transition plan
- Adoption of the transition plan

Facility audits were performed only in those areas open to the public for this project. Areas within County-owned facilities that are not accessible to the public must also be accessible for employees with disabilities as a requirement of Title I. Accessibility in employee work areas will be assessed on a case-by-case basis based on the needs of the individual and nature of their disability. The County is committed to ensuring that all workspaces are accessible pursuant to the requirements of each job and making the necessary modifications when needed. In addition, the County stated they did not have any County-owned pedestrian facilities within the public county right-of-way (ROW), but did share responsibility for the Four Corners right-of-way with the Town of Nashville, and the Bean Blossom Overlook with the Indiana Department of Transportation (INDOT). Other ROW within the Town of Nashville, other incorporated Towns/Cities, and INDOT's jurisdiction were not included as part of Brown County's ROW facility evaluation. The County is largely rural outside of the incorporated areas of the Town of Nashville.

A public involvement process was incorporated to assist in the development of this SETP. These recommendations are intended to serve as the transition plan and framework for implementation. All of the recommendations in this plan for structural or programmatic solutions to facilitate the opportunity of access to all individuals are subject to review, revision, and approval of the Board of County Commissioners and appropriation of funding to implement the improvements.

This transition plan is an on-going, dynamic document that will need periodic review and updating. In particular, additional evaluations will be required when updates are made to the ADA or supporting statutes or when existing accessibility guidelines change or new guidelines are established. In its efforts to maintain compliance, the County has several mechanisms in place to provide for an ongoing update of the transition plan:

- Designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA.
- Implementation activities will be part of the County's annual Capital Improvement Plan.
- Training of staff.

1.4 Legislative Background & Framework

For more than 40 years, Brown County has been subject to many of the non-discrimination provisions contained in the ADA. Significant precursory legislation to the ADA includes the [Architectural Barriers Act of 1968](#) (ABA) and [Section 504 of the Rehabilitation Act of 1973](#) (RA).

Congress' first significant effort to address discrimination on the basis of disability was its enactment of the ABA, which provided that all buildings constructed, altered, leased, or financed by the U.S. Government shall be accessible to, and usable by, individuals with physical disabilities.

Section 504 of the Rehabilitation Act states: *"No otherwise qualified individual with a disability in the United States shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal*

financial assistance or under any program or activity conducted by any Executive Agency". It also requires Federal agencies to provide accessible programs and facilities.

The ADA was modeled on Section 504. The ADA applies to state and local government entities, public accommodations, public transportation, and commercial establishments. The key points of understanding for ADA are:

- The ADA is fundamentally civil rights legislation. This legislation protects the rights of people with disabilities in employment, transportation, public accommodation, and access to services offered by the public.
- The ADA addresses facility access and access to programs and services. Buildings are required to be accessible and the activities that are offered inside and outside those buildings also must be accessible.
- Outdoor recreation standards as they relate to ADA for a variety of facilities were included in the 2010 ADA Standards for Accessible Design (ADASAD). Standards for amusement rides, boating and fishing facilities, exercise machines and equipment, golf and miniature golf facilities, play areas, and swimming/wading pools and spas went into effect on March 15, 2012 for all new or altered facilities.

The primary focus of this report is to assess the compliance of Brown County facilities, programs, policies, services, and activities related to Title II of the ADA. Title II of the ADA was effective on January 26, 1992.

Governmental entities must ensure effective communication, including the provision of necessary auxiliary aids and services, so that individuals with disabilities can participate in civic functions. Public entities are not required to take actions that would result in undue financial and administrative burdens. However, they are 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.

One important way to ensure that Title II's requirements are being met in communities of all sizes is through self-evaluation, which is required by the ADA regulations. Self-evaluation enables local governments to pinpoint the facilities, programs, and services that must be modified or relocated to ensure that local governments are complying with Title II requirements of the ADA. A public entity that employs 50 or more employees must retain its self-evaluation for a minimum of three (3) years.

1.5 Facility Access versus Program Access

The ADA addresses two types of accessibility:

- Facility accessibility
- Program accessibility

Facility accessibility requires that a building or structure be physically accessible. Individuals with disabilities cannot be provided access to programs, services, and activities if a building is inaccessible. Program accessibility includes facility accessibility, but also means that a person with a qualified disability receives the same benefits from a program or service and has an equal opportunity to participate as any other participant. The ADA requires all County programs, but not all County buildings, to be accessible. The regulation implementing Title II, 28 CFR Part 35 (as amended September 15, 2010) contain two "safe harbor" provisions. Under the first "safe harbor" provision, elements of existing facilities that already comply with either the 1991 ADA Standards or

Uniform Federal Accessibility Standards (UFAS) are not required to comply with the 2010 ADA Standards unless they were altered on or after March 15, 2012. Under the second “safe harbor” provision elements comprising a path of travel to an altered primary function area are not required to comply with the 2010 ADA Standard merely as the result of an alteration to a primary function area, provided those elements comply with the 1991 ADA Standard or UFAS.

There is some flexibility with regard to program accessibility. Not every building (or each part of every building) needs to be accessible. Structural modifications are required only when there is no alternative available for providing program access. The County is required to provide program access, which means that programs, services, and activities when viewed in their entirety, are readily accessible to and usable by individuals with disabilities.

When choosing a method of providing program access, the County will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In accordance with Title II program accessibility requirements, the County is required to:

- Provide equal access to programs, services, and activities as provided to other members of the community. [[28 CFR 35.130\(a\)-\(b\)\(1\) \(vii\)](#)]
- Provide programs, services and activities in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity. [[28 CFR 35.130\(b\)\(2\); \(d\)](#)]
- Absorb any costs necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters. [[28 CFR 35.130\(f\)](#)]
- Allow a person with a disability to participate in a program, service or activity regardless of disability. [[28 CFR 35.130\(g\)](#)]
- Eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy programs, services or activities unless necessary for the provisions of the program, service or activity. [[28 CFR 35.130\(b\)\(8\)](#)]
- Modify policies, practices, or procedures that deny equal access to individuals with disabilities [[28 CFR 35.130\(b\)\(7\)](#)]
- Furnish auxiliary aids and services when necessary to ensure effective communication. [[28 CFR 35.160\(b\)\(1\)-\(2\)](#)]
- Provide appropriate signage and structural communication to inform and alert individuals with visual, mobility, and hearing disabilities. [[28 CFR 35.163](#)]
- Eliminate physical barriers to programs, services, and activities by remodeling existing facilities, constructing new facilities, or moving programs, services or activities to an accessible location. [[28 CFR 35.150\(b\)\(1\)](#)]
- Ensure that newly constructed or altered buildings and facilities are free of physical and communication barriers that restrict accessibility of people with disabilities. [[28 CFR 35.151](#)]

1.6 Undue Burden

The County does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity, would create a hazardous condition for other people, or would represent an undue financial and administrative burden. A fundamental alteration is a change to such a degree that the original program, service, or activity is no longer the same. For example, a county sponsors college-level classes that may be used toward a college degree. To be eligible to enroll, an individual must have either a high school diploma or a General Educational Development certificate (“G.E.D”). If someone lacks a diploma or G.E.D. because of a cognitive disability, it is unlikely that the county would have to alter the requirement to provide equal access.

Modifying the rule would change the class from college level to something less than college level and would fundamentally alter the original nature of the class.

The determination that an undue financial burden would result must be based on an evaluation of all resources available for use in a program. For example, if a barrier removal action is judged unduly burdensome, the County must consider other options for providing access that would ensure that individuals with disabilities receive the benefits and services of the program or activity.

1.7 ADA Self-Evaluation and Transition Plan Requirements

The purpose of this ADA SETP is to document the County's review of access to facilities, programs, services, and activities by individuals with disabilities in order to determine if there are any discriminatory or potentially discriminatory practices, policies, or procedures.

In accordance with the Title II requirements for self-evaluation, Brown County:

- 1) Identified all of the public entity's programs, activities, and services. [\[28 CFR 35.105\(a\)\]](#)
- 2) Reviewed all the policies and practices that govern the administration of the County's programs, activities, and services. [\[28 CFR 35.105\(a\)\]](#)

If structural changes are identified to provide program accessibility as part of the self-evaluation, the ADA identifies specific elements to be included in the transition plan. At a minimum, the elements of the transition plan are:

- 1) A list of the physical barriers in the County's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities. [\[28 CFR 35.150 \(d\)\(3\)\(i\)\]](#)
- 2) A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible. [\[28 CFR 35.150 \(d\)\(3\)\(ii\)\]](#)
- 3) The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period. [\[28 CFR 35.150 \(d\)\(3\)\(iii\)\]](#)
- 4) The name of the official responsible for the plan's implementation. [\[28 CFR 35.150 \(d\)\(3\)\(iv\)\]](#)

1.8 Self-Evaluation and Transition Plan Process

A work plan and method to assess County-owned and operated facilities, programs, policies, services, and activities for compliance with the ADA was implemented to complete the ADA SETP. This work plan included:

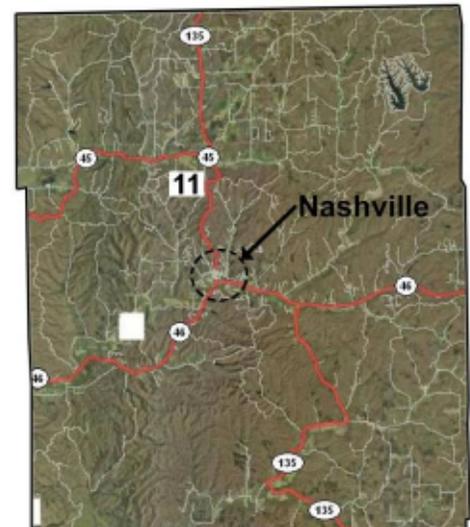
- Facility audits (interior and exterior)
- Self-evaluation of County programs, services and activities
- Public outreach to advocacy groups
- Facilitate designating an ADA Coordinator
- Develop grievance procedures
- Identify required/suggested training for County staff
- Prioritize facilities improvements for accessibility
- Develop transition plan
- Public involvement
- Adoption

Recommendations are intended to serve as the transition plan and framework for implementation. All of the recommendations in this plan for structural or programmatic solutions to facilitate the opportunity of access to all individuals are subject to review, revision, and approval of the Board of County Commissioners.

1.9 Facility Audit

In 2013, audits of building and facility interiors, exterior site features at each, and County shared ROW were performed only in those areas of each facility that are open to the public. This review identified physical and architectural barriers and provided recommendations to comply with Federal accessibility requirements. The location of County facilities (by number) is shown on Figure 2. The list of facilities that received an accessibility audit included:

1. County Courthouse
2. County Building
3. Community Corrections & Veteran's Affairs Building
4. Emergency Management Agency
5. Extension Office
6. Highway Department & Solid Waste
7. County Fairgrounds
8. Prosecutor's Office
9. Senior Center (County Owned)
10. Sheriff's Office and Jail
11. Bean Blossom Overlook (INDOT)
12. Deer Run Park & Parks Office
13. 4 Corners Pavilion and shared ROW



Photographs of architectural and site conditions at the time of the inspection for all building amenities were taken for the record. The specific site and architectural improvements recommended to remove barriers and improve accessibility are listed in the appendices.



Figure 2 - Brown County Facility Location Map

A key function of County government in the State of Indiana lies with the County Clerk for conducting all elections. As such, the County Clerk is responsible for reviewing all polling locations to ensure that they meet accessibility requirements, most of which are not located in County facilities. Reviews of polling places in all precincts were

completed in 2004-2005 as part of the Help America Vote Act by a committee including the County Clerk and the Commissioners which identified a number of issues to be addressed. No surveys have been done since. The surveys identified a number of compliance issues at the facilities. In response to those issues, action was taken to correct items including paving of accessible parking areas where needed. Recommendations for future action are included in Section 3.7.

1.10 County Administration and Departments

Brown County is governed by the Board of County Commissioners. The Board of County Commissioners is responsible for passing ordinances, resolutions, orders and motions for the governing of the County, the control of the County's property and finances, and the appropriation of money. The Board of Commissioners is comprised of one member from each of three districts in the County. The Board of Commissioners is given the authority to prepare and administer the County budget and formulate policy.

There are a number of statutory and other Boards and Commissions, including:

- County Commissioners
- County Council
- Emergency Management Board
- Board of Zoning Appeals and Area Plan Commission
- Board of Health
- Community Corrections Board
- Parks and Recreation Board
- Property Tax Assessment Board of Appeals (PTABOA)
- Redevelopment Commission
- Solid Waste

In addition, the County sits on, appoints members to, or is represented on a number of other Boards and Commissions, including:

- Alcohol Beverage Board
- Convention and Visitor's Commission
- County Fire District

There are a number of "departments", as listed below, that provide County services, programs, and activities that are accessible to the public. The level of interaction of each Department is classified as extensive (high numbers daily), regular (variable but generally low numbers daily to weekly), limited (generally weekly or less), or none. These Departments and descriptions of their functions and types and regularity of interaction with the public are:

County Commissioners

The County Commissioners have the responsibility of executing the acts legislated by the County Council and managing the day-to-day functions for County government. The three (3) commissioners are elected to serve a four-year term, one each from three districts of the County. In addition to fielding general questions and being asked to solve problems from the general public, the Commissioner's Office also has responsibility for meetings with various groups or individuals to improve conditions in the County for residents and businesses. Interaction with the public is regular. The Commissioner's Office is located on the 2nd floor of the County Offices at 201 Locust Lane, Nashville.

County Council

The County Council has the ultimate decision-making power over fiscal affairs, approving and fixing annual operating budgets of all County departments, setting priorities for the allocation of public funds, establishing salaries and other compensation, authorizing the expenditure of public funds for specific purposes, fixing tax rates and levies, and authorizing the borrowing of money in the form of

bonds and notes. The seven (7) council members are elected to serve a four-year term, one each from four districts of the County and three at-large members. The County Council has regular interaction with the public and meets in the Salmon Room at the County Offices.

Circuit Court

The Circuit Court is responsible for administering criminal and civil cases in the county. The Judge is responsible for all court staff and is elected by the voters in the judicial circuit to the position for six (6) years. The Circuit Court has extensive interaction with the public, including court plaintiffs, defendants, witnesses, attorneys, and jurors. Seating is available for the public to watch trials as well. The Circuit Court is located on the 2nd floor of the Brown County Courthouse, 20 East Main Street, Nashville.

County Clerk's Office

The County Clerk's Office performs a number of services and has extensive interaction with the public. The clerk is elected to office by the voters of the County. The Clerk's Office is responsible for administering official court records of all court cases with jurisdiction in Brown County, prepares the Court's permanent historical record, performs marriage ceremonies, processes marriage applications and issues marriage licenses, processes applications for passports, processes Indiana Department of Revenue tax warrants for collection, processes and distributes documents for court cases, collects, distributes and reconciles monies related to court cases and is subject to regular audits by the Indiana State Board of Accounts and administers all Federal, state, county, municipal, and special elections for Brown County. The County Clerk's Office is located on the 1st floor of the Brown County Courthouse.

County Prosecutor

The County Prosecutor is charged with prosecuting persons who have committed crimes in the county and has extensive interaction with the public. Additionally, this division collects past due child support and restitution in criminal cases. The department also provides advocate services for crime victims. The County Prosecutor is elected to office by the voters of the County and is at 31 Old School Way, Nashville.

County Probation Department

The County Probation Department has extensive interaction with the public. Duties of this office include conducting investigations, preparing reports, assisting the courts, prosecutor, and law enforcement officials, supervising and assisting persons on probation imposed by the Courts, notifying the Court of probation violations, and other duties required by law or as directed by the Court. The County Probation Department is located the 1st floor of the Brown County Courthouse.

County Assessor's Office

The County Assessor's Office staff provides real estate information and performs real estate and personal property assessments. The assessor is elected to office by the voters of the County. Public information collected by this office is made available on the county Geographic Information System (GIS) and also available for public review. Interaction with the public is regular. The County Assessor's Office is located on the 1st floor of the County Offices building.

County Treasurer

The County Treasurer is responsible for collection of property taxes and other county taxes. The staff has regular interaction with the public. The County Treasurer is elected by voters of the County and is located on the 1st floor of the County Offices building.

County Auditor

The County Auditor is responsible for handling all receipts and disbursements of County funds, creating financial statements, completing annual reports for review by the State Board of Accounts, maintaining payroll for County employees, handles transfers of ownership of real property, preserves plat maps of the County GIS system, maintains tax duplicates, and controls distribution of tax collections and other revenue for all units of government in the County. The auditor is elected to office by the voters of the County. The County Auditor's office has extensive public interaction and is located on the 1st floor of the County Offices building.

County Recorder

The County Recorder's Office is responsible for recording deeds, mortgages, releases and assignments, military discharges, power of attorney, contracts, surveys and plats, and commercial code documents. The County Recorder is elected and has regular interaction with the public and is located on the 1st floor of the County Offices building..

Purdue Extension

The Purdue University Extension office is located in its own facility at the County Fairgrounds at 802 Memorial Drive, and they have regular public interaction. Purdue Extension offices are cooperative service agencies based in each of the 92 Indiana counties. They develop programs for public participation on topics such as Agriculture and Natural Resources, Economic Community Development, Health and Human Sciences, and 4-H Youth Development.

County Surveyor

The County Surveyor's Office is responsible for maintaining a legal survey record book and planning and supervising all surveying and civil engineering work of the County. The County Surveyor is elected to four year terms. The County Surveyor has limited contact with the public and is located on the 2nd floor of the County Offices building.

County Veteran's Service Office

The County Veteran's Service Office assists veterans, their widows, spouses, and dependents in making application for benefits and also offers certain services to active duty, National Guard, reserve, and retired military personnel. A significant number of the public they have contact with has a disability. The office has regular interaction with the public and is located at 902 Deer Run Lane Suite A.

County Health Department

The County Health Department provides copies of birth and death records, child and adult immunizations, mosquito control, septic system and well permits and inspections, inspection of retail food establishments, investigates food-related complaints and food borne illnesses, information on health issues, and administers the County Health Board. The Health Department has extensive public interaction and is located on the 2nd floor of the County Offices building.

Planning and Zoning

The Brown County Plan Commission is responsible for planning the orderly development of the County. The office processes change of zone applications, subdivision applications, variance and special exception requests. Improvement location permits (building permits), building inspections, certificates of occupancy, issuance of addresses and sign permits are also included in the departments duties. Planning and Zoning is located on the 2nd floor of the County Offices building.

County Highway Department

The Brown County Highway Department is responsible for maintaining Brown County's roadway system. This includes everything from patching potholes, mowing the right-of-ways, replacing

culverts and bridges, paving roads, snow removal from roads, bridges, and small structures within the County which are not located on either state highways or within the corporate limits of a city or town and removal of trees. The Brown County Highway Department has limited direct public contact and is located at 715 Greasy Creek Road, Nashville.

Solid Waste Office and Recycling Center

The primary services offered by this department include bill payment and invoicing and drop off of recycling materials. These services are provided at the Brown County Highway Department at 715 Greasy Creek Road, Nashville.

Sheriff

The Sheriff's office and jail is located at 55 State Road 46 East in Nashville. The southern half of the building is not accessible to the public without escort. Sheriff's administrative offices, public waiting room, and visitation areas are located at the north end of the facility. The Sheriff is an elected position and oversees several operations in the department, including police services, the County jail, and various administrative services. The department has extensive public interaction and provides many services, including enforcing the laws and ordinances of the state and County, issuance of gun permits, public relations and information to various community and school groups, and performing investigations of crimes. The Sheriff's office is also home to the County's Animal Control and communication center that receives all 911 calls and serves as dispatch for the County and Nashville police, EMS, fire and rescue. The jail is administered by the jail commander. The commander oversees and administers the operation of the county jail, including the jail officers, and sets policies for visitation of inmates. The jail has limited areas open to the general public and few programs, primarily through contact and interactions with persons visiting inmates.

Emergency Management Agency

The EMA facility is located at 53 State Road 46 East in Nashville. This facility is shared with other emergency services. The EMA works with the Indiana Department of Homeland Security, U.S. Department of Homeland Security, Office for Domestic Preparedness, and other local, state and Federal agencies to ensure preparedness and response capabilities exist for any manmade or natural disaster in the county. The EMA is also responsible for writing, updating, and disseminating various plans, procedures, and agreements and disbursing grant funds to emergency response agencies in the county. Generally the EMA has limited to no public interaction except in the event of an emergency, at which time their services would be crucial and public interaction would be extensive.

Parks and Recreation

The Parks and Recreation Department is located at 1001 Deer Run Lane in Nashville. The Parks and Recreation Department has sports facilities and programs, a walking trail, and community gardens. Communication regarding parks programs frequently includes school flyers, mailings, website and social media. Registration for programs is handled through the parks office. Their interaction with the public is extensive.

County Coroner

The County Coroner does not have a dedicated facility, but generally works with the public at area funeral homes or via home visits as needed. The Coroner is responsible for investigating deaths in the county and issuing death certificates. The Coroner is elected and has limited public contact.

1.11 Department Self-Evaluation

As part of this self-evaluation, the DLZ distributed a questionnaire to the County ADA Coordinator requesting information about various department operations and policies related to ADA compliance.

DLZ staff followed up with several departments to discuss the responses as-needed for any clarifications. All policies, programs, activities, and services were evaluated and in the case where policies are not currently in place, this report provides recommendations for the implementation of corrective actions to comply with the ADA. Refer to Section 3.18 Department Self-Evaluation – Findings & Recommendations.

1.12 Public Outreach

Public outreach began by publishing a notice in the local newspaper in October 2013, to solicit input from the public about barriers or perceived barriers that might exist to access or use of County facilities. Notices were also sent by U.S. mail to several disability advocacy groups and a local resident that requested to be informed about the project (see *Appendix C*). A meeting to receive comments and provide further information on the project was held on November 6th. No public comments were received at the public meeting or during the public comment period ending November 8, 2013.

Following completion of the draft SETP, it was made available for public review. It was placed at the following locations:

- County Offices Building, County Administrator/ADA Coordinator's Office
- Brown County Public Library, Nashville

In addition, a draft in PDF Format was placed on the County website. The report was available from November 27 until December 13. A meeting to receive public comments on the draft ADA SETP was held at a County Commissioners meeting on November 9, and comments could be submitted until December 13. No public comments were received at the public meeting or during the public comment period.

If public comments or complaints are received in the future, they should be considered in future planning corrections for County projects related to the removal of architectural and programmatic barriers at County facilities.

2.0 Definitions

The words, phrases and definitions summarized below are included in the ADA. Refer to the ADA 28 CFR 35.104 for full definitions. A list of common terms and definitions are included below.

2010 Standards: the 2010 Standards for Accessible Design (SAD), which consist of the 2004 ADAAG and requirements contained in 35.151.

Access Board: an independent Federal agency devoted to accessibility for people with disabilities. The [Access Board](#) developed the accessibility guidelines for the ADA and provides technical assistance and training on these guidelines.

Accessible: refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability.

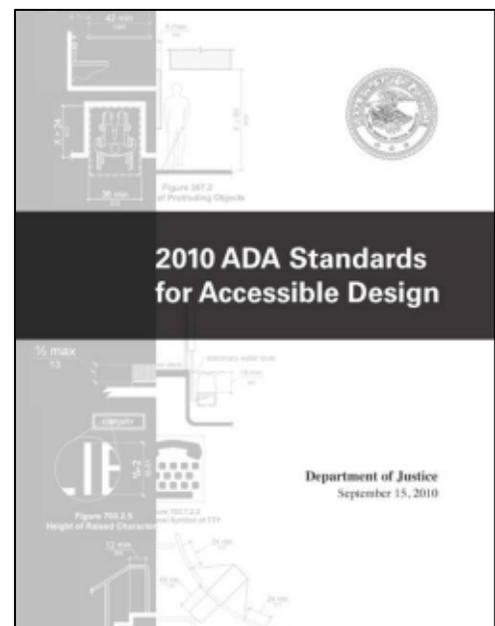
Affirmative Action (AA): a set of positive steps that employers use to promote equal employment opportunity and to eliminate discrimination. It includes expanded outreach, recruitment, mentoring, training, management development and other programs designed to help employers hire, retain and advance qualified workers from diverse backgrounds, including persons with disabilities. Affirmative action means inclusion, not exclusion. Affirmative action does not mean quotas and is not mandated by the ADA.

Alteration: a change to a facility in the public right-of-way 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.

Americans with Disabilities Act (ADA): a comprehensive, Federal civil rights law that prohibits discrimination against people with disabilities in employment, state and local government programs and activities, public accommodations, transportation, and telecommunications.

ADA Standards for Accessible Design (ADASAD): consist of the 2004 ADAAG and requirements contained in 35.151 with scoping and technical requirements (dated September 15, 2010) to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the DOJ and the Department of Transportation (DOT).

Auxiliary Aids and Services: under Titles II and III of the ADA, includes a wide range of services and devices that promote effective communication or allows access to goods and services. Examples of auxiliary aids and services for individuals who are deaf or hard of hearing include qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs), videotext displays, and exchange



of written notes. Examples for individuals with vision impairments include qualified readers, taped texts, audio recordings, Braille materials, large print materials, and assistance in locating items. Examples for individuals with speech impairments include TDDs, computer terminals, speech synthesizers, and communication boards.

Blended Transition: a raised pedestrian street crossing, depressed corner, or similar connection between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that has a grade of 5 percent or less.

Civil Rights Act of 1991: Federal law that capped compensatory and punitive damages under Title I of the ADA for intentional job discrimination. The law also amended the ADA's definition of an employee, adding "with respect to employment in a foreign country, such term includes an individual who is a citizen of the United States."

Complaint: a written statement, alleging violation of the ADA, which contains the complainant's name and address and describes the County's alleged discriminatory action in sufficient detail to inform them of the nature and date of the alleged violation. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Covered Entity: under the ADA, "covered entity" is an entity that must comply with the law. Under Title I, covered entities include employers, employment agencies, labor organizations, or joint labor-management committees. Under Title II, covered entities include state and local government instrumentalities, the National Railroad Passenger Corporation, and other commuter authorities, and public transportation systems. Under Title III, covered entities include public accommodations such as restaurants, hotels, grocery stores, retail stores, etc., as well as privately owned transportation systems.

Cross Slope: the grade that is perpendicular to the direction of pedestrian travel.

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.

Direct Threat: a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

Disability: with respect to an individual, means: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

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 accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the County'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.

Employer: a person engaged in an industry affecting commerce who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, and any agent of such person, except that, for two years following the effective date of this subchapter, an employer means a person engaged in an industry affecting commerce who has 25 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding year, and any agent of such person. Exceptions: The term "employer" does not include the United States, a corporation wholly owned by the government of the United States, or an Indian tribe; or a bona fide private membership club (other than a labor organization) that is exempt from taxation under section 501(c) of Title 26 [the Internal Revenue Code of 1986].

Equal Employment Opportunity Commission (EEOC): the Federal agency charged with enforcing Title I of the ADA.

Essential Job Functions: the fundamental job duties of the employment position that the individual with a disability holds or desires. The term "essential functions" does not include marginal functions of the position.

Equal Employment Opportunity: an opportunity to attain the same level of performance or to enjoy equal benefits and privileges of employment as are available to an average similarly-situated employee without a disability.

Existing Facility: refers to buildings that were constructed before the ADA went into effect. A public building constructed before the effective date of Title II does not have to be fully accessible unless the removal of barriers, including structural ones, is readily achievable.

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

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

Historic Properties: those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law.

Job Analysis: a formal process in which information about a specific job or occupation is collected and analyzed.

Job Description: a detailed summary, usually written, of the major components of a job. A typical job description consists of six major components: essential job functions, knowledge and critical skills, physical demands, environmental factors, the roles of the ADA and other Federal laws such as the Occupational Safety Health Act, and any explanatory information that may be necessary to clarify job duties or responsibilities.

Job Related and Consistent with Business Necessity: standard used to determine whether a qualification standard or employment policy concerns an essential aspect of the job and is required to meet the needs of the business.

Light Duty: generally, "light duty" refers to temporary or permanent work that is physically or mentally less demanding than normal job duties. Some employers use the term "light duty" to mean simply excusing an employee from performing those job functions that s/he is unable to perform because of an impairment. "Light duty" also may consist of particular positions with duties that are less physically or mentally demanding created specifically for the purpose of providing alternative work for employees who are unable to perform some or all of their normal duties. Further, an employer may refer to any position that is sedentary or is less physically or mentally demanding as "light duty". The term is often associated with workers compensation programs.

Major Life Activity: term used in the ADA definition of disability. It refers to activities that an average person can perform with little or no difficulty, such as walking, seeing, speaking, hearing, breathing, learning, performing manual tasks, caring for oneself, and working. These are examples only. Other activities such as sitting, standing, lifting, or reading are also major life activities.

Marginal Job Functions: functions that are not considered essential to a job. Employers must consider removing marginal job functions as an accommodation under the ADA, but do not have to remove essential functions as an accommodation.

Medical Examination: a procedure or test that seeks information about an individual's physical or mental impairments or health. The following factors should be considered to determine whether a test (or procedure) is a medical examination: (1) whether the test is administered by a health care professional; (2) whether the test is interpreted by a health care professional; (3) whether the test is designed to reveal an impairment or physical or mental health; (4) whether the test is invasive; (5) whether the test measures an employee's performance of a task or measures his/her physiological responses to performing the task ; (6) whether the test normally is given in a medical setting; and, (7) whether medical equipment is used. In many cases, a combination of factors will be relevant in determining whether a test or procedure is a medical examination. In other cases, one factor may be enough to determine that a test or procedure is medical.

Mitigating Measures: medical treatment or devices that lessen the effects of an impairment, such as medication, a prosthesis, or a hearing aid. When determining whether a person has a disability under the ADA, the effect of mitigating measures is to be considered.

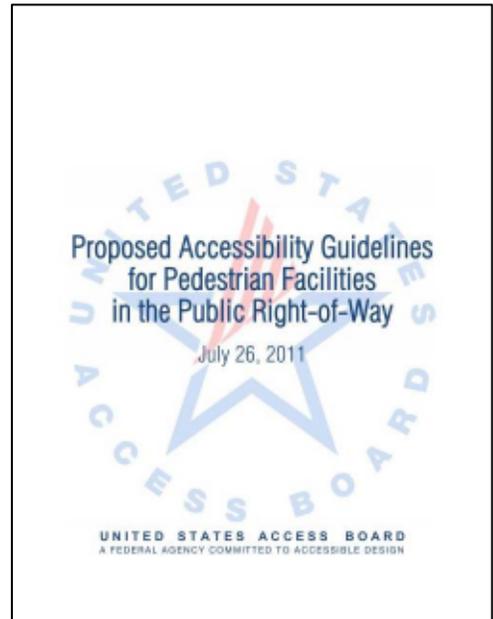
Pedestrian Access Route (PAR): a continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path.

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

Physical or Mental Impairment: a physical or mental limitation that may include, but are not limited to: vision, speech, and hearing impairment; 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: tranvestism, 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.

PROWAG: Proposed Accessibility Guidelines for Pedestrian Facilities within Public Right-of-Way. These proposed guidelines (dated July 26, 2011) provide design criteria for public streets and sidewalks, including pedestrian access routes, street crossings, curb ramps and blended transitions, on-street parking, street furniture, and other elements. The specifications comprehensively address access that accommodates all types of disabilities, including mobility and vision impairments, while taking into account conditions and constraints that may impact compliance, such as space limitations and terrain.



Public Accommodations: entities that must comply with Title III. The term includes facilities whose operations affect commerce and fall within at least one of the following 12 categories: places of lodging (e.g., inns, hotels, motels) (except for owner-occupied establishments renting fewer than six rooms); establishments serving food or drink (e.g., restaurants and bars); places of exhibition or entertainment (e.g., motion picture houses, theaters, concert halls, stadiums); places of public gathering (e.g., auditoriums, convention centers, lecture halls); sales or rental establishments (e.g., bakeries, grocery stores, hardware stores, shopping centers); service establishments (e.g., laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals); public transportation terminals, depots, or stations (not including facilities relating to air transportation); places of public display or collection (e.g., museums, libraries, galleries); places of recreation (e.g., parks, zoos, amusement parks); places of education (e.g., nursery schools, elementary, secondary, undergraduate, or postgraduate private schools); social service center establishments (e.g., day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies); and places of exercise or recreation (e.g., gymnasiums, health spas, bowling alleys, golf courses).

Public Entity: entities that must comply with Title II. The term is defined as: any state or local government; any department, agency, special purpose district, or other instrumentality of a state or local government; or certain commuter authorities as well as Amtrak. It does not include the Federal government.

Qualified Individual with a Disability: an individual with a disability who, with or without reasonable modification to rules, policies, or practices, removal of architectural, communication, or transportation barriers, or the provision of auxiliary services or aids, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the County.

Readily Achievable: easily accomplishable and able to be carried out without much difficulty or expense. In determining whether an action is readily achievable, factors to be considered include

nature and cost of the action, overall financial resources and the effect on expenses and resources, legitimate safety requirements, impact on the operation of a site, and, if applicable, overall financial resources, size, and type of operation of any parent corporation or entity. Under Title III, public accommodations must remove barriers in existing facilities if it is readily achievable to do so.

Reasonable Accommodation: under Title I, a modification or adjustment to a job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Reasonable accommodation is a key nondiscrimination requirement of the ADA.

Reasonable Program Modifications: if an individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable these individuals to perform the essential functions of the program or activity.

Reasonable program modification is any change in a program or activity, or in the way things are customarily done, that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity;
- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities. Modification applies to known disabilities only. Modification is not required if it changes the essential nature of a program or activity for the person with a disability, it creates a hazardous situation, adjustments or modifications requested are primarily for the personal benefit of the individual with a disability, or it poses an undue burden on the County.

Record of an 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 an impairment. An example: a man, who is in line for a promotion, has a history of cancer treatment, although he is now free of cancer. He is not given the promotion because his bosses are worried that, if his cancer returns, he won't be able to do the job. He does not, at this point, meet the first part of the definition of disability because he does not have a physical or mental impairment that substantially limits one or more major life activities. However, based on his "record of" an impairment, he is being discriminated against.

Regarded as Having a Disability: an individual is disabled if he or she is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists. An example: a woman applies for a job as a customer service representative at a department store. Her face is badly scarred from an automobile accident. The interviewer doesn't want to give her the job, in spite of her skills and experience, because he thinks customers will be uncomfortable looking at her. She is not substantially limited in any major life activity, but the interviewer is "regarding her as" if she has a disability.

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

Safe Harbor: elements of existing facilities that already comply with either the 1991 ADA Standards or UFAS are not required to comply with the 2010 ADA Standards unless they were altered on or after March 15, 2012 and elements comprising a path of travel to an altered primary function area are not required to comply with the 2010 ADA Standard merely as the result of an alteration to a primary function area, provided those elements comply with the 1991 ADA Standard or UFAS.

Service Animal: any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. See the 2010 revised requirements at http://www.ada.gov/service_animals_2010.htm.

Substantial Limitation on 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.

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.

Title V of the Rehabilitation Act of 1973: title of the law that prohibits discrimination on the basis of a disability by the Federal government, Federal contractors, by recipients of Federal financial assistance, and in Federally conducted programs and activities.

Transition Plan: refers to a requirement that state and local governments employing 50 or more people develop plans detailing structural changes necessary to achieve facility and program accessibility.

Undue Burden: means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the County. Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to Brown County, the County shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the County must consider whether funding for the modification is available from an outside source. If no such funding is available, the County must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

Undue Hardship: with respect to the provision of an accommodation under Title I of the ADA, significant difficulty or expense incurred by a covered entity, when considered in light of certain factors. These factors include the nature and cost of the accommodation in relationship to the

size, resources, nature, and structure of the employer's operation. Where the facility making the accommodation is part of a larger entity, the structure and overall resources of the larger organization would be considered, as well as the financial and administrative relationship of the facility to the larger organization. Employers do not have to provide accommodations that cause an undue hardship.

Uniform Federal Accessibility Standards (UFAS): one of two standards that state and local governments can use to comply with Title II's accessibility requirement for new construction and alterations that took place before March 15, 2012. The other standard is the ADA Accessibility Guidelines, which is the enforceable standard for new construction or alterations done after March 15, 2012.

U.S. Department of Justice: Federal agency that is responsible for enforcing Titles II and III of the ADA.

U.S. Department of Transportation: Federal agency that enforces nondiscrimination in public and private transportation. Nondiscrimination includes access to public bus, train and paratransit, as well as privately operated bus and shuttle transportation. The ADA does not cover air transportation, which is subject to the Air Carrier Access Act.

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

3.0 Self-Evaluation of County Policies, Services, Activities, and Programs - Findings & Recommendations

This section of the self-evaluation summarizes the review of current County-wide policies, services, activities, and programs based on meetings with County staff and responses to the program accessibility questionnaire received from County departments and divisions. The findings and recommendations contained in this section will provide the basis for the implementation of specific improvements for providing access to County programs.

3.1 Program Evaluation Interdepartmental Memo

The self-evaluation of the County's services, programs, and activities required and involved the participation of every County department. Brown County evaluated its policies, procedures, and programs to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. DLZ distributed a questionnaire to the Brown County ADA Coordinator as one measure to determine the level of ADA compliance (see *Appendix B*).

The primary purpose of this questionnaire was to allow DLZ staff to better understand how each department operates and the programs provided by each so that an accurate assessment can be made of architectural and procedural barriers and how each can be corrected to provide access. The level of investigation into the operations of the various departments was generally consistent with the amount of interaction with the public and the extent of the public programs offered by each.

**Americans with Disabilities Act Self-Evaluation Program,
 Services, and Activities Questionnaire
 DLZ
 Brown County, Indiana**

The ADA prohibits the denial of services or benefits to persons with disabilities. In the performance of common, every day services provided by local units of government, you must ensure that all services are available in some way to persons with all disabilities. To better allow us to understand each department's interactions with the public, we request that you complete this questionnaire. Your responses are vital to ensuring that modifications can be made throughout the County to ensure access to all programs and services, if necessary. Please discuss with your staff as needed to provide thorough, complete, and accurate responses to each question. The information provided is intended to allow for changes throughout the Town to provide equal access to programs and activities to everyone, without exception.

A. Verify the list of County Departments and location (include address). Provide a short description of the primary duties of each department and any payments, publications, applications, forms, etc. that are used for each.

- County Courthouse –
- County Annex –
- Sheriff's Department/Jail –
- Community Corrections –
- Parks-
- County Highway Department –
- Solid Waste -
- Extension -
- Other (specify)

B. List all appointed boards and commissions and when and where they meet.

C. Do all meeting rooms that hold public meetings have an audio system (microphones and speakers)? Do they have any assistive listening devices for the hearing impaired? If so, how many and what type.

D. Is there a poster for "Equal Opportunity is the Law" that describes the requirements of Title VII of the Civil Rights Act located somewhere in County buildings? If so, where (include all locations).

E. How are public meetings (especially County Commission) publicized? Are agendas posted in County Courthouse/Annex and on the web site? Do the agendas have an ADA statement of accommodation on them? Provide a typical copy of a recent agenda for all public meetings.

3.2 Overall Findings – General Policies and Practices

The self-evaluation of the Departments identified common accessibility issues between all County Departments. The findings from the County Departments can be organized into the following general categories:

- Public Information
- Designation of ADA Coordinator
- Grievance/Uniform Complaint Procedures
- Public Meetings
- Accommodations to Access Programs, Services and Activities
- Special Events and Private Events on County Property
- Contracted Services and Contractors
- Customer Service, Satisfaction, and Input
- Equally Effective Communication
- Alternate Communication Formats
- Fees and Surcharges

- Information and Signage
- Staff Training
- Emergency Evacuation Procedures
- Polling Places
- Employment

The findings and recommendations in the following subsections apply to all departments.

3.3 Public Information

The County is required to notify the public of their rights and protections under the ADA ([28 CFR 35.106](#)), which states: “A public entity shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part.” In addition, notices regarding ADA should be included in a number of other situations to inform the public of their rights and opportunities to ensure accessibility, including signage directing the public to accessible routes and entrances.

Self-Evaluation General Findings:

- A poster entitled “Equal Opportunity is the Law”, defining the requirements of Title VII, is posted in several employee break rooms and at all other County buildings on a bulletin board in plain view.
- Public notice of Non-Discrimination was issued for publication and posting on 9/19/2012 by the County Commissioners. See Appendix D.
- Public notices, public meeting agendas, and other information published by the County note availability of hearing assistance, but does not provide contact information for other accommodations.
- While several departments include notices of non-discrimination or request for reasonable accommodation, the language used varies.
- Signage directing visitors to County buildings along an accessible routes is lacking and the International Symbol of Accessibility (ISA) is not present or in clear view at all accessible entrances.

Recommended Action:

- Standard language for a Notice of Nondiscrimination needs to be used by all departments for all County publications and printed materials. This statement should include, at a minimum, the following language: “Brown County acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to County sponsored public programs, services and/or meetings, the County requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact the ADA Coordinator, at (812) 988-4901.”
- The County public notices and agendas need to include a statement regarding requests for accommodations for compliance with ADA. The statement should list a TDD/TTY (TeleTYpewriter) number.
- Public notification should always identify a contact person for individuals with disabilities who may request program modifications, or information on how a hearing or speech impaired person could communicate by telephone.

- Increase outreach to persons with disabilities by finding additional methods and formats to provide information about meetings and other County activities. The County should endeavor to inform the public of the possible modifications required to make its services, programs, and activities accessible.
- Non-discrimination language should appear on both hard copies and documents posted on the County website.
- List County agencies, departments, and specialized services that offer TDD/TTY in printed County directories.
- The ADA Coordinator should have a list of qualified individuals to contract for services to provide information in alternate accessible formats when individuals have had a request for accommodation.
- Signage directing visitors to County buildings should be placed along the accessible routes and the International Symbol of Accessibility (ISA) should be placed in clear view at all accessible entrances.

3.4 Designation of ADA Coordinator

The ADA regulations require any public entity with fifty or more employees to designate at least one employee to coordinate ADA compliance ([28 CFR 35.107 \(a\)](#)). Federal regulations require public entities to make available to interested persons the name, office address and telephone number of the ADA Coordinator. The ADA Coordinator's role is to plan, coordinate, organize, facilitate, and promote compliance efforts. The Coordinator responds to requests for accommodations or barrier removal. The Coordinator also receives and investigates complaints and grievances.

Self-Evaluation Findings:

- Dr. Michael Thompson, County Administrator, has been formally designated as the ADA Coordinator effective January 4, 2012, by resolution of the Brown County Board of Commissioners. Activities related to ADA compliance should be directed to him, and each County department should designate a liaison for ADA issues and publicize who that person would be.

Recommendations:

- Information regarding the identity of the County's ADA Coordinator should continue to be provided to staff, posted at all County facility locations, incorporated into employee handbooks, staff and public phone directories, placed in frequently used publications, and on the County website.
- The designated ADA Coordinator must be familiar with the requirements of ADA and get appropriate training to ensure compliance by the County.
- It is strongly suggested that each department have one individual with knowledge of ADA issues that can respond to issues that arise within their department and assist the ADA Coordinator.
- It is recommended the County publish the name, address, e-mail address and phone number of the Brown County ADA Coordinator in appropriate public notices, agendas, and County publications frequently distributed to the general public. Publications should also include the TDD/TTY number.

3.5 Grievance/Uniform Complaint Procedures

A public entity that employs 50 or more employees must adopt and publish grievance procedures which provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA ([28 CFR 35.107 \(b\)](#)).

Self-Evaluation Findings:

- Brown County has a grievance procedure that provides for resolution of complaints. The procedure was adopted by the Brown County Board of Commissioners on September 19, 2012 and designates the ADA Coordinator as the person charged with completing the investigation of all grievances.
- There is no specific form required for submission of a grievance.

Recommendations:

- Centralized record keeping of complaint and tracking of complaint resolution will help the County to regularly update its compliance efforts, and plan for additional compliance implementation. The ADA Coordinator should ensure that records are kept of all ADA-related complaints, including informal items brought to their attention.
- Information regarding complaint procedures should be available to members of the public in addition to employees and applicants. Procedures should outline the steps needed to resolve a complaint.
- Information regarding the complaint process should be provided on the County's website. Forms or a method to alert the County of an ADA-related complaint should be available on the website.
- The County should review its current administrative policy and be able to provide the ADA Complaint Form in an alternate accessible format, i.e. Braille, audio-tape, e-text, large print, etc.
- Administrative policies and procedures should continue to be developed, adopted, and implemented to provide consistency for filing complaints or grievances and record keeping.
- The County should make efforts to inform County staff and the general public of the name of the County's ADA Coordinator, grievance procedures, the steps for handling grievances, and the County policies for remediation of grievances.

3.6 Public Meetings

Public meetings are routinely held by various County departments, boards, and commissions. The ADA prohibits public entities from excluding persons with disabilities from programs, services, or activities offered by a public entity. The law does allow a public entity to use both structural and nonstructural methods to achieve accessibility to programs, services, and activities ([28 CFR 35.150 \(a\)\(1\); \(b\)\(1\)](#)). While most of the meetings are open to the general public and advertised as required by law, the public does not regularly attend several of the meetings of the groups noted.

Self-Evaluation Findings:

- The following boards/commissions meet at various times on County business and would be considered open meetings that can be attended by members of the general public. Unless otherwise noted, these meetings are held in the County Office Building, typically in the Salmon Room.
 - County Commissioners (1st and 3rd Wednesday of each month)
 - County Council (Monthly, 3rd Monday)
 - Emergency Management Advisory Committee and Local Emergency Planning Committee
 - Board of Zoning Appeals and Area Plan Commission (4th Tuesday and Thursday)
 - Board of Health – (Bi-Monthly)
 - Community Corrections Board – Meets at Community Corrections office (Bi-Monthly, 3rd Thursday)
 - Parks and Recreation Board – Meets at Park Offices (Monthly)
 - Redevelopment Commission (As needed)
 - Solid Waste (3rd Monday)

- Alcohol Beverage Board (As needed)
 - Convention and Visitor’s Commission (2nd Thursday or as needed)
 - County Fire District – Meets at Library (Once/Quarter, 2nd Thursday of 1st Month)
 - PTABOA – (As needed)
- The County Offices building has limited access barriers. The Salmon Room used for most public meetings is located immediately inside the north entrance and has no fixed seating. The downstairs conference room is also occasionally used for public meetings.
 - The Salmon Room has four assistive listening devices are available.
 - The County has not been requested to provide any accommodation at meetings in the past.
 - County public notices and agendas do state hearing assistance system is available, but does not include a statement regarding how other requests for accommodations for persons with disabilities can be made in advance, nor is a TDD/TTY number provided.
 - Area Plan Commission agenda states *‘If you have a disability that limits your participation in the meeting, please call 988-5490 for assistance.’*
 - Public notices are posted in a variety of places including newspaper advertisements, posted in County Office building and on website.
 - Webcast of public meetings is currently under consideration, but not yet in place.
 - The website includes audio links to meeting minutes from some County meetings.

Recommendations:

- The County should continue to schedule and hold public meetings in the most accessible locations whenever possible. Meetings which the public regularly attends should be made the highest priority.
- Standard language on all County publications regarding availability of and request for accommodations should be provided to departments.
- The County should develop procedures for obtaining and providing auxiliary aids such as sign language interpreters, readers, descriptive services, and other assistive technologies. Compliant signage that includes the International Symbol of Access for Hearing Loss should be installed where assistive listening devices are available.
- The County should make reasonable modifications to enable individuals with disabilities to attend and participate in all public meetings.
- Once webcast of public meetings is enacted, live or recorded meetings broadcast on the website should provide options for accommodating persons with hearing disabilities. Options could include a more detailed transcript or closed captioning.
- Provide meeting agendas and minutes in alternative formats when requested.
- The County should assemble a list of readily accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request. See Appendices for facility information that may be used in selection of most accessible sites.
- The County should create a simple checklist for creating accessible meetings and selection of accessible meeting spaces. This checklist should be utilized and available to all County departments for their programs and events.



International Symbol of Access for Hearing Loss

3.7 Accommodations to Access Programs, Services, and Activities

The ADA prohibits public entities from excluding persons with disabilities from programs, services, or activities offered by a public entity. A public entity may not adopt policies that are discriminatory or engage in practices that are discriminatory. This prohibition applies to policies that are explicitly exclusionary and to those which appear to be neutral, but have discriminatory effect. The law does

allow a public entity to use both structural and nonstructural methods to achieve accessibility to programs, services, and activities ([28 CFR 35.130 \(b\)\(3\)](#); [35.150 \(a\)\(1\); \(b\)\(1\)](#)).

Self-Evaluation Findings:

- There is no evidence of intentional discriminatory practices, intentional exclusion of individuals with disabilities, or practices to segregate individuals with disabilities or limit access to County programs, services, or activities.
- Public meetings are generally held in locations that are thought to be accessible to persons with mobility impairments and staff had no recollection of any previous complaints of issues.
- Polling places were reviewed by a committee in 2004-2005 as part of the Help America Vote Act initiative. Modifications were made where necessary to improve accessibility to these facilities. Some improvements made included paving of accessible parking areas and providing temporary signage.
- Staff in some departments noted circumstances where they have improvised to achieve satisfactory solutions to remove barriers to the best of their ability.
- There was no information provided regarding compatibility of the existing phone system with TDD/TTY systems.

Recommended Action:

- Information directing the public how to request accommodations should appear on all public notices, announcements, and agendas. All County departments and divisions should be provided with the County's ADA compliance statement for accommodations.
- Front line staff such as administrative assistants, receptionists, and staff that has everyday contact with the public, should receive training on interacting and accommodating individuals with disabilities.
- The County should provide additional and ongoing training for staff, including volunteers, regarding the requirements of the ADA and accommodations that provide equal access to programs, services, and activities.
- The County should consider the purchase of a network PC compatible TDD/TTY system that would allow individual computers to be networked and access TDD/TTY calls, instead of purchasing separate TDD/TTY units that require a dedicated line if the current phone system is not compatible. The advantages of a networkable system will allow the user to transfer calls, conduct conference calls, and utilize voice mail. A less desirable, but effective, means to provide access would be to use one of the many services available (Relay Indiana, Deaf Link, etc.) to provide two-way communication for persons with hearing disabilities.
- All staff responsible for responding to incoming telephone calls should be trained in the protocol and use of TDD/TTY communications. Information and training should be provided on an ongoing basis.
- A thorough review of all polling places should be performed by someone knowledgeable of the access guidelines and standards on a regular basis and in the event of relocation. The review should include barrier-free parking, accessible routes, building access points, internal access routes to the polling areas, and any facilities available to the public while at the polling place (coat racks, restrooms, drinking fountains, etc.). Checklists are available for ease of use in evaluating polling places such as the *ADA Checklist for Polling Places* from the DOJ and the *Polling Place Accessibility Survey* from the State of Indiana.
- The County should develop procedures to ensure that TDD/TTY are maintained in a working and operable condition.
- The ADA Coordinator should continue to monitor programmatic access.

3.8 Special Events and Private Events on County Property

The County could provide opportunities for private organizations to utilize County facilities for special or private events. Contained within the ADA are two titles that pertain to public and private entities. Public entities are not subject to Title III of the ADA. Conversely, private entities are not subject to Title II. In many situations, however, public entities have close relationships with private entities that are covered by Title III (Public Accommodations), with the result that certain activities may be at least indirectly affected by both Titles. This is the case with certain special events or private organizations that may use County facilities.

Self-Evaluation Findings:

- The County leases amenities/facilities to individuals and groups. This includes, but is not limited to:
 - Baseball/Softball Fields
 - Sycamore Valley Community Center
 - 4 Corners Pavilion
- The lease agreements do not include any provisions for accessibility of the facilities or requirements for the renter to ensure that the facility meets their needs for accessibility.
- The County Fair is administered by a separate, independent Board and not part of County government. The County Fairgrounds is owned by Brown County.
- No other County facilities were identified as being leased to the public.
- The County does not currently sponsor any recurring special events such as festivals or farmers markets.

Recommended Action:

- The County should ensure all facilities rented/leased are fully accessible. The County attorney should consider adding language to the rental agreement about accessibility needs.
- Guidelines or policies should be in place for ensuring that all special events are accessible. In situations where private organizations sponsor events in County facilities, the County should encourage private organizations to comply with applicable ADA requirements. The County could provide a checklist and information during the application process to inform organizers of their responsibility for accessibility under the ADA, if applicable.

3.9 Contracted Services and Contractors

Public entities cannot use contract procurement criteria that discriminates against persons with disabilities ([28 CFR 35.130 \(b\)\(5\)](#)). In addition, selected contractors should be held to the same nondiscrimination rules as the County.

Self-Evaluation Findings:

- No discriminatory or exclusionary practices were evident in the selection of contractors and contracted services.
- The County contracts with outside entities for hosting of their GIS and website.
- Engineering services are contracted through the County Highway department, usually through Request For Proposals (RFP) process. The County has a standard RFP.
- The County contracts with an outside attorney.
- The County contracts with a cleaning service for several of its facilities.

Recommended Action:

- All County contracts should be reviewed to determine that they include specific, detailed ADA language to ensure that contractors that provide County services to the public comply with the ADA.

- It is recommended that the County consider means to maintain compliance when contracting for services or when leasing facilities by:
 - Including ADA compliance requirements in new requests for proposals.
 - Reviewing ADA requirements when contracts or leases are negotiated, revised, or renewed.

3.10 Customer Service, Satisfaction, and Input

ADA requires a public entity to provide an opportunity to interested persons and organizations to participate in the self-evaluation process. For three years after completion of the self-evaluation, a public entity must maintain a record of any problems identified ([28 CFR 35.105](#)).

Self-Evaluation Findings:

- Public notices of this SETP process were advertised in the local newspaper and invitations extended to local advocacy groups.
- No complaints or grievances were reported related to inability to accommodate customers with disabilities or inability of persons with disabilities to access County programs or facilities.

Recommended Action:

- Conduct periodic customer satisfaction surveys or gather input from recipients of County services using an alternate method, such as public hearings or focus groups. An additional emphasis should be made to survey individuals with disabilities and organizations representing individuals with disabilities.
- Partner with persons with disabilities, their caregivers, and advocates for the disabled to identify concerns and gather comments on capital improvement projects to improve accessibility to people with disabilities during design.

3.11 Equally Effective Communication

ADA calls for public entities to provide applicants, participants, members of the public, and companions with disabilities with communication access that is equally effective as that provided to persons without disabilities ([28 CFR 35.160\(a\)-\(d\)](#)). The regulations also require that the public entity provide the appropriate auxiliary aids and services where necessary to give people with disabilities an equal opportunity to participate in, and enjoy the benefits of a service, program, or activity of a public entity. The law stipulates that the individuals can request the auxiliary aids and services of their choice and that the County will honor the request unless a suitable substitute exists or the request is not required under the law. In addition, the County may provide qualified interpreters via video from a remote location as long as it can meet the performance requirements of [28 CFR 35.160\(d\)](#).

Auxiliary Aids and Services

Self-Evaluation Findings:

- The County has not been asked to provide written materials and publications in Braille or large print text.
- No departments have hired/utilized transcription services and readers.
- Purdue Extension has a number of publications that are available in large print formats.
- The Circuit Court and hearing room has assistive listening devices (ALDs) available. No signage indicates the availability of ALDs or the location of receivers available in either room.
- The Salmon Room (which is the meeting room utilized for County



International Symbol of
Access for Hearing Loss

board and commission meetings among others) has auxiliary aids though not required by the code because there is not fixed seating.

- The County has assisted customers with disabilities by modifying procedures to provide alternate means to complete transactions and offered assistance to complete County forms.

Recommended Action:

- The County should provide staff training and information regarding auxiliary aids and effective communication.
- The County should ensure the proper number of assistive listening devices are hearing aid compatible during their anticipated update of the sound system in 2014 at the Courts. Compliant signage that includes the International Symbol of Access for Hearing Loss should be provided outside of all rooms that provide an Assistive Listening System and Devices. Signs should include guidance on where the devices are located.
- The County should confirm and update a complete list of auxiliary service providers, i.e. Braille transcription services, computer assisted transcript, dictation and transcription, assistive listening system, etc. This list should be made available to the public to inform them of services available and how they can be accessed by persons needed accommodation.

Interpreter Services

Self-Evaluation Findings:

- There is not a County-wide contract for qualified sign language interpreters for departments to select from.
- Community Corrections have accommodated hearing impaired and Spanish speaking offenders in the past.
- Probation has money budgeted for use of an interpreter when needed, but have not encountered need for services to date.
- The Courts have used a sign interpreter in the past. These individuals are hired on an as-needed basis. They also routinely use foreign language interpreters, primarily Spanish, and have received a grant for those services.
- The Health Department has a memorandum of understanding (MOU) with the school system for Spanish interpretation if needed.

Recommended Action:

- The County should consider a County-wide contract for qualified sign interpreter services that departments could utilize as needed. At a minimum, a list of qualified individuals should be maintained for all potential services that might be required on short notice.
- Interpreters should be provided upon request for accommodations or in situations where an interpreter is known to be required.
- The County should explore the viability of providing qualified sign interpreters from a remote location and transmitting the disabled participant's response to the interpreter in accordance with [28 CFR 35.160\(d\)](#).

Telecommunications Devices for the Deaf

Self-Evaluation Findings:

- The Brown County 911 system is equipped with TTY/TDD.
- The phone/contact list page on the County's website provides no TTY/TDD number nor for any other County departments.

- Several departments use an automated answering system after hours or if phone lines are occupied.

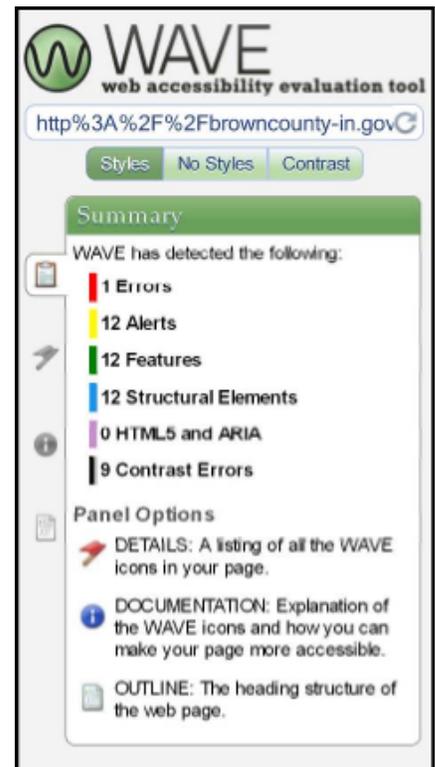
Recommended Action:

- Where the County uses an automated answering system for receiving and directing incoming telephone calls, the County should enable this system to provide real-time communication with individuals using auxiliary aids and services, including TTY and telecommunications relay systems ([28 CFR 35.161\(b\)](#)).
- The County should consider the purchase of a network PC compatible TDD/TTY system that would allow individual computers to be networked and access TDD/TTY calls, instead of purchasing separate TDD/TTY units that require a dedicated line. The advantages of a networkable system will allow the user to transfer calls, conduct conference calls, and utilize voice mail.
- All staff responsible for responding to incoming telephone calls should be trained in the protocol and use of TDD/TTY communications. Information and training should be provided on an ongoing basis.

Website

Self-Evaluation Findings:

- Brown County has a main website (browncounty-in.gov) used for general information and contains information for a majority of the departments. This is created by an outside website developer, but is updated as needed by the County.
- Several departments have a separate website that is coordinated, developed, and controlled only through the respective department and/or their contracted service, including:
 - Sheriff's Department (browncountyinsheriff.com)
 - Health Department (www.browncountyhealthdept.org)
 - Purdue Extension (Run and Maintained by Purdue University – not County <http://www3.ag.purdue.edu/counties/brown/pages/default.aspx>)
 - Parks & Recreation Department (bcparksrec.com)
- The County's GIS information is hosted on an outside server by a consultant, but is run on a day-to-day basis from the County Surveyor's office. <http://brown.in.wthgis.com/>
- Running an accessibility check with the Web Accessibility Evaluation Tool (WAVE - <http://wave.webaim.org/>) found many errors on the Brown County main website, as well as all the individual department websites, that would impact accessibility (see WAVE report of detected errors on home page to the right).
- Neither the main County website nor department websites have any ADA information or accessibility statement.
- The Clerk, Community Corrections, Probation, Recorder, and Treasurer's Office use a web-based page for various payments, such as taxes, child support payments, and ticket payments. This website is called 'paygov.us'.
- Issues cited on the WAVE report included redundant text, empty links, and contrast errors (which can be difficult for persons with certain visual impairments to read). It also flagged layout tables which can introduce reading and navigation order issues. Missing headings were encountered;



- Headings facilitate page navigation for users of many assistive technologies.
- Good features found included audio availability of County Council and Commissioners minutes and alternative text for images, files, and links.
 - Similar issues and features were found on the separate departmental websites.
 - County staff has no formalized training on the ADA and compliance requirements/recommendations for websites.
 - Some County forms are available on the website in Portable Document Format (PDF).
 - A variety of documents available are posted as scanned PDF document that are not accessible to reader programs.

Recommended Action:

- The County's main website and all department websites appear to have a number of accessibility issues. This should be verified and corrected by the respective web developer and refine procedures to design, maintain, update, and monitor website accessibility.
- The County should continue to take proactive steps to ensure its web pages provide for access for the cross-section of disabilities covered under the ADA and should ensure that web pages do not exclude individuals when describing programs, programs, services, or activities. Verify accessibility with one of the free web evaluation tools ([WAVE](#), [FAE](#), [W3C](#), [ATRC](#)).
- The County should continue to take proactive steps to ensure its web pages provide for access for the cross-section of disabilities covered under the ADA and should ensure that web pages do not exclude individuals when describing programs, programs, services, or activities.
- The County's website should provide PDF documents that are directly converted to PDF and not a scan of the original document. Scans are not compatible with reader programs. If that is not possible, documents could be posted in an alternative text-based format, such as HTML (Hyper Text Markup Language) or RTF (Rich Text Format), in addition to PDF.
- The County should consider creating a webpage related to accessibility issues and provides contact information for the County ADA Coordinator, grievance and complaint procedures, self-evaluation/transition plan, and local resources.
- The County should list the departments that offer TDD/TTY in the website phone directory (when this is implemented).
- The County should work to improve the accessibility of web pages through the use of web accessibility analysis to meet or exceed Section 508 of the Rehabilitation Act Amendments of 1998. Section 508 establishes a minimum level of accessibility for electronic information. Information on the requirements, along with suggestions for making websites accessible can be found at www.ada.gov/websites2_prnt.pdf.
- The University of Wisconsin Trace Center (<http://trace.wisc.edu/world/web/>) provides resources and on-line information that might assist the County in further development and implementation of an accessible website.
- The Web Accessibility Initiative (WAI) provides guidance on making websites fully accessible (www.w3.org/WAI/).
- The International Center for Disability Resources on the Internet (ICDRI) provides information on accessibility (www.icdri.org/section508/index.htm).
- The Access Board and [DOJ](#) provide a number of resources on their websites as well.

3.12 Alternate Communication Formats

A public entity has a responsibility to provide information in alternative formats to comply with [28 CFR 35.160](#). This section of the ADA requires state and local government entities to communicate effectively with individuals who are deaf, hard-of-hearing, or have a speech, vision, or learning

disability. Communication access involves providing content in methods that are understandable and usable by people with reduced or no ability to: speak, see, hear and limitations in learning and understanding. Some alternative formats can be produced in-house at minimal costs, i.e. large print, disks, and e-mail attachments. Other formats, such as Braille and audio-formats, may need to be produced by a vendor. Alternate communication formats that are likely to be requested include, but are not limited to: audio-formats, Braille, large print, captioned films and video, electronic text/disk/CD-ROM, or sign interpreted films and video.

Self-Evaluation Findings:

- The ADA Coordinator (County Administrator) is the main point of contact for requesting and providing information in alternate formats on a request for accommodation basis.
- Most County departments and offices produce printed information that is distributed and available to the public.
- County staff indicated that they assist with filling out forms, if assistance is requested, or when alternative formats are not available.
- The majority of the departments stated they did not have a standard procedure to communicate and produce accessible alternate formats for people with disabilities.

Recommended Action:

- The County should provide staff training regarding the requirements of accessible alternate formats, what accessible alternate formats are, and how to provide accessible alternate formats.
- Procedures and methods should be established for the development of accessible alternate formats to ensure that requests are handled in a uniform and consistent manner.
- The County should centralize the production of alternate formats for agendas, publications, and documents, which may result in efficiency and a cost savings.

3.13 Fees and Surcharges

Public entities may not charge a fee or add a surcharge to a fee to cover the cost of making its facilities, programs, services, or activities accessible to persons with disabilities ([28 CFR 35.130\(f\)](#)).

Self-Evaluation Findings:

- There was no evidence of fees charged to individuals *with* disabilities that were not charged to individuals *without* disabilities to access programs, services, and activities.

Recommended Action:

- The County should continue to monitor and review policies and practices to ensure that fees and surcharges are not charged to individuals *with* disabilities that were not charged to individuals *without* disabilities.

3.14 Information and Signage

A public entity is required to ensure that individuals with disabilities are directed to an accessible entrance to a building and to the location and existence of accessible services, activities, and facilities. The ISA shall be used at each accessible entrance of a facility ([28 CFR 35.163](#)). Paragraph (b) requires the public entity to provide signage at all inaccessible entrances to each of its facilities that directs users to an accessible entrance or to a location with information about accessible facilities.

Self-Evaluation Findings:

- Accessible directional and informational signs are not provided at any County facilities and County-owned sites.

- Inaccessible entrances do not provide signage directing users to accessible entrances.
- Signage within County buildings is frequently non-compliant. Signage is often missing, mounted in the wrong location, lacks tactile characters and/or Braille, has Braille that is not below all tactile characters or that does not provide proper spacing from lettering, etc.

Recommended Action:

- An accessible signing strategy for County facilities should be developed for interior and exterior directional, informational, and permanent room signs.
- Design standards for accessible signs should be created to guide the production and installation of the accessible signs.
- Signage replacement projects should include replacement or installation of accessible signs as required.

3.15 Staff Training

On-going compliance with the ADA can only be achieved if County staff receives training and education about the rights of persons with disabilities and the obligations of public entities and its employees under Title II of the ADA. Although training is not required by the ADA, training regarding the requirements of the ADA is recommended.

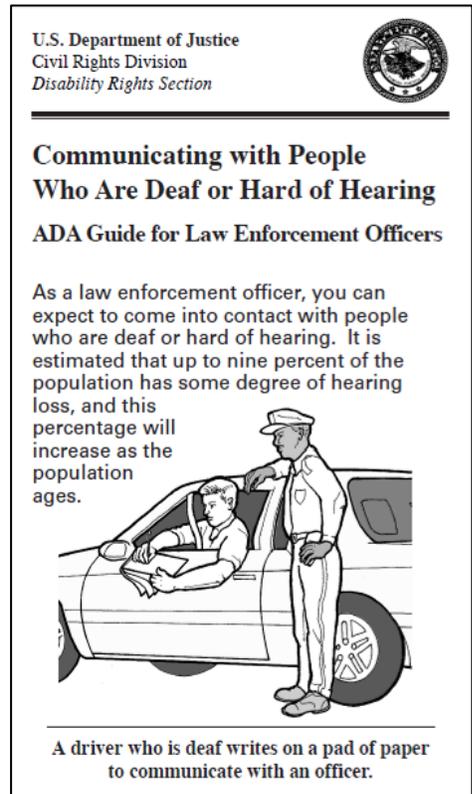
Self-Evaluation Findings:

- The ADA Coordinator has not attended ADA-related training except in the form of webinars and research of public documents such as those published by Indiana University's Indiana Institute on Disability and Community.
- The Building Department/Plan Commission staff does not receive any special training related to accessibility within the building code.
- Purdue Extension typically provides regular training on EEO/Civil Rights and ADA issues but specifics of the training was not provided.
- The Sheriff's Department has provided the following training to their staff:
 - Officers receive yearly mandatory training as required by the State of Indiana.
 - Jail staff received training on mental health issues in March of 2013 through Quality Correctional Care, the inmate health care provider.
- County staff may not be knowledgeable about the different types of reasonable modifications that would make their services more accessible. Some Departments have made minor adaptations to their programs regarding accessibility on a case-by-case basis.

Recommended Action:

- The County should provide training regarding ADA and related civil rights legislation. Suggested training topics include, but are not limited to:
 - Requirements of the ADA for Brown County
 - Consequences of Non-Compliance
 - Acceptable Terminology and Phrases
 - Grievance/Complaint Procedures
 - Reasonable Accommodations
 - Awareness and Sensitivity
 - Disability Etiquette – a good resource is http://transition.fcc.gov/cgb/dro/504/disability_primer_4.html
 - Accessible Locations for Meetings
 - Consequences of Non-Compliance
 - Barriers to Access – Programmatic and Physical
 - Auxiliary Aids and Services

- TDD/TTY
- Building Evacuation Procedures to Assist Persons with Disabilities, especially in multi-story buildings with public access to upper floors
- Training materials and handbooks should be prepared, if needed, in alternate formats.
- The ADA Coordinator should continue to provide or coordinate additional ADA training to all Department managers and staff who have regular contact with the public.
- It is recommended that building department inspectors be familiar with accessibility related codes. Highway department staff that may be involved in sidewalk and curb ramp replacement should also receive training on the current right-of-way guidelines.
- It is recommended that the Sheriff's Department continue to receive training on ADA accessibility issues related to their activities. In particular, training on communicating with people who are deaf or hard of hearing (reference www.ada.gov/lawenfcomm.pdf) and developing a policy on the topic as well (refer to www.ada.gov/lawenfmodpolicy.pdf). Review of other guidance should be done as well, including the publication "Commonly Asked Questions About the Americans with Disabilities Act and Law Enforcement" (www.ada.gov/q%26a_law.pdf).
- Officers should be provided training materials on "Disabilities and Law Enforcement", which is available on the U.S. Department of Justice web site (www.ada.gov/policeinfo.htm).



3.16 Emergency Evacuation Procedures

The County is required to establish emergency evacuation procedures to safely evacuate persons with disabilities who may need special assistance in an emergency. These plans and procedures should include identification of assembly locations for persons with disabilities in each facility, staff assigned to ensure that assembly areas are checked prior to leaving buildings during an emergency, identification of assembly locations for pickup and transport of persons with disabilities, and location of accessible shelters to be used for various types of emergencies. Depending on the nature of the emergency, some shelters may not be appropriate.

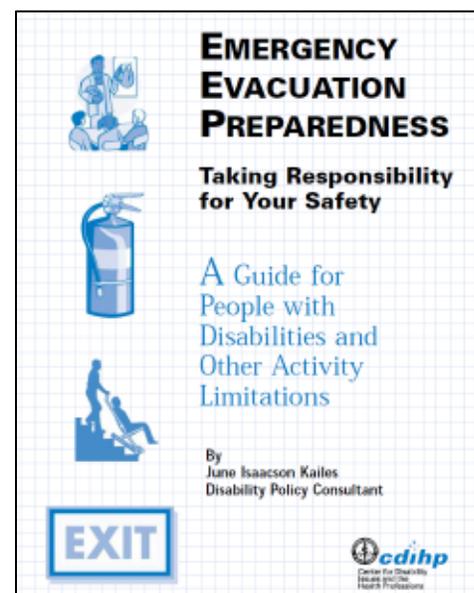
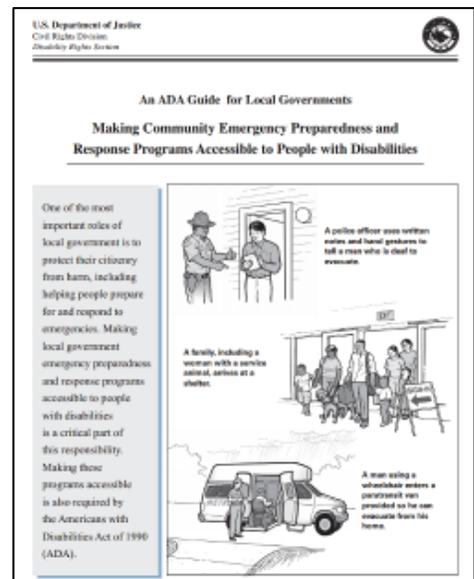
Self-Evaluation Findings:

- The Brown County EMA works in conjunction with the Indiana Department of Homeland Security (IDHS), United States Department of Homeland Security, and the Office for Domestic Preparedness, and many other State and Federal agencies. They also work with town, city and county response agencies of all types, ensuring preparedness and response capabilities for any manmade or natural disaster that may occur anywhere within Brown County. The EMA is responsible for writing, updating, and disseminating the Brown County Comprehensive Emergency Management Plan (CEMP), Strategic Preparedness Plan, Standard Operating Procedures, Memoranda of Understanding (MOU), and Mutual Aid Agreements. They receive new and updated requirements from IDHS, and relay them to County agencies. Brown County is part of IDHS District 8.
- The CEMP was last updated in 2010.

- The CEMP includes a letter of agreement between Brown County EMA, Health, Highway, Sheriff, and Auditor departments, the County 911 Coordinator, the Town of Nashville, Brown County School Corporation, Fruitdale, Hamblen Twp., Jackson Twp., Van Buren Twp., and Cordry Sweetwater Volunteer Fire Departments, and the Bartholomew/Brown County Red Cross.
- Brown County's CEMP does not address or mention persons with disabilities or special needs, how they would be evacuated, the location of accessible emergency shelters, etc. The CEMP is woefully short on detail of how this segment of the population will be accommodated in the event of an emergency.
- The CEMP include a listing of emergency support functions and the agencies providing those services. These are formalized through written agreements with voluntary organizations and mutual aid agreements between responding organizations and other local, state, federal, and private organizations.
- The CEMP indicates an existing agreement with Brown County Community Schools Corporation Transportation Department to utilize school bus transportation and bus drivers for use in evacuation from affected areas and/or transportation to clinic sites or shelters.
- Brown County has established some emergency agreements with local private sector companies and businesses for heavy equipment, generators, food, bottled water, and other key commodities and resources. Due to the limited number of local businesses and resources, this is an area the County would like to improve.
- During disaster operations, numerous private sector and private non-profit organizations provide resources. Included among these are the American Red Cross, Salvation Army, various church-related groups, etc.
- The EMA has recently contracted with Regroup. Regroup offers a one-click multi-platform emergency notifications system that can send out messages via: email, text message/SMS, voice broadcast, website, RSS, pagers, mobile devices, and social media like Facebook and Twitter. This system would allow the County to communicate with large numbers of residents in a wide variety of formats.
- EMA coordinates public and private services in order to assist with public needs during a disaster. Following an event their role is to conduct a county-wide damage assessment in order to qualify for Federal or state disaster recovery funds that may become available.
- EMA works with the American Red Cross, who maintains a list of shelters to be used in the event of an evacuation or emergency and assists in coordinating transportation for the public to these locations depending on the nature of the emergency. Shelters in Brown County include several churches, schools, YMCA, and other suitable facilities. Hotel sheltering is used to accommodate special needs per Red Cross guidelines.
- The Brown County Local Emergency Planning Committee (LEPC) is responsible for the development of a hazardous materials plan for the county and its municipalities (the Emergency Operations Plan, Hazardous Materials Annex, also known as the LEPC Plan).
- The County does not a list of homebound clients and group homes, but handles them as requests are made.
- Emergency evacuation plans are not formalized for any county facilities. It is not clear if departments have established emergency evacuation procedures to safely evacuate persons with disabilities.
- CEMP addresses care of animals, but does not indicate any provisions specific to service animals. Per the director of EMA, service animals would need to be accommodated in hotel sheltering.

Recommended Action:

- The CEMP should review and address the specific needs for evacuation of persons with disabilities or other special needs. The County should review and update, if necessary, response procedures to include evacuation procedures to evacuate people with disabilities from all buildings, as well as from the community, to suitable shelters depending on the nature of the emergency. Excellent resources can be found at:
 - [FEMA](#)
 - www.ada.gov/emergencyprepguide.htm
 - www.cdihp.org/evacuation/emergency_evacuation.pdf
 - onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_150.pdf
 - www.nod.org/assets/downloads/Guide-Emergency-Planners.html
 - www.ada.gov/pcatoolkit/chap7emergencymgmtadd1.htm
- The EMA should clearly identify and publicize in their CEMP evacuation routes and shelters to be used for various types of emergencies and ensure that vehicles used to evacuate residents are accessible, as are all of the emergency shelters. This would facilitate persons in the community knowing the closest emergency shelter prior to an emergency and allow them to get there sooner, without having to contact the County or other agency to find out where they should go. This is especially important for caregivers of persons with disabilities and group homes that are able to transport their clients.
- Ensure that accommodation can be made for service animals at shelters and that persons with allergies can be provided shelter and accommodation away from them.
- The County should provide additional training and information regarding emergency evacuation procedures, particularly with regard to the evacuation of persons with disabilities, to all employees and volunteers charged with assisting in evacuations.
- The EMA should identify potential sources of equipment that can be made available for persons with disabilities in the event of an emergency. This equipment could include wheelchairs, walkers, etc. that might be left behind at homes or damaged during an evacuation.
- Stress the importance of ensuring that non-profit agencies that coordinate and maintain the list of shelters identify and communicate which are accessible for various disabilities. Work closely with advocacy groups to update lists of homebound individuals and others needing assistance in the event of evacuation.
- Take the necessary steps to ensure that emergency teams are aware of persons with disabilities in the community who may require special assistance in the event of an emergency or natural disaster and encourage residents with special needs to register with the County to ensure that proper assistance can be provided if needed.
- All County staff should be made aware of the location of the posted evacuation routes within their facilities. These routes should be conspicuously posted for the public within each facility.



- Include within evacuation plans for each building guidelines for the evacuation of persons with disabilities for various emergency situations. Each Department should use these guidelines to create their own emergency evacuation plans, which should:
 - Address what to do when an alarm is triggered;
 - Establish meeting places for assistance and evacuation at staircases;
 - Establish floor captains who will ensure that each floor is vacated prior to leaving themselves and ensuring that persons that need assistance are removed to safety.

3.17 Employment

Title I of the ADA requires public entities not to discriminate against persons with disabilities in all parts of the recruitment and employment process ([28 CFR 35.140](#) and [29 CFR 1630.4](#)).

Self-Evaluation Findings:

- The Personnel Policies Handbook for Brown County is currently being revised, but changes are not anticipated to affect the items listed in this report.
- The version provided dated February 1, 2012 includes the following statement in Section A on page 4 entitled “Equal Employment Opportunity Statement”: *‘It is the policy of Brown County of Brown to provide equal opportunity for applicants and employees and to recruit, hire, promote, transfer, and terminate employment without regard to race, religion, color, sex, age, national origin, disability, genetic information, or any protected category.’*
- The Handbook includes the following statement on page 17 under Section I entitled “Insurance”: *‘Regular full-time employees and permanent part-time employees (but not temporary employees)...public defenders, and all county elected officials will have the availability of group insurance benefits on a non-discriminatory basis...’* Additionally, the Handbook includes information on Family Medical Leave Act beginning on page 28-30.
- The Handbook includes a general grievance procedure for employees who feel supervisory action was unfairly taken against them or were otherwise aggrieved on pages 33-34.
- The Handbook includes the following statement beginning on page 37 under Section entitled “Non – Harassment Policy”: *‘Brown County is committed to maintaining a workplace free of harassment, intimidation or inappropriate conduct based on sex/gender, race, color, religion, national origin, age, disability, veteran status, or any other category protected by law.’* This section further explains definition of harassment, reporting harassment, investigation of complaint, sanctions and retaliation prohibiting policy.
- The Handbook includes the following statement beginning on page 58 under Section entitled “Americans with Disabilities Act Policy”:

‘It is the policy and practice of the county to comply fully with the American’s with Disabilities Act of 1990, as amended (ADA) and to ensure equal opportunity in employment for all qualified persons with disabilities. The ADA prohibits employment discrimination against qualified individuals who may have a physical or mental disability but can still perform the essential functions of the job with or without reasonable accommodation. The County is committed to ensuring that there is not discrimination under any terms, conditions, or privileges of employment and to making reasonable accommodations for qualified employees with physical and mental disabilities when such accommodation can be made without causing undue hardship. When a physical or mental disability may affect the

individual's ability to perform essential job functions, the supervisor, with assistance from the County Commissioners, is responsible for considering what reasonable accommodations may be made. An employee who requires a reasonable accommodation to perform essential functions of his/her position should work with his/her supervisor to develop the appropriate accommodations.

Reasonable accommodations that do not cause an undue hardship for the County may be made for employees when such an accommodation is required to perform the essential functions of the job.

When an employee requests an accommodation the supervisor may request that the employee provide a medical evaluation documenting the disability. All medical records obtained will be kept in a confidential file separate from general personnel files. The county may require the employee to be evaluated by a physician selected by the county.

In considering a need for a reasonable accommodation, the following factors should be considered:

- *Whether the employee is an individual with a disability covered by the ADA*
 - *The essential functions of the employee's job*
 - *The doctor's evaluation of the employee and the employee's current limitations*
 - *Possible accommodations suggested by the employee*
 - *Other possible accommodations; and*
 - *Whether the disability can be reasonable accommodated without undue hardship or a direct threat to the health and safety of the employee or other individuals.'*
- The County Administrator also functions as the County's HR and provides services to job applicants, County employees, and retirees.
 - Supervisors with assistance from County Commissioners, provide reasonable accommodations to applicants or employees with a disability upon request.
 - The Personnel Policies Handbook includes an Equal Employment Opportunity Section and all employees are required to sign that they have received a copy of the handbook.
 - The County has posted Federal and state equal employment opportunity notices and posters in all appropriate employee areas and has indicated that all advertisements for job announcements state that the County is an "Equal Opportunity Employer".
 - The general Application for Employment states that *"It is the policy of Brown County Government to provide equal opportunity for applicants and employees and to recruit, hire, promote, transfer, and terminate employment without regard to race, religion, color, sexual orientation, age, national origin, disability, genetic information, or any other protected category."*
 - The Application for Employment at the Brown County Sheriff's Office includes physical and mental health requirements as well as access to medical records as part of the highly sensitive security and safety aspect of this employment and the rigorous activity that may be required during performance of job duties. To confirm that is not included to be exclusionary, a statement is included as follows: *"The Brown County Sheriff's Office is an equal opportunity employer and does not discriminate in hiring or employment practices on the basis of race, color, sex religion, creed, national origin, ancestry, disability as defined by law, political affiliation, or on the basis of age against individuals whose age is between 40 and 70, except when age, sex or physical requirement constitute a bona fide occupation qualification necessary to proper and efficient administration or as provided by law. No question on this application is intended to secure information to be used for such discrimination."*

Recommended Action:

- The County should continue to practice the County policies of non-discrimination as required by ADA and other applicable laws.
- Confirm with a qualified labor attorney regarding the noted statement on the Sheriff Department Application form regarding providing medical records PRIOR to a job offer. Make any needed corrections to the form to be compliant with all applicable laws, including ADA.
-
- The County should consider providing on-going training in providing services to persons with a range of disabilities and developing strategies for appropriate modifications.
- The County should confirm that staff members and others that receive phone calls are trained in the use of TDD equipment or other means of communicating over the telephone with a person with hearing disabilities.
- The County should consider updates to the Personnel Policies Handbook to reflect recent changes to ADA, employment law, and case law. Potential updates could include:
 - More comprehensive language regarding prohibition against disability discrimination. An example offered by the EEOC is *“Brown County prohibits any and all types of discrimination against a qualified applicant or employee on the basis of (1) a current disability, (2) record of a prior disability, (3) being perceived or regarded as disabled, or (4) a relationship or association with someone with a disability. A qualified applicant or employee is an individual who can perform the essential functions of the job in questions, either with or, without a reasonable accommodation”*.
 - More comprehensive language regarding disability accommodation. An example offered by the EEOC is *“Requests for accommodations can be either oral or in writing, and individuals are not required to use any particular words in making a requests. The ADA coordinator is responsible for determining if an individual is considered ‘qualified’ and if a ‘reasonable accommodation’ exists. As such, an applicant or employee in need of an accommodation, or a manager aware of an applicant’s or employee’s need for an accommodation, should contact the ADA Coordinator who will promptly engage in the interactive process with the applicant or employee regarding the requested accommodation”*.

3.18 Department Self-Evaluation Findings and Recommendations

DLZ distributed a questionnaire to the ADA Coordinator that included a request for information about various departments, policies, and procedures of the County. This information included specific items that the departments were requested to provide information to help DLZ better understand the policies and procedures of each related to ADA understanding, training, and accommodation (see *Appendix B*). DLZ reviewed responses and coordinated clarifications and questions with the ADA Coordinator. A general summary follows, with completed forms included in the appendix. A secondary benefit of the questionnaire is allowing DLZ to gain an understanding of how well the person completing the questionnaire understands the obligation to ensure their programs are accessible and their general understanding of how to provide accommodations.

Self-Evaluation Findings:

- The County has numerous departments with extensive, daily public interaction that is both in person and over the telephone.
- No departments have identified a person to be the liaison with the ADA Coordinator.
- No departments responded that the programs offered for persons with disabilities were different in any way.
- Many departments have publications, documents, and forms that are reviewed, provided, or submitted to them by the public. Many of these documents are completed at office service counters.

- Some departments noted special accommodations that had been made in the past, including reading forms to a person with visual or educational disability, providing reading glasses or magnifying glass for small print, or general assistance in filling out forms.
- Concerns were cited over funding to correct the deficiencies.

Recommended Action:

- Public interactions with persons needing special accommodation due to a disability is likely to occur for all departments at some point. Training should be provided to all departments to review how to accommodate various disabilities and provide the same level of service.
- Examples of interactions and accommodation for persons with disabilities demonstrated flexibility and desire to provide access to all programs offered.
- All departments should have a liaison identified that will interact with the ADA Coordinator and be responsible for ADA compliance in their department.
- Continue to ensure that all programs offered do not segregate customers with disabilities or not provide the same type and level of service.
- Ensure that all publications, documents, and forms that are provided to the public can be made available in alternate formats easily. This would include large print versions and electronic versions in multiple file formats. All departments should have an accessible work space or clipboard that can be provided to someone that cannot reach counters that are above required height.
- All departments evaluated have barriers present, nearly all of which can be addressed by architectural modifications, various methods of equal accommodation, or changes in procedures.
- Funding will be a key component in some instances but many improvements in service to persons with disabilities can be done inexpensively and within a short timeframe.
- The report includes a number of ways that departments can accommodate persons various disabilities but circumstances and barriers vary between departments. Training of staff is a key component to knowing how to accommodate and provide equal service to persons with disabilities of all kinds.

3.20 Facility Self-Evaluation Findings and Recommendations

DLZ performed a self-evaluation of the following County facilities:

- County Courthouse
- County Building
- Community Corrections
- Deer Run Park
- Emergency Management Agency
- Extension Office
- County Fairgrounds
- Highway Department & Solid Waste
- Parks and Recreation Office
- Prosecutor's Office
- Sycamore Valley Community Center (County Owned)
- Sheriff's Office and Jail
- Veteran's Affairs

A comprehensive review of accessibility at all public areas of these facilities was performed consistent with ADASAD and PROWAG standards, as appropriate. A summary of each follows.

Self-Evaluation Findings:

County Courthouse:

- Barrier-free parking and exterior accessible routes to building exceed slope limitations.
- Exterior stair units exhibit non-compliant landings and handrails.
- Signage in general does not provide Braille or raised text. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Several doors exhibit inadequate maneuvering space, closing speed and operating force and do not maintain 10" min. smooth at bottom of door.
- Public restrooms do not have adequate stall widths or proper grab bars. Items such as mirrors, towel dispensers, coat hooks and lavatories are not mounted at correct heights. Water lines at lavatories are not insulated.
- Jury restrooms are not large enough to provide required turning space or maneuvering clearances at toilet, door and lavatory.
- Accessible work counters are not provided.
- Electrical outlets are below the acceptable reach range.
- Access is limited to the Court Offices, Judges Chambers, and Jury spaces due to presence of stairs as only route.
- Existing stairs also exhibit non-compliant riser heights, landings, and handrails.
- Elevator requires adjustment to door sensors, car control buttons, Braille features, and audible signals. Car width is also marginally non-compliant.
- Water fountain does not meet requirements for standing persons and protrudes into hallway.



County Offices Building

- Barrier-free parking and exterior accessible routes to building exceed slope limitations.
- Signage in general does not provide Braille or raised text. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Accessible work counters and computer terminals where applicable are not provided.
- Maneuvering space at many door locations are blocked by moveable furniture.
- Doors exhibit a number of non-compliant issues including hardware requiring twisting and grasping, and inadequate closing speed and operating force.
- Protruding objects exist such as service counter corners, AED enclosures, fire extinguishers, audio-visual equipment, and time clock.
- Public restrooms do not have adequate stall widths or proper grab bars. Items such as mirrors, towel dispensers, coat hooks and lavatories are not mounted at correct heights. Water lines at lavatories are not insulated.



- Existing stairs also exhibit non-compliant signage and handrails.
- Elevator requires adjustment to door sensors, car control buttons, Braille features, and audible signals. Car width is also marginally non-compliant.
- Water fountains do not meet requirements for standing persons or wheelchair users.

Community Corrections

- No barrier-free parking stall is provided.
- Curb ramp exceeds maximum running slope.
- Exterior entry door does not meet minimum closing speed. Means of egress signage is not provided.
- Very limited signage is provided and does not provide Braille or raised text.
- Restroom non-compliances include mirror height, position and size of grab bars, and partially insulated water lines.



Deer Run Park

- Gravel parking is not stable and slip resistant. No signage is provided.
- No accessible routes exist between areas of activity including but not limited to ball fields, community garden, shelters, and play areas. Walks where existing exceed slope limitations.
- Accessible spectator seating and accessible player seating is generally not provided at areas of activity.
- Service counters/windows exceed allowable height.
- Water fountains are not compliant for wheelchair users.
- Restrooms at Rudd Field exhibit non-compliances including but not limited to lack of clear space at toilet, toilet position, grab bar lengths and position, dispenser heights, and partially insulated waterlines.
- Restrooms at Shelter exhibit non-compliances including but not limited to inadequate stall size, faucet controls requiring twisting, lack of knee space at lavatories, toilet position, lack of grab bars, and dispenser heights out of reach range. Signage is inadequate for doors and not provided on wall.
- Site furnishings are not located on accessible route. Picnic tables and benches provided do not have compliant dimensions.
- Protruding objects are present such as dugout roofs, angled support beams, and service counters.
- Inadequate transfer elements are provided at playground main structure and accessible surface is not provided.



Emergency Management

- Accessible parking stall exceeds allowable slope. Access aisle is of insufficient width.
- Doors exhibit a number of non-compliant issues including 10" min. smooth at bottom of door, and inadequate closing speed and operating force.
- Signage with Braille or raised text is provided, but frequently located at non-compliant heights.
- Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Restroom non-compliances include mirror height, toilet position and location of grab bars.



Extension Office

- Barrier-free parking and exterior accessible routes to building exceed slope limitations. Pavement grate exceeds allowable opening width. Signage is mounted below minimum height.
- Accessible service counter is not provided at reception area.
- Kitchen does not provide accessible amenities at sink or appliances and has limited maneuvering space at island.
- Signage in general does not provide Braille or raised text. Means of egress signage is not provided at exterior doors.
- Doors exhibit a number of non-compliant issues including glazing heights, maneuvering clearances, and inadequate closing speed and operating force.



County Fairgrounds

- Accessible parking provided on site is gravel and exceeds allowable slopes.
- Shower facilities do not provide any special accessible equipment and exhibit barriers to use such as curbed entries.
- No accessible routes exist between parking, buildings, and other areas of activity including barns and arenas.
- Accessible seating is generally not provided at areas of activity. Where wheelchair seating area is provided, pavement exceeds allowable slopes.
- Assistive listening devices are not provided where permanent sound systems and fixed seating were observed.
- Ticket and service windows exceed allowable heights.
- Exterior stairs do not meet requirements for handrails or landings.



- Doors exhibit a number of non-compliant issues including threshold heights, maneuvering clearances, hardware that requires twisting and grasping, and inadequate closing speed and operating force.
- Protruding objects exist such as fans, overhead bracing, and fire extinguishers.
- Electrical controls and outlets are frequently above the allowable reach range.
- In restrooms, non-compliances include inadequate door and wall signage, lack of insulated waterlines, stall widths, hardware, toilet position, seat height, and flush location, and position of grab bars and coat hooks.

Highway Department and Solid Waste

- Barrier-free parking and exterior accessible routes to building exceed slope limitations.
- Signage in general does not provide Braille or raised text. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Doors exhibit a number of non-compliant issues including glazing heights, maneuvering clearances, hardware that requires twisting and grasping, and inadequate closing speed and operating force.
- Protruding objects exist such as counter extensions at unused service windows.
- In restrooms, non-compliances include inadequate door and wall signage, lack of insulated waterlines, toilet and urinal position in men's, and mirror height along with lack of knee space at lavatory and position of grab bar in women's restroom.



Parks and Recreation Office

- Gravel parking is not stable and slip resistant. No signage is provided.
- No accessible route connects parking to entry.
- Exterior ramp exceed allowable slopes on ramp run and landings. Inadequate handrails are provided. Wood may present slip hazard when wet.
- Stair risers are variable height and top landing exceeds slopes. Inadequate handrails are provided.
- Signage does not provide Braille or raised text. Means of egress signage is not provided at exterior doors.
- Main entry door exhibits a number of non-compliant issues including threshold height, maneuvering clearances, hardware that requires twisting and grasping, and does not maintain 10" min. smooth at bottom of door.
- Carpet exceeds allowable pile and padding is not firm.
- At unisex restroom, overall room size does not allow for adequate clear space and stall dimensions.



Prosecutor's Office

- Inadequate quantity of accessible parking is provided for lot adjacent to office. No post mounted signage is provided at existing spaces.
- Exterior ramp exceed allowable slopes on ramp run and landings. Inadequate handrails are provided.
- Stair risers exceed allowable height and top landing exceeds slopes. Railing is only provided on one side and lacks extensions.
- Signage in general does not provide Braille or raised text. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Doors exhibit a number of non-compliant issues including glazing and threshold heights, maneuvering clearances, and inadequate closing speed. Maneuvering space at many door locations is blocked by moveable furniture.
- Reception service window is not at an accessible height.
- In restrooms, non-compliances include highly inadequate door width, no wall signage, lack of insulated waterlines, lavatories blocking clear space required at toilet, toilet position, non compliant faucet controls, mirror and dispenser heights, lack of grab bars, and electrical controls and outlets out of the required reach range.



Sheriff's Office and Jail

- Barrier-free parking stalls and access aisle are not marked at correct widths. No van accessible space is designated.
- Curb ramp does not provide top landing.
- Call buttons are located outside of accessible reach range.
- Service window height is too high.
- Lockers require twisting to operate.
- Fountain does not meet requirements for standing persons and protrudes into walkway.
- Main entry doors exhibit inadequate closing speed and operating force and do not maintain 10" min. smooth at bottom of door.
- Some signage does not provide Braille or raised text. Others are incorrectly spaced. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- In restroom, sink is too high and obstructs clear space at toilet. Dispensers and mirror are mounted high.
- Visitor's cubicles are obstructed by fixed stools. Volume controls not provided on handsets.



Sycamore Valley Community Center

- Pavement is not stable and slip resistant. Spaces are not marked and signs are not mounted at correct heights.
- Accessible route does not connect parking to main entry. Accessible route to public ramp entry at rear of building exceeds allowable cross slope.
- Ramp exceeds running slope and rise limitation. Handrails are not compliant.
- Exterior stairs do not have compliant handrails and exhibit issues related to riser height and landings.
- In general, electrical controls and outlets are out of the required reach range.
- Kitchen does not provide accessible amenities at sink or appliances.
- Signage in general does not provide Braille or raised text. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Doors exhibit a number of non-compliant issues including inadequate maneuvering clearances, hardware that requires twisting and grasping, high thresholds, inadequate closing speed and operating force, and do not maintain 10" min. smooth at bottom of door.
- At restrooms, overall room size does not allow for adequate clear space and stall dimensions. Toilet and dispenser locations are not compliant. Sinks are not configured for clear knee space. Grab bars are not adequate.



Veteran's Affairs

- Barrier-free parking stalls and access aisle are not marked at correct widths. No van accessible space is designated.
- Doors exhibit a very limited number of non-compliant issues including inadequate maneuvering clearance, closing speed and operating force, and do not all maintain 10" min. smooth at bottom of door.
- Signage does not provide Braille or raised text. Means of egress signage is not provided at exterior doors, nor are accessible entrances identified.
- Grab bars are located very marginally over the required heights. Mirror and paper towels exceed allowable height.



Recommended Actions:

- Specific priorities for each facility and corrections needed, with costs, to fully comply with ADA standards are included in the following section of this report and the appendices.
- There are many interim fixes that can be implemented immediately to address various deficiencies and provide equal access to all users in many cases until permanent solutions are implemented. Other improvements are relatively low cost and should also be considered for implementation in early phases of the Transition Plan. These include:
 - Restripe parking lots to provide compliant spaces, with proper signage, at locations closest to accessible entrances at all facilities. When a facility has multiple parking lots, precedence should be given to the lots that have the most use by the public and are closest to facility entrances or amenities.
 - Develop a master signage plan for all facilities that includes directional signage to accessible entrances outside of facilities and required signage within each facility. Ensure that one entrance at all facilities is fully accessible and that non-accessible entrances are adequately signed to direct the public to the accessible entrance(s).
 - Work closely with City of Nashville and INDOT to ensure that public ROW facilities, including on-street parking, sidewalks, and curb ramps, are placed proximal to accessible entrances at County facilities and that spaces are properly marked and signed.
 - For objects that protrude inside buildings, either move these items closer to the floor where they are cane detectable, move them outside the pedestrian circulation route in buildings, or place a permanent object that is cane detectable below them. Ensure that vegetation is trimmed so it does not protrude into the path of circulation outside of facilities.
 - Provide a cup dispenser at all drinking fountains below 48" height at a level location that can be used by anyone at functional drinking fountains, along with a waste container.
 - Develop a lockset replacement plan for all doors that have knobs that require grasping and turning to open. Ensure that staff inside of rooms with doors that have knobs can see into the hallway in the event someone on the outside cannot open the door or consider a policy that doors with non-compliant hardware are left open at all times during business hours.
 - In rooms with light switches above 48" that are operated by the public, consider installation of occupancy sensors and timer controls for lighting control.
 - In areas that have all electrical outlets below 15" and/or above 48", consider mounting a power strip or extension cord to the wall that is accessible within the required height range.
 - Ensure that compliant pedestrian routes exist from parking to the accessible entrances for all buildings. This may entail new construction or reconstruction of existing sidewalks.
 - Determine if adjustments can be made to interior door closers to reduce the opening pressure to 5 pounds or less and/or slow the closing time to at least 5 seconds from 90 degrees open to 12 degrees from closure. If this cannot be attained, a new closer will need to be purchased.
 - Review corrective actions needed for at least one restroom for each facility and provide signage to direct persons from non-accessible restrooms to the accessible one.
 - Priority needs to be given to corrections in the courtroom that are required to provide full access but does not have a negative effect on the historical components within the courthouse (facades, railings, furniture, etc.). Corrections would include the courtroom as well as jury rooms and facilities.
 - Ensure that all public assembly areas (meeting rooms and courtroom) have the proper number and types of assistive listening devices available and signage is installed alerting people where they are available.
 - Consider automatic door openers at facilities with inadequate space in alcoves, excessive opening force requirements, or closing speeds that are too fast for exterior doors.

- Ensure that all departments that have public contact have compliant work surfaces available for persons to complete paperwork or review documents. Also be certain to provide a clipboard that can be used for this purpose as well.
- Move furniture or other obstructions that could be in the way of required clear spaces for persons using wheelchairs.
- Lower or install an additional coat hook in each restroom stall and room where coats may be hung on the wall.
- Consider installation of kick plates on the push side of all doors with glass below 10” above the floor to prevent glass breakage by wheelchair users.
- Reposition items in restrooms that are too high, including soap dispensers, mirrors, paper towel dispensers, etc. In some instances, it may be less costly to provide an additional amenity within compliant height (e.g., add a second mirror on different wall, install a second soap dispenser, etc.).
- Improvements inside the County Courthouse will require careful planning and analysis to avoid impacting historical aspects of the facility.

3.21 Curb Ramps and Sidewalks

Title II of the ADA ([28 CFR Section 35.150 \(d\)](#)) requires that state and local governmental entities develop a Transition Plan specific to curb ramps or other sloped areas at locations where walkways cross curbs. A curb ramp (or sometimes referred to as a curb cut) is a short sidewalk ramp cutting through a curb or built up to it.

Curb ramps are a relatively small but important part of making sidewalks, crossings at intersections, and other pedestrian routes accessible to people with disabilities. The ADA requires state and local governments to make pedestrian crossings accessible to people with disabilities by providing curb ramps ([28 CFR 35.150 \(d\)\(2\)](#); [35.151\(a\), \(b\), and \(i\)](#)). There is no requirement under Title II of the ADA or proposed PROWAG that sidewalks be made accessible or be provided where they are not currently provided. The law stipulates that the public entity provide curb ramps, or other sloped areas where pedestrian walks cross curbs, that are accessible. New construction or alterations would require that non-compliant sidewalks be improved to the extent possible.

Self-Evaluation Findings:

- Within the County, many portions of the ROW fall under the control of INDOT or incorporated cities and towns. Brown County owns pedestrian ROW facilities only at the Four Corners intersection and share maintenance responsibilities for this space with the City of Nashville. The Bean Blossom Overlook is within INDOT ROW but is maintained by the County. Facilities identified that are not in compliance or are in need of repair are included in this SETP in Appendix A.
- Design of roads, bridges, sidewalks, and ADA curb ramps are the responsibility of the Highway Department, subdivision developers, or consultants that they hire.
- The County bases its standards on INDOT’s curb ramp design standards, including a library of standard technical specifications and construction detail drawings, which establish minimum standards for improvements and assure ADA compliance. These specifications identify the requirements for detectable warnings, maximum slope, landings, and other geometric features. The purpose of INDOT construction standards is to regulate and ensure the construction of improvements result in the coordinated and compliant development of curb ramps, sidewalk, and pedestrian facilities throughout the County.

Recommended Action:

- County should coordinate with the appropriate agency for needed repairs or replacements at the areas it maintains.
- For future construction, the County should continue to prepare design plans and construction documents to meet or exceed state and Federal accessibility requirements. The County should continue to update its design standards to meet any additions or changes to ADA standards.

4.0 Transition Plan

The Transition Plan describes how Brown County will be transitioning to full compliance with the ADA and applicable standards. Public entities, like the County, are required to provide access to County programs, services, and activities for all of the recipients. Thus, the County must provide access for individuals with disabilities and document areas of non-compliance. Additional documentation is provided as barriers are removed.

If structural changes are identified to provide program accessibility as part of the self-evaluation, ADA identifies specific elements to be included in the transition plan. At a minimum, the elements of the Transition Plan are:

- 1) A list of the physical barriers in the County's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities [\[28 CFR 35.150 \(d\)\(3\)\(i\)\]](#)
- 2) A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible [\[28 CFR 35.150 \(d\)\(3\)\(ii\)\]](#)
- 3) The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period [\[28 CFR 35.150 \(d\)\(3\)\(iii\)\]](#)
- 4) The name of the official responsible for the plan's implementation. [\[28 CFR 35.150 \(d\)\(3\)\(iv\)\]](#)

The transition plan is a reaction to the findings of the facility audits, assessments of County policies, services, programs, and activities, and input from advocacy groups and the public. Recommended actions for County policies and programs can be found in Section 3.0.

The specific architectural and site improvement modifications required to make programs accessible are listed in the Brown County Facility Reports (see *Appendix A*). Facility reports include buildings and their related grounds, as well as the ROW facilities owned or maintained by Brown County. Each facility report contains a list of items that do not meet current ADASAD or PROWAG standards and barrier removal actions. Not all of these barriers must be removed by making renovations to the facilities in order to provide program compliance with the ADA. Removing barriers limiting access to programs or those which present a safety hazard should be the County's first priority.

4.1 Phasing of Corrections

A phased implementation of the required corrections to remove physical barriers at County-owned facilities is required and recommended. The County has limited funds and cannot immediately make all facilities fully compliant with ADA standards. Prior to setting priorities, baseline criteria needed to be established to develop a starting point for ranking the deficient facilities identified during the self-evaluation.

Site priorities were determined by evaluating each site's level of use, social need, civic function, and the general uniqueness of the site. At the time of the development of this report, few public complaints had been received about County-owned facilities. Complaints were not used as criteria to determine the phasing of improvements for any particular site, though future complaints could be the basis for funding improvements.

Each of these criteria is assumed to have equal weight and no priority over another:

- **Level of Use:** Is the facility utilized quite frequently and by a large cross-section of the public?
- **Social Need:** Does the facility provide a social service or program for less fortunate or transient citizens?
- **Civic Function:** Does the facility provide access to civic programs and services that implement the civil and political rights provided by the government?
- **General Uniqueness of the Site:** Does the building, facility, or site provide a distinct program or service that cannot occur at a different location or facility?

4.2 Public Outreach

Public participation on the final contents of the Transition Plan, including setting of priorities and the phasing of improvements, is critical to the success of the endeavor and is required by law. A draft Transition Plan was made available on the County's website, at the County Offices in the County Administrator/ADA Coordinator's office and the Public Library for public review and comment from November 27 to December 13, 2013. Comments could also be provided via e-mail as advertised and posted. No public comments were received. The final Transition Plan was then submitted to the County Commissioners for public hearing and adoption at its regular meeting in January 2014.

In creating priorities, it is the County's intent to evaluate all areas of potential deficiency and to make structural changes where necessary and equal accommodation cannot be made in another manner. The assignment of priorities is intended to facilitate public review and to address specific concerns of the local disabled community. It must be emphasized that it is the County's intention that all individuals with all types of disabilities be reasonably accommodated to provide access to all programs offered at all facilities.

The timing of the improvements by site within each transition phase will be determined by the County based on their preferences and criteria. In general, the required physical improvements to meet ADA specifications at County facilities were split into three priority groups:

- High priority improvements
- Medium priority improvements
- Low priority improvements

4.3 Priorities for Barrier Removal

All barriers are not equal in the impact they have on persons with disabilities to have equal access to County facilities or programs. Following evaluation of all facilities and programs, a prioritization had to be done to identify a ranking system to utilize when determining which capital improvements need to be considered first and those that could be implemented in subsequent years.

1. **High priority** barriers prohibit access for disabled persons, make access extremely troublesome, or present safety hazards to all users. These barriers likely do not have acceptable alternative routes or treatments to overcome the barrier. Typically these barriers are significant obstacles located at entry walks and doors, interior corridors, curb ramps, rest rooms, and transaction and information counters. Examples of high priority barriers would include:
 - lack of barrier-free parking
 - accessible route to the building's door
 - stairs where ramps or level surface are needed
 - doors that are too narrow

- lack of elevator in a multi-level building
- extremely non-compliant slopes for accessible routes or ramps
- displacements in walks or high thresholds
- missing handrails
- some signage

2. **Medium priority** barriers partially prohibit access or make access quite difficult for disabled persons. For medium priority barriers, alternative routes or treatments to overcome the barrier may or may not exist. Typically these barriers are obstacles to amenities such as secondary entry points, light switches, vending machines, and drinking fountains. Medium priority barriers may also be barriers which are significant obstacles prohibiting access but for which alternative access is available or assistance is readily available to navigate around the barrier. The presence of the medium priority barrier possibly causes a minor danger to a disabled person who is attempting to use the facility. Examples of medium priority barriers would include:

- minor non-compliant slopes
- some signage
- minor issues with doors
- non-compliant dimensional issues (vestibules, corridors, etc.)
- stairwell/stair issues, particularly where an elevator is not available
- accessible restrooms
- accessible work and service counters
- moderately non-compliant dimensional issues
- protruding objects

3. **Low priority** barriers typically do not limit access to facilities or services for disabled persons. For low priority barriers, alternative routes or treatments are typically available or assistance can be provided to overcome the barrier. It is not likely that the presence of a low priority barrier would cause a danger to a disabled person who is attempting to use or access the facility. Examples of low priority barriers would include:

- many signage issues
- minor issues with light switches, electrical outlets, etc.
- minor non-compliant dimensional issues

The costs to remove barriers by priority for each site are shown in Table 1 and 2 and detailed for each facility in *Appendices A-C*. In addition, a time frame had to be identified to determine an average annual budget to consider. For the purposes of this report, a 20 year time frame was utilized. Using this, it is conceivable that at the end of 20 years, all non-compliant ADA issues would be addressed throughout all County-owned facilities. This assumes that standards and guidelines are not modified. This further assumes that funding is available each budget cycle to make the necessary improvements. It is highly unlikely given the economy that this is realistic, particularly when considering that there are also likely to be a large number of other improvements needed by the County as part of regular maintenance, upkeep, and repairs.

In some instances, it may be advantageous to construct all improvements at a site at once rather than correct the high priority barriers first and come back at a later date to correct the medium or low priority barriers. For some sites, the total cost of construction for the corrections requires that they be spread out over two or more phases. Brown County has the right to modify the priorities based on funding levels and changes in County programs, activities, and services to have flexibility in accommodating community requests and complaints. Interim resolutions, such as assigning aids, temporary signing for alternate routes or sites, and modifications of programs, activities, and

services may be implemented at the County's discretion to handle existing insufficiencies or access complaints received. All costs noted in *Appendix A* and Table 1 are 2013 cost opinions. These cost opinions are subject to change based on market conditions, economic conditions, inflation, material selection, etc. Multiple phases of projects, multiple bidding packages, design parameters, etc. all have an impact on project costs that cannot be finitely identified in a study with this level of detail and uncertainty related to funding.

Based on the costs developed to address the architectural and engineering improvements required to fully comply with ADASAD and PROWAG standards, more than \$357,350 in improvements would be required (2013 costs) to achieve ADA compliance at all of the County building facilities, parks, and the shared ROW areas. It is important to note at this point that many of the noted deficiencies are not significant barriers to access and some improvements are not required until such time as a major building renovation is completed. This does not avoid the need for Brown County to ensure all programs are accessible by some means. It must also be mentioned that the cost to correct significant non-compliant items cannot be determined based on the scope of the ADA self-evaluation. Additional investigation is needed to evaluate the various options and likely will include a review of other codes (plumbing, electrical, etc.) and possibly also review of the feasibility of removing walls (i.e., structural engineering review). Examples of these types of items would include:

- Conversion of multi-user restrooms to single user due to non-compliant space (may require analysis of plumbing code requirements for the number of fixtures required)
- Moving of walls to enlarge multi-user restrooms to enlarge an existing non-compliant stall to meet requirements (may require structural engineering review)
- Investigation required to determine how to best provide a level space at an entry door

Costs provided are estimated based on information available from the self-evaluation and may not account for hidden items not readily visible which may impact costs (e.g., lack of backer boards where toilet grab bars need to be relocated, would require drywall removal and replacement that is not included in noted costs). In some cases, the cost identified is for a specific solution and there are often multiple options with costs that can be quite variable. Brown County has set a goal for implementing all of the recommended improvements within a 20 year time frame. At the December 9th Commissioners Meeting, an annual budget of approximately \$20,000 over 20 years was committed to bring all of the County facilities evaluated in Appendix A of this report up to current ADA standards (no inflation included). These costs do not include any costs associated with training of staff, staff time related to training or overseeing implementation, etc. Brown County should form a committee to identify the most urgent access needs based on their experiences. There may be grants available to make some of these improvements and this should be investigated further.

4.4 Transition Plan Phasing

The ADA Coordinator should work closely with the Commissioners to make funding available where possible to make the most urgent improvements to ensure all programs are accessible. Note that actual phasing, transitioning of improvements, etc. can be impacted by a number of factors that may be unknown currently, as well as economic conditions, grant opportunities, etc. The County is committed to becoming ADA compliant within the confines of preserving existing programs and services to all and budgetary limitations. Many of the items that are not compliant with current standards may be compliant with previous standards and are not required to be modified until a building renovation is completed.

Any changes to the ADA policy after the sites were surveyed are not reflected in these basic cost estimates. Additionally, it is the County's responsibility, as required by the ADA mandate, to regularly update the Transition Plan based on the latest requirements of the ADA laws and to document constructed improvements and facilities that are brought up to current ADA standards. Finally, the site surveys performed for this report are not to design level detail and are intended to be used to give a framework to the Transition Plan. When the Transition Plan is approved and the planning stages are begun for implementation of the first improvements, a more detailed survey of each site should be performed and improvements should be designed by licensed professionals that are knowledgeable with ADA as well as all other applicable codes, including building and fire codes. At this time, costs are estimated but precise costs cannot be determined until final design and the Transition Plan should be adjusted to reflect this knowledge.

Complaints received may also help determine the priorities of the improvements. If the County receives complaints about access at a particular site that is not slated for upgrades for several years, they should adjust the Transition Plan to accommodate the implementation of improvements to be sooner or as necessary.

4.5 Curb Ramps and Sidewalks

At this time, nearly all curb ramps and sidewalks of Brown County are within INDOT, city, and town ROW and belong to those entities, not the County. The only pedestrian right-of-way facilities owned by the County are located at the Four Corners intersection at Jefferson and Main. The County has performed a self-evaluation of the facilities within the public ROW with shared jurisdiction in 2013 and findings and recommendations are included in this SETP, Appendix A.

4.6 Plan Updates and Enforcement

Changes to Brown County's policies and programs should be drafted, implemented, and documented by the ADA Coordinator. Examples of some of these changes were provided in the Self-Evaluation. These changes should have little cost of implementation, mainly consisting of the time to develop the language of the policy and program changes, time to train County staff, and administrative costs. Some of the suggested language for County ADA documentation has been suggested in this report, but these suggestions are not exhaustive

Table 1

BROWN COUNTY - ADA SELF EVALUATION STUDY AND TRANSITION PLAN					
FACILITY SUMMARY					
Name & Location	Ownership Status	Low Priority	Medium Priority	High Priority	Total Site Cost
County Courthouse 20 E. Main Street	County Owned	\$31,390	\$12,120	\$12,825	\$56,335
County Offices 201 Locust Lane	County Owned	\$25,370	\$18,710	\$2,520	\$46,600
Community Corrections 902 Deer Run Lane Suite B	County Owned	\$1,300	\$850	\$1,600	\$3,750
Emergency Management Agency 53 State Road 56 East	County Owned	\$11,090	\$1,800	\$700	\$13,590
Extension Office 802 Memorial Drive	County Owned	\$5,480	\$980	\$1,400	\$7,860
Fairgrounds	County Owned	\$18,750	\$25,810	\$15,100	\$59,660
Highway Department, Recycling Center, and Solid Waste Office 715 Greasy Creek	County Owned	\$6,360	\$3,490	\$1,300	\$11,150
Parks and Recreation Office 1001 Deer Run Lane	County Owned	\$4,360	\$5,800	\$1,900	\$12,060
Prosecutor 31 Old School Way	County Owned	\$8,025	\$8,265	\$250	\$16,540
Sheriff Dept and Jail 55 State Road 56 East	County Owned	\$4,675	\$1,750	\$100	\$6,525
Sycamore Valley Community Center 746 Memorial Drive	County Owned/ Privately Operated	\$9,510	\$9,260	\$1,945	\$20,715
Veterans Affairs 902 Deer Run Lane Suite A	County Owned	\$2,200	\$750	\$100	\$3,050
Deer Run Park and Community Garden 1001 Deer Run Lane	County Owned	\$18,485	\$41,180	\$26,600	\$86,265
Bean Blossom Overlook SR 135 north of Nashville	INDOT Owned/ County Maintained	\$500	\$100	\$1,500	\$2,100
Four Corners Shelter NW Quadrant of Main and Jefferson	County Owned	\$0	\$3,350	\$0	\$3,350
Four Corners ROW Intersection of Main and Jefferson	County Owned	\$7,800	\$0	\$0	\$7,800
TOTALS		Low Priority \$155,295	Medium Priority \$134,215	High Priority \$67,840	Total Cost \$357,350

All cost estimates for Brown County facilities are based on a single unified bid with 2013 estimated costs. Bidding in a different manner or different time period will require adjustments to the probable project costs. All items indicated as 'TBD' require further evaluation for feasibility due to historical, topographical or structural concerns.

5.0 ADA Policy and Grievance or Complaint Procedure

Brown County has designated the County Administrator as its ADA Coordinator. The ADA Coordinator will delegate the responsibility of preparing an initial investigation and response to departmental management staff members. The ADA Coordinator is responsible for coordinating the efforts of the County to comply with Title II and for investigating any complaints that the County has violated Title II of the ADA. The Coordinator is also responsible for coordinating the efforts of the County to comply and all other applicable state and Federal physical and program accessibility requirements.

It is desired that individuals with complaints, questions, or concerns bring them to the attention of the ADA Coordinator or other Department Head in an informal manner and that they be resolved at that level. The following information should be provided to all departments and posted conspicuously in all County buildings and the website:

- It is the policy of Brown County that every employee makes reasonable efforts to accommodate the needs of the disabled. If an employee is not able to address the concern within their authority to act, the issue may be elevated to a formal complaint. Notification of complaints, grievances or issues should be submitted as soon as possible, but no later than 180 calendar days after the date of the alleged violation or discriminatory act.
- Anonymous formal complaints or grievances will not be accepted, though if the nature is such that a potential hazard is reported, it should be investigated.
- Formal notification of complaints, grievances, or issues must be submitted to the County in writing on a designated form, which shall contain specific information about the alleged violation or discrimination. Specific information shall include name, address, contact number of the complainant and the date, location and complete description of the issue or problem. The matter will be documented and logged and assigned to the proper department for follow-up.
- Alternative means of filing complaints, grievances or issues may be accepted; however, all complaints, grievances, or issues must provide all the information required consistent with the format of the official designated form.
- Questions concerning the notification and follow-up process may be addressed to the ADA Coordinator at (812) 988-4901
- Every reasonable attempt will be made by Brown County to remedy the disability complaints, grievances, or issues in a timely manner subject to staff and budget constraints and in compliance with the timeline indicated in the established Grievance procedure in Appendix D.
- All written complaints received by ADA Coordinator or designee, appeals to the County Commission, and responses from these two offices will be retained by the County for at least three years.

Recommended Action:

It is recommended that the County monitor the grievance procedure to be consistent with best practices and make necessary modifications to ensure time is allowed to make a thorough and complete investigation. The grievance procedure is included in *Appendix D*.

6.0 ADA Tool Kit

6.1 Introduction

In order to facilitate access to all County programs and Departments, the County will maintain program accessibility guidelines, standards, and resources. This information is available to all employees and volunteers. The County will add to these guidelines when necessary to address its needs and include information and technological devices that help staff and volunteers members communicate with individuals with a variety of disabilities. The County will periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included. This section also contains the accessibility standards of care that govern new construction and alterations to facilities.

If you need any additional assistance, please contact:

Dr. Michael Thompson, ADA Coordinator
Phone: (812) 988-4901
E-mail: thompsonme@browncounty-in.us

6.2 Federal Accessibility Standards and Regulations

U.S. Department of Justice

The U.S. DOJ provides many free ADA materials including the ADA text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TDD)]. 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 DOJ website (www.ada.gov/).

Unless noted, the ADA publications have not been updated to reflect the recent revisions to the ADA regulations that took effect on March 15, 2012.

- *ADA Regulation for Title II.* This publication describes Title II of the ADA (http://www.ada.gov/regs2010/ADAREgs2010.htm#titleII_final_2010), Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under Section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth Standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.
- *Title II Technical Assistance Manual (1993) and Supplements.* This 56-page manual (www.ada.gov/taman2.html) explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance.
- *Accessibility of State and Local Government Websites to People with Disabilities.* This is a 5-page publication providing guidance (www.ada.gov/websites2.htm) on making state and local government websites accessible.

U.S. Access 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 free and can be downloaded from the Access Board's website (www.access-board.gov/the-board/laws). In addition to regular print, publications are available in large print, disk, audiocassette, and Braille. Multiple copies of publications can be ordered by sending a request to pubs@access-board.gov. In addition to the guidelines, guidance material is also available to assist staff in understanding and implementing Federal accessibility guidelines.

The following publications are currently available from the U.S. Access Board.

Guidelines and Standards for Facilities

Federal guidelines and standards are subject to periodic revision based on research findings and guidance from advisory committees. The County should have a regular practice of reviewing research materials posted to the U.S. Access Board's website and updating local guidelines and practices as new standards are adopted or existing standards are revised.

- *ADA Standards for Accessible Design (ADASAD)*. This document (www.ada.gov/2010ADASTandards_index.htm) contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the ADA, including special provisions where applicable for elements designed specifically for children ages 12 and under. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the DOJ and the DOT, under the ADA.
- *Accessibility Guidelines for Play Areas*. The Access Board has developed accessibility guidelines for newly constructed and altered play areas. This bulletin is designed to assist in using the play area accessibility guidelines and provides information regarding where the play area guidelines apply, what a play component is considered to be, how many play components must be an accessible route, and the requirements for accessible routes within play areas. (www.access-board.gov/guidelines-and-standards/recreation-facilities/guides/play-areas)
- *Accessibility Guidelines for Recreation Facilities*. The Access Board issued accessibility guidelines for newly constructed and altered recreation facilities in 2002. The recreation facility guidelines are a supplement to ADAAG. They cover the following facilities and elements: amusement rides, boating facilities, fishing piers and platforms, miniature golf courses, golf courses, exercise equipment, bowling lanes, shooting facilities, swimming pools, wading pools, and spas. These summaries were updated following issuance of ADASAD (www.access-board.gov/guidelines-and-standards/recreation-facilities/guides)
- *Accessibility Guidelines for Outdoor Developed Areas*. The Regulatory Negotiation Committee on Accessibility Guidelines for Outdoor Developed Areas was established in June 1997. The accessibility guidelines proposed by the Committee include consideration of the latest information, design, and construction practices in existence. Proposed Section 16 of ADAAG requires all areas of newly designed or newly constructed and altered portions of existing trails connecting to designated trailheads or accessible trails to comply with this section. This proposed section also provides design guidelines for all newly constructed and altered camping facilities, picnic areas, and beach access routes. It is recognized that compliance with this section will not always result in facilities that will be accessible to all persons with disabilities. These guidelines recognize that often the natural environment will prevent full compliance with

certain technical provisions, which are outlined in this publication (www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas/draft-final-guidelines/text-of-theguidelines).

Guidance Material and Advisory Reports for Facilities

The following publications provide additional information on specific aspects of the above guidelines and standards for facilities. Employees are encouraged to refer to these publications to obtain more detailed and up-to-date information when evaluating and implementing accessibility improvements to facilities. Note that several websites have been reconfigured and some outdated information removed. Some web addresses or hyperlinks may not be functional and not all information contained in the documents references current standards.

- *Using ADAAG Technical Bulletin*. This bulletin was developed to serve the specific needs of architects and other design professionals who must apply the ADAAG to new construction and alterations projects covered by Titles II and III of the ADA. It is also intended to clarify accessibility regulations generally, including those that apply to existing facilities covered by the ADA.
- *Detectable Warnings Update (March 2008)*. Currently, the Access Board is in the process of developing guidelines on public rights-of-ways that, once finalized, will supplement the new ADAAG. This update is expected in 2013. While ADAAG covers various features common to public streets and sidewalks, such as curb ramps and crosswalks, further guidance is necessary to address conditions unique to public rights-of-way. Constraints posed by space limitations at sidewalks, roadway design practices, slope, and terrain raise valid questions on how and to what extent access can be achieved. Guidance on providing access for blind pedestrians at street crossings is also considered essential. This bulletin outlines the requirements of detectable warnings, a distinctive surface pattern of domes detectable by cane or underfoot, which are used to alert people with vision impairments of their approach to streets and hazardous drop-offs. The ADAAG require these warnings on the surface of curb ramps, which remove a tactile cue otherwise provided by curb faces, and at other areas where pedestrian ways blend with vehicular ways. They are also required along the edges of boarding platforms in transit facilities and the perimeter of reflecting pools. (www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/guidance-and-research/detectable-warnings-update)
- *Assistive Listening Systems Technical Bulletins*. Assistive listening systems are devices designed to help people with hearing loss improve their auditory access in difficult and large-area listening situations. Typically, these devices are used in such venues as movie houses, theaters, auditoriums, convention centers, and stadiums, where they are piggybacked on a public address system. They may also be used in smaller listening locations like courtrooms, museums, classrooms, and community centers. This web site provides information about the types of systems that are currently available and tips on choosing the appropriate systems for different types of applications (www.michdhh.org/assistive_devices/hearing_assistive_tech.html).

Guidelines for Transportation

- *ADAAG for Transportation Vehicles*. This publication provides minimum guidelines and requirements for accessibility standards for transportation vehicles required to be accessible by the ADA, including over-the-road bus and tram systems. (www.access-board.gov/guidelines-and-standards/transportation/vehicles/adaag-for-transportation-vehicles).
- *ADAAG for Transportation Vehicles; Over-the-Road Buses*. This publication outlines the amendments to the accessibility guidelines for over-the-road buses (OTRB) made by the

Architectural and Transportation Barriers Compliance Board and the DOT to include scoping and technical provisions for lifts, ramps, wheelchair securing devices, and moveable aisle armrests. Revisions to the specifications for doors and lighting are also adopted. The specifications describe the design features that an OTRB must have to be readily accessible to and usable by persons who use wheelchairs or other mobility aids. (www.access-board.gov/guidelines-and-standards/transportation/vehicles/technical-assistance-manuals-on-adaag-for-transportation-vehicles/subpart-g-over-the-road-buses-and-systems)

- *American Association of State Highway and Transportation Officials (AASHTO)*. AASHTO is the organization that maintains the “Green Book” for design of roads and highways and has begun to address accessibility of pedestrian networks. Several AASHTO publications, which can be ordered from the AASHTO website (<http://transportation.org/>), address accessible circulation systems, including: *AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities* (1st edition) and *Guide for the Development of Bicycle Facilities* (3rd edition).
- *Federal Transit Administration (FTA)*. FTA regulates and enforces requirements of the ADA covering transportation facilities and systems. FTA maintains a technical assistance line on ADA questions (888-446-4511) and on their website (www.fta.dot.gov).
- *Securement of Wheelchairs and Other Mobility Aids*. As a public or private transit authority, the responsibility of safe, efficient service from public agencies who offer transportation services has been enlarged to affording ridership to people using a wide variety of mobility aids. In considering not only the many types of mobility aid devices, but also the variety and sizes of lifts, and the numerous makes of buses and vans, it can be easily seen that there is no single, definitive solution to accessibility on mass transit vehicles. Various publications can be found that report on the experience of transit agencies that have taken the initiative to involve the ridership in needs assessment and have established policies, educated operators, and informed the public to achieve greater accessibility in their bus transit systems.

Guidance Material for Communication

- *Standards for Electronic and Information Technology*. The Access Board is issuing final accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998. Section 508 requires the Access Board to publish standards setting forth a definition of electronic and information technology and the technical and functional performance criteria necessary for such technology to comply with section 508. (www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards/section-508-standards)
- Section 508 also requires that individuals with disabilities, who are members of the public seeking information or services from a Federal agency, have access to and use of information and data that is comparable to that provided to the public who are not individuals with disabilities, unless an undue burden would be imposed on the agency. (www.section508.gov/)
- *Bulletin on the Telecommunications Act Accessibility Guidelines*. As technology continues to improve our means of telecommunication, it can pose challenges to accessibility on one hand, while on the other hold the key to innovative access solutions. Section 255 of the Telecommunications Act requires telecommunications products and services to be accessible to people with disabilities. This is required to the extent access is "readily achievable," meaning easily accomplishable, without much difficulty or expense. Telecommunications products covered include: wired and wireless telecommunication devices, such as telephones (including pay phones and cellular phones), pagers, and fax machines; other products that have a

telecommunication service capability, such as computers with modems, and equipment that carriers use to provide services, such as a phone company's switching equipment. (www.access-board.gov/the-board/laws/telecommunications-act)

Federal guidelines and standards are subject to periodic revision based on research findings and guidance from advisory committees. The County should have a regular practice of reviewing research materials posted to the U.S. Access Board's website and updating local guidelines and practices as new standards are adopted or existing standards are revised.

6.3 Resources for Providing Accessible Programs & Facilities

- *ADA Document Portal*: This website (www.adaportal.org) provides links to more than 7,400 documents on a wide range of ADA topics. The ADA Document Portal is supported by the 10 ADA & IT Technical Assistance Centers.
- *DisabilityInfo.Gov*: A one-stop interagency portal for information on Federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.
- *National Center on Accessibility (NCA)*: The Center (<http://ncaonline.org>) is a cooperative effort between the National Park Service (NPS) and Indiana University to provide information and technical assistance, primarily on recreation access. An example of the research activities of the NCA is the National Trails Surface Study. Initiated in 2005, this longitudinal study is primarily the result of questions that the National Center on Accessibility has, for many years and continues to receive from organizations, agencies and individuals who desire to make their trails accessible; are interested in an unobtrusive surface that blends and is friendly to the environment; and provides a quality trail experience for people with and without disabilities.
- *National Center on Health, Physical Activity, and Disability*: The Center (www.ncpad.org) provides information and resources on physical activity to help people with disabilities find ways to become more active and healthy. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps, and health and leisure services.
- *National Park Service*: NPS has many programs that address the issue of providing accessible recreation services to people with disabilities. These include Wilderness Accessibility for People with Disabilities (www.ncd.gov/publications/1992/December1992#8-1a) and Director's Order #42-Accessibility, which establishes the purpose and role of the NPS Accessibility Program (www.nps.gov/accessibility.htm), lists applicable laws, standards, and authorities, implementation strategies, roles, and responsibilities. It also addresses NPS policies and provides links to additional information sources.

6.4 Technical Resources

The County should utilize the many disability-related resources available through the internet. Begin at AbleData (www.abledata.com), maintained by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education. The site provides up-to-date links to assistive technologies and disability-related resources. AbleData's mission is to provide objective information on such assistive products as:

- *Architectural elements*: Products that make the built environment more accessible, including indoor and outdoor architectural elements, vertical lifts, lighting, and signs.

- *Blind and low vision*: Products for people with visual disabilities, including computers, educational aids, information storage, kitchen aids, labeling, magnification, office equipment, orientation and mobility, reading, recreation, sensors, telephones, tools, travel, typing, and writing (Braille).
- *Communication*: Products to help people with disabilities related to speech, writing and other methods of communication, including alternative and augmentative communication, signal systems, telephones, typing, and writing.
- *Computers*: Products to allow people with disabilities to use desktop and laptop computers and other kinds of information technology including software, hardware, and computer accessories.
- *Controls*: Products that provide people with disabilities with the ability to start, stop, or adjust electric or electronic devices including environmental controls and control switches.
- *Deaf and hard of hearing*: Products for people with hearing disabilities, including amplification, recreational electronics, signal switches, and telephones.
- *Deaf and blind*: Products for people who are both deaf and blind.
- *Education*: Products to provide people with disabilities with access to educational materials and instruction in school and in other learning environments including classroom and instructional materials.
- *Recreation*: Products to assist people with disabilities with their leisure and athletic activities including crafts, electronics, gardening, music, photography, and sports.
- *Seating*: Products that assist people to sit comfortably and safely including seating systems and therapeutic seats.
- *Transportation*: Products to enable people with disabilities to drive or ride in cars, vans, trucks and buses including mass transit vehicles and facilities and vehicle accessories.
- *Wheeled mobility*: Products and accessories that enable people with mobility disabilities to move freely indoors and outdoors including wheelchairs (manual, sport, and powered), wheelchair alternatives (scooters), wheelchair accessories, and carts.
- *Workplace*: Products to aid people with disabilities at work including agricultural equipment, office equipment, tools, and work stations.

Assistive Technology Vendors and Service Providers

- **International Commission on Technology and Accessibility**
 Initiates, facilitates, and provides information regarding technology and accessibility through the internet. This information is available to people with disability, advocates, and professionals in the field of disability, researchers, legislative bodies, and the general community. (www.ictaglobal.org)
- **National Center for Accessible Media**
 A research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities. NCAM has developed an authoring tool to make web- and CD-ROM-based multimedia materials accessible to persons with disabilities. Called Media Access Generator (MAGpie, versions 1.0 and 2.01) create captions and audio descriptions of rich media and can be downloaded on their website (ncam.wgbh.org).
- **American Sign Language Interpreters**
 A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their availability. Some programs may need to have a pool of interpreters who are available on a 24-hour basis to handle emergency procedures. The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most

circumstances. However, unique circumstances, such as the provision of emergency medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality. Resources and contacts for qualified sign language interpreters and information for the deaf and hard of hearing are at the following locations:

- Deaf & Hard of Hearing Services (DHHS), Division of Disability & Rehabilitative Services (DDRS)
402 W. Washington St., Rm. W453
P.O. Box 7083
Indianapolis, IN 46207-7082
1-800-545-7763
DHSHelp@fssa.IN.gov
www.in.gov/fssa/ddrs/2637.htm
- American Sign Language Interpreter Network - www.aslnetwork.com/
- Registry of Interpreters for the Deaf – www.rid.org/

- **Assistive Listening Systems and Devices**

Systems and devices amplify sound for persons with hearing disabilities should be available for public meetings and conferences. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

- *Relay Indiana*: [Relay Indiana](http://www.intrac.org/relay), a service of InTRAC, is a free service that provides full telecommunications accessibility to people who are deaf, hard of hearing, or speech impaired. This service allows users with special telecommunication devices to communicate with standard users through specially trained Relay Operators. InTRAC also provides free, loaned equipment to those who qualify.
- *Closed Caption Machine* - To the extent practical, County Divisions should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.
- *Enlarging Printed Materials* - A copy machine capable of enlarging printed materials should be available for each site where programs or transaction counter services are provided to the public.
- *Optical Readers* - Equipment that can translate printed information into an audio format should be available to Departments.
- *TDD* - To the extent necessary, County Divisions should have access to a text telephone or have access to a telephone transfer service as required by the law and offered by public telephone companies.
- *TDI* – TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's online resources (www.tdiforaccess.org/index.aspx) include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more.

Guide to Disabilities and Disability Etiquette

A summary guide to disabilities and disability etiquette has been included below. The guide will allow staff members to become familiar with a variety of types of disabilities, and help them to be more sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities.

The National Organization on Disability reports that more than 59 million Americans have a disability. This section is for anyone — with or without a disability — who wants to interact more effectively with people who are disabled.

The ADA was conceived with the goal of integrating people with disabilities into all aspects of American life, particularly the workplace and the marketplace. Sensitivity toward people with disabilities is not only in the spirit of the ADA, it makes good business sense. It can help the County expand its services to citizens, better serve its customers and improve relationships with its employees.

When supervisors and co-workers use disability etiquette, employees with disabilities feel more comfortable and work more productively. Practicing disability etiquette is an easy way to make all people feel more comfortable and welcomed in their environment.

There is no reason to feel awkward when dealing with a person who has a disability. This section provides some basic tips for County staff to follow. If a County employee is ever unsure how to best serve a person with a disability, just ask them.

- **Ask Before You Help**

Just because someone has a disability, don't assume he/she needs your help. If the setting is accessible, people with disabilities can usually get around fine without assistance. Adults with disabilities want to be treated as independent people. Offer assistance only if the person appears to need it. If they do want help, ask what type of help they would like before you offer any assistance. What you think they may need may not be what they really need.

- **Do Not Touch!**

Some people with disabilities depend on their arms for balance. Grabbing them – even if you mean well – could knock them off balance and create an injury. This is especially true of a person using a cane, crutches, or walker.

When someone is in a wheelchair, never pat their head or touch their wheelchair (or scooter) without permission. This equipment is part of their personal space and touching it is considered rude.

- **Engage Your Mind Before Engaging Your Mouth**

Always speak directly to the person with the disability NOT to their companion, aide, or sign language interpreter. Making small talk with a person who has a disability is great; just talk to him/her like you would anyone else. Respect his/her privacy and don't ask questions about their disability unless they invite the discussion. If you are with a child who asks, don't make the situation awkward for everyone; let the person with the disability respond directly to the child. They are used to children's questions.

- **Make No Assumptions**

People with disabilities are the best judge of what they can or cannot do. Do not make any decisions for them about participating in any activity or what they may or may not be able to do. Simply respond to their questions and let them make their own decisions. Depending on the situation, it may be a violation of the ADA to exclude someone because of a wrong decision on what they're capable of doing.

- **Respond Graciously To Requests**

When people who have a disability ask for an accommodation at a County-owned property, it is not a complaint. It shows they feel comfortable enough in your establishment to ask for what they need. If they get a positive response, they will enjoy their transaction and feel comfortable to come back again and again. Unless they are asking for something outlandish, provide what is

asked for. If they request something unreasonable, contact your ADA Coordinator for a direction toward a resolution.

- **Terminology**

PUT THE PERSON FIRST! Always say “person with a disability” rather than “disabled person”. This recognizes that they are a person first, not a disability first. If someone has a specific disability, it would be a “person who is blind”, a “person who is deaf”, or a “person with dwarfism”. Each person may have their own preferred terminology, and if you’re not sure what to use, just ask them. Most, however, will recognize the effort when you just refer to them as “people”.

Avoid outdated, politically incorrect terms like “handicapped” or “crippled”. Be aware that many people with disabilities dislike jargon and euphemistic terms like “physically challenged” and “differently abled”. Say “wheelchair user” instead of “confined to a wheelchair” or “wheelchair bound”. The wheelchair is what enables the person to get around, but they are neither confined by it nor bound to it. The wheelchair is liberating, not confining.

With any disability, avoid negative, disempowering words like “victim” or “sufferer”. Say “person with AIDS” instead of “AIDS victim” or person who “suffers from AIDS”.

It’s okay to use idiomatic expressions when talking to people with disabilities. For example, saying “It was good to see you” and “See you later” to a person who is blind is completely acceptable. They will use the same terminology and it’s inappropriate to respond with questions like, “How are you going to see me later?”

People in wheelchairs will say things like, “Let’s go for a walk” and it’s okay for you to say it too. The situation will only become awkward if you make it so.

Many people who are Deaf communicate with sign language and consider themselves to be members of a cultural and linguistic minority group. They refer to themselves as Deaf (with a capital D) and may be offended by the term “hearing impaired.” Others may not object to the term, but in general it is safest to refer to people who have hearing loss but communicate through a spoken language as “people with hearing loss” and those who have a profound hearing loss as “people who are Deaf”.

Community Groups, Organizations, Associations and Commissions

There are a large number of groups nationally, regionally, and within each state that provide specialized services, information, and advocacy for persons with all disabilities. A number of advocacy groups are listed below, the list is not intended to be complete by any means:

- *Ability Resources, Inc.:* Ability Resources Inc. (www.ability-resources.org/home.org) was founded in 1976. Their mission is to assist people with disabilities in attaining and maintaining their personal independence. One way this can be achieved is in the creation of an environment in which people with disabilities can exercise their rights to control and direct their own lives.
- *ADA National Network:* The ADA National Network (<http://adata.org/>) provides information, guidance and training on the Americans with Disabilities Act (ADA), tailored to meet the needs of business, government and individuals at local, regional and national levels. The ADA National Network consists of ten Regional ADA National Network Centers located throughout the United States that provide local assistance to ensure that the ADA is implemented wherever possible.
- *American Council of the Blind:* ACB (www.acb.org) is a national organization advocating on behalf of persons who are blind or have low vision. ACB also publishes A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800.424.8666) or by e-mail at info@acb.org.
- *American Association of People with Disabilities:* The American Association of People with Disabilities (www.aapd.com/) is the largest non-profit, non-partisan, cross-disability organization in the United States.

- *National Association of the Deaf*: 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 (www.nad.org).
- *National Federation of the Blind*: NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided online resources (www.nfb.org) 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 (CCTVs).
- *National Organization on Disability*: The 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 (www.nod.org).
- *Paralyzed Veterans of America*: 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 (www.pva.org/sports/sportsindex.htm) provides information on useful sports publications and a list of contacts.
- *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 (www.unitedspinal.org).
- *World Institute on Disability*: WID is an international public policy center dedicated to carrying out research on disability issues and overcoming obstacles to independent living. WID maintains an on-line information and resource directory on technology, research, universal design, and the ADA. (www.wid.org/resources).
- *State of Indiana Division of Disability & Rehabilitative Services (DDRS)*: www.in.gov/fssa/ddrs/2637.htm
- *State of Indiana Protection and Advocacy Services (IPAS)*: www.in.gov/ipas/
- *Disability Resources, Inc., Guide to Disability Resources on the Internet – IN*: Disability Resources, inc. is a nonprofit 501(c)(3) organization established to promote and improve awareness, availability and accessibility of information that can help people with disabilities live, learn, love, work and play independently. www.disabilityresources.org/INDIANA.html
- *Indiana Resource Center for Families with Special Needs (IN*SOURCE)*: The mission of IN*SOURCE is to provide parents, families, and service providers in Indiana the information and training necessary to assure effective educational programs and appropriate services for children and young adults with disabilities. IN*SOURCE employs nearly 13 staff at their central office in South Bend and 16 staff in other regional sites around the state. insource.org/index.htm
- *ADA-Indiana*: The mission of ADA-Indiana is to serve as a statewide resource for promoting the implementation of the Americans with Disabilities Act in Indiana. www.adaindiana.org/
- *Great Lakes ADA Center*: The Great Lakes ADA Center provides information, materials, technical assistance and training on the ADA. Topics addressed includes the non-discrimination requirements in employment, the obligations of state and local governments and business to ensure that programs, services and activities are readily accessible to and useable by people with disabilities. This includes access to the information technology used by these entities including but not limited to websites, software, kiosks, etc.

The Great Lakes ADA Center's Accessible Technology Initiative encourages incorporation of accessible information technology in K-12 and post secondary school settings. Accessible

Information Technology incorporates the principles of universal design so that people with a wide range of abilities and disabilities can access information disseminated electronically.

www.adagreatlakes.org/

- *Indiana Council on Independent Living*: Their mission is to effectively lead a statewide Independent Living Movement that empowers people with disabilities. www.icoil.org/index.html
- *The Arc of Indiana*: The Arc of Indiana is committed to all people with developmental disabilities realizing their goals of learning, living, working and playing in the community. www.arcind.org/
- *Deaf Link*: Provides video remote interpreting (VRI) to provide the highest standard of inclusion for persons who are Deaf, Blind, Hard-of Hearing and Deaf-Blind. www.deaflink.com/index.aspx.