Effingham County ADA Transition Plan



Adopted:

Effingham County Board of Commissioners

Mr. Wendall Kessler, Chairman

Mr. Steve Mason, Vice-Chairman

Mr. Forrest Floyd

Mrs. Vera Jones

Mr. Reginald S. Loper, Sr.

Mr. Phil Kieffer

Section 1 - Purpose

The purpose of the Plan is to ensure that the citizens of Effingham County are provided full access to programs, services and activities in a timely and reasonable fashion. The County's elected officials and staff believe the ability to accommodate disabled persons is an essential part of quality customer service, the quality of life Effingham County residents seek to enjoy and to effective governance. This Plan has been prepared after careful consideration of all of the County's programs, services and activities.

Section 2 - County Mission

It is the Mission of the Effingham County Board of Commissioners to provide, through the highest integrity, a county government which will assure our citizens a safe and healthy environment to encourage and promote a high quality of life.

Section 3 - Statement of Accessibility

Effingham County shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the County can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. Effingham County will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

Section 4 - Introduction

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities and includes provisions which applies to public entities such as state and local governments. Specifically, Title II requires nondiscrimination on the basis of disability, in state and local government services. These "public entities", including departments, agencies, or other instrumentalities, are required to comply with the ADA.

Title II of ADA requires that all programs, services and activities of public entities, including those considered "instrumentalities" of the government; assure that individuals with disabilities have access to all of their programs, services and activities. The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under ADA, State and local governments, public entities or agencies are required to perform self-evaluations of their current facilities and services, relative to the accessibility requirements of ADA. The agencies are then required to develop a Transition Plan to address any deficiencies. The Plan is required to be updated periodically until all accessibility barriers are removed. The Plan is intended to achieve the following:

- a) Identify physical obstacles that limit the accessibility of County services to individuals with disabilities;
- b) Describe the methods to be used to make the services accessible;
- c) Provide a schedule for making the access modifications; and,
- d) Identify the public officials responsible for implementation of the Transition Plan.

Accessibility is not only for individuals with needs related to mobility disabilities, but also for individuals with needs related to speech, cognitive, vision and hearing disabilities. There are many potential barriers to accessibility of County services and the following are a few common examples:

	• Parking
	Path of Entry/Travel
Physical Barriers	 Doors
i nysicai barriers	Service Counters
	 Restrooms
	Sidewalks/Curb Ramps
	Building Signage
	 Customer Communication and Interaction
	 Access to Public Telephones
Programmatic	 Emergency Notifications, Alarms, Visible Signals
Barriers	 Communications (via internet, public meetings,
	telephone)
	 Participation opportunities for events sponsored by the
	County

This Plan has been prepared after a careful study of Effingham County's programs and facilities. The County, in preparing this document, has reviewed this document in a public meeting, and received input from the Board of Commissioners and County staff. Responsibility for implementation of this plan will reside with the County ADA Coordinator. County facilities, programs, services, policies, practices and procedures will continue to be surveyed on an on-going basis, and the ADA Transition Plan may be revised to account for changes to County functions. This Plan will be posted to the City's web site for review and consideration by the general public. In addition, reference to this plan will be made in official and unofficial County publications.

Section 5 - Physical Barriers

Effingham County may not deny benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entities services, programs or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as "program accessibility," applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible.

Effingham County owns and operates nearly 50 government facilities a complete listing of which is available through the County Clerk's Office. A self-evaluation/assessment of each of the County's facilities will be completed as a part of this Plan. The self-evaluations/assessment will be made using existing baseline conditions at each of the facilities. The evaluations will be made based on the criteria for determining existence of impediments as outlined below.

5.1 Baseline Conditions

County facilities are reviewed in light of several baseline conditions including:

- a) Access to parking and entry into the facilities themselves;
- b) Access to a clear and distinct path of travel;
- c) Access to programs and services themselves;
- d) Access to public areas and restrooms; and
- e) Access to related amenities.

5.2 Criteria for Determining Existence of Impediment

Criteria have been established to determine whether corrective action is needed at a particular facility. The criterion includes but is not limited to:

- a) The nature of unique programs or services. Some facilities and sites are the only location that a particular program or service may be provided; so there is limited flexibility to move the program or service to a more accessible facility.
- b) Facilities already in compliance with ADA accessibility guidelines.

 Several of the County's major facilities were constructed or underwent major renovations after the effective date of the ADA, including Judicial Complex, Historic Courthouse.
- c) Ability to relocate programs from one facility to another accessible facility. Because the County may offer special programs and services at more than one location, consideration was given to distribution of the special programs and services when viewed in their entirety;
- d) **Current state of accessibility.** The current condition of each facility in terms of barriers already removed, or planned to be removed.
- e) **Cost.** The cost of alternatives to physical barrier removal versus the cost of an alternative corrective action plan; and public use.
- f) **Population Served.** The population served by a particular program or service and whether the public can obtain service from an alternative County location.

5.3 Physical Barrier Action Plan

Through self-evaluations, deficiencies in Effingham County's facilities that diminish the ability of disabled persons to benefit from the County's programs, services and activities will be identified. The self-evaluation forms are included in the appendix to this document. For those buildings where a deficiency is found, an Action Plan will be generated, along with a schedule for completion. An Action Log is included below. A date by which the County will perform the assessment is also included in the Action Log.

Section 6 Programmatic Barriers

The County recognizes not all barriers to the County's programs, services and activities are physical in nature. Other administrative barriers exist that must be overcome to provide complete government services to those who are disabled.

6.1 Communications

The County's Plan incorporates steps to ensure that written or spoken communication is as clear, effective and understandable to people with disabilities as it is for people who do not have disabilities.

The County's 9-1-1 service provides direct and equal access to persons with disabilities. The County provides direct access to TTY (TeleTYpewriter) calls. This means that emergency telephone services can directly receive calls from TTY's and computer modem users without relying on state relay services or third parties. The County's emergency operators are trained to use TTY not only when they recognize the tone of a TTY at the other end of the line, but also when they receive a "silent call".

There are also other types of communications including website communications, open public meetings, and other communications regarding County programs, services and activities. The County is taking some additional specific actions to improve communications including:

- The County has developed a formal Grievance Policy and Procedures for ADA compliance. This document will be distributed to all County departments, made available at County buildings and on the County website. A copy of this plan is included in the attached appendix.
- The County has developed a Reasonable Modification Policy for ADA compliance. This policy will be distributed to all County departments, posted in County buildings and on the County website.
- The County will include appropriate ADA compliance language in all legal documents including but not limited to: contracts, requests for proposals, qualifications, bid requests, job advertisements, and public notices.
- Making large print copies of public agenda's, 14 point font minimum
- Posting agenda's to the website using the free Adobe Acrobat Reader, which allows for enlargement so the agendas may be viewed on personal computers.
- The County will research the feasibility of incorporating equipment, available upon request, specifically designed to assist hearing impaired persons fully participate in County meetings.
- The County will investigate how to make the public website more accessible to individuals with a disability.
- The County will conduct all public meetings in ADA accessible facilities, or to the extent feasible will make specific accommodations, where necessary, to ensure that meetings among residents and County staff can be held within ADA accessible facilities.
- In order to ensure effective implementation of this plan the County will provide training on the following topics for staff:
 - 1. ADA Transition Plan training for all department heads
 - 2. Specialized training for field staff who may deal with the public as part of their duties
 - 3. ADA coordinator training

6.2 County Sponsored Programs

The County is committed to allowing persons with disabilities to participate in County sponsored programs. This includes recreational opportunities sponsored by the County's Parks and Recreation Department, community forums, and other events. The County will achieve this goal by integrating all of the steps outlined above into these programs, including providing for effective communications, removing or making accommodations to physical barriers, to the extent possible.

Section 7 Conclusion

The County is taking the actions referenced below and will continue to look for and timely remedy barriers to access in an effort to ensure that the disabled citizens of Effingham County are given access to the County's programs, services and activities.

To confirm follow-up on corrective actions recommended by the Plan, the County will institute an ADA Action Log, documenting its efforts at compliance with the ADA. The Action Log below addresses recommendations made to address physical and programmatic barriers to accessibility. Each recommendation is translated into an action item with anticipated implementation or completion dates. After the adoption of this Plan by the Effingham County Board of Commissioners, the ADA Action Log will be reviewed and updated on an annual basis. The ADA Action Log shall be available upon request.

7.1 Action Log

Action Item		Implementation Date	Responsible Party	
Physical Barriers				
1.	Complete ADA self-inspections at all Effingham County Facilities	2013	Public Buildings	
2.	Complete Sidewalk inventory and perform assessment	2013	Engineering	
3.	Create ADA Work program with cost estimates to bring facilities and sidewalks into ADA compliance, identify funding sources, prioritize projects, estimate completion dates	2014	Administration	
4.	Present ADA Work program to Effingham County Board of Commissioners	2014	Administration	
5.	Implement approved ADA work program projects	2014	Public Buildings	

Action Item		Implementation Date	Responsible Party		
	Programmatic Barriers				
6.	Post and Distribute Grievance Policy and Procedures	2013	ADA Coordinator		
7.	Distribute Reasonable Modifications Policy	2013	ADA Coordinator		
8.	Forms and public communication approved by ADA coordinator	2013	ADA Coordinator		
9.	Large print of County agenda's, available upon request	2013	County Clerk		
10.	Research and make recommendations to the Effingham Board of Commissioners on equipment to assist the hearing impaired, available upon request	2013	Information Technology		
11.	Research and make recommendations to the Effingham Board of Commissioners on making County website more accessible	2013	Information Technology		
12.	Ensure public meetings are held in ADA accessible facilities	2014	ADA Coordinator		
13.	Perform training for County staff on ADA Transition Plan	2013	ADA Coordinator		
14.	Training for ADA Coordinator	2013	ADA Coordinator		
15.	Research ways to make public meetings more accessible to persons with disabilities and investigate other programmatic barriers	2014	ADA Coordinator		
16.	Create comprehensive programmatic self-assessment	2014	ADA Coordinator		

Appendix

Grievance Policy and Forms

Reasonable Modification Policy

Self-Evaluation Survey Facilities

Self-Evaluation Sidewalks

ADA Grievance Policy and Procedures

This grievance procedure has been developed to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations, which implement Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. Grievances should be filed with the County's Human Resources Department at:

Effingham County Board of Commissioners ATTN: ADA Coordinator 601 North Laurel Street Springfield, GA 31329

The Grievance Procedure consists of the following:

- 1. A complaint should be filed in writing (but can be submitted in alternate format due to the needs of an individual's disability), containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations or discriminatory act.
- 2. A complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.)
- 3. An investigation, as may be appropriate, will follow the filing of a complaint and will be conducted by the County's ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- 4. The County's ADA Coordinator under the direct supervision of the County Administrator will provide for review for the County Attorney, a written determination, as to the validity of the complaint and a description of the resolution, if any, and a copy will be forwarded to the County Administrator, along with the original complaint, no later than thirty (30) days after its filing.
- 5. The County's ADA Coordinator will maintain the files and records of the County relating to all ADA grievances/complaints filed.
- 6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice at (800) 514-0301. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 7. These rules will be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that Effingham County complies with the ADA and implementing regulations.

This information can be made available in an alternate format and the grievance can be submitted in an alternate format.

EFFINGHAM COUNTY ADA GRIEVANCE FORM



Name:	
Address:	
Addi C33.	
Phone Number:	
Email Address:	
Location of	
Problem:	
Description	
of Problem:	

*Please attach additional pages if needed

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 30 calendar days after the alleged violation to:

Effingham County Board of Commissioners
ATTN: ADA Coordinator, Department of Human Resources
601 North Laurel Street
Springfield, GA 31329
HR@effinghamcounty.org
912-754-2104

Reasonable Modification Policy

Access to Programs, Services, and Activities

NON-DISCRIMINATION

No person shall, on the grounds of race, color, or national origin, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any County program or activity.

INDIVIDUALS WITH DISABILITIES

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the County, or be subjected to discrimination by the County. Nor shall the County exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability of an individual with whom the individual is known to have a relationship or association.

DEFINITION

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the County.

REASONABLE MODIFICATION

The County shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the County can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

COMMUNICATIONS

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

AUXILIARY AIDS AND SERVICES

"Auxiliary aids and services" includes:

- Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments
- Qualified readers, taped texts, audio recordings, brailed materials, large print materials, or other
 effective methods for making visually delivered materials available to individuals with visual
 impairments
- 3. Acquisition or modification of equipment or devices
- 4. Other similar services and actions.

LIMITS OF REQUIRED MODIFICATION

The County is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that compliance with its responsibility to provide effective communication for individuals with disabilities would fundamentally alter the service, program, or activity or unduly burden the County shall be made by the Board after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

NOTICE

The County shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the County. The information shall be made available in such manner as the County ADA Coordinator finds necessary to apprise such persons of the protections against discrimination assured them by the ADA.

County ADA Coordinator

The County ADA Coordinator shall coordinate the County's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under the ADA. The County shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The Director of Human Resources shall serve as the Effingham County ADA Coordinator.

Effingham County ADA Self Evaluation Survey Facilities

Please keep in mind that the Survey is not a test. The survey is a tool that is being used to gather baseline data about the accessibility of County facilities. We hope to identify best practices as well as areas where improvement is needed. The County will use the data gathered to determine where resources and modifications are needed to improve access across all departments and facilities. If you have any questions about the survey, please contact Effingham County ADA Coordinator

FACILITY ACCESS: Answer questions 1 through 7 about the physical accessibility of each facility or site used for programs by your organization. Indicate accessibility by answering *yes* or *no* in response to each questions and checking *yes*, *no*, or n/a for each accommodation in relation to the question.

YES	Physical feature exists.			
NO	Physical feature does not exist but should.			
N/A	Physical feature does not exist and is not needed (i.e., A single-level, ground-floor facility would not need an elevator).			
1. Is the entry way accessible to people with mobility impairments (patrons who use wheelchairs, crutches, or walkers or who are unsteady)? Yes No				
		YES	NO	N/A
Ramps/Lifts				
Hand Railing on Ramps				
Steps				
Hand Railings on Steps				
Doors Open Easily/Autom	atically			
2. Is the entry easily accessible to people with visual impairment (i.e., low vision, blind)? Yes No				
		YES	NO	N/A
Large-Print Signage				
Well-Lighted				

3. Is the entry way accessible to people with hearing impairments? (i.e., hard of hearing, deaf)? ☐ Yes ☐ No			
Buzzer Door If Yes, is there a Visual Entry Code (i.e., Flashing Light)?	YES	NO	N/A
4. Is patron parking available? Yes No			
Designated "Handicapped Parking" Clear Passage to Entry (i.e., for wheelchair users)? 5. Is the interior space accessible to people with mobil	YES	NO	N/A
3. Is the interior space accessible to people with mobil	ity impairmen	its:	NO
Ramp Hand Railing on Ramps Steps Hand Railings on Steps Firm, Smooth Surfaces Doors Open Easily Elevators Chair Lifts Accessible Restrooms Designated Wheelchair Seating	YES	NO	N/A
6. Is the interior space accessible to people with visual	impairments	? Yes	No
Large-Print Signage Braille Signage Braille Marked Elevator Buttons Raised Letter Signage Free of Hazardous Overhangs and Protruding Objects	YES	NO	N/A
Clearly Marked Abrupt Changes in Levels			

7. Is the interior accessible to people with hearing	ng impairments?	YesNo	
Visual Emergency Alarm System	YES	NO	N/A
Name of Person Completing Form:			
Date Survey Conducted:			

Effingham County

ADA Self Evaluation Survey Sidewalks

Curb Ramp Analysis

- 1. Is there a curb ramp?
- 2. Is there a curb ramp where a sidewalk crosses a street?
- 3. What type of curb ramp?
 - a. Perpendicular curb ramp
 - b. Parallel curb ramp
 - c. Blended transitions
- 4. Is the width of the curb ramp at least 4' width (excluding flares)?
- 5. Is there a detectable warnings complying with regulations provided where a curb ramp or blended transition connects to a street?
- 6. Is the running slope greater than 5% but less than 8.3%?
 - a. Blended transition 5% maximum
- 7. Is the cross slope less than 2%?
- 8. Is the landing a minimum of 4' x 4'?
- 9. Is the surface of the curb ramp or blended transition firm, stable and slip resistant and clear of gratings, access covers, and other appurtenances?
- 10. Is the grade break at the top and bottom of the ramp flush and is not located on the surface of the curb ramp, landing or gutter areas?
- 11. Is the counter slope of the gutter or street at the foot of the curb ramp less than 5%?
- 12. Is the clear space beyond the curb face at least 4' x 4'?
- 13. If the curb ramp is a perpendicular curb ramp, is the flared sides slope less than 10% where a pedestrian path crosses the curb ramp or if the sides are returned, are they protected from cross travel?

Sidewalk Analysis

- 1. Is there a sidewalk at each corner?
- 2. Is there at least 4' of continuous and unobstructed clear width of a sidewalk (excluding the curb width)?
- 3. If the continuous width is less than 5', are the passing spaces at least every 200' that are 5' wide or greater?
- 4. Is the cross slope of the sidewalk less than 2%?
- 5. Where the sidewalk is adjacent to the street, does the grade of the sidewalk not exceed the general grade of the street?
- 6. Is the surface of the sidewalk firm, stable, and slip resistant?
- 7. Are any gaps in the surface less than 0.50"?
- 8. Is the sidewalk clear of grates or if there is a grate, are the openings no more than 0.5" wide and elongated openings running perpendicular to the direction of travel?

- 9. Is the sidewalk clear of protruding objects? If there is a protruding object does
 - a. the leading edge of that object less than 27" and more than 80" above the ground, or
 - b. protrudes less than 4" into the travel path of the sidewalk, or
 - c. a barrier is provided no more than 27" from the ground where the vertical clearance is less than 80".

Crosswalk Analysis

- 1. Is there crosswalk that connects two sidewalks across a street?
- 2. Is the width of the marked crosswalk at least 6'?
- 3. Does the cross slope of the crosswalk meet the guidelines?
 - a. If the crosswalk is crossing a street with a stop control, is the cross slope less than 2%?
 - b. If the crosswalk is crossing a street without a stop control, is the cross slope less than 5%?
- 4. Is the running slope of the crosswalk less than 5%?
- 5. If the crosswalk crosses a median, is the length of the median at least 6' and has detectable warnings located at curb line or edge of the roadway?
- 6. Is the intersection signalized, if so, does it have a pedestrian signal, if so, is the pedestrian signal phase allow enough time for a walking speed of 3.5 ft/sec?