

American with Disability Act
ADA Transition Plan for Public Rights-of-Way

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County Highway Superintendent
Parke County, Indiana
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INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered.

The ADA is divided into five sections covering the following topics:

Title I: Employment

Title II: Public Services (and Transportation)

Title III: Public Accommodations (and Commercial Facilities)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title II, Specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which physical changes will be made to give effect to the non-discrimination policies described in Title II.

TRANSITION PLAN DEVELOPMENT

To ensure program accessibility for people with disability in the community, Parke County has developed a Transition Plan, which is to be considered good practice. *This Transition Plan for Public Rights-of-Way considers the following:*

A. ADA COORDINATOR:

Effective Communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communication open, and thereby ensuring effective communication between all parties, Parke County has designated Parke County Highway Administration as the ADA coordinator. The 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 the ADA Coordinator. Such complaints may take the form of alleging noncompliance with mandates 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 so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case, a Parke County Commissioner.

B. GRIEVANCE PROCEDURE:

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Parke County Indiana. The Parke County Indiana's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing a complaint, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation

to:

ADA Coordinator
116 W. High Street, Room 104
Rockville IN 47872

Within 15 calendar days after receipt of the complaint, ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within

15 calendar days of the meeting, ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Parke County Indiana and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response from the Board of County Commissioners or its designee.

Within 15 calendar days after receipt of the appeal, the Board of County Commissioners or its designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of County Commissioners or its designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by, ADA Coordinator or his designee, appeals to the Board of County Commissioners or its designee, and responses from these two offices will be retained by Parke County Indiana for at least three years.

C. SELF EVALUATION/COMMITMENT

Parke County has conducted an inventory of evaluations of curbs, ramps, and sidewalks using aerial views and/or field assessment. The identified areas that do not meet ADA requirements are as follows:

Unincorporated Town of Mansfield

1. Propose to add sidewalks to CR620S on both sides of the road from Mill Rd to SR59.
2. Propose to add sidewalks to both sides of Mill road from ST59 going north and ending at top of the hill just south of CR590S.
3. Propose to add sidewalks to both side of Martin Rd beginning at Covered Bridge and ending at 620S.

The County is committed to making all sidewalk and curb ramp areas accessible to all pedestrians including those with disabilities. This will be accomplished through the following programs:

- All new construction, reconstruction, roadwork construction or alterations, including federal projects under the control and/or inspection of the Parke County Highway Department will be in compliance with the ADA;
- The County will have in place a sidewalk repair program annually;
- Allotting a conservative estimate of \$1,700 per curb ramp installation or reconstruction, the County is committing \$1,700 for the next 5 years for the sole purpose of installing new curb ramps and reconstruction existing curb ramps to meet compliance.

The missing or non-compliant curb ramps shall be prioritized.

D. ADA STANDARDS/GUIDELINES:

The standards are intended to apply to all construction undertaken within the County Right-of-way. The Indiana department of Transportation design guidelines and standard drawing will serve as the primary standards and guidelines for this plan. Other standards, if necessary, will be applied at the discretion of the ADA Coordinator.

IMPLEMENTATION

The County intends to implement this Transition Plan effective the date of this document. Not only does the County commit to following the guidelines set forth in this Transition Plan, but it also commits to actively revising and amending this document as new information is discovered. Further, as a matter of policy, this document will be updated at least every five years. Finally, a copy of this document will be placed on the County's website.

APPENDIX A: COMPLAINT / GRIEVANCE FORM

Grievant Information:

Grievant Name:		
Address:		
City:	State:	Zip:
Phone: () -		
Alternative Phone: () -		

Person Preparing Complaint Relationship to Grievant (if different from Grievant):

Name:		
Address:		
City:	State:	Zip:
Phone: () -		
Alternative Phone: () -		

Please specify any location(s) related to the complaint or grievance (if applicable):

Please provide a complete description of the specific complaint or grievance:

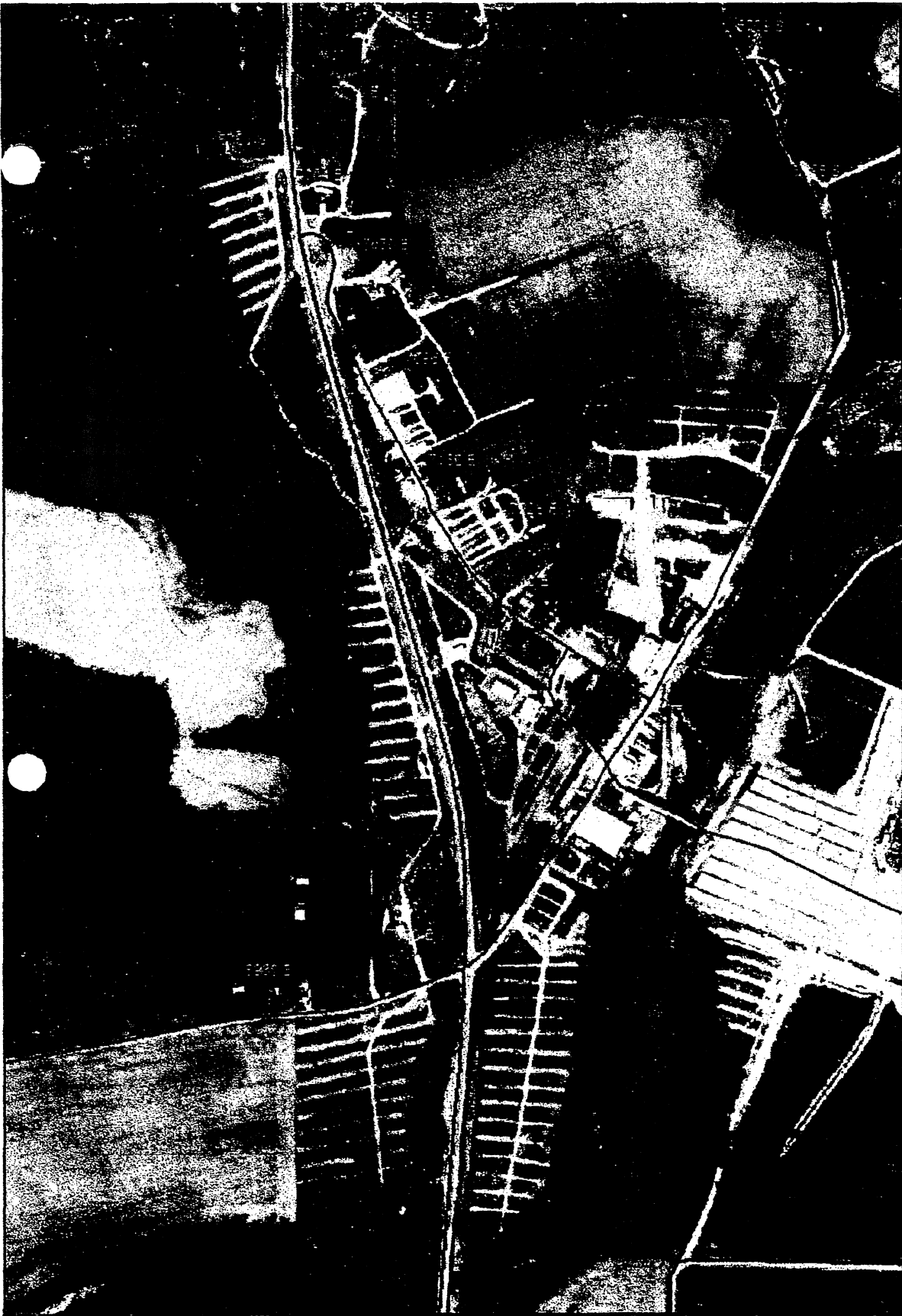
Please state what you think should be done to resolve the complaint or grievance:

Please attach additional pages as needed.

Signature: _____

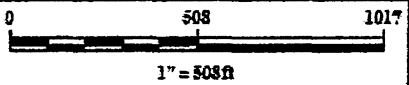
Date: _____

Please return to: Parke County ADA Coordinator
116 W. High Street, Room 104
Rockville IN 47872



Addresses
— Highways
— Roads
— Addresses

WTH
ENGINEERING



Parke County Indiana Grievance Procedure under the Americans with Disabilities Act

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