

Tualatin Hills Park & Recreation District: Americans with Disabilities Act (ADA) Transition Plan

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Acknowledgements

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Table of Contents

Acknowledgements	i
Board of Directors.....	i
General Manager	i
Department Staff	i
Consultants	ii
1.0 Introduction	1
1.1 Executive Summary.....	1
1.2 Legislative Mandate	2
1.3 Discrimination and Accessibility	3
1.4 ADA Self-Evaluation and Transition Plan Requirements and Process	4
1.5 Facility Evaluations.....	5
1.6 Undue Burden.....	5
1.7 Safe Harbor Provisions	6
1.8 Construction Tolerances	7
1.9 Public Outreach.....	7
2.0 ADA Transition Plan	9
Transition Plan for Facilities.....	9
Barrier Removal Scheduling.....	9
2.1 Facilities.....	10
Facility Evaluations.....	10
2.2 Priorities for Barrier Removal	11
Priority One	11
Priority Two.....	11
Priority Three	11
Priority Four	11
2.3 Program Barrier Removal Priorities	12
2.4 Phasing Schedule	12

2.5 Historic Facilities	18
3.0 ADA Policy and Complaint Procedure	19
3.1 ADA Grievance Procedure	19
4.0 Definitions	21
4.1 Auxiliary Aids and Services.....	21
4.2 Complaint.....	21
4.3 Disability.....	21
4.4 Discrimination on the Basis of Disability.....	21
4.5 Having a Record of Impairment	22
4.6 Physical or Mental Impairments.....	22
4.7 Qualified Individual with a Disability	22
4.8 Reasonable Program Modifications.....	23
4.9 Regarded as Having a Disability	23
4.10 Substantial Limitations on Major Life Activities	24
4.11 Undue Burden	24
5.0 Program Accessibility Guidelines, Standards and Resources	25
5.1 Introduction	25
5.2 Federal Accessibility Standards and Regulations.....	25
U.S. Department of Justice	25
Title II: U.S. Department of Justice Publications.....	26
U.S. Access Board Publications	27
5.3 State of Oregon Accessibility Standards and Regulations	29
5.4 Resources	29
Resources for Providing Accessible Programs and Facilities	29
Resources for Assistive Technologies (General)	31
Alternative Format Communications	31
Resources and Organizations Serving People with Disabilities	33
Organizations Serving Oregon, Clackamas County and Washington County.....	35

1.0 Introduction

1.1 Executive Summary

This ADA Title II Transition Plan is being prepared to partially fulfill the requirements set forth in Title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This report will assist the Tualatin Hills Park & Recreation District to identify policy, program and physical barriers to accessibility, and to develop barrier removal solutions that will facilitate the opportunity of access to all individuals.

The Transition Plan described in Chapter 2 is the result of a detailed evaluation of the district's facilities where programs, activities and services are available to the public. Facilities include the interior and exteriors of recreation centers, swim centers, and administrative buildings, parks and trails.

The facility evaluations were conducted in the summer and fall of 2015 using the most recent ADA 2010 Standards, Oregon Structural Specialty Code, and the Architectural Barriers Act Accessibility Guidelines; Outdoor Developed Areas. The facility evaluations are available as appendices under separate cover available through the district's ADA Team.

The Transition Plan is intended to provide a framework for the continuous improvement of district facilities for people with disabilities. Barriers to district facilities will be removed systematically based on established program priorities. It is the intent of the district to address and remove barriers to accessibility in its facilities upon on the immediate necessity of programmatic access, degree of complexity, and overall cost. The information contained in Chapter 2 describes the schedule for barrier removal in the district's facilities. The preliminary schedule represents a 15-year plan for barrier removal.

The district's ADA Team is led by the Superintendent of Sports, who serves as the ADA Coordinator and provides oversight of the district's Adaptive and Inclusive Recreation program. The ADA Team includes staff from throughout the district and represents programming, maintenance, finance, and design and development staff. The ADA Coordinator(s) is responsible for coordinating the efforts of the district to comply with Title II and for investigating any complaints that the district has violated. The ADA Coordinator is also responsible for coordinating the efforts of the district to comply with Chapter 11 of the Oregon Structural Specialty Code and all other applicable State and Federal physical and program accessibility requirements.

A public open house was held on November 16, 2015 to introduce the project and receive questions and comments related to the ADA Transition Plan. After the Administrative draft plan was internally reviewed by staff, the draft transition plan was presented to the Board of Directors on August 15, 2016. After incorporating edits from the Board, the Draft Plan was shared with the public on the district's website from October 5, 2016 through December 7, 2016. A second public meeting was held October 10, 2016 at the Elsie Stuhr Center Friends Group meeting to provide an opportunity for the public to ask questions and to comment on the Plan. A third public meeting was held on October 18, 2016 at the district's joint advisory committee meeting to seek input and feedback. On December 7, 2016 the district held a final public meeting at the Beaverton Swim Center. Staff received positive feedback throughout the public outreach process and has updated the ADA Transition Plan accordingly.

1.2 Legislative Mandate

The American with Disabilities Act (ADA) is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to ensure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

The development of a Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that:

No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Specifically, the district may not, either directly or through contractual arrangements, do any of the following¹:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and committees.

¹ Department of Justice, Title II Regulations Subpart B § 35.130

- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the district offers permissibly separate or different activities.
- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

1.3 Discrimination and Accessibility

This section provides an overview of physical and programmatic accessibility and the basic methods of providing access. There are two kinds of accessibility:

- Program accessibility; and
- Physical accessibility

Absence of discrimination requires that both types of accessibility be provided. Program accessibility includes physical accessibility, but also entails all of the policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Program accessibility may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate sites.

Programs offered by the district to the public must be accessible. Accessibility includes advertisement, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

The district may achieve program accessibility by a number of methods:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aides; and
- Providing services at alternate accessible sites.

It is required that when choosing a method of providing program access, the district 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 compliance with the requirements of the ADA, the district must provide equality of opportunity.

1.4 ADA Self-Evaluation and Transition Plan Requirements and Process

The ADA Self -Evaluation and Transition Plan is intended to provide a framework for the continuous improvement of the district programs and facilities for people with disabilities. The Transition Plan is intended to be a living document that is regularly updated as programs and services change, and as barriers are removed, and new facilities come under ownership or control of the district. Programs, activities, and services offered by the Tualatin Hills Park & Recreation District to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of programs or services provided by the district, including:

- accessible/adaptive equipment;
- customer service;
- emergency evacuation procedures;
- facilities;
- notice requirements;
- printed information;
- program eligibility and admission;
- public meetings;
- public telephones and communication devices;
- special events on public properties;
- televised and audiovisual public information;
- tours and trips;
- training and staffing;
- transportation services;
- use of consultants for delivering program services; and
- website.

The ADA Self-Evaluation for programmatic access identifies and makes recommendations to correct those policies and practices in the above mentioned programs and services that are inconsistent with Title II requirements and result in limitations on access for persons with disabilities. As part of the Self-Evaluation², the district:

- Identifies the district’s programs, activities, and services;
- Reviews the policies, practices, and procedures that govern the administration of the district’s programs, activities, and services;
- Provides opportunity for public comment;
- Makes the report available to the public; and
- Corrects any programs, activities, and services that are not consistent with the requirements.

A Transition Plan is a document that outlines a strategy for the district to progress toward compliance with the Americans with Disabilities Act. The Transition Plan identifies barriers for

² Department of Justice, Title II Regulations Subpart D § 35.105

persons with disabilities and a schedule to remove those barriers over time and must include³:

- A list of the physical barriers in the district’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be used to remove these barriers and make the facilities accessible;
- A schedule for taking the steps necessary to achieve compliance with the ADA, Title II;
- Provide opportunity for the public to provide comment on the Transition Plan; and
- The name of the individual responsible for the plan's implementation.

This Transition Plan is an assessment of the interiors and exteriors of district recreation centers, swim centers, administrative buildings, and parks to determine if there are barriers to district services, programs, and activities for persons with disabilities. The district has identified access barriers for persons with disabilities and has developed a schedule for barrier removal to comply with Title II of the ADA. The Transition Plan for these facilities is described in Chapter 2 and is the result of a detailed evaluation of all district facilities where programs, activities, and services are available to the public.

1.5 Facility Evaluations

The Tualatin Hills Park & Recreation District evaluated 105 of its facilities in the summer and fall of 2015. At the time of the facilities evaluations, the ADA 2010 Standards, 2012 Oregon Structural Specialty Code (OSSC) Chapter 11 Accessibility, and the 2013 Architectural Barriers Act Accessibility Guidelines; Outdoor Developed Areas (AGODA) were used to identify barriers at district facilities. Building codes are revised every few years. The barrier evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

1.6 Undue Burden

The district is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

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

³ Department of Justice, Title II Regulations Subpart D § 35.150pag

1.7 Safe Harbor Provisions

The 2010 ADA regulations introduced the concept of “safe harbor”, which allows facilities built prior to March 15, 2012 that comply with the 1991 ADA Standards to remain as-is until the structural feature is altered. For example, the 1991 Standards allowed a 54 inches maximum for a side reach range, and the 2010 Standard lowered the side reach range to 48 inches maximum. Items positioned at the 54 inch height would fall under safe harbor if built before March 15th 2012⁴ until the time of an alteration.

The exception applies to elements that might otherwise have to be modified under: 1) the program access requirement for public entities; 2) the readily achievable barrier removal requirement for places of public accommodation; or 3) the path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility⁵.

In addition to the exceptions, Title II Regulations specify structural elements not previously included in the 1991 ADA Standards that do not fall under the safe harbor provision:

§ 35.150(b)(2)(ii) The safe harbor provided in § 35.150(b)(2)(i) does not apply to those elements in existing facilities that are subject to supplemental requirements (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards). Elements in the 2010 Standards not eligible for the element-by-element safe harbor are identified as follows—

- (A) Residential facilities dwelling units, sections 233 and 809.*
- (B) Amusement rides, sections 234 and 1002; 206.2.9; 216.12.*
- (C) Recreational boating facilities, sections 235 and 1003; 206.2.10.*
- (D) Exercise machines and equipment, sections 236 and 1004; 206.2.13.*
- (E) Fishing piers and platforms, sections 237 and 1005; 206.2.14.*
- (F) Golf facilities, sections 238 and 1006; 206.2.15.*
- (G) Miniature golf facilities, sections 239 and 1007; 206.2.16.*
- (H) Play areas, sections 240 and 1008; 206.2.17.*
- (I) Saunas and steam rooms, sections 241 and 612.*
- (J) Swimming pools, wading pools, and spas, sections 242 and 1009.*
- (K) Shooting facilities with firing positions, sections 243 and 1010.*
- (L) Miscellaneous.*

⁴ § 35.150 Existing facilities (b)(2)(i) Safe harbor. Elements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS), Appendix A to 41 CFR part 101–19.6 (July 1, 2002 ed.), 49 FR 31528, app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards.

⁵ ADA Safe Harbor Provisions, Evan Terry Associates, August 22, 2013

- (1) *Team or player seating, section 221.2.1.4.*
- (2) *Accessible route to bowling lanes, section. 206.2.11.*
- (3) *Accessible route in court sports facilities, section 206.2.12.*

1.8 Construction Tolerances

The ADA Standards reflect the need for small variations between the standards and the resulting constructed feature. All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points. Application of conventional industry tolerances must be on a case-by-case, project-by-project basis. Predetermined guidelines for construction tolerances could unnecessarily encourage contractors and others to deviate from the access regulations and may wrongfully be viewed by some to have the effect of law.

Conventional building industry tolerances include those for field conditions and those that may be a necessary consequence of a particular manufacturing process. Recognized tolerances are not intended to apply to design work. The barrier reports available under separate cover through the district do not reflect the application of construction tolerances. The district will evaluate the application of construction tolerances on a case by case basis when alterations or barrier remediation actions are undertaken.

1.9 Public Outreach

A public open house was held on November 16, 2015 to introduce the project and receive questions and comments related to the ADA Transition Plan. After the Administrative Draft Plan was internally reviewed by staff, the Draft Transition Plan was presented to the Board of Directors on October 11, 2016. The Draft Plan was shared with the public on the district's website from October 5, 2016 through December 7, 2016. The second public meeting was held October 10th, 2016 at the Stuhr Center Friends Group meeting to provide an opportunity for the public to ask questions and to comment on the Plan. In addition, the district met with the Program and Events Advisory Committee along with the Parks and Facilities Advisory Committee on October 18, 2016 to seek their input and answer any questions they had. On December 7, 2016 the district held a final public meeting at the Beaverton Swim Center. Staff received positive feedback throughout the public outreach process and has updated the ADA Transition Plan accordingly.

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2.0 ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use to develop a Transition Plan to make their facilities meet the standards for Program Accessibility. Program Accessibility means that a program, activity and/or service are accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

Transition Plan for Facilities

The Transition Plan for the removal of structural barriers to program access must contain the following information:

- Identification of the barriers to program access;
- Identification of the specific barrier removal action(s);
- Identification of a schedule for barrier removal; and
- Identification of responsibility for ensuring barrier removal.

The specific structural modifications required to make programs accessible are listed in the district's Barriers Analysis Tool, which is an Excel workbook of barriers identified during the facility evaluations. The workbook details a complete list of structural barriers and barrier removal actions for each of the district's facilities. Not all of these barriers must be removed in order to provide program access.

The district will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers; and maintenance and construction projects to remove structural barriers. The responsibility for ensuring barrier removal will reside with the district's ADA Coordinator. In compliance with the requirements of the ADA, the district will maintain in working order equipment and features that are required to provide access to individuals with disabilities.

Barrier Removal Scheduling

Barriers identified at all of the district's facilities will be removed systematically based on established program priorities. It is the intent of the district to address and remove barriers to accessibility at district facilities based on the need for programmatic access, degree of complexity, and overall cost.

The Tualatin Hills Park & Recreation District reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in district programs, and

funding opportunities and constraints. Interim measures will be explored and implemented in order to provide programmatic access to the public pending the implementation of physical barrier removal projects.

2.1 Facilities

The facility ADA barrier assessment was completed in the spring and fall of 2015, which included an evaluation of all portions of interior and exterior features of facilities and park sites used by the public. The assessment identified physical barriers in each facility that limit accessibility and compared each facility to the 2010 ADA and 2014 Oregon Structural Specialty Code. In addition to the ADA 2010 Standards, park facilities were also evaluated using the Architectural Barriers Act - Accessibility Guidelines for Outdoor Developed Areas (AGODA) adopted in 2013.

Facility Evaluations

The site evaluations were accomplished using a team of accessibility assessors equipped with measuring devices, facility diagrams and evaluation checklists. Diagrammatic sketches of each site were annotated during the evaluation process and were included with the facility reports to the district. These resulting reports are available under separate cover from the district, however these reports are a snapshot in time of the conditions observed during the evaluation period. The information contained in these reports has been transferred to a Microsoft Excel barrier analysis workbook. The workbook is the living Transition Plan document and is the district's on-going record of the remediation of barriers. The tracking tool will be updated over time as the district either removes barriers or finds programmatic solutions to barriers. The record is maintained by the district's ADA Coordinator. For the most current status of the remediation of barriers, contact the district's ADA Coordinator.

2.2 Priorities for Barrier Removal

The following prioritization process is referenced in the ADA Regulations. The principle of the priorities is to ensure basic access to facilities and amenities, access to activities, and allowing alternatives to structural modifications when appropriate. Translating these priorities into action plans must be accomplished using a programmatic approach. The following guidelines were used by the district to prioritize barriers found within district facilities:

Priority One

Removing barriers that impede accessibility at the main entrance of a facility, or improving a path of travel to the portion of the facility where program activities take place. Examples:

- Connection to the public rights-of-way
- Parking and passenger loading
- Entrance walks
- Entrance ramps
- Entrance stairs
- Entrance doors

Priority Two

Removing barriers that impede access to program use areas. Examples:

- Transaction counters
- Recreation environments/features
- Public offices
- Public restrooms

Priority Three

Removing barriers that impede access to amenities serving program areas. Examples:

- Drinking fountains
- Public telephones
- Site furnishings
- Vending machines

Priority Four

The fourth priority addresses features that are not required to be modified for accessibility because no public programs are located in this area, or there are nearby duplicate accessible features.

2.3 Program Barrier Removal Priorities

A prioritization meeting was conducted with district staff on January 26, 2016. All of the district's facilities in which the district provides programs, activities, and services were reviewed and ranked based on the following criteria:

- **Level of use by the public:** Facilities that have a high level of public use can be assigned a higher priority;
- **Program uniqueness:** Some programs are unique to a building, facility, or park and cannot occur at another location. Seasonal availability and programs that emphasize health and wellness can be assigned a higher priority;
- **Geographic distribution:** Selecting a range of facilities that are distributed throughout the district, and considering the proximity of these facilities to public transportation help provide maximum accessibility for all residents;
- **Critical nature of the service provided:** Facilities that provide services related to accessibility, health, safety, and the administration of essential district services such as permitting and licensing can be assigned a higher priority; and
- **Identified complaints:** Facilities that have a history of citizen complaints related to accessibility can be assigned a higher priority.

2.4 Phasing Schedule

The tables on the following pages describe the schedule priorities for barrier removal at district facilities. Table 1 addresses the district's aquatic facilities, Table 2 includes the district's buildings, and Table 3 addresses the schedule for parks and trails. These preliminary schedules represent a 15-year plan for barrier removal. It is the district's intent to review all barriers during the first year of Plan implementation and address those barriers that can be resolved through programmatic modifications and/or new projects. The district will then revise the following schedule for removal of the remaining barriers.

The district intends to complete any maintenance⁶ projects involving access barriers within the next one to three years. Small capital⁷ projects which can be handled in-house or by a contractor will be completed within the next one to six years. Large capital⁸ projects which are longer term projects requiring the hiring of a contractor and applying for permits will be completed in the next one to 15-years.

⁶ Maintenance projects can be completed in-house for less than \$1,000.

⁷ Small capital projects can be completed in-house or by using a contractor for \$1,000 to \$5,000.

⁸ Large capital projects require the hiring of a contractor and applying for permits and are greater than \$5,000.

Table 1: Aquatics Transition Plan Schedule

Location	Years 1 to 3	Years 1 to 6	Years 1 to 15
Aloha Swim Center	•		•
Beaverton Swim Center	•		•
Conestoga Recreation Center	•		•
Harman Swim Center	•	•	
HMT Complex: Tualatin Hill Aquatic Center	•	•	
Raleigh Swim Center Park	•		•
Somerset West Swim Center/Park	•		•
Sunset Swim Center/Park	•		•

Table 2: Buildings Transition Plan Schedule

Location	Years 1 to 3	Years 1 to 6	Years 1 to 15
Cedar Hills Recreation Center	•		•
Conestoga Recreation Center	•		•
Cooper Mountain Nature Park	•		•
Elsie Stuhr Center	•	•	
Fanno Creek Service Center	•		•
Fanno Farmhouse	•		•
Garden Home Recreation Center	•		•
HMT Complex: Admin Building	•		•
HMT Complex: Schlottmann House	•		•
HMT Complex: Tualatin Hills Athletic Center	•	•	
HMT Complex: Tualatin Hills Tennis Center	•	•	
Jenkins Estate	•		•
Tualatin Hills Nature Center	•		•

Table 3: Parks & Trails Transition Plan Schedule

Location	Years 1 to 3	Years 1 to 6	Years 1 to 15
A.M. Kennedy Park	•	•	
Arnold Park	•		•
Autumn Ridge Park	•		•
Bannister Creek Greenway	•		•
Barrows Park	•	•	
Barsotti Park	•	•	
Bethany Lake Community Garden	•		•
Bonny Slope Park	•		•
Buckskin Park	•		•
Burnsridge Park	•		•
Burntwood Park			•
Butternut Park	•		•
Camille Park	•	•	
Carolwood Park	•		•
Cedar Hills Park	•	•	
Cedar Hills Recreation Center	•		•
Cedar Mill Park	•	•	
Center Street Park	•		•
Channing Heights Park	•		•
Commonwealth Lake Park	•	•	
Cooper Mountain Nature Park	•	•	
Cooper Park	•		•
Eichler Park	•		•
Evelyn M. Schiffler Memorial Park	•	•	

Table 3: Parks & Trails Transition Plan Schedule (cont.)

Location	Years 1 to 3	Years 1 to 6	Years 1 to 15
Fanno Creek Regional Trail	•	•	
Fifth Street Park	•		•
Fir Grove Park	•		•
Florence Pointe Park	•		•
Foege Park	•		•
Foothills Park	•		•
Forest Hills Park	•		•
Garden Home Park	•	•	
George W. Otten Park	•		•
Greenway Park	•		•
Hansen Ridge Park	•	•	
Hart Meadows Park			•
Hazeldale Park	•	•	
Hideaway Park	•		•
Hiteon Park	•		•
HMT Complex: Grounds	•	•	
Jackie Husen Park	•	•	
John Marty Park	•	•	
Kaiser Woods Park	•	•	
Lawndale Park	•		•
Little Peoples Park	•		•
Lost Park	•		•
McMillan Park	•		•
Meadow Waye Park	•		•

Table 3: Parks & Trails Transition Plan Schedule (cont.)

Location	Years 1 to 3	Years 1 to 6	Years 1 to 15
Melilah Park	•		•
Mitchell Park	•		•
Murrayhill Park	•		•
Neighborhood Square Park	•	•	
Northwest Park	•		•
Paul and Verna Winkelman Park	•	•	•
PCC Rock Creek Recreational	•	•	
Pioneer Park	•		•
Progress Lake Park	•	•	
Raleigh Scholls Park	•		•
Raleigh Swim Center Park	•	•	
Ridgecrest Park	•		•
Ridgewood Park	•		•
Rock Creek Greenway			•
Rock Creek Landing Park	•		•
Rock Creek Park	•		•
Rock Creek Regional Trail	•	•	
Roger Tilbury Memorial Park	•		•
Roxbury Park	•		•
Roy E. Dancer Park	•		•
Sexton Mountain Park	•		•
Skyview Park	•		•
Somerset Meadows Park	•	•	
Somerset West Swim Center/Park	•	•	

Table 3: Parks & Trails Transition Plan Schedule (cont.)

Location	Years 1 to 3	Years 1 to 6	Years 1 to 15
Southminster Community Garden	•		•
Summercrest Park	•		•
Sunset Swim Center/Park	•	•	
Terra Linda Park	•	•	
The Bluffs Park	•		•
Tualatin Hills Nature Park	•	•	
Valley Park	•		•
Valley West Park	•		•
Veterans Memorial Park	•		•
Vista Brook Park	•		•
Wanda L. Peck Memorial Park	•		•
Waterhouse Park	•	•	
Waterhouse Trail	•		•
West Slope Park	•		•
West Sylvan Park	•		•
Westside Regional Trail	•	•	
Wildhorse Park	•		•
Wildwood Park	•		•
Willow Park	•		•
Wonderland Park	•		•

2.5 Historic Facilities

A qualified historical building or structure is any structure or collection of structures, and their associated sites deemed of importance to the history, architecture or culture of an area by an appropriate local or state governmental jurisdiction. This includes structures on existing or future national, state or local historical registers or official inventories, such as the National Register of Historic Places, State Historical Landmarks, State Points of Historical Interest, and city or county registries or inventories of historical or architecturally significant sites, places, historic districts or landmarks. The district has two locations that fall under this category of facility: the Fanno Farmhouse and the Jenkins Estate.

U.S. Department of Justice-Historic Facilities

The U.S. Department of Justice has specified the actions an agency needs to take in addressing accessibility in historically significant facilities.

Historically significant facilities are those facilities or 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. Structural changes to these facilities that would threaten or destroy the historical significance of the property or would fundamentally change the program being offered at the historic facility need not be undertaken. Nevertheless, a city must consider alternatives to structural changes in these instances -- including using audio-visual materials to depict the inaccessible portions of the facility and other innovative solutions.

If alterations are being made to a historically significant property, however, these changes must be made in conformance with the ADA Standards for Accessible Design, ("the Standards"), 28 C.F.R. Part 36, § 4.1.7, or the Uniform Federal Accessibility Standards, ("UFAS") § 4.1.7, to the maximum extent feasible. If following either set of standards would threaten or destroy the historical significance of the property, alternative standards, which provide a minimal level of access, may be used. This decision must be made in consultation with the appropriate historic advisory board designated in the Standards or UFAS, and interested persons should be invited to participate in the decision-making process. 28 C.F.R. §§ 35.150(b)(2); 35.151(d); Standards § 4.1.7; UFAS § 4.1.7. If these lesser standards would threaten or destroy historically significant features, then the programs or services conducted in the facility must be offered in an alternative accessible manner or location⁹.

⁹ U.S. Department of Justice, Civil Rights Division, Disability Rights Section, The ADA and City Governments: Common Problems, <http://www.ada.gov/comprob.htm>

3.0 ADA Policy and Complaint Procedure

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance. The Tualatin Hills Park & Recreation District has designated an ADA Coordinator for coordinating the efforts of the district to comply with Title II, and for investigating any complaints that the district has violated Title II of the ADA. The Coordinator also is responsible for coordinating the efforts of the district to comply with all other applicable State and Federal physical and program accessibility requirements.

3.1 ADA Grievance Procedure

The ADA under, Title II requires that a grievance procedure be established for any program, service or activity offered by the district, whether federally funded or not. Neither Title II nor its implementing regulations describe what ADA grievance procedures must include. However, the Department of Justice has developed a model grievance procedure that is included in this section. The grievance procedure should include:

- A description of how and where a complaint under Title II may be filed with the government entity;
- If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;
- A description of the time frames and processes to be followed by the complainant and the government entity;
- Information on how to appeal an adverse decision; and
- A statement of how long complaint files will be retained.

Sample ADA Grievance Procedure:

Tualatin Hills Park & Recreation District
Grievance Procedure under
The Americans with Disabilities Act

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 the Tualatin Hills Park & Recreation District. The district'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 complaints, 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:

Deb Schoen
ADA Coordinator and Superintendent of Sports
15707 SW Walker Road, Beaverton OR 97006

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or her 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 the Tualatin Hills Park & Recreation District and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or her designee does not satisfactorily resolve the issue, the complainant and/or her designee may appeal the decision within 15 calendar days after receipt of the response to the General Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the General Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the General Manager or his/her 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 the ADA Coordinator or her designee, appeals to the General Manager or his/her designee, and responses from these two offices will be retained by the Tualatin Hills Park & Recreation District for at least three years.

4.0 Definitions

The following is a summary of many definitions found in the ADA. Please refer to the Americans with Disabilities Act¹⁰ for the full text of definitions and explanations¹¹.

4.1 Auxiliary Aids and Services

The term auxiliary aids and services include:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and
- Acquisition or modification of equipment or devices; and other similar services and actions.

4.2 Complaint

A complaint is a claimed violation of the ADA.

4.3 Disability

The term disability means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such impairment; or
- Being regarded as having such impairment.

4.4 Discrimination on the Basis of Disability

Discrimination on the basis of disability means to¹²:

- 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;

¹⁰ ADA.gov United States Department of Justice Civil Rights Division, <http://www.ada.gov/>

¹¹ Title II Regulations. 28 C.F.R. § 35.104 Definitions.

¹² Title II Regulations. 28 C.F.R. § 35.130 General prohibitions against 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 organization'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.

4.5 Having a Record of 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 impairment.

4.6 Physical or Mental Impairments

Physical or mental impairments may include, but are not limited to¹³: vision, speech, and hearing impairments; 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: transvestitism; 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.

4.7 Qualified Individual with a Disability

A qualified individual with a disability means an individual with a disability who, with or without reasonable modification 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 district.

¹³ Title II Regulations. Appendix B 28 C.F.R. Test C—Being regarded as having such an impairment.

4.8 Reasonable Program Modifications

If the 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 an individual to perform the essential functions of the program or activity¹⁴.

Reasonable program modification is any change in 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:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of 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 district.

4.9 Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

¹⁴ Title II Regulations. 28 C.F.R. § 35.130 General prohibitions against discrimination. Subpart B—General Requirements

4.10 Substantial Limitations on Major Life Activities

Individuals are disabled if they have a physical or mental impairment that (a) renders them unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which they can perform a particular major life activity in comparison to other people. Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

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.

4.11 Undue Burden

The Tualatin Hills Park & Recreation District shall not provide an accommodation that imposes an undue burden on the operation of the district's business.

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 district.

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 the Tualatin Hills Park & Recreation District, the district shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the district must consider whether funding for modification is available from an outside source. If no such funding is available, the district 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.

The following factors shall be considered in determining whether a program modification would create an undue burden: the nature and cost of the modification, the financial resources of the district available to make the modification, the impact the expense of the accommodation will have on the affected district operation, and the permanence of the alterations affecting the site.

5.0 Program Accessibility Guidelines, Standards and Resources

5.1 Introduction

In order to facilitate access to all district programs, the district will maintain the program accessibility guidelines, standards and resources. The information is available to all employees and volunteers. The district will add to these guidelines when necessary to address its needs and include information and technological devices that help staff members and volunteers communicate with individuals with a variety of disabilities. The district 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.

5.2 Federal Accessibility Standards and Regulations

There are both State and Federal regulations for accessible facilities. Below are resources for both the Federal and State of Oregon facility regulations.

U.S. Department of Justice

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. 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 Department of Justice website. <http://www.ada.gov/>

- **ADA Regulation for Title II:** This publication describes Title II of the Americans with Disabilities Act, 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 of qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.
http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm

- **Title II Technical Assistance Manual (1993) and Yearly Supplements:** The 56-page manual 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.
<http://www.ada.gov/taman2.html>
- **Accessibility of State and Local Government Websites to People with Disabilities:** The 5-page publication provides guidance on making state and local government websites accessible. <http://www.ada.gov/websites2.htm>
- **ADA Information for Law Enforcement:** This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects and others who have disabilities.
<http://www.ada.gov/policeinfo.htm>

Title II: U.S. Department of Justice Publications

Title II Technical Assistance Manual | Supplement

A 56-page manual that 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. (1993) <http://www.ada.gov/taman2.html>

The ADA and City Governments: Common Problems | PDF

A 9-page document that contains samples of common problems shared by city governments of all sizes, provides examples of common deficiencies and explains how these problems affect persons with disabilities. (2000) <http://www.ada.gov/comprob.htm>

ADA Guide for Small Towns | PDF

A 21-page guide that presents an informal overview of some basic ADA requirements and provides cost-effective tips on how small towns can comply with the ADA. (2000)
<http://www.ada.gov/smtown.htm>

Accessibility of State and Local Government Websites to People with Disabilities | PDF

A 5-page publication providing guidance on making state and local government websites accessible. (2003) <http://www.ada.gov/websites2.htm>

ADA Checklist for Polling Places | PDF

A 39-page checklist used as a self-help survey for voting officials to determine whether a polling place has basic accessible features needed by most voters with disabilities. (2004)
<http://www.ada.gov/votingchecklist.htm>

An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities | PDF

An 11-page illustrated publication that provides guidance on preparing for and carrying out emergency response programs in a manner that results in the services being accessible to people with disabilities. (2006) <http://www.ada.gov/emergencyprep.htm>

Access for 9-1-1 and Telephone Emergency Services | PDF

A 10-page publication explaining the requirements for direct, equal access to 9-1-1 for persons who use teletypewriters (TTYs). (1998) <http://www.ada.gov/911ta.htm>

Commonly Asked Questions About the ADA and Law Enforcement

A 12-page publication providing information for law enforcement agencies in a simple question and answer format. (2006) <http://www.ada.gov/q&a law.htm>

Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers | PDF

An 8-panel pocket guide providing basic information for officers about ADA requirements for communicating effectively with people who are deaf or hard of hearing. (2006)
<http://www.ada.gov/lawenfcomm.htm>

Model Policy for Law Enforcement on Communicating with People Who Are Deaf or Hard of Hearing | PDF

A 4-page document serving as a model for law enforcement agencies to adopt policies on effective communication with people who are deaf or hard of hearing. Agencies are encouraged to download and adapt the policy to suit their needs. (2006)
<http://www.ada.gov/lawenfmodpolicy.htm>

Questions and Answers: The ADA and Hiring Police Officers

A 5-page publication providing information on ADA requirements for interviewing and hiring police officers. (1997) <http://www.ada.gov/copsq7a.htm>

U.S. Access Board Publications

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 or ordered by completing a form available on the Access Board's website. In addition to regular print, publications are available in large print, disk, audiocassette and Braille. <http://www.access-board.gov/>

Communications & IT

Access to information and communication technology (ICT) is addressed by Board standards and guidelines issued under Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act.

- **Section 508 Standards:** <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards>
- **Refresh of the Section 508 Standards and the Telecommunications Act Guidelines:** <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh>
- **Telecommunications Act Accessibility Guidelines:** <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-telecommunications-act-guidelines>

Buildings & Sites

Standards issued under the Americans with Disabilities Act (ADA) address access to buildings and sites nationwide in new construction and alterations.

- **2010 ADA Standards for Accessible Design:** This document contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. 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 Department of Justice and the Department of Transportation. This document must be used in conjunction with Chapter 11 - Accessibility of the Oregon Structural Specialty Code.
- **2010 ADA Standards:** <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>

Recreation Facilities

Access to recreation facilities, including play areas, swimming pools, sports facilities, fishing piers, boating facilities, golf courses and amusement rides, is addressed in the ADA standards. The ABA standards address outdoor developed areas guidelines which currently are applicable to Federal facilities and cover access to trails, picnic sites, camping sites and beach access routes.

- **Recreation Facilities:** <http://www.access-board.gov/guidelines-and-standards/recreation-facilities/about-recreation-facilities>
- **Outdoor Developed Areas:** <http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas>

Streets and Sidewalks

New guidelines in development by the Board cover access to public rights-of-way including sidewalks, intersections, street crossings and on-street parking. The Board is also addressing access to shared use paths providing off-road means of transportation and recreation.

- **Public Rights-of-Way:** <http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>
- **Shared Use Paths:** <http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/about-this-rulemaking>

5.3 State of Oregon Accessibility Standards and Regulations

Chapter 11 - Accessibility, Oregon Structural Specialty Code

http://www.bcd.oregon.gov/programs/structural/2010_ADA_OSSC_Ch11_Comm_updated_figures.pdf

The State of Oregon has also adopted a set of design guidelines for accessible facilities, which can be found in the Oregon Structural Specialty Code Chapter 11 (OSSC). OSSC contains general building design and construction requirements relating to fire and life safety, structural safety and access compliance. OSSC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. The Oregon Building Code Division follows the 2012 International Building Code (IBC) with amendments and provisions specific to the State of Oregon.

Because building codes are updated every few years, the district should have an ongoing program of regularly reviewing changes and updating policies and procedures related to accessibility to ensure compliance with current code.

5.4 Resources

Resources for Providing Accessible Programs and Facilities

- **ADA Document Portal:** This website provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers. <https://adata.org/ada-document-portal>
- **American Alliance of Museums:** Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, The Accessible Museum, which offers model programs of accessibility for older people and people with

disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors. <http://www.aam-us.org>

- **Beneficial Designs:** Beneficial Designs works toward universal access through research, design and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation and standards development and serves as a rehabilitation information resource. Contact Beneficial Designs, Inc. at 2240 Meridian Blvd, Suite C, Minden, NV 89423-8628, (775) 783-8822. <http://www.beneficialdesigns.com/>
- **Disability.gov:** The website is 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. <https://www.disability.gov/>
- **National Center on Accessibility:** The Center is a cooperative project between the National Park Service 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. This study is primarily the result of questions that NCA receives from organizations, agencies and individuals who desire to make their trails accessible and are interested in an unobtrusive surface that blends, is friendly to the environment and provides a quality trail experience for people with and without disabilities. NCA also publishes ‘What is an Accessible Trail?’ which summarizes the Federal guidelines for outdoor developed areas and is available for downloading from its website. The NCA website also has information on campground accessibility, accessible picnic tables, access to beaches and inclusion of people with disabilities in aquatic venues. <http://www.ncaonline.org/>
- **National Center on Health, Physical Activity and Disability:** The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps and health and leisure services. <http://www.nchpad.org/>
- **Smithsonian Institution:** The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design (1996), which are available for downloading from their website. Further information is available from the Smithsonian Accessibility Program at the Arts and Industries Building, Room 1239 MRC 426, Washington, D.C. 20560 (202) 786-2942. <http://www.si.edu/accessibility>

Resources for Assistive Technologies (General)

The district should utilize the many disability-related resources available through the Internet.

- **The National Institute on Disability and Rehabilitation Research:** This agency of the U.S. Department of Education maintains a national web-based service that provides up-to-date links to assistive technologies and disability-related resources.
<http://www.abledata.com/>
- **Oregon Technology Access Program:** The Oregon Technology Access Program (OTAP) provides training, information, technical assistance and resources regarding the uses of technology for children with disabilities. OTAP services are available to anyone concerned with the needs of Oregon's children with disabilities from birth to age twenty-one. The program is sponsored by the Oregon Department of Education (ODE).
<http://www.otap-oregon.org>

Alternative Format Communications

Resources to produce standardized publications such as applications and registration forms in Braille, audiotape, large-print text and accessible electronic media will be assembled.

Information regarding Braille Services and other accommodations for people with visual disabilities is available by contacting:

- **American Council of the Blind:** ACB 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, which is available online, in regular print, large print, Braille or on cassette tape. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800) 424-8666. Email info@acb.org or go to <http://www.acb.org/>.
- **National Center on Accessibility:** NCA publishes 'What are Alternative Formats? How Do They Apply to Programs and Services?' which is available for downloading from their website. <http://www.ncaonline.org/>
- **National Center for Accessible Media:** NCAM is 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. Developers of Web- and CD-ROM-based multimedia need an authoring tool for making their materials accessible to persons with disabilities. NCAM has developed two such tools, version 1.0 and 2.01 of the Media Access Generator (MAGpie), for creating captions and audio descriptions for rich media. MAGpie is available for downloading from NCAM's website.
<http://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 twenty-four-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, certain 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.

You may want to contact each agency in advance of a need for services to determine their rates so that you are prepared to cover the communication expenses, should the need arise.

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

Individuals who are hard of hearing generally do not use ASL interpreters. Always ask the individual requesting an accommodation what type of accommodation works best for them. Determining what accommodation(s) will be provided is an interactive process. Depending on the situation, accommodating an individual who is hard of hearing may include note writing, use of assistive listening devices and/or provision of Computer Assisted Real-Time (CART) captioning.

Assistive Listening Systems and Devices

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

- See the Assistive Listening Systems Technical Bulletins available on the U.S. Access Board's website. <http://www.access-board.gov/>
- **Closed Caption Machine:** To the extent practical, district departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.
- **Optical Readers:** Equipment that can translate printed information into an audio format should be available to the district programs.
- **Text Telephone (TTY):** District programs 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. See the Text Telephones Technical Bulletin available on the U.S.

Access Board's website. <http://www.access-board.gov/>

- **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 on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP and more. <http://tdiforaccess.org/>
- **Video Relay Services (VRS):** Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. Because the conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, VRS has become a popular form of TRS. www.fcc.gov/guides/video-relay-services
- **Hands on Video Relay Service:** (877) 467-4877 for English, or (877) 467-4875 for Spanish
- **Sorenson Video Relay:** Using a standard telephone, simply call the toll-free number (866)-327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number or IP address) ready. Remain on hold until the call is answered by the next available interpreter.
- **Sprint VRS:** (877)709-5776 or <http://www.sprintrelay.com/>

Enlarging Printed Materials

A copy machine capable of enlarging printed materials should be available for staff.

Guide to Disabilities and Disability Etiquette

A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and 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.

- **Disability Etiquette:** Interacting with People with Disabilities is available on-line at the County of Long Beach's website. http://www.longbeach.gov/hr/ada/disability_etiquette.asp

Resources and Organizations Serving People with Disabilities

- **The Arc:** The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families. <http://www.thearc.org>

- **American Association of People with Disabilities:** The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States. <http://www.aapd.com/>
- **American Foundation for the Blind:** The American Foundation for the Blind (AFB) is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database. <http://www.afb.org/>
- **Center on Technology and Disability:** Funded by the U.S. Department of Education's Office of Special Education Programs, the Center on Technology and Disability provides a wide range of resources on assistive technology, from introductory fact sheets and training materials to in-depth discussion of best practices and emerging research. <http://www.ctdinstitute.org/>
- **Disability.gov's** online resources for High School: Guidelines for Accessing Alternative Format, inclusion materials, educational technology, a comprehensive list including college preparatory materials, transition issues for children with special needs and more. <https://www.disability.gov/education>
- **Disability Resources, Inc.:** Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources. <http://www.disabilityresources.org/>
- **Institute for Human Centered Design:** The Institute (formerly known as Adaptive Environments) is a non-profit organization committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. The organization provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements for human centered design for places, things, communication and policy that integrate solutions with the reality of human diversity. <http://humancentereddesign.org/>
- **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. <http://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 provides on-line resources 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 (CCTV's). <http://www.nfb.org/>

- **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. <http://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 provides information on useful sports publications and a list of contacts. <http://www.pva.org>
- **United Cerebral Palsy Association:** UCP's mission is to advance the independence, productivity and full citizenship of people with cerebral palsy and other disabilities, through a commitment to the principles of independence, inclusion and self-determination. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities. Information about the Sports and Leisure Channel is available on UCP's website. <http://www.ucp.org>
- **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. <http://www.unitedspinal.org>
- **World Institute on Disability:** WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design and ADA. <http://www.wid.org/resources/>

Organizations Serving Oregon, Clackamas County and Washington County

- **Aging and Disability Resource Connection of Oregon:** ADRC is a statewide resource providing information about local public and privately paid services to address aging or disability needs. The organization's trained professional staff can help with immediate needs or planning for the future. <https://adrcforegon.org>
- **The Arc Multnomah-Clackamas:** Since 1953, The Arc of Multnomah-Clackamas has been advocating for, supporting and serving children and adults with intellectual and developmental disabilities and their families. The Arc of Multnomah-Clackamas, serving both Multnomah and Clackamas Counties, offers a wide variety of community programs

for individuals and families, all designed to help children and adults with intellectual and developmental disabilities achieve their greatest potential. <http://thearcmult.org/>

- **Autism Society of Oregon:** This affiliate of the Autism Society, the nation’s leading grassroots autism organization, exists to improve the lives of all affected by autism by increasing public awareness about the day-to-day issues faced by people on the spectrum, advocating for appropriate services for individuals across the lifespan and providing the latest information regarding treatment, education, research and advocacy. <http://autismsocietyoregon.org/>
- **Clackamas County Aging Services Advisory Council:** The Council is an advisory group that meets monthly to advise Clackamas County Social Services Division on their programs and services for seniors and persons with disabilities. Members are appointed by the Clackamas County Board of County Commissioners. The group advocates both locally and at the state level on issues related to aging. The Advisory Council has a number of subcommittees devoted to specific issues such as transportation and nutrition. http://www.clackamas.us/socialservices/committee_aaa.html
- **Clackamas County Developmental Disabilities Advisory Council:** The Council, comprised of recipients of service, advocates, professionals, provider representatives and lay citizens, meets monthly to advise the Director of Health Housing and Human Services, Director of Social Services and the DD Program Manager in planning and reviewing programs and recommending policy for developmental disabilities program areas. <http://www.clackamas.us/socialservices/community.html>
- **Family and Community Together (FACT):** Family and Community Together (FACT) is a family leadership organization for individuals and their families experiencing disability, working collaboratively to facilitate positive change in policies, systems, and attitudes through family support, advocacy, and partnerships. <http://factoregon.org/>
- **Imagine Possibilities:** Imagine Possibilities was formerly The Arc of Washington County but disaffiliated from the national and state organizations in 2012. The organization provides services to children and adults with intellectual and developmental disabilities. <http://www.imaginepossibilities.net/wordpress/>
- **Independent Living Resources:** In 1957, Independent Living Resources (ILR) manually transcribed and duplicated Braille textbooks. Eventually expanded services to the blind community included activities such as orientation and mobility, skills training, crafts and recreation. Since 1994 services have been extended to people with all disabilities. ILR helps people to help themselves through the four core services of Advocacy, Information and Referral, Peer Counseling and Skills Training. <http://www.ilr.org>
- **Northwest ADA Center, National Institute on Disability and Rehabilitation Research:** The ADA National Network Centers are a national platform of ten centers comprised of

ADA professionals and experts charged with assisting businesses, state and local governments and people with disabilities as they manage the process of changing our culture to be user friendly to disability and the effect the variety of health conditions can have on society. The Northwest ADA Center is a part of the Department of Rehabilitation Medicine at the University of Washington, and collaborates with the Center for Technology and Disability Studies, a program within the Center for Human Development and Disability and the Department of Rehabilitation Medicine.

<http://nwadacenter.org/>

- **Oregon Department of Human Services, Aging and People with Disabilities:** The mission of the Oregon Department of Human Services, Aging and People with Disabilities is to make it possible for seniors and people with disabilities to become independent, healthy and safe with opportunities for community living, employment, family support and services that promote independence, choice and dignity. <http://www.oregon.gov/DHS/spwpd/Pages/index.aspx>
- **Oregon Disabilities Commission:** Initially formed in 1983 and re-formed in 2005 after a brief hiatus, the Oregon Disabilities Commission (ODC) is a Governor-appointed commission housed in the Department of Human Services. The commission is composed of 15 members broadly representative of major public and private agencies that are experienced in or have demonstrated particular interest in the needs of individuals with disabilities. <http://www.oregon.gov/dhs/spd/Pages/ODCindex.aspx>
- **Ride Connection:** Ride Connection, a non-profit organization, is dedicated to providing responsive, accessible transportation options for those in need. While many customers are older adults and people with disabilities, the organization strives to provide transportation solutions for the community at large. <http://www.rideconnection.org/>
- **State Independent Living Council:** The State Independent Living Council (SILC) is a federally mandated, Governor appointed body, designed to ensure that people with disabilities have a major role in designing Oregon's Independent Living program services. The Independent Living Services Program is a nonresidential, consumer-directed model of peer support, information and referral, skills training and advocacy for people with disabilities. <http://www.oregon.gov/dhs/silc>
- **Washington County Developmental Disabilities Advisory Council:** This Council functions in an advisory capacity the Department of Health and Human Services and the Board of Commissioners on program development, planning, monitoring and funding issues. The council is comprised of 15 members including recipients of service, advocates, professionals in the field, key referral sources, provider representatives and lay citizens. <http://www.co.washington.or.us/HHS/DevelopmentalDisabilities/Advisory-Council.cfm>

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