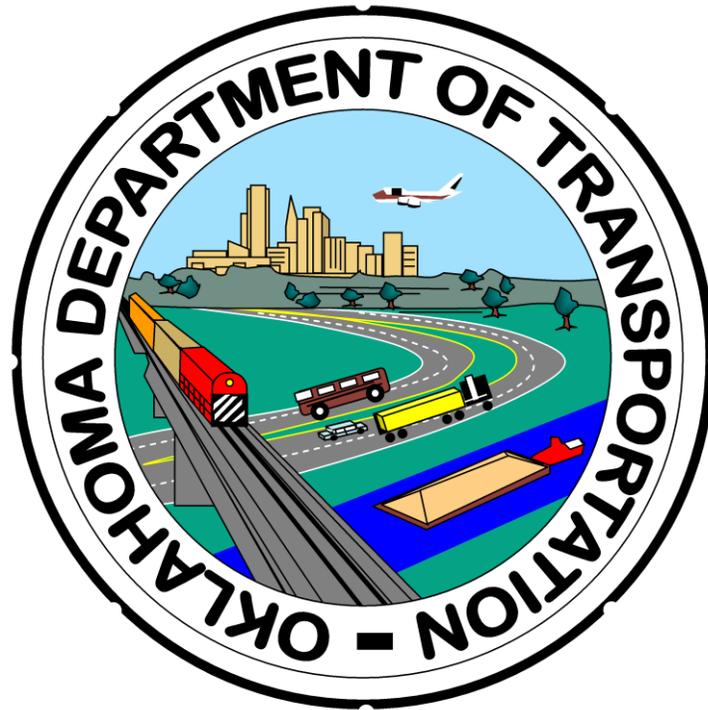


**The Oklahoma Department of Transportation
Civil Rights Division**



**Americans with Disabilities Act – Title II,
Section 504 of the Rehabilitation Act of 1973
and Section 508 of the Rehabilitation Act of 1973
Compliance Plan**

2011

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The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.

Introduction

The main purpose of the Oklahoma Department of Transportation (ODOT) Compliance Plan is to establish policies and practices for implementing accessibility requirements in the program, services, and public rights-of-way under the control and jurisdiction of ODOT. The goal is to optimize the accessibility of ODOT facilities, programs and services, to provide safe and usable pedestrian facilities for all pedestrians, and to assure compliance with all federal, state and local regulations and standards.

The ADA/504/508 requires ODOT to provide nondiscrimination assurances, designate an employee responsible for compliance, adopt grievance procedures, conduct a self-evaluation and develop an ADA Transition Plan for the installation of curb ramps or other sloped areas at all locations where walkways cross curbs. The plan must include a schedule for curb ramp installation and for other improvements necessary to achieve programmatic accessibility for persons with disabilities. The main purpose of this Compliance Plan is to establish our commitment to providing accessibility, describe the procedures for persons to file a grievance, set policy for including accessibility in our construction program, describe curb ramp and other pedestrian facility needs in the State of Oklahoma, and to outline the recommended procedures for implementing and scheduling remedial work to provide a compliant system of curb ramps, pedestrian signals and sidewalks.

The ODOT ADA/504/508 Compliance Plan is intended to represent both the legal and functional goals and objectives of the agency to make the existing pedestrian facilities within the public right-of-way accessible and usable for persons with disabilities.

The Self-Evaluation and Transition Plan sections of this document cover all ODOT facilities and the public rights-of-way under the jurisdiction of ODOT. ODOT oversees a wide variety of facilities within the public right-of-way. These facilities include streets and roadways, vehicular and pedestrian bridges, underground and above-ground utilities, vehicular and pedestrian signal systems, signage systems, on-street parking facilities, walkways, sidewalks with curb ramps at intersections, planting strips and buffers, pedestrian activity areas and unimproved open spaces.

ODOT Assurance

The Oklahoma Department of Transportation (ODOT) assures that no qualified person with a disability shall, solely by reasons of their disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity administered by the Oklahoma Department of Transportation.

Specifically, the following discriminatory actions are prohibited:

- 1) In providing any aid, benefit, or service, ODOT will not directly or through contractual, licensing, or other arrangements, on the basis of disability:
 - a. Deny a qualified person with a disability the opportunity to participate in or benefit from the aid, benefit or service.
 - b. Afford a qualified person with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not substantially equal to that afforded persons who do not have a disability.
 - c. Provide a qualified person with a disability an aid, benefit or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as persons without disabilities.
 - d. Provide different or separate aid, benefits, or services to persons with disabilities or to any class of persons with disabilities unless such action is necessary to provide the aids, benefits or services that are as effective as those provided to persons without disabilities.
 - e. Aid or perpetuate discrimination against a qualified person with a disability by providing financial or other assistance to an agency, organization, or person that discriminates on the basis of disability.
 - f. Deny a qualified person with a disability the opportunity to participate in conferences, planning or advising opportunities.
 - g. Otherwise limit a qualified person with a disability in the enjoyment of any right, privilege, advantage or opportunity enjoyed by others receiving an aid, benefit, or service.
- 2) For purposes of these assurances, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for disabled and nondisabled persons, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting that is reasonable achievable.
- 3) Even if separate or different aids, benefits or services are available to persons with a disability, ODOT will not deny a qualified person with a disability the opportunity to participate in the programs or activities that are not separate or different.
- 4) ODOT will not, directly or through contractual or other arrangements, utilize criteria or methods of administration:
 - a. That have the effect of subjecting qualified persons with a disability to discrimination on the basis of disability,

- b. That have the purpose or effect of defeating or substantially reducing the likelihood that persons with disabilities can benefit from the objectives of the program or activity, or
 - c. That yield or perpetuate discrimination against another recipient of federal funds if both recipients are subject to common administrative control or are agencies of the same State.
- 5) In determining the site or location of a facility, ODOT will not make selections:
 - a. That have the effect of excluding persons with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity, or
 - b. That has the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to persons with disabilities.
- 6) As used in these assurances, the aid, benefit or service provided under a program or activity includes any aid, benefit or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.

Future Effect of Assurances

Recipients of Federal financial assistance, and transferees of property obtained by a recipient with the participation of Federal financial assistance, are bound by the above assurances under the following circumstances:

- 1) When Federal financial assistance is provided in the form of a conveyance of real property or an interest in real property from the U.S. Department of Transportation, the instrument of conveyance shall include a covenant running with the land binding the recipient and subsequent transferees to comply with the requirements for so long as the property is used for the purpose of which the Federal financial assistance was provided or for a similar purpose.
- 2) When Federal financial assistance is used to purchase or improve real property, these assurances shall obligate the recipient to comply with the requirements and require any subsequent transferee of the property, who is using the property for the purpose for which Federal financial assistance was provided, to agree in writing to comply with the requirements. The obligations of the recipient and transferees shall continue in effect for as long as the property is used for the purpose for which Federal financial assistance was provided or for a similar purpose.
- 3) When Federal financial assistance is provided in the form of, or is used to obtain, personal property, these assurances shall obligate the recipient to comply with the requirements for the period it retains ownership or possession of the property or the property is used by a transferee for purposes directly related to the operations of the recipient.
- 4) When Federal financial assistance is used for purposes other than to obtain property, these assurances shall obligate the recipient to comply with the

requirements for the period during which the Federal financial assistance is extended to the program or activity.

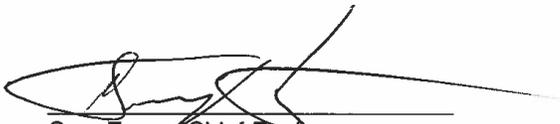
Notice

ODOT will take appropriate initial and continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with ODOT that it does not discriminate on the basis of disability using the notice in Appendix A.

Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in agency publications and distribution of memoranda or other written communications.

Effect of State or local law

The obligation to comply with Section 504 of the Rehabilitation Act of 1973 is not obviated or affected by any State or local law.



Gary Evans, Chief Engineer
Oklahoma Department of Transportation

5-9-12
Date

ADA/504/508 Coordinator

The Americans with Disabilities Act (ADA) was established to provide a comprehensive national mandate for the elimination of discrimination against individuals with disabilities. The goal is to optimize the accessibility of ODOT facilities, programs and services, to provide safe and usable pedestrian facilities for all pedestrians, and to assure compliance with all federal, state and local regulations and standards. ODOT assures that no qualified individual with a disability shall be excluded from, denied benefits of, or be subject to discrimination under any program or activity that receives Federal financial assistance.

In October 2009, ODOT consolidated all of the Civil Rights functions into the Division of Civil Rights in creating the ADA/504/508 Coordinator position. In June 2010, Trinia Mullins was promoted to the ADA/504/508 Coordinator for the Civil Rights Division.

The ADA/504/508 Coordinator will be responsible for serving as the Statewide Coordinator providing policy development and implementation advice in the areas of Federal/State Disability and Reasonable Accommodation, Managing ODOT's Statewide ADA compliance program, overseeing the ADA Transition Plan as well as the compliance with the applicable ADA buildings, programmatic access and public right-of-way regulations to ensure compliance with both federal and state laws, take and investigate ADA Complaints, requests for Reasonable Accommodations, Title II Training Program Facilitator, as well as assisting in the completion of the Department's ADA self-evaluation process and subsequent transition plans.

The Civil Rights Division is striving to set the bar for excellence and is asking everyone to acknowledge the new ADA/504/508 Coordinator position and be advised of your rights under the Americans with Disabilities Act, Sections 504 and 508 of the Rehabilitation Act of 1973.

The Americans with Disabilities Act – Title II

“No qualified individual with a disability shall, on the basis of a disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity or be subjected to discrimination by any public entity.” (28 CFR Part 35-130)

Overview

Title II of the ADA prohibits state and local governments from discriminating against qualified individuals with disabilities and is to ensure that pedestrians with disabilities have opportunity to use the transportation system in an accessible and safe manner.

In accordance with the requirements of Title II, ODOT will not and does not discriminate against qualified individuals with disabilities on the basis of disability in ODOT services, programs, activities, or employment practices.

Complaint Procedure

In the event an individual believes that the Department has failed to comply with ADA by not providing equivalent access to a Department service, program, or activity, that individual or group of individuals may file a complaint with the Department. The process for filing an ADA Title II Complaint will be as follows:

1. A written complaint should be filed within 180 calendar days of the alleged occurrence using the Department’s ADA Complaint form (Form T2-01). Copies of this form may be printed from the Department’s website or a copy may be obtained and submitted by contacting the ADA/504/508 Coordinator. Employees may also utilize the internal agency grievance procedure within 20 calendar days of the alleged occurrence.

**The use of these procedures does not prohibit an employee from filing a complaint or appeal with the Human Rights Commission, EEOC and/or the Oklahoma Merit Protection Commission.*

2. The complaint will be reviewed within 10 calendars days of receipt to determine whether it contains all the necessary information required for acceptance.

If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the Complainant Consent/Release form and the Notice About Investigatory Uses of Personal Information form.

If the complaint is incomplete, the complainant will be contacted in writing, by telephone or by email to obtain the additional information. The complainant will be given 15 calendar days to respond to the request for additional information.

3. Within 90 calendar days of the receipt of the signed Complaint Form, the Department will investigate the complaint. An extension of up to 90 calendar days may be granted by ODOT for final resolution of time for good cause if both parties agree to such in a written form.
4. The Department will then provide a written decision to the complainant, which includes a finding of "Cause" or "No Cause" to believe any discrimination has occurred, as well as any actions discussed with the complainant.

If the complainant disagrees with the result of the complaint, a Petition for Appeal may be filed with the Civil Rights Division Administrator.

See Appendix A for Complaint Form.

Section 504 of the Rehabilitation Act of 1973

“No otherwise qualified individual with a disability in the United States, as defined in section 706 (20) of this title, shall, solely by reason of his or her disability, 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 or under any program or activity conducted by any Executive agency or by the United States Postal Service..” (29 U.S.C. 794)

Overview

A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

To request an accommodation, alternative format of communication, and/or modification of policies and procedures, in order to access and benefit from programs, services and activities, please submit a verbal, written or email request using the Department’s Reasonable Accommodation Form (Form 504-01 Part A). Copies of this form may be printed from the Department’s website or a copy may be obtained by contacting the ADA/504/508 Coordinator.

To request an accommodation for a scheduled event, please contact the office of the ADA/504/508 Coordinator or Oklahoma Relay at 1-800-722-0353, no later than 72 hours before any scheduled event.

Request Procedure

In accordance with the ADA, ODOT has adopted the following policy for addressing requests for reasonable accommodations made by people with disabilities in its service, activities, programs, policies, procedures, rules, and regulations.

1. Anyone seeking a reasonable accommodation should submit a verbal and/or written request using the Department’s Reasonable Accommodation Form (Form 504-01 Part A). Copies of this form may be printed from the Department’s website or a copy may be obtained by contacting the ADA/504/508 Coordinator.

2. The completed form will then be submitted to his or her immediate supervisor. The form must also include any available documentation supporting the stated need based upon a disability.

This request form starts the documentation process and the Supervisor will create a file and will document the Reasonable Accommodation process.

3. The immediate supervisor will decide upon the request utilizing the interactive process. This process includes:
 - a. analysis of the particular job to determine its purpose and essential functions,
 - b. a consultation with the employee to ascertain the precise job-related limitations imposed by the individual's disability and how those limitation could be overcome with a reasonable accommodation,
 - c. an identification of potential accommodations and, in conjunction with the employee, an assessment of the effectiveness of those accommodations in enabling the employee to perform the essential functions of the job,
 - d. consideration of the preference of the employee and selection and implementation of the accommodation that is appropriate for the employee and the employer and
 - e. the overall needs of the office. The accommodation need not be the most expensive, nor must it be exactly what the employee requests, but it must be effective.
4. When the request requires higher administrative approval, the immediate supervisor will review the request and forward it with a written recommendation to the Division Manager within 2 business days of receiving the request.
5. The Division Manager will then follow the interactive process and determine if the requested accommodation will cause an undue hardship on the agency as a whole, which may include financial difficulty, disruptive or those that would fundamentally alter the nature or operation of the agency. ODOT will assess the undue hardship issue of a case-by-case basis. If it is decided an undue hardship will be caused, the ADA/504/508 Coordinator will be involved in the decision making process.
6. The Supervisor and/or Division Manager will contact the applicant or employee within 10 business days after the request is made (even if the request is initially made to someone else) to begin discussing the accommodation request. In some instances, the Supervisor or Manager may need to get information to determine if an individual's impairment is a "disability" under the Rehabilitation Act or to determine what would be an effective accommodation.

Such information may not be necessary if there is a previous record of the disability.

7. Communication is a priority throughout the entire process, but particularly where the specific limitation, problem, or barrier is unclear; or where the parties are considering different forms of reasonable accommodation. Both the individual making the request and the decision maker should work together to identify effective accommodations.
8. When a third party (e.g., an individual's doctor) requests accommodation on behalf of an applicant or employee, the Supervisor and/or Manager should, if possible, confirm with the applicant or employee that he wants a reasonable accommodation before proceeding. Where this is not possible, for example, because the employee has been hospitalized in an acute condition, the Supervisor or Manager will process the third party's request if it seems appropriate and will consult directly with the individual needing the accommodation 30 days after the doctor has released the individual.
9. The Supervisor or Manager may need to consult with other personnel (e.g., an employee's supervisor, Information Technology staff) or outside sources to obtain information necessary to make a determination about the request.
10. The petitioner will be notified on the decision regarding the request within 30 days of receipt of the request and no further action will be required by the petitioner. The request will be implemented by the appropriate Department.

*All Reasonable Accommodation must be put in place within 90 days of the final decision.

*All Reasonable Accommodations that are put in place will be re-evaluated after a 30 day trial period.

To request an accommodation for a scheduled event, please contact the office of the ADA/504/508 Coordinator or Oklahoma Relay at 1-800-722-0353, no later than 72 hours before any scheduled event.

See Appendix B for Request Form.

Section 508 of the Rehabilitation Act of 1973

Overview

In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities.

Section 508 was passed by the Oklahoma Legislature and signed by the Governor of Oklahoma in 2004. The standards apply to all state agencies, as defined. As such, they apply equally to all state employees, contractors or any entity that deals with the State of Oklahoma.

The purpose of the law indicates that state agencies, when developing, procuring, maintaining or using information technology, or when administering contracts or grants that include the procurement, development, upgrading or replacement of information technology, shall ensure, unless an undue burden would be imposed on the agency, that the information technology allows employees, program participants and members of the general public with disabilities access to and use of information and data that is comparable to the access and use by individuals without disabilities.

The State of Oklahoma's Information Technology (IT) Accessibility Standards provide direction for complying with Oklahoma law regarding electronic and information technology accessibility. The law requires state agencies to make information technologies accessible to individuals with disabilities and was adopted to:

- Reduce information technology barriers.
- Provide new opportunities for individuals with disabilities.
- Encourage the development of new technologies to adhere to these goals

Section 508 requirements are separate from, but complementary to, requirements in Section 504. Section 508 requires Federal and State Agencies to ensure that their procurement of EIT takes into account the needs of all end users including people with disabilities.

- Federal employees with disabilities to have access to and use of information and data that is comparable to that by Federal employees who are not individuals with disabilities, unless an undue burden would be imposed on the agency, and
- Individuals with disabilities, who are members of the public seeking information or services from a Federal agency, to have access to and use of information and

data that is comparable to that provided to the public who are not individuals with disabilities.

The Architectural and Transportation Barriers Compliance Board (or Access Board) was charged with developing technical and functional provisions to establish a minimum level of accessibility. These technology-specific provisions address:

- software applications and operating systems;
- web-based information or applications;
- telecommunications products;
- video or multi-media products;
- self-contained, closed products such as information kiosks and transaction machines, and
- desktop and portable computers.

The General Services Administration (GSA) maintains a website devoted to Section 508 at <http://www.section508.gov>. In addition, the Access Board provides information about the law and its standards at <http://www.access-board.gov/508.htm>.

Complaint Procedure

In the event an individual believes that the Department has failed to comply with Section 508 of the Rehabilitation Act of 1973, the individual or group of individuals may file a complaint with the Department. The process for filing a Section 508 Complaint will be as follows:

Effective one year after the effective date of Section 508, any individual may file a complaint alleging that a state agency or its authorized agent does not comply with electronic and information technology accessibility laws or the Information Technology Accessibility Standards. This complaint must be written and shall be filed with the agency responsible for the information technology in question with the Department's Section 508 Complaint form (Form 508-01). Copies of this form may be printed from the Department website or a copy may be obtained by contacting the ADA/504/508 Coordinator.

The complaint must:

- (1) State the name, contact address and telephone number of the complainant;
- (2) Identify the information technology in question; and,
- (3) Describe the non-conformance with the IT Accessibility standards in sufficient detail as to allow a thorough investigation.

The ADA/504/508 Coordinator will review the complaint, and when necessary, work with the complainant to ensure the complaint is clear and is addressed by the IT Accessibility Standards.

Upon receipt of a complaint, the ADA/504/508 Coordinator will review the complaint to determine whether the technology listed in the complaint is subject to the IT accessibility standards.

The Coordinator will send a written notice to the complainant within ten (10) business days, excluding holidays, from the receipt of the written complaint, which will include:

- (1) a statement indicating whether the technology in question is or is not subject to the IT Accessibility Standards;
- (2) a statement that the agency will conduct a review to confirm whether the technology in question is non-compliant, if the technology in question has been determined to be subject to the IT Accessibility Standards; and
- (3) a copy of these complaint procedures.

The ADA/504/508 Coordinator will conduct a review within thirty (30) days from the receipt of the written complaint to determine whether the technology in question is noncompliant. The Information Services Director, Office of State Finance and/or the Electronic and Information Technology Accessibility (EITA) Advisory Council may assist the review, if necessary.

Upon completion of the review, the agency shall provide written notice of the results of the review to the complainant, the Office of State Finance and the EITA Advisory Council, which shall include one of the following:

- (1) Documentation that the technology conforms to all applicable accessibility standards;
- (2) A documented explanation that any non-conformance with accessibility standards was exempted due to an exception or undue burden; or
- (3) An agreement in part or in whole with the written complaint that includes a plan with reasonable timelines for conforming to applicable IT Accessibility Standards.

In the event that the complainant is not satisfied with the final complaint response issued by an agency, a complaint may be refiled with the agency or with the Information Services Director of the Office of State Finance (OSF) and the EITA Advisory Council, c/o: Oklahoma ABLE Tech.

Whenever a complaint is filed with OSF and the EITA Advisory Council pursuant to this section, a review team will convene to review the complaint and the agency response. Members of this team shall include a representative of the IT Services Division of OSF, a representative of the EITA Advisory Council and may include additional members with technical expertise needed to determine conformance with the accessibility standards.

Written notice of receipt of a complaint pursuant to this section shall be sent to the complainant, within ten (10) business days, excluding holidays, from the date the complaint is filed with either entity.

The review team shall evaluate the complaint and the agency response and may gather additional information as necessary to render an independent decision.

(1) If the review team determines the technology does not comply with IT Accessibility Standards, the team shall send written notice to the agency of such findings and request a plan of resolution including timelines.

(2) The team shall also send written notice of their findings to the complainant and the agency indicating an agreement or disagreement with the agency's initial complaint response. If the technology in question is out of compliance, the written notice shall also include a copy of the agency's plan for resolution.

The review team must conclude this review and send the final written notice to the complainant and the agency no later than sixty (60) calendar days from the receipt of the written complaint with the Office of State Finance or EITA Advisory Council.

See Appendix C for Complaint Form.

Construction within Public Rights-of-Way

The Oklahoma Department of Transportation (ODOT) is committed to a policy of full accessibility and does not discriminate in the provision of any of its business activities. ODOT is committed to upholding the intent and spirit of the Americans with Disabilities Act (ADA) and Sections 504 and 508 of the Rehabilitation Act of 1973 to the fullest extent possible. This commitment extends to all ODOT programs, services and activities, such that no qualified individual with a disability shall be discriminated against on the basis of their disability.

It is our responsibility and desire that no person in the State of Oklahoma be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity supported by ODOT based on their disability, as provided by the Americans with Disabilities Act of 1990 and Sections 504 and 508 of the Rehabilitation Act of 1973. It is also the responsibility of each and every ODOT employee to work cooperatively to achieve the goals and objectives of this statement.

We are fully committed to the goal of achieving equal opportunity and non-discrimination for all persons in their interactions with ODOT.

Accommodating Persons with Disabilities along State Highways

The Oklahoma Department of Transportation (ODOT) shall make the accommodation of persons with disabilities a routine and integral element of its planning, design, construction, operations and maintenance activities for all projects as outlined herein.

Guidelines for Accommodating Persons with Disabilities along State Highways

All projects, regardless of who is administering the contract, shall accommodate and provide accessibility for persons with disabilities where it is reasonable, feasible and appropriate to do so as described herein. Providing accommodations is especially important where the existing and/or proposed land use supports pedestrians. This includes trip generators and destinations such as employment, education, residential, commercial, recreation and transit centers.

Scoping Requirements

The scope and limits of ADA accessibility to be included in a project will typically be determined by the same scope and limits of the project and in most instances this is acceptable. The limits for ADA accessibility should not be set arbitrarily but based on connectivity and common sense. In some cases, it may be incumbent on the Resident Engineer to take the initiative to maintain, modify or extend the limits or scope of a

project in order to maintain existing accessibility, to provide the next level of pedestrian accessibility or to access logical termini. Examples of logical termini are; the end of a block, a bus stop, a school an existing stretch of sidewalk, a public-use facility, or a major commercial or residential area.

It is also important that the scope or limits of a project not result in a negative impact to existing accessibility. Negative impact is described as the permanent reduction, elimination or severing of existing accommodations. Negative impacts are unacceptable. They include both existing and future conditions.

The following guidance regarding scope by categorizing projects into levels, each with a progressively higher degree of obligation should be used to integrate accessibility into a project and thereby increasing the scope of improvements. The obligation to provide access is a function of the type of the work undertaken, the potential impact on usability to the pedestrian public and the opportunity to integrate accessibility features into the design.

The following categories are adopted by the Oklahoma Department of Transportation (ODOT). **A project's scope of work will determine the category (Maintenance, Alteration (Major or Minor)) it falls under, rather than the funding source for the project.** For example, a project for spot patching a roadway using State maintenance funds would be considered a Maintenance project; a project for roadway resurfacing that includes minor drainage or traffic barrier improvements using State maintenance funds would be considered an Alteration (Minor) project; and a project that included geometric improvements, new sidewalks, or roadway widening would be considered an Alteration (Major) project.

Maintenance

Maintenance is considered to be “repair in-kind or in-place.” These projects include routine maintenance and repair work that generally does not impact, disturb, or modify pedestrian usability.

Alteration (Minor)

Alteration (Minor) projects include alterations that affect pedestrian usability. That is, when an existing element is replaced, it must either meet or exceed new construction guidelines for ADA compliance. However, the work does not initiate any additional work in the surrounding vicinity.

Alteration (Major)

Alteration (Major) projects are typically major projects including new construction, reconstruction, retrofit projects, sidewalk retrofit projects, community enhancement projects, etc. Alteration (Major) projects will be held to the highest standards regarding pedestrian usability and ADA compliance. These projects would be expected to provide

a complete pedestrian route between logical termini. These projects too, may initiate something more to be done than the initial scope of work unless work outside the original scope of the project could be deemed unfeasible or unreasonable.

Monitoring and Status Reporting

The Department currently is engaged in an on-going effort to construct curb ramps, sidewalks and other facilities at numerous locations. This construction activity involves several types of projects, including street overlay projects, street beautification projects, utility construction projects and other reconstruction and new construction projects in the public right-of-way.

While it is important to assure that codes and standards used to design and construct curb ramps and related improvements are up-to-date, it is equally important that improvements are constructed properly and in compliance with all applicable codes and standards. Therefore, the monitoring of construction activities and the reporting of the status of improvements is vital in assuring an effective overall compliance program.

The ADA Transition Plan details the methods and procedures for monitoring these construction activities and for tracking the status of compliance with the plan at all construction locations.

Self-Evaluation Results

The purpose of the self-evaluation is intended to identify barriers in ODOT policies, programs and facilities that would prevent persons with disabilities from access and to also provide equivalent access to the maximum extent feasible without the cause of an undue hardship on the agency. Therefore, ODOT has undertaken a comprehensive evaluation of its policies, programs and facilities to determine the extent to which individuals with disabilities may be restricted in their access to ODOT services and activities.

The State of Oklahoma is comprised of 77 counties. These counties are broken up into 8 divisions. Each division has been assigned an ADA/504/508 Liaison. This Liaison is considered to be the point of contact for direction and information for each division. An ADA/504/508 Coordinator has been appointed and is located in the ODOT Central Office Headquarters, Office of Civil Rights.

The goal of the self-evaluation is to optimize the pedestrian experience and to provide safe and usable pedestrian facilities for all pedestrians in the State of Oklahoma, and to assure compliance with all federal, state, and local regulations and standards.

In June 2010, ODOT began evaluating its policies, programs and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities.

In November 2010, self-evaluations for all ODOT facilities were commenced. The ADA/504/508 Coordinator initiated this process by appointing each Liaison the task of creating an evaluation team of up to 6 members. This team evaluated all division offices and would need to be completed by February 2011. Once this process is completed, an evaluation summary will be finalized by the ADA/504/508 Coordinator.

In October 2011, ODOT sent out a request for public solicitation to conduct an assessment of ODOT's pedestrian facilities (sidewalks, intersections, curb ramps and crosswalks, signals and highways and bridges) and create a Transition Plan. The solicitation was awarded to Kimley-Horn and Associates, Inc. The anticipated start date for this assessment is 2012.

Once these evaluations are fully completed, the results will be summarized in Appendix E of this document.

Transition Plan/Curb Ramp Installation Schedule

The extent of work included in the Transition Plan section will include a curb ramp installation schedule. Once this has been completed, it will be included, in detail, in Appendix F. The Transition Plan / Curb Ramp Installation Schedule will follow the ADA guidelines, as contained in the Code of Federal Regulations, and in the Accessibility Policy Statement of the U. S. Department of Transportation, dated July 1999.

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

Public Review and Comment

A public entity that employs 50 or more people is required to seek public input on its ADA Transition Plan. Beyond the legal requirements, public input is vital to assure that those affected by the Department's programs, services and facilities understand the scope and nature of our responsibilities for providing equal access to the public.

Once a draft ADA Transition Plan is available, the Department will begin a 45-day public review comment period. During this time, the Department will present the draft ADA Transition Plan at a public workshop that specializes in disabled access issues. This draft will also be available in alternate formats, upon written request.

Upon close of these meetings, a summary report will be provided and will replace this section. This report will give in detail meeting dates, attendees and a summary of written comments by the public.

Requests for copies of the ADA Transition Plan and public comments should be directed to Trinia Mullins, ADA/504/508 Coordinator, 200 NE 21st. Street, Oklahoma City, OK. 73105.

Appendix A: Americans with Disabilities Act – Title II



OKLAHOMA DEPARTMENT OF TRANSPORTATION
 200 N.E. 21st Street Oklahoma City, Oklahoma 73105-3204
 Office: (405) 521-4140 Fax: (405) 522-4895

Americans with Disabilities Act Discrimination Complaint Form

Name	Phone	Name of Person(s) That Discriminated Against You
Address		Location and Position of Person (If Known)
City, State, Zip		City, State, Zip
Discrimination Because of: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Retaliation		Date of Alleged Incident
Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Indicate Who Was Involved. Be Sure To Include How Other Persons Were Treated Differently Than You. Also Attach Any Written Material Pertaining To Your Case.		
Signature		Date

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.

Appendix B: Section 504 of the Rehabilitation Act of 1973



OKLAHOMA DEPARTMENT OF TRANSPORTATION
200 N.E. 21st Street Oklahoma City, Oklahoma 73105-3204
Office: (405) 521-4140 Fax: (405) 522-4895

Section 504 of the Rehabilitation Act Request Form

Name: _____ Job Title: _____

Division: _____ Department/Division: _____

Phone Number: _____ Email: _____

Type(s) of Disability (ies):

- Speech Hearing Visual
 Mobility Mental / Emotional Other _____

Nature and/or cause of disability: _____

Please identify the position, examination, program, activity, service or facility for which the accommodation is needed: _____

Identify the accommodation(s) needed: _____

Explain how the accommodation(s) will assist you: _____

Identify the source and cost (if known) for providing the accommodation(s): _____

Requestor's Signature: _____ **Date:** _____

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.

ODOT Form 504-01 (Part A)
May 11, 2011

Appendix C: Section 508 of the Rehabilitation Act of 1973



OKLAHOMA DEPARTMENT OF TRANSPORTATION
200 N.E. 21st Street Oklahoma City, Oklahoma 73105-3204
Office: (405) 521-4140 Fax: (405) 522-4895

Section 508 of the Rehabilitation Act Complaint Form

Name	Phone
Address	Location and Position of Person (If Known)
City, State, Zip	City, State, Zip
Please provide a complete description of the specific issue(s) you believe are inconsistent with Section 508 of the Rehabilitation Act (use additional pages as necessary and provide documentation supporting the allegation)	
Signature	Date

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.

ODOT Form 508-01
May 11, 2011

Appendix D: Public Notice



AMERICANS WITH DISABILITIES ACT NOTIFICATION

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Oklahoma Department of Transportation will not discriminate against qualified individuals with disabilities with respect to services, programs, or activities.

Employment

The Oklahoma Department of Transportation does not discriminate on the basis of disability in hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication

The Oklahoma Department of Transportation will make reasonable accommodations to policies and programs to ensure that individuals with disabilities have equal access to Department programs and services. Individuals requiring auxiliary aids or services for effective communication or modification of policies or procedures of a Department program or service should contact the office of the ADA/504 Coordinator, (405) 521-4140 no later than 72 hours before the scheduled event.

Modifications to Policies and Procedures

The Oklahoma Department of Transportation will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity for all programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity, should contact the office of *Trinia Mullins, ADA/504/508 Coordinator at (405) 521-4140*, as soon as possible but no later than 72 hours before the scheduled event.

Compliant Process

The ADA Complaint Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by employees and non-employees who wish to file a complaint alleging discrimination on the basis of disability in programs or benefits offered by ODOT.

In the event an individual believes that the Department has failed to comply with ADA by not providing equivalent access to a Department service, program, or activity, that individual or group of individuals may file a complaint with the Department.

A written complaint should be filed within 180 days of the alleged occurrence using the Department's ADA Complaint form. Copies of this form and complaint procedure may be printed from the Department website or a copy may be obtained by contacting the ADA/504/508 Coordinator.

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.

Appendix E: Self-Evaluation Results

Appendix F: Transition Plan/Curb Ramp Installation Schedule