



**The Oklahoma Department of Transportation
Americans with Disabilities Act of 1990 (ADA) and
Section 504 of the Rehabilitation Act of 1973 (504)
Compliance Plan**

April 2010

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Section 1: Introduction

The main purpose of the Americans with Disabilities Act (ADA)/Section 504 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 the Oklahoma Department of Transportation (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 requires ODOT provide nondiscrimination assurances, designate an employee responsible for compliance, adopt a grievance procedure, conduct a self-evaluation, 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 ADA 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 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 the public rights-of-way under the jurisdiction of the Oklahoma Department of Transportation in its entirety. The Department 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.

Section 2: Assurances

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 Ridley, Director
Oklahoma Department of Transportation

Date

Section 3: Grievance Procedure

In the event an individual believes that the Department has failed to comply with Title II of the 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 grievance should be filed using the Department's Title II Complaint form. Copies of this form may be printed from the Department website at <http://www.okladot.state.ok.us/>, or a copy may be obtained by writing the Department at:

Oklahoma Department of Transportation
200 N.E. 21st Street
Oklahoma City, Oklahoma 73105-3204
Attn, Title II Coordinator
Email:

Or by contacting the Department's Title II Coordinator at (405) 522-4085 or Oklahoma Relay at 1-800-722-0353. An oral grievance may be filed by contacting the Title II Coordinator, who will reduce the information to writing utilizing the ADA Complaint Form and will subsequently forward the completed document to the complainant for signature.

If you are limited English proficient or disabled, assistance will be provided upon request. If you have a speech or hearing impairment, dial Oklahoma Relay at 1-800-722-0353.

The written complaint must be filed within 180 days of the alleged disability related occurrence.

2. Within 60 days of the receipt of the signed Complaint Form, the Department will investigate the complaint and respond to the complainant. If the Title II Coordinator determines that the complaint is valid, the Coordinator may contact the complainant to discuss possible resolution of the complaint. 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.
3. If the complainant disagrees with the Department's decision regarding the original complaint, an appeal may be filed with the Department of Transportation's Civil Rights Division at:

Oklahoma Department of Transportation
200 N.E. 21st Street

Oklahoma City, Oklahoma 73105-3204
Attn: Gregory Pringle, Civil Rights Division Manager

The Department's Civil Rights Division Manager will review the original complaint, the Title II Coordinator's written decision and findings and attempts to address the complaint, and will provide a final determination within 30 days of the receipt of the appeal. The complainant will be notified of the decision in writing. The Civil Rights Division Manager's decision will be final.

4. The use of the Oklahoma Department of Transportation's ADA Complaint process in no way precludes an individual or group from filing a formal complaint with the Civil Rights Division of the Federal Highway Administration, the U.S. Department of Transportation, or the U.S. Department of Justice.
5. The Title II Coordinator will maintain ADA Complaint related documents for three years from the date of final Department response.

Section 4: 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 Section 504 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 Section 504 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. Examples provided within this document are not intended to be inclusive of all possible situations, but are representative of typical situations.

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.

For example:

- Based on pavement condition, one limit of a resurfacing project is set mid-block. Even though the pavement work stops short of the intersection, the installation/upgrades of the curb ramps should extend to the next intersection, within a reasonable distance (maximum 500 feet), and include every leg of the intersection.
- A turn lane is added at one quadrant of an intersection with existing sidewalks, requiring re-alignment of the sidewalk. The sidewalk should be upgraded to current ADA standards beyond the limits of the turn lane to the next logical termini, within a reasonable distance (maximum 500 feet). Curb cuts/curb ramps should be installed or upgraded to current standards at every leg of the intersection.
- One limit of a roadway reconstruction project is set just beyond an intersection. A school, public library or community center is located one more block up the road and the sidewalk between the school and the project limits does not meet ADA standards (or no sidewalk exists at all). Sidewalks should be installed/upgraded to current ADA standards to provide an accessible route from the project limits to the school.
- A signal pole was installed in the center of an existing 5 foot wide sidewalk resulting in the inability of a person in a wheelchair to pass the pole, thereby creating a barrier and violating ADA compliance. This is an unacceptable negative impact. An acceptable option would be to offset the signal pole to provide a 36 inch passable width for wheelchair users or provide additional sidewalk width in the area of the pole.
- A roadway is to be widened at an intersection to create a left turn lane. In order to not impact right of way, the Resident Engineer suggests reducing the existing five foot wide sidewalk to three feet for several hundred feet. This is an unacceptable negative impact. An acceptable solution would be to work with the appropriate staff to reduce the lane widths and/or to secure a right of entry agreement or right-of-way from the adjacent property owner to shift the sidewalk outside of ODOT right of way.

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. Examples of maintenance activities include:

- Repair of drainage pipes or inlets that result in a small portion of sidewalk (<100 feet) being removed and replaced.
- Utility repairs or relocations that result in a small portion of sidewalk (<100 feet) being removed and replaced.
- Repair of damaged traffic barrier adjacent to sidewalk in an urban area.
- Repair of potholes, spot patching of roadway or crack sealing of roadway.
- Installation of or modifications to existing traffic signals, or roadway lighting (unless existing pedestrian signals are not accessible).
- Re-striping or modifications to the pavement markings on a roadway.
- Spot patching or repair of existing sidewalk to correct buckling, cracking or other severely deteriorated conditions.
- Micro-surfacing (slurry seals) to correct surface friction or seal entire roadway to address cracking.
- Emergency repairs such as, interim pavement patching, or thin overlays for severely distressed pavement due to natural or man-made disasters or to address low surface friction pavement numbers.

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. Examples of alteration (minor) activities include:

- A resurfacing project, including maintenance resurfacing, will trigger the need to include new curb cuts and/or curb ramps where any pedestrian route crosses a curb; to upgrade existing curb ramps to ODOT standards for ADA compliance; and to provide detectable warning surfaces (DWS) at all street crossings and

signalized intersections within or adjacent to the limits of the project. The project would not initiate the need to make the existing sidewalks within the limits of the project ADA compliant.

- A resurfacing project that includes any additional elements that would be considered maintenance activities by themselves will not be required to make additional upgrades for ADA compliance beyond new curb cuts and/or sidewalk ramps.
- A utility company decides to underground its electric lines, requiring the reconstruction of a substantial (≥ 100 feet) length of existing sidewalk. The newly constructed sidewalk will need to meet ODOT standards for ADA compliance. The limits of the sidewalk to be replaced must be extended to meet logical termini; curb ramps must be installed or upgraded and detectable warning surfaces (DWS) must be provided at all street crossings and signalized intersections. The limits will be determined by the Division Engineer using sound engineering judgment, considering factors such as ownership of the sidewalk, degree of impact, complexity of the solution and overall project scope.
- Minor widening or geometric improvements are being made to an open section roadway in a rural area with no evidence of existing pedestrian activity (i.e. worn dirt paths, visual observation of people walking in roadway, adjacent bus stops, etc.). The project would not initiate any requirements to install new sidewalks if a pedestrian count study does not support the need.
- A substantial section of sidewalk is to be reconstructed under an area-wide sidewalk contract. The entire section will be required to be replaced to ODOT standards for ADA compliance. The sidewalk must extend to logical termini and detectable warning surfaces (DWS) must be installed at all street crossings and signalized intersections. As a rule of thumb, if more than 25% of a run of sidewalk is being replaced, the entire length should be upgraded to ODOT standards for ADA compliance.
- Access to existing bus stops including placement of bus pads may not be required on Level 2 projects, if alternative access is provided. Alternative access must be verified to exist through local and transit agencies.

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. Examples of alteration (major) activities include:

- New construction or reconstruction of a closed section roadway would require adding new or upgrading sidewalks and curb ramps to ODOT standards for ADA

compliance and providing detectable warning surfaces (DWS) at all street crossings and signalized intersections.

- New construction or reconstruction of a bridge in an urban area or an area with evidence of existing pedestrian activity (i.e. worn dirt paths, visual observation of people walking in roadway, adjacent bus stops, etc.) would require adding new or upgrading sidewalks and curb ramps to ODOT standards for ADA compliance and providing detectable warning surfaces (DWS) at all street crossings and signalized intersections.
- A community enhancement project would be expected to include new or improve the existing sidewalk and curb ramps to ODOT standards for ADA compliance within the project limits and extending the limits to logical termini. Detectable warning surfaces (DWS) must be provided at all street crossings and signalized intersections.
- Minor widening or geometric improvements are being made at an intersection with curb, but no existing sidewalk. If there is any evidence of existing pedestrian activity (i.e. worn dirt paths, visual observation of people walking in roadway, adjacent bus stops, existing pedestrian signals, etc.) new sidewalk meeting ODOT ADA standards will need to be installed in the area of the widening and extend to a logical termini, and curb cuts/curb ramps must be installed or upgraded at every leg of the intersection.
- A resurfacing project on a closed section roadway includes minor widening to add shoulders or provide accommodations for bicyclists. This project must include new or upgrade sidewalks and curb ramps to ODOT standards for ADA compliance throughout the project limits and extending to logical termini. Detectable warning surfaces (DWS) must be provided at all street crossings and signalized intersections.
- A resurfacing project includes the addition of new sidewalk within the project limits. All new sidewalk and curb ramps within the project limits must meet ODOT standards for ADA compliance. Detectable warning surfaces (DWS) must be provided at all street crossings and signalized intersections.
- A developer widens the roadway to provide an auxiliary lane. As a result, the existing sidewalks are impacted. The developer must replace the impacted sidewalk along their frontage, and may need to replace the remaining sections of sidewalk/curb ramps within the project limits to ODOT standards for ADA compliance. The developer shall provide detectable warning surfaces (DWS) at all street crossings and signalized intersections.
- A developer wants to modify their existing access onto ODOT right-of-way. There currently is no sidewalk along the property frontage and there is evidence of existing pedestrian activity and/or existing sidewalk along the frontage of adjacent businesses. The developer will be required to install new sidewalk, curb ramps and detectable warning surfaces (DWS) at all street crossings and signalized intersections along the property frontage. The developer may be required to extend the improvements beyond the frontage to logical termini.
- New construction or reconstruction of recreational trails will be required to meet ODOT standards for ADA compliance, which includes providing curb ramps

wherever a trail crosses a curb. Detectable warning surfaces (DWS) shall be placed at all street crossings and signalized intersections.

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.

Section 5: Self-Evaluation

The purpose of the self-evaluation is to identify existing barriers in pedestrian facilities in the public rights-of-way under the jurisdiction of the Department. Once complete, these data will be used to improve pedestrian facilities and to comply with ADA/504 requirements.

The Department 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.

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.

The self-evaluation is expected to be a lengthy process and will follow the following time-line:

Begin Self-evaluation of ODOT buildings and related facilities June 2010. ODOT personnel will meet with representatives of building owner and the Department of Central Services regarding any needed changes to accommodate persons with disabilities. Projected self-evaluation completion date is December 2010. The Department's Field offices and facilities will begin assessment for compliance in the Spring of 2011. Projected completion date of the evaluation is Spring of 2012.

The ODOT has contracted with the University of Oklahoma to conduct an assessment of the state's pedestrian facilities (sidewalks, intersections, curb ramps and crosswalks, signals and highways and bridges). The anticipated start date for the assessment is Fall of 2010. The first phase of the project would be to assess the State Highway System followed by community facility assessment. Anticipated completion date of this project is Spring of 2012. Hopefully, local governments can develop their Transition Plans when the assessment is completed.

Once complete, the results will be summarized in Appendix B of this document.

Section 6: Transition Plan

The extent of work included in the Transition Plan section will be detailed in Appendix C of this plan and include improvements that should be made to intersections, streets and sidewalks. The extent of work included in this section will be a result of the barriers identified during the self-evaluation and the prioritization schedule outlined below. It should be noted that the policy regarding prioritization also follows ADA guidelines, as contained in 28 CFR Part 35 section 35.150 (c), (d) and 35.151 (e), and in the Accessibility Policy Statement of the U. S. Department of Transportation, dated July 1999.

Use Priority 1: State and Local Governmental and Public Use

Priority 1 areas are those within the public right-of-way that abut or serve public and governmental agencies and offices, and include the following in the recommended order of priority:

1. State, county and local government buildings,
2. Public hospitals, health clinics, medical clinics, mental health clinics and therapy centers,
3. Public housing projects and public homeless shelters,
4. Sheriff neighborhood service centers,
5. Employment Training Agency facilities,
6. Parks and recreation,
7. Public schools, including in the following order, but not limited to: community colleges; high school, junior high and elementary school programs with magnet programs for children with disabilities; and all other schools,
8. State and local district offices with high public traffic, beginning with, but not limited to: transportation hubs and major corridors and routes; Department of Motor Vehicles offices; state parks, and prisons.

Use Priority 2: Public Accommodations

Priority 2 areas are those within the public right-of-way that abut or serve places of public accommodations that are privately owned, including, but not limited to, the following in the recommended order of priority:

1. Private hospitals, doctors' offices, and medical and mental health offices,
2. Senior facilities,
3. Major shopping malls,
4. Large housing complexes,
5. Major employment sites,
6. Supermarkets,
7. Retail strip centers,
8. Small apartment facilities,
9. Service sites of disability organizations,
10. Rehabilitation facilities.

Use Priority 3: Low-Density Residential and Other Uses

Priority 3 areas are those within the public right-of-way that abut or serve:

1. Single-family residential areas,
2. Industrial areas,
3. Areas that have not fallen into any of the above groups.

Section 7: 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.

The meetings were held on and included key stakeholders including:

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The draft ADA Transition Plan was available in alternate formats, and written comments were received in any alternative formats chosen by respondents. The following summarizes the comments received:

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No public comments were received.

Requests for copies of the ADA Transition Plan and public comments should be directed to Gregory Pringle, Civil Rights Division Manager, 200 NE 21st. Street, Oklahoma City, OK. 73105.

The ADA Transition Plan is provided in various alternative formats upon written request.

Appendix A – 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.

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 Coordinator, (405) 522-4085 no later than 48 hours before the scheduled event.

In the event an individual believes that the Department has failed to comply with Title II of the 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:

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The written complaint must be filed within 180 days of the alleged disability related occurrence.

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