

ADA Transition Plan

For Roane County

December 2019



Glen Cofer, Building Official, ADA Coordinator

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Introduction

Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public services and programs, Roane County must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), Roane County has conducted a self-evaluation of its facilities and programs and has developed this Transition Plan detailing how the organization will ensure that all of those facilities and programs are accessible to all individuals. This document serves as the Transition Plan covering buildings, services, programs and activities.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal

department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Agency Requirements

Under Title II, Roane County must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others ([29 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Self-Evaluation

Overview

Roane County was required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current policies, practices, and programs. This self-evaluation has identified what policies and practices impact accessibility and examine how the county implements these policies. The goal of the self-evaluation was to verify that, in implementing the county's policies and practices, the county is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the county's infrastructure and facilities. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

Summary

During 2019 Roane County conducted an inventory and evaluation of 29 facilities. A total of 397 issues were found and a detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

Policies and Practices

Previous Practices

Since the adoption of the ADA, Roane County has striven to provide accessible pedestrian features as part of the county's capital improvement projects. As additional information was made available as to the methods of providing accessible pedestrian features, the county has updated their procedures to accommodate these methods.

Policy

Roane County's goal is to continue to provide accessible pedestrian design features as part of the county's capital improvement projects. Roane County has established ADA design standards and procedures as listed in Appendix D. These standards and procedures will be kept up to date with nationwide and local best management practices.

Roane County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with Roane County's priorities. The county will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the county's jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by Roane County.

Requests for accessibility improvements can be submitted to the ADA Coordinator Glen Cofer. Contact information for the ADA Coordinator Glen Cofer is located in Appendix C.

Improvement Schedule

Priority Areas

Roane County has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land uses such as schools, government offices and public facilities, as well as from the receipt of public comments. The priority areas as identified in the 2019 self-evaluation are as listed in Appendix A.

External Agency Coordination

When other agencies are responsible for pedestrian facilities within the jurisdiction of Roane County. The county will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

Schedule

Roane County has set the following schedule goals for improving the accessibility of its facilities within the county's jurisdiction beginning budget year 20-21:

Group	Sub-fund	Estimated Cost	Implementation Schedule	Approximate Annual Budget
County Govt.	171-ADA	\$144,025	10 years	\$14,402.50
Schools	177-ADA	\$384,575	10 years	\$38,457.50

ADA Coordinator

In accordance with 28 CFR 35.107(a), Roane County has identified an ADA Title II Coordinator to oversee the county's facilities, policies and procedures. Contact information for this individual is located in Appendix C.

Public Outreach

Roane County recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of Roane County.

Public outreach for the creation of this document consisted of the following activities:

Wed site input request.

Public Hearing on November 20, 2019.

This document will also be made available for public comment.

Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix B. If users of Roane County facilities and services believe the county has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), Roane County has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix B.

Monitor the Progress

This document will continue to be updated as conditions within Roane County evolve. The appendices in this document will be updated periodically, while the main body of the document will be updated every 3-5 years with a future update schedule to be developed at that time. With each main body update, a public comment period will be established to continue the public outreach.

Appendices

A. Self-Evaluation Results

B. Grievance Procedure

C. Contact Information

D. Agency ADA Design Standards and Procedures

E. Glossary of Terms

Appendix A – Self-Evaluation Results

ADA Transition Plan Summary

Item	Facility	No. Issues	Fund Source	Cost Estimate
1	Ag Building	10	171-ADA	\$1,250.00
2	Animal Shelter	14	171-ADA	\$2,050.00
3	Board of Education	13	177-ADA	\$7,000.00
4	Bowers	8	177-ADA	\$1,950.00
5	Bus Garage	8	177-ADA	\$1,450.00
6	Cherokee	13	177-ADA	\$2,200.00
7	Building & Codes	10	171-ADA	\$200.00
8	Courthouse	21	171-ADA	\$40,925.00
9	Dyllis Springs	10	177-ADA	\$3,200.00
10	Harriman High	19	177-ADA	\$68,650.00
11	Harriman Middle	11	177-ADA	\$5,325.00
12	Health Department	9	171-ADA	\$2,400.00
13	Hwy. Dept. & Ambulance	17	171-ADA	\$3,025.00
14	Kingston Elementary	24	177-ADA	\$4,800.00
15	MEC	10	177-ADA	\$8,775.00
16	Midtown Elementary	12	177-ADA	\$1,625.00
17	Midway Elementary	11	177-ADA	\$20,700.00
18	Midway High	22	177-ADA	\$67,200.00
19	Midway Middle	4	177-ADA	\$1,200.00
20	Oliver Springs High	17	177-ADA	\$19,950.00
21	Oliver Springs Middle	8	177-ADA	\$7,350.00
22	Recycle Center	10	171-ADA	\$2,000.00
23	Ridgeview	16	177-ADA	\$7,400.00
24	Roane County Detention Center	9	171-ADA	\$24,100.00
25	Roane County High	27	177-ADA	\$102,800.00
26	Roane County Park	35	171-ADA	\$64,825.00
27	Rockwood High	10	177-ADA	\$49,550.00
28	Rockwood Middle	11	177-ADA	\$3,450.00
29	Wastewater Plant	8	171-ADA	\$3,250.00
		397		\$528,600.00

Appendix B – Grievance Procedure

As part of the ADA requirements Roane County has posted the following notice outlining its ADA requirements:

Roane County Grievance Procedure Under: The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act 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 Roane County. Roane County 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:

Glen Cofer/Roane County Building Official

308 North Third Street
Kingston, TN 37763
865-717-4230
glen.cofer@roanecountytn.gov

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

Statement/Mission:

In 1990, the Federal Government enacted the Americans with Disabilities Act (ADA). Roane County recognizes its legal obligation to comply with Title II of the ADA and hereby establishes a transition plan to ensure compliance of federal law, rules and regulations. Therefore, Roane County will identify barriers that exist and state how and when the barriers are to be removed by providing a means to address complaints of discrimination, by encouraging public input to assess, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance. The purpose of the plan is to ensure that the citizens of Roane County are provided full access to programs, services and activities in as timely a fashion as is reasonably and fiscally possible. The Roane County elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Roane County residents seek to enjoy and to effective governance. Title II of the ADA requires that each of the County's services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities.

Non-Discrimination Statement:

No discrimination shall be exercised, threatened or promised or in favor of any eligible applicant or employee due to age, color, disability, marital status, national origin, race, religion, sex or veteran status. Roane County's personnel programs shall, at all times, be conducted in accordance with the guidelines of the U.S. Civil Service Commission and the regulatory provisions of the Civil Rights Acts. Additionally, it is the intention of Roane County to fully comply with the Americans with

Disabilities Act of 1990. In such, the County will not discriminate against qualified individuals on the basis of a disability in consideration of any terms and conditions of employment or in admission and access to programs, services, and activities. In achieving compliance, the County may provide reasonable accommodation to enable an otherwise qualified employee to perform the essential requirements of his/her job. Claims involving discrimination based on a disability should be expressed to the Human Resources Director in the County Manager's office.

Effective Communication:

Roane County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Roane County programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures:

Roane County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcome in Roane County offices, even where pets are generally prohibited. 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 of Roane County, should contact ADA Coordinator Glen Cofer at 865-717-4230 or glen.cofer@roanecountytn.gov as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Roane County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. Complaints that a program, service, or activity of Roane County is not accessible to persons with disabilities should be directed to ADA Coordinator Glen Cofer at 865-717-4230 or glen.cofer@roanecountytn.gov .

Roane County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Est. 11/28/16

Appendix C – Contact Information

ADA Title II Coordinator

Name: Glen H. Cofer

Address: 308 N. Third St. Kingston, Tn. 37763

Phone: 865-717-4230

Fax: 865-717-4176

E-mail: glen.cofer@roanecountytn.gov

Appendix D – Agency ADA Design Standards and Procedures

Design Procedures

2010 ADA Standards for Accessible Design

Web Content Accessibility Guidelines 2.1

Other policies, practices and programs

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

Appendix E – Glossary of Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Roane County’s plan that identifies accessibility needs, the process to fully integrate accessibility improvements county program, and ensures all facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice

Federal Highway Administration (FHWA): A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

Right of Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice (DOJ): The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.