COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #1

LEGAL BASIS - Overview of Disability Laws and Regulations

This Guidance Bulletin tells you about the major State and Federal laws and regulations address discrimination on the basis of disability. The laws and regulations listed here are not an exhaustive list, but the major laws that govern disability rights and access.

It is not the intent of the Disability Access Program to be a substitute for legal counsel. This is intended solely as informational guidance, for specific legal advice concerning disability laws please contact an attorney.

- **State Laws & Regulations**
- The Unruh Civil Rights Act
- http://www.dfeh.ca.gov/Publications_Unruh.htm
- Civil Code Section 54-55.2
- http://www.rehab.cahwnet.gov/DisabilityAccessInfo/CCC-Sec-54-thru-55-2.html
- CA Code of Regulations Title 24
- http://www.rehab.cahwnet.gov/DisabilityAccessInfo/Title-24-of-CCRs.html
- CA Government Code 11135-11138
- http://www.rehab.cahwnet.gov/DisabilityAccessInfo/CA-Gov-Code-Sec-11135-11138.html
- Fair Employment and Housing Act
- http://www.dfeh.ca.gov/res/docs/Publications/dfeh-208dh.pdf

- **Federal Laws**
- Americans with Disabilities Act
  - http://www.ada.gov/ada_title_I.htm
  - http://www.ada.gov/ada_title_II.htm
  - http://www.ada.gov/ada_title_III.htm
  - http://www.fcc.gov/encyclopedia/title-iv-ada

- Rehabilitation Act
- http://www2.ed.gov/policy/speced/reg/narrative.html

STATE LAWS

Unruh Civil Rights Act (California Civil Code Section 51)

The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California, including housing and public accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex and sexual orientation. Other State laws relating to prohibitions of discrimination based on disability include California Civil Code 54-55.2: http://www.rehab.cahwnet.gov/DisabilityAccessInfo/CCC-Sec-54-thru-55-2.html

Compliance

> For more information regarding the application or enforcement of the Unruh Civil Rights Act, see the Department of Fair Employment and Housing Website at http://www.dfeh.ca.gov/Publications_Unruh.htm

---

California Civil Codes Sections 54 through 55.2

Access for persons with disabilities is also addressed under California Civil Code Section 54 through 55.2 which provides that "individuals with disabilities or medical conditions have the same right as the general public to the full and free use of the streets, highways, sidewalks, walkways, public buildings, medical facilities, including hospitals, clinics, and physicians' offices, public facilities, and other public places."

Also, "Individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease, or compensation. This section also covers access to transportation and service dogs. Other State laws relating to prohibitions of discrimination based on disability include the Unruh Civil Rights Act

Compliance
> Principally, compliance is obtained by commencing an action in a court of the competent jurisdiction.

Title 24 of the California Code of Regulations (California Physical Access Laws)

California and federal regulations provide a comprehensive set of standards covering nearly all important areas of accessibility for persons with physical and sensory disabilities. California's regulations are found in Title 24 of the California Building Standards Code and are designed to comply with the requirements of the ADA and State statutes.

Full text of the law:
A copy of the regulations is located in the Division of the State Architects Access Compliance Reference Manual: http://www.dsa.dgs.ca.gov/UniversalDesign/ud_accessmanual.htm

Resources and Publications
The Division of the State Architect (DSA) acts as California's policy leader for building design and construction, and provides design and construction oversight for K-12 schools and community colleges. DSA has offices in Los Angeles, Oakland, Sacramento, and San Diego. DSA also develops and maintains the accessibility standards and codes utilized in public and private buildings throughout California. DSA incorporates the offices of the independent State Historical Building Safety Board, caretaker of California's State Historical Building Code.

Contact DSA:
http://www.dsa.dgs.ca.gov/ContactDSA/default.htm

Universal Design Section:
http://www.dsa.dgs.ca.gov/universaldesign/default.htm

State Historical Building Safety Board:
http://www.dsa.dgs.ca.gov/StateHistoricalBuildingSafetyBoard/default.htm

Access Compliance Reference Manual:
http://www.dsa.dgs.ca.gov/UniversalDesign/ud_accessmanual.htm

Legal Rights for Persons with Disabilities
Chapter 3-Nondiscrimination in Businesses and Services.
Under Publications on the California State Attorney General's Website at http://ag.ca.gov/consumers/pdf/disabled.pdf

Department of Justice ADA Standards for Accessible Design
As published in the Title III regulations (28 CFR Part 36, revised July 1, 1994) issued by the Department of Justice. The ADA Standards for Accessible Design are in Appendix A of the Title III Regulations.
http://www.usdoj.gov/crt/ada/stdspdf.htm
Title III regulations:
http://www.usdoj.gov/crt/ada/reg3a.html

California Government Code Section 11135-11139.8

California Government Code Sections 11135 through 11139.8 provides protection from discrimination from any program or activity that is conducted, funded directly by, or receives any financial assistance from the State. This section brings into State law the protection of Title II of the ADA which ensures

accessibility to government programs and also requires State government to follow accessibility requirements standards of Section 508 of the Rehabilitation Act, which ensures the accessibility of electronic and information technology.

Resources

508 Home Page - Department of Justice
http://www.usdoj.gov/crt/508/508home.html
E-mail: sec508.questions@usdoj.gov
Voice mail: 202-305-8304
TTY mail: 202-353-8944
Facsimile: (202) 307-1198 Accessibility to a web site by persons with disabilities. The Web Access Initiative of the World Wide Web Consortium at:
http://www.w3.org/wai/

Compliance

Complaints should be filed with the State department or agency alleged to be in noncompliance.

The Fair Employment and Housing Act (California Government Code Section 12900-12951 & 12927-12928 & 12955 - 12956.1 & 12960-12976)

The Fair Employment and Housing Act provides protection from harassment or discrimination in employment because of: age (40 and over), ancestry, color, creed, denial of family and medical care leave, disability (mental and physical) including HIV and AIDS, marital status, medical condition (cancer and genetic characteristics), national origin, race, religion, sex, and sexual orientation.

The Fair Employment and Housing Act also prohibits discrimination in all aspects of housing (rental, lease, terms and conditions, etc.) because of a persons disability.

The definition of disability used in California exceeds the federal definition and can be found in the housing section of the Act.

12900-12906 The California Fair Employment and Housing Act
12920-12922 Findings and Declarations of Policy
12925-12928 Definitions
12940-12951 Unlawful Practices Generally
12960-12976 General Provisions Enforcement and Hearing Procedures, Unlawful Practices

Full text of State laws:

Because of the design of the "Official California Legislative Information" web page, this is not a direct link to the correct section. For each of the State laws identified above, to locate the section you're looking for, go to

the "California law" page at: http://www.leginfo.ca.gov/calaw.html.Then check the box next to "Government Code", at the bottom, type in the code numbers in the search box and select "Search".

Resources and Publications

- **Employment**
  "Disability Under the Fair Employment and Housing Act: What You Should Know About the Law", at the Department of Fair Employment and Housing Website.
  http://www.dfeh.ca.gov
  Legal Rights of Persons with Disabilities Chapter 1 Employment -- California Attorney General's Office
- http://ag.ca.gov/consumers/pdf/disabled.pdf
- **Housing**
  "Prohibited Housing Practices"
  "Housing Pre-Complaint Questionnaire, A Guide for Complainants (Housing)"
  "A Guide for Respondents (Housing)" at the Department of Fair Employment and Housing's website at:
  http://www.dfeh.ca.gov
  "Legal Rights of Persons with Disabilities" Chapter 2-Housing the Housing Section under publications at the California Attorney General's website at: http://ag.ca.gov/consumers/pdf/disabled.pdf
-
- **Compliance**

  The Department of Fair Employment and Housing (DFEH) enforces the FEHA. For more information on the complaint process or to file a complaint see:
  http://esq5.houdiniesq.com/dfeh2/esq/reg/

FEDERAL LAWS

Rehabilitation Act

The Rehabilitation Act is the Federal legislation that authorizes the formula grant programs of vocational rehabilitation, supported employment, independent living, and client assistance. The Act also includes several sections (501, 503, 504 & 508) concerning rights, advocacy, access and protections for individuals with disabilities. Specifically, the Act prohibits discrimination on the basis of disability in programs conducted and funded by the Federal government (504). It covers discrimination in Federal employment, and in the employment practices of Federal contractors (501 & 503). Also, it requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public (508). Due to the scope of the Act, we

have provided links to both the full text of the law, as well as information on specific sections covering access and protections for people with disabilities.

Full text of the law:
http://www.access-board.gov/the-board/laws/rehabilitation-act-of-1973

Resources & Compliance

Section 501 — Federal employment

Section 501 requires affirmative action and nondiscrimination in employment by Federal agencies of the executive branch. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in Title I of the ADA.

Section 501 — Compliance

To obtain more information or to file a complaint, Federal employees should contact their agency's Equal Employment Opportunity Office

Section 503 — Employment by Federal Contractors

Section 503 requires affirmative action and prohibits employment discrimination by Federal government contractors and subcontractors with contracts of more than $10,000.
Office of Federal Contract Compliance Programs
U.S. Department of Labor
200 Constitution Avenue, NW
Room C-3325
Washington, D.C. 20210
http://www.dol.gov/ofccp/regs/compliance/section503.htm
(202) 693-0106 (voice/relay)

Section 503 — Compliance

Office of Federal Contract Compliance Programs
U.S. Department of Labor
200 Constitution Avenue, NW
Room C-3325
Washington, D.C. 20210
http://www.dol.gov/ofccp/
(202) 693-0106 (voice/relay)

Section 504 — non-discrimination in programs conducted and funded by the Federal government

Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service. Each Federal agency has its own set of section 504 regulations that apply to its own programs. Agencies that provide Federal financial assistance also have section 504 regulations covering entities that receive Federal aid.

Requirements common to these regulations include reasonable accommodation for employees with disabilities; program accessibility; effective communication with people who have hearing or vision disabilities; and accessible new construction and alterations.

Section 504 — Compliance

Each agency is responsible for enforcing its own regulations. Section 504 may also be enforced through private lawsuits. It is not necessary to file a complaint with a Federal agency or to receive a "right-to-sue" letter before going to court.

For information on how to file 504 complaints with the appropriate agency, contact:
Disability Rights Section
Civil Rights Division
U.S. Department of Justice
P.O Box 66738
Washington, D.C. 22035-6738
http://www.usdoj.gov/crt/ada/adahom1.htm
(800) 514-0301 (voice)
(800) 514-0383 (TTY)

Section 508 Requires Federal electronic and information technology be accessible to people with disabilities

Section 508 established requirements for electronic and information technology developed, maintained, procured, or used by the Federal government and stipulates such technology to be accessible to people with disabilities, including employees and members of the public. An accessible information technology system is one that can be operated in a variety of ways and does not rely on a single sense or ability of the user. The term "electronic and information technology" has been defined by the Access Board in regulations published December 21, 2000. Some individuals with disabilities may need accessibility-related software or peripheral devices in order to use systems that comply with Section 508. Section 508 exempts national security systems from its requirements. Note: The procurement standards from Section 508 of the Rehabilitation Act has been referenced in State Law

via http://www.rehab.cahwnet.gov/DisabilityAccessInfo/CA-Gov-Code-Sec-11135-11138.html

508 Home Page — Department of Justice
http://www.usdoj.gov/crt/508/508home.html
E-mail: sec508.questions@usdoj.gov
Voice mail: 202-305-8304
TTY mail: 202-353-8944
Facsimile: (202) 307-1198

The Access Board
http://www.access-board.gov
The Access Board is an independent Federal agency devoted to accessibility for people with disabilities. The Access Board is responsible for: maintaining accessibility requirements for the built environment, transit vehicles, telecommunications equipment, and for electronic and information technology; providing technical assistance and training on these guidelines and standards and enforcing accessibility standards for federally funded facilities.

U.S. Architectural and Transportation
Barriers Compliance Board
1331 F Street, N.W. Suite 1000
Washington, D.C. 20004-1111
http://www.access-board.gov
800-872-2253 (voice)
800-993-2822 (TTY)

U.S. General Services Administration
Center for IT Accommodation (CITA)
1800 F Street, N.W.,
Room 1234, MC:MKC
Washington, D.C. 20405-0001
http://www.itpolicy.gsa.gvo/cita (202) 501-4906 (voice)
(202) 501-2010 (TTY)

Accessibility to a web site by persons with disabilities The Web Access Initiative of the World Wide Web Consortium at: http://www.w3.org/wai/

Section 508 — Compliance

Complaints should be filed with the Federal department or agency alleged to be in non-compliance.
For information on how to file 508 complaints with the appropriate agency, contact:

Disability Rights Section
Civil Rights Division

U.S. Department of Justice
P.O Box 66738
Washington, D.C. 22035-6738
http://www.usdoj.gov/crt/ada/adahom1.htm
(800) 514-0301 (voice)
(800) 514-0383 (TTY)

Americans with Disabilities Act

The ADA prohibits discrimination based on a person's disability in employment, State and local government programs, private and non-profit businesses (referred to as public accommodations), commercial facilities, transportation, and telecommunications. Under the ADA, an individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

Note: The California State Law definition of disability, found in the http://www.dfeh.ca.gov/Publications_StatLaws_DisabEmp.htm is broader under most State laws than the federal definition.

Full text of the law:
Americans with Disabilities Act (ADA)
www.ada.gov/pubs/ada.htm

ADA Title I: Employment

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship. Religious entities with 15 or more employees are covered under Title I.

Title I: Resources

Department of Justice ADA Home Page which includes publications and guides on the ADA: http://www.usdoj.gov/crt/ada/adahom1.htm

The Equal Employment Opportunity Commission (EEOC) has several publications at: http://www1.eeoc.gov/eeoc/publications/

index.cfm?redirected=http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fwww.eeoc.gov%2Feeoc%2Fpublications%2F&ei=fZ9lUsWoCOOZiQKU1YDIAw&usg=AFQjCNEFBzCQ1u0P5BxvtkZWHfutcsSK-g&sig2=o6mTESFPS0YriktHG_E8iQ&bvm=bv.55123115,d.cGE

- The ADA: Questions and Answers-Employment
- The ADA: Your Responsibilities as an Employer
- The ADA: Your Employment Rights as an Individual with a Disability
- EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act

The Jobs Accommodation Network provides information on reasonable accommodations
(800) 526-7234 (Voice/TTY)
http://www.jan.wvu.edu

Title I - Compliance
Title I complaints may be filed at any U.S. Equal Employment Opportunity Commission Field Office. Field offices are located in 50 cities throughout the U.S. and are listed in most telephone directories under "U.S. Government". For the appropriate field office in your geographic area contact:
(800) 669-4000 (voice)
(800) 669-6820 (TTY)
http://www.eeoc.gov

ADA Title II: State and Local Government Activities

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services and activities (e.g. public educations, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies,

practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

Title II Resources

Department of Justice ADA Home Page which includes publications and guides on the ADA. http://www.usdoj.gov/crt/ada/adahom1.htm

Title II Compliance

Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:
Disability Rights Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66738
Washington, D.C.
20035-6738
http://www.usdoj.gov/crt/ada/adahom1.htm
(800) 514-0301 (voice)
(800) 514-0383 (TTY)

ADA Title II: Public Transportation

The transportation provisions of Title II cover public transportation services, such as city buses and public rail transit (e.g. subways, commuter rails, Amtrak). Public transportation authorities may not discriminate against people with disabilities in the provision of their services. They must comply with requirements for accessibility in newly purchased vehicles, make good faith efforts to purchase or lease accessible used buses, remanufacture buses in an accessible manner, and, unless it would result in an undue burden, provide Paratransit where they operate fixed-route bus or rail systems. Paratransit is a service where individuals who are unable to use the regular transit system independently (because of a physical or mental impairment) are picked up and dropped off at their destinations.

Title II Public Transportation - Resources

For more detailed information on the transportation visit the Federal Transit Administration (FTA) website http://www.fta.dot.gov/ or call the Toll-Free Federal Transit Administration Americans with Disabilities Act Assistance Line 1-800-446-4511 (voice)

Title II Public Transportation - Compliance

Questions and complaints about public transportation should be directed to:

Office of Civil Rights
Federal Transit Administration
U.S. Department of Transportation
400 Seventh Street, S.W.
Room 9102
Washington, D.C. 20590
http://www.fta.dot.gov/civil_rights.html
(888) 446-4511 (voice/relay)
(202) 366-2285 (voice)
(202) 366-0153 (TTY)

ADA Title III Pubic Accommodations (Businesses and nonprofit service providers)

Title III covers businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses and examinations, privately operated transportation, and commercial facilities. Public accommodations are private entities who own, lease, lease to, or operate facilities such as restaurants, retail stores, hotels, movie theatres, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, day care centers, and recreation facilities including sorts stadiums and fitness clubs. Transportation services provided by private entities are also covered by Title III.

Public accommodations must comply with basic non-discrimination requirements that prohibit exclusion, segregation, and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodations resources.

Title III - Resources

Department of Justice ADA Home Page which includes publications and guides on the ADA: http://www.usdoj.gov/crt/ada/adahom1.htm

Title III - Compliance

If you feel that you have been discriminated against by a place of public accommodation, then you may file a complaint with the U.S. Department of Justice. The U.S. Attorney General will investigate your complaint. For more information regarding the federal complaint and enforcement process see the Department of Justice ADA Home Page at: http://www.usdoj.gov/crt/ada/adahom1.htm
A violation of the ADA is also considered to be a violation of the http://www.dfeh.ca.gov/Publications_Unruh.htm

For more information regarding the State complaint and enforcement process see the Department of Fair Employment and Housing home page at:
http://www.dfeh.ca.gov/Complaints_eCompProc.htm

ADA Title IV: Telecommunications Relay Services

Title IV addresses telephone and television access for people with hearing and speech disabilities. It requires common carriers (telephone companies) to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week. TRS enables callers with hearing and speech disabilities who use telecommunications devices for the deaf (TDDs), which are also known as teletypewriters (TTYs), and callers who use voice telephones to communicate with each other through a third party communications assistant. The Federal Communications Commission (FCC) has set minimum standards for TRS services. Title IV also requires closed captioning of Federally funded public service announcements.

Title IV - Resources & Compliance

For more information about TRS, contact the FCC at: Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
http://www.fcc.gov/cib/dro
(888) 225-5322 (Voice)
(888) 835-5322 (TTY)

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #1a

ADA TITLE II – ACCESS TO GOVERNMENT PROGRAMS AND SERVICES

This Guidance Bulletin tells you what the Americans with Disabilities Act is and how Title II of the Act addresses government services. It also explains who is covered by the Act and what is required of government entities to ensure non-discrimination based on disability in their programs, services, activities and facilities.

WHAT IS "THE ADA"?
The Americans with Disabilities Act of 1990 (ADA), as amended in 2010, is a Federal law that provides civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. The ADA guarantees equal opportunity for individuals with disabilities in public accommodations (such as stores, restaurants, and hotels), employment, state and local government services, and transportation.

WHAT IS TITLE II?
The ADA has five sections, or "titles", each addressing different areas of the law. Title II of the ADA addresses state and local governments, such as the County of Marin. Title II protects qualified individuals with disabilities from discrimination on the basis of disability when accessing and participating in County services, programs, or activities.

WHO ARE INDIVIDUALS WITH DISABILITIES?
The ADA, as amended, protects three categories of individuals from discrimination based on their disability:

➢ Individuals who *have* a physical or mental impairment that limits one or more major life activities – including such conditions as blindness, deafness, cerebral palsy, cancer, heart disease; mental retardation, brain injury, emotional or mental illness, and specific learning disabilities.

➢ Individuals who have a *record of* a physical or mental impairment that substantially limited one or more of the individual's major life activities, including people who have recovered from mental or emotional illness, drug addiction, heart disease, or cancer.

➢ Individuals who are *regarded as having* such a disability, regardless of whether they have the disability. Common examples are someone who is obese or someone who is scarred due to injury, where there is no functional impairment, but people may regard the person as having a disability.

➢ It should be noted that the ADA also protects people from discrimination based on their *association* with someone with a disability.

WHO ARE "QUALIFIED" INDIVIDUALS WITH DISABILITIES?
To be qualified, the individual must meet the essential eligibility requirements for receipt of services or participation in County programs, services or activities, with or without:

➢ Reasonable modifications to a public entity's rules, policies, or practices;
➢ Removal of architectural, communication, or transportation barriers; or
➢ Provision of auxiliary aids and services.

Health and safety factors can be taken into account in determining who is qualified. An individual who poses a "direct threat" to the health or safety of one's self or others is not qualified. A direct threat is a significant risk of substantial harm to the health or safety of one's self or others that cannot be eliminated or reduced to an acceptable level by accommodations or modifications to the program. This threat must be real and may not be based on generalizations or stereotypes about the effects of a particular disability. Before excluding an individual with a disability based on a direct threat, consultation with the Disability Access Manager and/or County Counsel, as well as the Department Head, is strongly recommended. It should be noted that this exception is often more narrowly defined than one might expect.

WHAT ARE THE REQUIREMENTS OF TITLE II?

Equality in Participation and Benefits

Persons with disabilities must have an equally effective opportunity to participate in or benefit from County programs, services, and activities. (See the "Equally Effective Communication" section below) Examples:

➢ A deaf or hard of hearing individual does not experience equal opportunity to benefit from attending a public meeting unless s/he has access to what is said through an interpreter or by being provided with an assistive listening device or real-time captioning.

➢ A wheelchair user will not have an equal opportunity to participate in a program if applications must be filed on the second floor office of a building without an elevator.

➢ Use of printed information alone is not equally effective for those with low vision who cannot read regular written material.

Reasonable Modifications

The County must reasonably modify its policies, practices, or procedures to ensure access and equal opportunity to individuals with disabilities.

Examples:

- ➢ A County zoning ordinance requires a set-back of 12 feet from the curb in the central business district. In order to install a ramp to the front entrance of a pharmacy, the owner must encroach on the set-back by three feet. Granting a variance in the zoning requirement may be a reasonable modification of county policy.

- ➢ A county general relief program provides emergency food, shelter, and cash grants to individuals who can demonstrate their eligibility. The application process, however, is extremely lengthy and complex. When many individuals with mental disabilities apply for benefits, they are unable to complete the application process successfully. As a result, they are effectively denied benefits to which they are otherwise entitled. In this case, the county has an obligation to make reasonable modifications to its application process to ensure that otherwise eligible individuals are not denied needed benefits. Modifications to the relief program might include simplifying the application process or providing applicants who have mental disabilities with individualized assistance to complete the process.

- ➢ A person is scheduled for a morning appointment at the social services office. However, because of the person's disability, or the medication that she is on to manage her disability, she is unable to make a morning appointment. The Department of Health and Human Services would have an obligation to provide her with an appointment that she would be able to attend.

- ➢ Other examples include allowing a person with a mobility impairment to sit down while "waiting in line," or simply being more patient with a person who takes longer to express himself or be understood, because of a disability.

Equally Effective Communication

The County of Marin must ensure that its communications with people with disabilities are as effective as its communications with others. The County is required to provide appropriate *auxiliary aids and services* where necessary to ensure effective communication. Primary consideration must be given to the choice of auxiliary aid requested by the disabled person. Whatever accommodation is requested, the County must seek to provide it unless it is determined it has been proven to result in either a fundamental alteration in the program, or result in an undue financial or administrative burden. Examples of auxiliary aids and services include:

- ➢ Deaf or hard of hearing: qualified interpreters, note takers, real-time captioning, written materials, assistive listening systems, open or closed captioning, TTYs, and exchange of written notes (if the communication is not complex).

- Blind or low vision: qualified readers; audiotape, Braille, or large print materials, audio-descriptions of PowerPoint or video presentations; and assistance in locating items.
- Speech disability: TTYs, computer terminals (take turns typing back and forth if the communication is not complex).

Integrated Setting

Individuals with disabilities cannot be excluded from regular programs or required to accept accommodations. The County may offer separate or special programs when necessary to provide people with disabilities an equal opportunity to benefit from the programs. Examples:

- A recreation department sponsors a separate basketball team for wheelchair users.
- An art exhibit offers a tour where individuals who are blind are allowed to touch and handle specific objects on a limited basis (but cannot exclude a person who is blind from the standard tour).

Eligibility Criteria and Medical Inquiries

The County's eligibility criteria for participation in its programs, services or activities must not screen out or tend to screen out people with disabilities, except in rare instances when such requirements are necessary. A program cannot request medical information unless it can demonstrate that each piece of information requested is needed to ensure safe participation in the program.

Safety

The County may impose legitimate safety requirements necessary for the safe operation of its services, programs, and activities. Safety requirements must be based on real risks, not on speculation, stereotypes, or generalizations about people with disabilities.

Surcharges

Although providing accommodations may result in some additional cost, the County may not place a surcharge only on particular individuals with disabilities to cover expenses.   For example, there can be no extra program charge to a deaf person for interpreter services, or to groups of people with disabilities, but fees may be increased for all participants to cover the cost of those accommodations.

Personal Services and Devices

The County is not required to provide people with disabilities with personal or individually prescribed devices (wheelchairs, hearing aids or communication devices) or to provide services of a personal nature (such as assistance in eating, toileting or dressing) unless providing such services are part of the

services offered by the program. This does not preclude the County from providing appropriate auxiliary aids and services to ensure accessibility.

Maintenance of Accessible Features

The County must ensure that equipment and accessibility features of facilities are in good working order and accessible to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are acceptable.

WHAT ARE THE REQUIREMENTS FOR FACILITY ACCESS?

The County of Marin must ensure that all of its programs, services and activities are accessible to individuals with disabilities. One key aspect of that is facilities access.

New Construction

Any facility or part of a facility that is constructed by a state or local government entity must be constructed in strict compliance with applicable federal and state building accessibility codes and regulations, so that it is readily accessible to and usable by people with disabilities.

Alteration and Renovation of Existing Construction

In accordance with all applicable accessibility codes, when alterations affect the usability of a facility, the altered portion (as well as the path of travel, toilets, drinking fountains, and public phones) must be made accessible to people with disabilities.

Overall Program Access

The County is not necessarily required to make every pre-ADA facility fully compliant with current accessibility codes. However, all County programs, services or activities must be accessible to, and usable by, people with disabilities when viewed in their entirety. This is called "overall program access." For example, not all pre-ADA swimming facilities must be accessible, but there must be an alternate and proximate swimming facility that is accessible.

Overall program accessibility can be achieved a number of ways. Structural options include altering existing facilities or constructing new ones. Nonstructural options include:
> ➢ Acquisition or redesign of equipment
> ➢ Assignment of aides to assist individuals with disabilities
> ➢ Provision of services at alternate accessible sites

The County must give priority to the option that results in the most integrated setting appropriate to encourage interaction among all users, including those with disabilities.

WHAT ARE THE ADMINISTRATIVE REQUIREMENTS?

County ADA Coordinator

Under Title II of the ADA, all public entities must designate a person or persons whose job it is to mediate complaints and to ensure compliance with the ADA and other disability rights laws. The County of Marin has designated the Manager of its Disability Access Program as the ADA Coordinator for County programs that serve the public.   The Disability Access Manager facilitates and supports a team of Department Disability Access Coordinators in the various County departments; advises the public about the ADA and the County's compliance obligations; and coordinates the investigation of grievances filed by the public alleging discrimination in County programs, services, or activities.

For additional information, please contact:

Disability Access Program
Marin County Department of Public Works
3501 Civic Center Drive, Room 304
San Rafael, CA 94903
(415) 473-4381 (Voice) or 473-3232 (TDD/TTY)
disabilityaccess@marincounty.org

For Employment Information, please contact:

Angela Nicholson
Deputy Director
Marin County Department of Human Resources
3501 Civic Center Drive, Room 403
San Rafael, CA 94903
415-473-4396
CRS dial 711
anicholson@marincounty.org

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #1a

PROGAM ACCESS POLICY, PRINCIPLES AND PROCEDURES

This Guidance Bulletin states the County of Marin's commitment to inclusion and full participation in community life for people with disabilities and provides some general principles of non-discrimination. It also discusses many of the procedures the County has implemented to ensure Program Access and physical accessibility.

The County of Marin is committed to making all County services, programs and activities available to persons with disabilities as required by Title II of the Americans with Disabilities Act (ADA), as amended. Because the County of Marin receives federal funds, the County also complies with the civil rights provisions of the Rehabilitation Act of 1973, as amended. The ADA supersedes both state and local laws that provide less protection for individuals with disabilities, but does not invalidate or limit the remedies, rights and procedures of other federal, state or local laws that guarantee greater protection for individuals with disabilities.

Title II of the ADA and the Department of Justice regulations (28 C.F.R. §35.130(a)) provide 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.*

Everything the County does, from providing social services to sponsoring cultural events, is required by Title II of the ADA to be accessible to individuals with disabilities. The County completed an update of its Self-Evaluation and Transition Plan in 2008 that identified both programmatic and physical barriers to achieving program access. The County is taking affirmative steps to eliminate barriers in the pedestrian right-of-way; in owned and leased buildings and facilities; in parks and open spaces; in public communications; and in all its programs and service delivery processes.

GENERAL PRINCIPLES OF NONDISCRIMINATION

There are several principles of nondiscrimination under the ADA that the County of Marin endorses. These are:

➢ *Equal opportunity, not merely equal treatment* – The County provides an equal opportunity for qualified individuals with disabilities to participate in programs, services and activities. The County ensures that all services or benefits provided to people with disabilities are equally effective in achieving the intended results of the program or activity. Different or separate treatment is permitted only when it is necessary to ensure equal opportunity and the provision of truly effective benefits and services.

➢ *Accessible site selection* – The County, in determining the site for new construction or choosing an existing facility to be used by the County program or service, ensures that it makes selections that do not have the effect of discriminating against individuals with disabilities.

➢ *No discriminatory effect*s – The County does not, directly or through contractual arrangements, use any criteria or methods of administration that have the effect of discriminating on the basis of disability or that perpetuate the discriminatory actions of another public agency, if both are subject to common administrative control or are agencies in the same state.

➢ *Accessible licensing requirements* – The County prohibits any form of discrimination against qualified individuals with disabilities when granting licenses or certifications. A person is qualified if he or she can meet the essential eligibility requirements for receiving the license or certificate.

➢ *Reasonable modifications* – The County makes any reasonable modifications in policies, procedures and practices necessary to avoid discrimination based on disability. The County does not, however, make modifications that would fundamentally alter the nature of the service, program or activity.

➢ *Neutral eligibility criteria* – The County does not impose or apply any eligibility criteria that screens out or tends to screen out individuals with disabilities or a class of individuals with disabilities, unless it can show that the criteria are necessary to provide the service, program or activity in question. The County also does not award any procurement contracts based on criteria that subject individuals with disabilities to discrimination.

➢ *Most integrated setting appropriate* – The County strives to provide its services, programs and activities in the most integrated setting appropriate to the needs of the individual with disabilities. Even though the County may offer separate programs that comply with Title II, it does not preclude individuals with disabilities from participating in integrated programs and activities solely because the separate programs are available.

Other provisions prohibit public entities from:

- ➢ Requiring a person with a disability to accept an accommodation or auxiliary aid or service;
- ➢ charging individuals with disabilities for the costs of providing auxiliary aids and services; and
- ➢ Discriminating against qualified individuals solely because they are related to or associated with a person with a disability.

WHAT COUNTY PROCEDURES ENSURE PROGRAM ACCESS?

The County ensures program access by having formal procedures to create access in all public communications and when announcing and conducting public meetings. The County also has specific plans regarding meeting the needs of individuals with disabilities in its emergency preparedness and disaster planning processes. The County of Marin is also committed to continuously improving the accessibility of the pedestrian right-of-way and access to all county-owned and leased buildings and facilities.
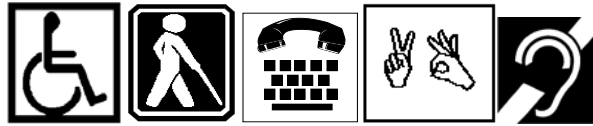
Notice requirements for County offices, publications and web sites

The County informs applicants, participants, beneficiaries and other interested parties of the rights and protections afforded by the ADA. The County achieves this in several ways, such as:

- ➢ Displaying legally required ADA Posters in reception areas, service centers and other public places;

- ➢ Describing the availability of accommodations and program modifications on its websites;

- ➢ Including contact information to request accommodations on all public meeting and public event announcements and advertisements; and

- ➢ Including information about program accessibility on all handbooks, pamphlets and manuals for the public that describe County programs, services and activities, including activities sponsored by the County.

Posters for reception areas and other public service areas are available from the Disability Access Program office. The following standardized notices are required to be included in the front section of all county produced publications:

Standard Service Footer for Public Meetings

All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TTY) or by e-mail at (email address) at least five business days in advance of the event. Copies of documents are available in alternative formats, upon request.

Standard Service Footer for Large Publications

All County publications are available in alternative formats (Braille, Large Print, or CD), upon request. Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TTY) or by e-mail at (email address).

Standard Service Footer for Smaller Publications
(Fliers, brochures, etc.), including both electronic and hard copy.

Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TDD/TTY) or by e-mail at (email address). Copies of documents are available in alternative formats, upon request.

Ensuring Accessibility in County Communications

The County of Marin expects all its communications with residents and visitors to the County to be accessible to people with disabilities. The requirements of the Department of Justice ADA Title II regulations cover communications with program participants and members of the public.

How the County ensures accessibility depends on the nature of the communication itself. For an individual who is hearing-impaired, a clerk in a County office may be able to do a simple business transaction with pen and paper. A more complex matter may require a sign language interpreter. The County will adapt auxiliary aids and services to the situation.

Telephone companies are required by Title IV of the ADA to provide telephone relay services. The California Relay Service (CRS dial 711) alleviates some communication barriers to public services for people with speech and hearing impairments, but in some circumstances, the County may also provide assistive devices such as teletypewriters (TTYs) to meet their communication obligations. Emergency 911 telephone services always are equipped with TTYs.

While the County ensures accessible communications for individuals with disabilities, they do not fundamentally alter their programs or services, or create an undue financial or administrative burden when doing so.

The County provides "appropriate auxiliary aids and services" to ensure that individuals with disabilities have an equal opportunity to participate in and to enjoy the benefits of any service, program or activity the County provides. The County does not charge extra for providing auxiliary aids or services. A partial list of auxiliary aids and services that can be provided to accommodate speech, hearing and vision impairments includes: videotext displays, qualified sign language interpreters, telephone handset amplifiers, closed caption decoders, qualified readers, taped texts, large print materials and Braille text. The aid must fit the person and his or her needs. When assessing the accessibility of its communications, the County includes the individual making the request for accommodation in an interactive discussion of options and alternatives.

Ensuring Information Technology and Website Accessibility

County electronic devices and information technology are readily usable by people with disabilities. The County of Marin may provide accessible technology as reasonable accommodations to make programs accessible or to ensure effective communications. This technology may include, but is not limited to: TTYs, accessible computers, accessible web sites, and, when needed as auxiliary aids or in other circumstances, captioning.

Ensuring Public Event and Public Meeting Accessibility

The opportunity to participate in government, including participation in public meetings and events, is a fundamental right of citizens of the United States. Both state and federal laws guarantee this right. The ADA requires that an individual with a disability not be denied the opportunity to participate in any government program, service or activity because a government entity's facilities are inaccessible. The Brown Act, as amended by AB 3035, specifically requires that a public entity ensure that individuals with disabilities are not denied physical or communication access to public meetings.
When planning public meetings, County agencies ensure that the meetings are accessible to members of the public who have a disability. Accessible public meetings require not only physical access to the meeting facility, but also access to the information communicated through the meeting. County employees are

provided with guidance to identify the primary areas of concern related to public meetings, the responsibilities of the meeting planner, and alternatives for providing solutions.

All public meetings take place in locations that are accessible to persons with disabilities. All parts of the building do not need to be accessible, but parking (if provided), the path of travel into and through the facility, the meeting area, and the restrooms must be accessible. If overnight stays are involved, conveniently located accessible accommodations are also considered.

To facilitate accessibility, a simple, uncluttered page design is used for written meeting announcements. Staff are prepared to design forms that can be made accessible or post (or have available) a Word version of the agenda, if needed for an accommodation. The name and telephone number of the contact person and timelines for requesting accommodations needed are included on all County meeting announcements.

Written materials that are distributed to members of the public, such as an agenda or hand-outs, are subject to the requirement that communication be equally effective to persons with disabilities. Therefore, upon receipt of a specific request, the County will make that information available to individuals in a form that is usable by them. Alternative formats may include computer diskette, audiotape, large print or Braille. The type of format necessary to ensure effective communication will vary with the individual's needs and the length and complexity of the communication involved.

The County provides an opportunity for individuals with disabilities to request the alternative format of their choice. An interactive discussion with the individual is encouraged when clarification regarding the type of alternative format to be provided is needed. According to the U.S. Department of Justice, the expressed choice of the individual must be given primary consideration unless the County can demonstrate that another effective means of communication exists.

Although providing documents in alternative formats may result in some additional cost, the County does not place a surcharge on individuals with disabilities to cover these expenses. If a document is available to the public free of charge, it is also made available in an alternative format free of charge. If a fee is charged for documents provided to the general public, this fee is the same for documents provided in alternative formats.

Upon receipt of a specific request, it may be necessary to provide auxiliary aids and services to individuals with disabilities to allow full participation in a public meeting. These may include, but are not limited to: qualified sign language interpreters, providing materials in recorded format (cassette tapes or stored on CD-ROM), real-time transcription, assistive listening devices, or open or closed captioning.

The County seeks to conduct all public meetings in close proximity to accessible public transportation and to ensure a safe and accessible path of travel leading from the transportation stop to the facility entrance. If parking is provided, the parking area must have the correct number of appropriately marked accessible parking spaces. At least one set of restrooms within the facility must be accessible. Meeting rooms and break-out rooms must be arranged with consideration for the full participation of persons with disabilities. All public meeting space is wheelchair accessible, with integrated wheelchair seating, turning room, and adequate aisle space. There must also be an emergency evacuation plan for individuals with disabilities

The Disability Access Program also offers a centralized Disability Accommodations Service for coordinating provision of auxiliary aids and services for County Department sponsored public meetings and events. For assistance in using this service contact: disabilityaccess@marincounty.org *or call 415/473-4381.*
.
Ensuring Equal Opportunities in County Employment

Title I of the ADA prohibits the County from discriminating against qualified individuals with disabilities in their employment practices. The Justice Department's regulations implementing Title I make it clear that this prohibition applies to all state and local governments, regardless of size or whether they receive federal financial assistance.

The ADA covers all employment activities, including:

> ➢ job applications and recruitment;
> ➢ hiring and discharge;
> ➢ compensation and benefits;
> ➢ job assignment;
> ➢ advancement;
> ➢ performance management;
> ➢ leave policies;
> ➢ job training; social and recreational activities; and
> ➢ other terms, conditions and privileges of employment.

The County of Marin does not discriminate on the basis of disability in its employment practices. For assistance in employment related matters contact:

Angela Nicholson
Deputy Director
Marin County Department of Human Resources
3501 Civic Center Drive, Room 403
San Rafael, CA 94903

Ensuring Accessibility in Emergency Planning and Emergency Services

The County Sheriff's Office of Emergency Services (OES) mitigates, plans, and prepares for, responds to, and aids in recovery from the effects of emergencies that threaten lives, property and the environment. OES has a role in both preparedness and response. Its role in emergency preparedness is to ensure efficient, effective, integrated response to potential and/or actual emergencies and disasters by implementation of the Standard Emergency Management System and the development of response capabilities. The role of OES in response is to provide timely, effective, efficient and coordinated government response in coordination with all local city and county government entities.

In order to effectively meet the needs of persons with disabilities during a disaster, the County Sheriff's Office, County Fire Department, Department of Health and Human Services and the County Department of Public Works have established policies and procedures and offer staff training opportunities to ensure that first responders and other emergency response workers are able to effectively serve persons with various types of disabilities.

The Department of Human Resources is responsible for overseeing ADA Title I Compliance (and the California Fair Employment and Housing Act employment provisions) for all County employment and employee issues.

Public Works Project Requirements and Protocols

The County Department of Public Works requires that, at the outset of all projects other than routine road maintenance, an analysis shall be performed to ensure inclusion of all necessary, appropriate and reasonable multi-modal facilities and improvements. This requirement includes a comprehensive analysis of disability accessibility issues in all project plans, construction drawings, and construction activities throughout the life of the project. Project specifications must include individual and specific sheets which clearly depict interim conditions during construction which ensure full compliance with regulations relating to pedestrian circulation and disability access during construction.

This Department of Public Works policy (Directive 2006-01) applies to all Department divisions, including the Capital Improvement, Engineering Services, Land Development, Real Estate Services, Traffic Operations, Building and Road Maintenance, and Flood and Watershed Divisions; and to the Non-motorized Transportation and Bicycle/Pedestrian Programs.

Ensuring Pedestrian Right-of-Way Accessibility

In every instance where the County constructs a new sidewalk, accessible curb ramps are installed and barriers to entry from a street level pedestrian walkway and/or the pedestrian path of travel to County services are removed. Whenever the County reconstructs an existing pedestrian path-of-travel accessible curb ramps are installed and a safe and accessible path of travel is created.

In addition, the County maintains a Pedestrian Right-of-Way and Curb Ramp Plan that specifies the priorities for curb ramp construction and pedestrian barrier removal based on its Transition Plan and the standards set by the United States Access Board.

The priority categories used are as follows:

1. The Public-Right-of-Way (PROW) adjacent to County programs that provide health and human services (example: the Marin Health & Wellness Campus and 120 N. Redwood).
2. The PROW adjacent to general government programs and services (example: the Civic Center Campus, Sheriff Stations and sub-stations).
3. The PROW adjacent to County cultural and recreational facilities (example: the Marin Center, County libraries and County park facilities).
4. The PROW adjacent to schools and commercial areas (example: County maintained roads adjacent to the College of Marin, Sir Francis Drake High School and the Bon Air and Strawberry Shopping Centers).
5. The PROW in residential areas in unincorporated County areas (example: Bel Marin Keys and Loma Linda).

Please Note: Wherever County jurisdiction allows, the County will establish a safe and accessible path of travel from the nearest public transportation to the entrance of a County facility. When the public right-of-way adjacent to a County program or service, the Disability Access Manager assesses the need for accessibility modifications and, if needed, requests that the appropriate jurisdiction elevate this work in its Transition Plan. It should also be noted that the responsibility for maintenance of sidewalks in the County PROW rests with the adjacent property owner.

Ensuring County Owned and Leased Building and Facility Accessibility

In every instance where the County builds a new facility; remodels an existing building; negotiates a new lease; or extends or expands a lease, the County conducts a multi-modal review as described above, including an accessibility survey. The County also includes specific accessibility details in plans and construction drawings and monitors construction sites to ensure that accessibility requirements are adhered to throughout the construction. A determination of

compliance with all applicable accessibility requirements is made by the County Disability Access Program Manager and County Director of Public Works prior to permitting building occupancy.

The County maintains a Facilities Accessibility Plan that specifies the priorities for building and facility accessibility construction based on standards set by the United States Access Board. The priority categories used are as follows:

1. Buildings housing County programs that provide health and human services (example: the County Health & Wellness Campus, 120 N. Redwood, and 899 Northgate).
2. Buildings housing general government programs and services (example: the Civic Center Campus, Sheriff Stations and sub-stations, 65 Mitchell).
3. Buildings housing County cultural and recreational facilities (example: the Marin Center, County libraries, and County park facilities).

The County has completed accessibility surveys of all County owned and leased buildings and facilities; County parks and trailheads; and the pedestrian right-of-way throughout the unincorporated areas of the County.

Ensuring Accessibility in Public Accommodations

Title III of the Americans with Disabilities Act (ADA) guarantees people with disabilities the "full and equal enjoyment of goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation." Public accommodations are private entities open to the public, including facilities as varied as entertainment and education, service establishments such as restaurants, hotels, professional offices, hospitals and sporting venues. The law and the Department of Justice regulations specify the scope and meaning of these terms and clarify that this section has a wide impact.

California laws and regulations require that all newly constructed buildings and facilities and most buildings and facilities undergoing repair and renovation are accessible to individuals with disabilities. The County's Community Development Agency - Building and Safety Division enforces State and County building codes and ordinances to ensure buildings are accessible and safe for occupancy. The County does not check plans for, or enforce federal ADA accessibility requirements. It is the owner's responsibility to ensure compliance with these regulations.

Code enforcement is accomplished through issuance of building permits, plan reviews, and inspections. In the planning, permit and inspection phases of this process building officials review plans and inspect construction sites to ensure compliance with the requirements of Title 24 of the California Building Code of Regulations relating to accessibility for the disabled.

If the applicant wishes to apply for an unreasonable hardship, plans must be prepared in accordance with the instructions contained in the County of Marin's "*GUIDELINES FOR REQUESTING EXCEPTIONS TO TITLE 24 ACCESS REGULATIONS*" available from the Building and Safety Division. The Division has a responsibility to investigate and resolve disability access complaints within 90 days of confirmation that a complaint is valid under Government Code Section 4452. The County disability access complaint policy and procedure are available from the County ADA Coordinator in the Disability Access Program or from the County's Chief Building Official in the Community Development Agency – Building and Safety Division.

ADA Coordinator and Grievance Procedures

The Title II regulations require the County to designate at least one ADA Coordinator to be responsible for organizing all efforts to comply with Title II, investigate any complaints of violations and serve as the contact person for both the public and other members of the County's staff on all ADA matters.

The ADA Coordinator for the County of Marin is:

William Campagna, M.S.
Disability Access Manager
3501 Civic Center Drive, Room 304
San Rafael, Ca 94903
(415) 473-6065 (voice/CRS dial 711)
disabilityaccess@marincounty.org

The Disability Access Program website is located at:

http://www.marincounty.org/depts/pw/divisions/disability-access

Grievance Procedures

The instructions for filing grievances and the Grievance Form are located at the Disability Access Program website and in the program office listed above. In addition, the Community Development Agency – Building and Safety Division has a formal grievance procedure specifically for addressing issues concerning public accommodations and building permit issues.

Department Disability Access Coordinators

Most County departments also have Disability Access Coordinators to assist in resolving issues within their respective department's programs. Contact information for these individuals is available from the Disability Access Program or from the departments themselves. All formal complaints must be submitted to the ADA Coordinator.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #2

ROLES AND RESPONSIBILITIES OF THE COUNTY ADA COORDINATOR

The County ADA Coordinator is responsible for ensuring the effective implementation of the Americans with Disabilities Act (ADA), as amended, and related state and federal laws that provide for equal access to government programs, services, activities and facilities; and for ensuring nondiscrimination against persons with disabilities. The ADA requires that every public entity that employs 50 or more persons must designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the ADA (CFR §35.107).

The County's Disability Access Manager has been designated to serve as the County ADA Coordinator and is responsible for coordinating compliance with the non-discrimination requirements contained in this policy and in the U.S. Department of Justice regulations implementing Subtitle A of Title II of the Americans with Disabilities Act (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public agencies. The ADA Coordinator's name, telephone number and e-mail address are posted in all County offices and are made readily available to all interested individuals.

The ADA Coordinator helps to ensure that persons dealing with the County and its departments are easily able to find a responsible person who is familiar with the requirements of the Act and who can communicate those requirements to others in County government. The ADA Coordinator is responsible, within the County government, for carrying out investigations of complaints alleging noncompliance or alleging any action that would be prohibited under the ADA. The ADA Coordinator has direct access to key government officials so that noncompliance issues can be promptly and effectively corrected when identified.

The ADA Coordinator duties include, but are not limited to, coordination and development of ongoing efforts for full ADA compliance, including consultative services to management. Other tasks include arranging for and/or conducting staff training on the ADA; providing educational materials to County management and staff; coordinating and monitoring architectural barrier surveys; developing processes for prompt fulfillment of requests for alternative formats, interpreting services and other communication access needs; development of the required Transition Plan to remove access barriers; and providing consultation to the Department of Human Resources regarding staff development and reasonable accommodations.

Grievance Procedures

The instructions for filing grievances and the Grievance Form are located at the Disability Access Program website and in the program office listed above. The Community Development Agency, Building & Safety Division, also has a formal enforcement procedure regarding Disabled Access Regulations. Complaints regarding the permitting process of buildings and facilities must be filed first with the Disability Access Coordinator (see above). Where applicable, the complaint is then forwarded to the County's Chief Building Official. Copies of this complaint process are available, upon request from the Disability Access Program.

Complaints of discrimination based on disability may be filed with the Disability Access Program at:

<div align="center">

William Campagna, M.S.
Disability Access Manager
3501 Civic Center Drive, Room 304
San Rafael, Ca 94903
(415) 473-6065 (voice/CRS dial 711)
disabilityaccess@marincounty.org

The Disability Access Program website is located at:
http://www.marincounty.org/depts/pw/divisions/disability-access

</div>

ADA Title I Employment Issues

The County of Marin does not discriminate on the basis of disability in its employment practices. For assistance in employment related matters contact:

<div align="center">

Angela Nicholson
Deputy Director
Marin County Department of Human Resources
3501 Civic Center Drive, Room 403
San Rafael, CA 94903
415-473-4396
CRS dial 711
anicholson@marincounty.org

</div>

COUNTY OF MARIN

ACCESSIBILITY GUIDANCE BULLETIN #2a

**ROLES AND RESPONSIBILITIES OF DEPARTMENT
DISABILITY ACCESS COORDINATORS**

The County of Marin has designated the Disability Access Manager in the Department of Public Works (DPW) as the County ADA Coordinator. Additionally, each County Department has designated at least one Department Disability Access Coordinator to facilitate addressing department-level program, service, and activity accessibility, and to serve as a liaison with the Disability Access Program for their respective department.

As required by law, the name, telephone number and e-mail address of the County ADA Coordinator is posted in all County offices and made readily available to all interested individuals.

DEPARTMENT DISABILITY ACCESS COORDINATORS

Department Disability Access Coordinators help to ensure that persons dealing with the County and its departments are able to find a responsible person who is familiar with the requirements of the ADA and who can try to resolve complaints informally.   Department Disability Access Coordinator duties include facilitating processes for prompt fulfillment of requests for alternative formats, interpreting services and other communication access needs; coordinating staff training on the ADA and related laws and regulations; and coordinating department-level implementation of the County Self-Evaluation and Transition Plan.

If a formal complaint is requested, the complaining party must be referred to the County ADA Coordinator.

DEPARTMENT DISABILITY ACCESS COORDINATOR ROSTER

Department	Coordinator	Telephone	Email
Administrator	Jenny Choi	473-6361	jchoi@marincounty.org
Ag. Weights/Measures	Laurel Thomassin	473-6700	lthomassin@marincounty.org
Assessor/Recorder/County Clerk			
Child Support	Jill Francis	473-4067	jfrancis@marincounty.org
CDA	Brian Crawford	473-6402	bcrawford@marincounty.org
	Bill Kelley	473-6556	bkelley@marincounty.org

Department	Coordinator	Telephone	Email
County Counsel	Ed Kiernan	473-6428	ekiernan@marincounty.org
Cultural and Visitor Services	Marion Boyd	473-6397	mboyd@marincounty.org
Dept. of Finance/Treasurer/Tax Collector	Roy Given	473-3736	rgiven@marincounty.org
District Attorney	Peggy Toth	473-6515	ptoth@marincounty.org
Farm Advisor			
Fire	Mark Brown	473-6781	markbrown@marincounty.org
Health & Human Services (HHS)			
HHS - Multipurpose Services	Kerrie Desbiens	473-7860	kdesbiens@marincounty.org
HHS - Aging & Adult Social Services Public Guardian IHSS Veteran's Services	Michele McCabe	473-2702	mkmccabe@marincounty.org
HHS - Community Health and Prevention Public Health Preparedness Emergency Medical Services Epidemiology	Cicily Emerson	473-3373	cemerson@marincounty.org
HHS - Mental Health and Substance Abuse Services	Eric Swift	473-2959	eswift@marincounty.org
HHS - Public Assistance	Marty Graff - Interim	473-6733	mgraff@marincounty.org
HHS - Dental Services	Debra Mullaney	473-7464	dmullaney@marincounty.org
HHS - Employment Services Programs WIA	Cynthia Gunselman	473-3322	cgunselman@marincounty.org
Human Resources	Joanne Peterson	473-6114	jpeterson@marincounty.org
	Diane Ooms	473-3045	dooms@marincounty.org
Information Services & Technology	Marlene Ireland	473-6319	mireland@marincounty.org
	Maya Gladstern	473-7866	mgladstern@marincounty.org
Library	Scott Bauer	473-7536	sbauer@marincounty.org
Parks & Open Space	Linda Dahl	473-6387	ldahl@marincounty.org
	Steve Petterle	473-6394	spetterle@marincounty.org

Department	Coordinator	Telephone	Email
	Ron Miska	473-6391	rmiska@marincounty.org
Probation	Michael Daly	473-6662	mdaly@marincounty.org
Department	**Coordinator**	**Telephone**	**Email**
Public Defender	Jose Varela	473-6321	jvarela@marincounty.org
Public Works	Bill Campagna	473-6065	wcampagna@marincounty.org
	Laney Morgado	342-5338	lmorgado@marincounty.org
Registrar of Voters	Melvin Briones	473-6443	mbriones@marincounty.org
Sheriff	Michael Crain	473-5120	mcrain@marincounty.org
Sheriff - OES	Ursula Hanks	473-5039	uhanks@marincounty.org

FORMAL COMPLAINTS

All formal complaints and/or investigations are coordinated with the appropriate Deputy Directors in the department involved and the appropriate management staff in either the Department of Human Resources for employment-related issues or the Department of Public Works for program access and physical accessibility issues.

All Department Disability Access Coordinators have direct access to key government officials so that noncompliance issues can be promptly and effectively corrected when identified.

<div align="center">

William Campagna, M.S.
Disability Access Manager
3501 Civic Center Drive, Room 304
San Rafael, CA 94903
(415) 473-6065 (Voice/CRS dial 711)
(415) 473-3799 (fax)
disabilityaccess@marincounty.org
http://www.marincounty.org/depts/pw/divisions/disability-access

</div>

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #3

DISABILITY ETIQUETTE

The basic issue to understand is that people with disabilities are not conditions or diseases; they are individual human beings who happen to have disabilities. First, they are people. For example, a person is not an epileptic but rather is "a person with epilepsy". The simple practice of speaking and thinking of people with disabilities as "people first" can change our perception to one where the disability no longer defines the person but is simply a descriptor (like the color of a person's eyes or hair).

Reception Etiquette

The first contact an individual has with a county program or service is usually at a reception desk. Therefore, the first impression an individual has about that entire program is often based on how they are first received. Good customer service requires establishing a welcoming environment for all our customers, however, for people with disabilities there are sometimes additional things to consider.

For example, receptionists should know where the closest accessible restrooms, drinking fountains, and telephones are located.

Sometimes people raise their voices unnecessarily when addressing people with disabilities. Use your normal tone when welcoming a person with a disability, unless requested to do otherwise.

When introduced to a person with a disability it is appropriate to offer to shake hands, as you would with anyone else. People with limited hand use or who use a prosthetic limb can usually shake hands.

People with developmental disabilities are not perpetual children. Treat adults in a manner befitting adults. Call a person by their first name only when you are extending that familiarity to all others present.

When speaking to a person who uses a wheelchair, don't lean on the wheelchair. The wheelchair is a part of the individual's personal space. When speaking to a person with a disability, speak to that person, not through a companion.
When a person is using a sign language interpreter, speak to the person, not the interpreter.

Do not provide assistance where it is not solicited. Offer to assist respectfully and be prepared that your offer may be politely declined. If the offer is accepted, listen carefully and accept direction on how you can be of assistance.

Allow a person with a visual impairment to take your arm (at the elbow). This way you can easily guide the individual rather than direct them.

Conversational Etiquette

When speaking with a person with a disability, first… relax and be yourself. Look and speak directly to the person the same way you would to anyone else. Do not speak through a companion, speak to the person you are conversing with.

Don't be afraid to use terms like "See you later" to a blind person or "I've got to be running" to a person with a mobility impairment. These common expressions are acceptable and appropriate.

When speaking to a person with a hearing impairment, it is acceptable to tap them on the shoulder to get their attention if they are facing away from you. Make eye contact and speak directly to the person in a clear, natural voice. You may want to speak slightly slower than usual at first to determine if the person reads lips. Not all people with hearing impairments read lips. Be considerate by not eating or smoking when communicating with someone who reads lips. Keep your hands away from your mouth when speaking and try to remain in well lighted environments. Shouting will not help. Writing notes may.

When speaking with a person who uses a wheelchair, pull up a chair for yourself. A common eye level will facilitate better communications.

When greeting a person with a significant visual impairment, remember to identify yourself, and others who are with you, at the beginning of your conversation. When speaking in a group, state the name of the person you are speaking to. This will provide cues making it easier to follow group interactions. Make it known when you are finished and when you are leaving.

When conversing with a person who has a speech impairment, listen attentively. Be encouraging, not correcting and do not try to complete sentences for the person. Don't pretend to understand what you do not understand. Be willing to repeat what you understand and ask directly about what you may have difficulty understanding.

Great thanks to the City and County of San Francisco, Mayor's Office on Disability for providing text for this Guidance Bulletin.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #3a

WRITING FOR AND ABOUT PEOPLE WITH DISABILITIES

When writing about people with disabilities, you are in a unique position to shape the public image of people with disabilities. The words and images you use can create either a straightforward, positive view of people with disabilities or an insensitive portrayal that reinforces common myths and is a form of discrimination. The following set of guidelines can help you make better choices in terms of language and portrayal. These guidelines explain preferred terminology and suggest appropriate ways to describe people with disabilities. Please use these guidelines when writing about people with disabilities.

Do Not Focus on Disability
Focus on the person, not the disability. Avoid tear-jerking human-interest stories about incurable diseases, congenital impairments, or severe injury. Focus instead on issues that affect the quality of life for those same individuals, such as accessible transportation, housing, affordable health care, employment opportunities, and discrimination.

Do Not Use Generic Labels
Avoid generic labels for disability groups, such as "the retarded" or "the deaf." Emphasize people not labels. Say, people with cognitive disabilities or people who are deaf.

Do Not Portray People with Disabilities as Superhuman
Avoid portraying people with disabilities as superhuman. Even though the public may admire super-achievers, portraying people with disabilities as superstars raises false expectations that all people with disabilities should achieve this level.

Do Not Sensationalize a Disability
Do not sensationalize the disability by saying afflicted with, crippled with, suffers from, victim of, and so on. Instead, say person who has multiple sclerosis or man who had polio.

Put People First
Put people first, not their disability. Say, a man who is blind, children who are deaf, people with disabilities. This puts the focus on the individual, not the particular functional limitation.

Emphasize Abilities
Emphasize a person's abilities, not their limitations. For example: she uses a wheelchair, he walks with crutches. Never say confined to a wheelchair, wheelchair-bound, or crippled. Similarly, do not use emotional descriptors such as unfortunate, pitiful, and so forth. Most disability groups strongly object to using euphemisms to describe disabilities. Terms such as handicapable, mentally different, physically inconvenienced, and physically challenged are considered condescending. They reinforce the idea that disabilities cannot be dealt with up front.

Show People with Disabilities as Active
Show people with disabilities as active members of society. Portraying persons with disabilities interacting with non-disabled people in social and work environments helps break down barriers and open lines of communication.

ACCESSIBILITY GUIDANCE BULLETIN #4

PLANNING ACCESSIBLE PUBLIC MEETINGS

The opportunity to participate in government, including participation in public meetings, is a fundamental right of citizens of the United States. Both state and federal laws guarantee this right. The Americans with Disabilities Act (ADA) requires that an individual with a disability not be denied the opportunity to participate in any government program, service or activity because a government entity's facilities are inaccessible. The Brown Act, as amended by AB 3035, specifically requires that a public entity ensure that individuals with disabilities are not denied physical or communication access to public meetings. Furthermore, a public entity must ensure that communication with members of the public with disabilities is as effective as its communications with others.

When planning public meetings, County agencies must ensure that the meetings are accessible to members of the public who have a disability. Accessible public meetings require not only physical access to the meeting facility, but also access to the information communicated through the meeting.

This Guidance Bulletin is designed to identify the primary areas of concern related to public meetings, the responsibilities of the meeting planner, and alternatives for providing solutions.

SELECTING AN ACCESSIBLE MEETING LOCATION

All public meetings must take place in locations that are accessible to persons with disabilities. All parts of the building do not need to be accessible, but parking (if provided), the path of travel into and through the facility, the meeting area, and the restrooms must be accessible. If overnight stays are involved, conveniently located accessible accommodations should also be considered. For a list of accessible meeting sites, contact the Disability Access Program or find them on the MINE at
http://mine/mine/PW/Main/docs/ACCESSIBLE_MEETING_SITES.pdf

PUBLIC MEETING NOTICES

To facilitate accessibility, use a simple, uncluttered page design for written meeting announcements. It is recommended that the font be clear and simple, such as 12 to 14 point Arial or Courier, and that text be in a contrasting color to the paper to increase legibility for readers with low vision. Be aware that some

software programs may not allow people using assistive devices, such as screen readers, to read a document.

Be prepared to design forms that can be made accessible, or post or have available a Word version of the agenda, if needed for an accommodation.

To ensure that individuals with disabilities can participate in public meetings, a notice with information regarding who to contact to request auxiliary aids and services (American Sign Language interpreters, assistive listening devices, readers, note takers, real-time captioning) or meeting materials in alternative formats (Braille, large print, audiotape or computer disk/CD) must be included on all meeting notices.

The following notice format is recommended:

<u>Standard Service Footer for Public Meetings</u>

All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (<u>telephone number</u>) (Voice), (<u>TTY number</u>) (TTY) or by e-mail at (<u>email address)</u> at least five business days in advance of the event. Copies of documents are available in alternative formats, upon request.

Always include the name and telephone number of the contact person and timelines for requesting accommodations needed, as well as, the 711 California Relay Service number or a TTY number that can be used by individuals with hearing impairments.

Be sure to designate an individual to be responsible for ensuring the meeting notice and other written materials contain the proper information for requesting accommodations and for processing requests received.

CENTRALIZED COUNTY PUBLIC MEETING & EVENT ASSISTANCE

The Disability Access Program is now able to assist individual departments and programs in securing auxiliary aids and services for public meetings through provision of a dedicated telephone number and e-mail address as the point of contact for such requests. Disability Access Program staff can assist in coordinating provision of needed accommodations, however, it is the recommendation of the Disability Access Program that individual departments provide their own contact information within standardized notices for accommodation and alternative format requests. While our office is always available to assist in the facilitation of requests should they arise, we encourage the departmental staff to be involved in the process in order that they may

familiarize themselves with handling accommodations. The provision of our centralized service numbers is for those instances where the particular program does not have sufficient staff or resources to handle accommodation requests independently. **If you use this service, you must be sure to send a copy of your meeting notice to the Disability Access Program e-mail address**.

When using this service, you may use the Disability Access Program contact information:

Disability Access Program
(415) 473-4381 (voice)
(415) 473-3232 (TTY)
disabilityaccess@marincounty.org

ALTERNATIVE FORMATS

Written materials that are distributed to members of the public, such as an agenda or hand-outs, are subject to the requirement that communication be equally effective to persons with disabilities. Therefore, upon receipt of a specific request, a public entity that provides information in written form must make that information available to individuals in a form that is usable by them. Alternative formats may include digital file, audiotape, large print or Braille.

The type of format necessary to ensure effective communication will vary with the individual's needs and the length and complexity of the communication involved. The county will provide an opportunity for individuals with disabilities to request the alternative format of their choice. An interactive discussion with the individual is encouraged when clarification regarding the type of alternative format to be provided is needed. This discussion may result in identifying practical options for the County that are also suited to meet the requestor's needs. According to the U.S. Department of Justice, the expressed choice of the individual must be given primary consideration unless the public entity can demonstrate that another effective means of communication exists. If there is a disagreement, please consult with your Department Head or the Disability Access Program before denying a request.

Although providing documents in alternative formats may result in some additional cost, a public entity may not place a surcharge on individuals with disabilities to cover these expenses. If a document is available to the public free of charge, it must also be available in an alternative format free of charge. If a fee is charged to the general public, this fee must be the same for documents provided in alternative formats.

AUXILIARY AIDS AND SERVICES

Upon receipt of a specific request, it may be necessary to provide auxiliary aids and services to individuals with disabilities to allow full participation in a public meeting. These may include, but are not limited to:

Sign Language Interpreters
A qualified interpreter is an individual who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any specialized vocabulary that may be necessary.

Audio Recording
Providing materials in recorded format is a method of making information accessible to persons who have visual, learning or physical disabilities. Audio material is commonly recorded on CD, but it may be provided in other forms of digital files.

Real-Time Transcription
A method of making information accessible to individuals who are hearing-impaired, real-time transcription permits verbal input to be transcribed to a computer which displays a running transcript of the proceedings, much like closed-captioning on a television.

Assistive Listening Devices
An assistive listening device (ALD) is a communication system that enables individuals who are hard-of-hearing to better comprehend speech or music. The four main types of ALDs are: Acoustic, Frequency Modulated, Induction (loop) and Infrared.

Open and Closed Video Captioning
Open captions are captions that have been decoded, so they are a part of the video or television picture, similar to sub-titles in a film. Open captions cannot be turned off. Closed captions are captions hidden in the video signal that remain invisible without a special decoder to decipher them.

RESOURCES:

Braille and other Accommodations for People with Visual Disabilities

Lighthouse of Marin
Whistlestop Senior Center
930 Tamalpais Avenue
San Rafael, CA 94901
(415) 258-8496
(415) 258-8501 (fax)
fkramarz@lighthouse-sf.org/marin
www.lighthouse-sf.org/marin
Braille, Transcription and Audiotape Services

Lions Center for the Blind
2115 Broadway
Oakland, CA 94612
(510) 450-1580
(510) 654-3603 (fax)
www.lbcenter.org
Training in Use of Assistive Equipment

With Braille vendors:
➢ You may send the document to be Brailed by e-mail or on disk
➢ The file should be in Word, WordPerfect, or a text file
➢ If the file is in PageMaker or other "publisher" software, you will need to convert it to a different type of file
➢ If you only have a print copy, it can be scanned or re-typed for an additional fee
➢ Costs vary, so confirm estimated cost with the vendor you select
➢ Brailed materials will be sent to you with an invoice
➢ You may request that the Brailed materials be sent directly to the individual free of charge via the U.S. Postal Service "Free Matter for the Blind"

Spreadsheets and Graphs

Spreadsheets and graphs can be Brailed, but in a different format according to the Braille Code. Usually they will list the column headings separated by semicolons, and then Braille the columnar material in paragraphs, without repeating the heading every time. For the reader, they insert an explanation as to how to read it. If brailing complicated tables, charts and graphs, it is helpful to summarize in narrative form, the information being presented. It is helpful to provide a print copy of the chart as well as the document on disk. Codes for tables and boxes have to be removed, as the Braille program does not recognize

them.) It also helps if the chart on disk is set up for 8 ½" x 11" paper, portrait orientation. But they will work with whatever is sent.

Free Postage When Mailing Braille, Large Print, and Audio Tapes

Most alternative format materials can be mailed free through the U.S. Postal Service to people who are blind, low vision, or who cannot use or read conventionally printed materials due to a physical, cognitive or other sensory disability. This includes brochures, information sheets, booklets, and other reading matter, in Braille, large print (14-point or larger), or on tape. To use this service, omit stamps and print the words Free Matter for the Blind & Handicapped in the upper right hand corner of the envelope or package. These materials are subject to inspection by the Postal Service and may not contain any advertising. Handwritten or typewritten letters are subject to regular postage.

Certified American Sign Language Interpreters
> ➢ Bay Area Communication Access
> (415) 356-0405
>
> ➢ Communiqué Services
> (707) 546-6869
>
> ➢ Hired Hands
> (510) 659-1882
>
> ➢ Interpreting and Consulting Services
> (707) 747-8200
>
> ➢ Purple Services
> (866) 669-7707

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

RID is a national membership organization representing the professionals who make communication possible between people who are deaf or hard of hearing and people who can hear. **When scheduling interpreter services, always request RID certified interpreters**. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

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

Computer Assisted Real-Time (CART) captioning

- Jane James

  (510) 530-3989

  captioning@earthlink.com

- Jennifer Rodrigues

  (510) 888-9825

  jenniferrod@compuserve.com

- Katherine Baca
  875 Burnett, #8
  San Francisco, Ca
  (415) 279-7195 (Voice)
  bacakitty@aol.com

- Richard A. Walker

  Albany, Ca
  (510) 525-3327
  rawalker@pacbell.net

- Laura Brewer & Associates

  49 Lyell Street
  Los Altos, Ca 94022
  (650) 949-1900 (Voice)
  laura@quicktext.com
  www.quicktext.com

The Marin Center for Independent Living (MCIL) may provide referrals to additional service providers. They can be contacted at: (415) 459-6345.

PUBLIC TRANSPORTATION

It is always a good practice to conduct public meetings in close proximity to accessible public transportation. There must be a safe and accessible path of travel leading from the transportation stop to the facility entrance. (Title 24, CCR section 1114B.1.2)

PARKING

If parking is provided, the parking area must have the correct number of appropriately marked accessible parking spaces. In most circumstances both van and passenger vehicle access aisles must be provided. In addition, there must be a safe path of travel provided between the parking area and the entrance to the facility. (Title 24, CCR section 1129B.1)

RESTROOMS

At least one set of restrooms within the facility must be accessible. If there is more than one set of restrooms, but not all are accessible, there must be directional signage that indicates where the accessible restrooms are located. (Title 24, CCR section 1117B.5)

TELEPHONES AND DRINKING FOUNTAINS

Whenever possible, public meeting locations should have at least one accessible telephone and one accessible drinking fountain. At least one telephone per floor should have amplification capabilities and be accessible to persons using wheelchairs. Where drinking fountains are provided, at least one per floor must be accessible to persons using wheelchairs and must be enclosed in an alcove or not encroach into an accessible route. (Title 24, CCR section 1117B1.2 and 1117B.2)

MEETING ROOMS AND BREAK-OUT ROOMS

Meeting rooms and break-out rooms must be arranged with consideration for the full participation of persons with disabilities. All public meeting space should be wheelchair accessible. This should include integrated wheelchair seating, turning room, and adequate aisle space. (Title 24, CCR section 1118B)

SPEAKER PLATFORM

If there is a raised platform, an accessible ramp must be provided, as well as an accessible path of travel leading to the platform. Microphones should be adjustable in order to adapt to the height of the speaker. (Title 24, CCR section 1133B.5)

EMERGENCY EVACUATION

There must be an emergency evacuation plan for individuals with disabilities. One should not assume that all individuals with disabilities need special assistance in an evacuation, but should always ask before providing assistance.

ADDITIONAL MEETING ACCESSIBILITY RESOURCES:

<u>Accessible Portable Toilets</u>
Ajax Portable Toilets – (800) 282-8988
JW Enterprises Portable Toilets – (800) 350-3331
Portosan Portable Toilets – (800) 545-5516
Waste Management – (800) 862-4659

<u>Accessible Portable Sinks and Toilets</u>
United Site Services – (800) 322-2263

<u>Portable Wheelchair Lifts</u>
somArts – (415) 863-1414 (extension 105)

<u>Accessible Van Transportation</u>
MV Transportation – (707) 863-8980

<u>Accessible Bus Services</u>
http://transit.511.org/disabled/index.asp

<u>Note</u>: Provision of lists of resources does not constitute endorsement by the County of Marin, nor does omission imply non-endorsement. Our goal is to provide you with information on some key resources available. Please let us know if you're aware of a useful resource missing from this list.

Additional information may be obtained from:

The Federal Access Board
1331 F Street NW, Suite 1000
Washington, DC 20004-1111
(800) 872-2253
(800) 993-2822 TTY
(202) 272-0081 FAX
www.access-board.gov

U.S. Department of Justice
Disability Rights Section
950 Pennsylvania Ave. NW
Washington, DC 20530
(800) 514-0301
(800) 514-0383 TTY
(202) 307-1198 FAX
www.usdoj.gov/crt/ada

Division of the State Architect
Universal Design Program
1102 Q Street, Suite 5100
Sacramento, CA 95814
(916) 445-8100 (Voice/TTY)
www.dsa.dgs.ca.gov/UniversalDesign

County of Marin
Disability Access Program
Department of Public Works
3501 Civic Center Drive, Room 304
San Rafael, CA 94913
(415) 473-6065 (Voice)
(415) 473-3232 (TTY)
(415) 473-3799 FAX
wcampagna@co.marin.ca.us
http://www.marincounty.org/depts/pw/divisions/disability-access

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #4a

ACCESSIBLE PUBLIC MEETING AND EVENT CHECKLIST

It is the policy of the County of Marin to ensure that all County sponsored public meetings and events are physically and programmatically accessible to people with disabilities. This checklist has been developed in order to assist County departments in assessing potential sites and to ensure that all County meetings and events comply with federal and state laws by being accessible to persons with disabilities.

Meeting or Event Name/Description:
_____

Meeting or Event Location/Address:
_____

Meeting or Event On-Site Contact:
_____

Telephone #: _____ e-mail: _____

Date & Time of meeting or Event:
_____

Responsible Department:
_____

Department Disability Access Coordinator or Contact Person:
_____

Telephone #: _____ e-mail: _____

Department Disability Access Coordinators or designated department staff members are responsible for ensuring that accessibility is verified at least 10 working days prior to any county-sponsored public meeting or event. This form is provided for your use only and is not required to be completed or submitted to any party. If it appears that the meeting or event cannot be made physically or programmatically accessible, please contact the County Disability Access Manager at (415) 473-6065 (Voice/CRS dial 711) to discuss possible alternative solutions or sites.

Section One of this checklist is designed to assess compliance with program access and physical accessibility standards, to ensure that meetings and events will be accessible not only to persons with physical disabilities, but to people with sensory, cognitive, and other disabilities, as well.

Section Two of this checklist is designed to ensure that potential meeting sites and event locations comply with physical accessibility standards.

NOTE:
ITEMS LISTED FIRST AND IN BOLD ARE <u>MINIMUM REQUIREMENTS</u>. PLEASE DO NOT CONSIDER HOLDING A PUBLIC EVENT WITHOUT THESE IN PLACE. ITEMS LISTED LAST, IN *ITALICS,* ARE STRONGLY RECOMMENDED.

<u>PROGRAMMATIC ACCESSIBILITY CHECKLIST</u>

<u>Notice</u>   YES   NO

1. All notices and announcements for the event or meeting include accessibility information (See samples in Guidance Bulletin #4)   ☐   ☐

2. All notices and announcements for the meeting or event include information on whom to contact to request accessibility accommodations.   ☐   ☐

<u>Communication Access</u>

1. If a microphone is provided for public participation, the microphone cable is long enough to serve accessible seating areas or a wireless unit is provided.   ☐   ☐

2. Film or video materials used at this event are captioned.   ☐   ☐

3. Printed materials are available upon request, in alternative formats.
This generally requires an electronic version of any materials. Large print copies (14 to 18 point) are recommended.   ☐   ☐

4. *For meetings of 50 or more people, Assistive Listening Devices (ALDs) are available.*   ☐   ☐

5. *Signage of where to obtain ALDs is posted with ALD symbol at the site*.   ☐   ☐

6. *For meetings of 100 or more people, Real-Time Captioning has been scheduled.*   ☐   ☐

7. *For meetings of 500 or more people, two American Sign Language Interpreters have been scheduled.*   ☐   ☐

8. *An aural description is available, either through the presenter or through pre-recorded audiotape.*   ☐   ☐

9. *The meeting is accessible by speakerphone or Bridge Line.*   ☐   ☐

<u>PHYSICAL ACCESSIBILITY CHECKLIST</u>

<u>Getting to the Meeting or Event:</u>   YES   NO

1. **An accessible route exists from the street to the meeting or event and all meeting and event activities.**   ☐   ☐

2. **All public meetings and events should have signage to direct the public to the location. In the unusual situation in which the main route to the meeting is not accessible, the accessible route with directional signage is provided.**   ☐   ☐

Transportation: YES   NO

1. If the meeting or event itself includes transportation, wheelchair accessible vehicles are also available and advertised as available to the public.   ☐   ☐

2. *The meeting or event is located close to accessible public transportation.*   ☐   ☐

3. *An accessible route is provided from the public transportation stop to the building or facility entrance.*   ☐   ☐

4. *Accessible parking is available (review # of car and van accessible spaces).*   ☐   ☐

5. *There is accessible passenger loading and unloading space.*   ☐   ☐

Amenities:

1. Accessible restrooms are available within 200 feet of the event's location   ☐   ☐

2. **Accessible drinking fountains are available** (if drinking fountains provided).   ☐   ☐

3. **Accessible telephones are available** (if telephones are provided).   ☐   ☐

4. **Art displays or exhibits are positioned to provide an accessible route and to not be a hazard to people who are blind or have visual disabilities**.   ☐   ☐

5. If food or beverages are provided, the service is located on an accessible route. Self-service items are reachable from a seated position with accessible operating mechanisms. [Countertops are 28 – 34 inches high.]   ☐   ☐

Seating:

1. If seating is provided, wheelchair and companion seating is dispersed in multiple location(s) and seating ratio.   ☐   ☐

2. Seating is available for deaf and hard of hearing people near the front of the space so that attendees may see the interpreter/captioner, or lip read.   ☐   ☐

3. *Signs are provided indicating the accessible seating areas for both wheelchair users and persons who are deaf or hard of hearing.*   ☐   ☐

Event Set-up

1. If a stage or platform is provided, it is accessible by means of a ramp, wheelchair lift, or portable wheelchair lift.   ☐   ☐

2. If a dais or podium is provided for the public, an accessible dais or podium is also provided.   ☐   ☐

3. Fencing or other crowd control barriers are placed so as to provide an accessible route, and barricading complies with County DPW barricade standards.   ☐   ☐

ACCESSIBLE PUBLIC MEETING AND EVENT DEFINITIONS

Accessibility Information – All meeting or event notices shall include information on how to request accommodations, including alternative formats or auxiliary aids and services, notice of wheelchair accessibility, and information on whom to contact to make accommodation requests. Please see sample public meeting notices in Guidance Bulletin #3b.

Accessible Podium (Dais) – A fixed or mobile speaker or presenter's table or podium that is no higher than 34" on which a microphone and presentation materials can be placed**.**

Accessible Drinking Fountains – Drinking fountain with the bubbler no higher than 36" with knee clearance underneath that is 27" high x 18" minimum deep and a level clear floor area in front of it.

Accessible Entrance – An entry door or gate is a minimum 32 inches clear when opened 90 degrees; threshold is no higher than ½ inch (3/4 inch may e permitted in existing conditions if beveled), and door is easily opened, or has automatic door opener.

Accessible Exhibit Materials – Alternative formats or services that provide equivalent exhibit information for people with sensory disabilities in a manner appropriate to the program material. Examples include but are not limited to:

1. Titles of work and narrative using large 14 point san serif fonts on a high contrast background
2. Taped audio descriptions of photographs/artwork
3. Tactile replicas of art objects
4. Captioning of video or film presentations
5. Trained staff available to provide descriptions or tours

Accessible Surface – Firm, stable and slip resistant surfaces, such as concrete, asphalt, wood, carpet, portable flooring etc. Grass, dirt, wood chips and sand are not accessible surfaces.

Accessible Parking – A ratio of parking provided for the exclusive use of people with disabilities, located near the accessible entrance to the facility. Note: temporary accessible spaces can be created using signs and cones or chalk powder lines, provided that the minimum parking space and side access aisle dimensional requirements are met.

The minimum parking ratios required are:

1 to 25 spaces	One van accessible space
28 to 50	One auto and one van accessible spaces
51 to 75	Two auto and one van accessible spaces
76 to 100	Two auto and one van accessible spaces
101 to 150	Four auto and one van accessible spaces
151 to 200	Five auto and one van accessible spaces
201 to 300	Six auto and one van accessible spaces
301 to 400	Seven auto and one van accessible spaces
401 to 500	Seven auto and two van accessible spaces
501 to 1000	2% autos with a minimum of one out of eight or fraction thereof van accessible

Accessible Parking Space – An auto parking space with identification signage that is 9 feet min width and 19 feet min length with an adjacent 5 feet clear access aisle. The parking space and access aisle shall be level.

Accessible Van Parking Space – A van accessible parking space with identification signage that is 9 feet min. wide, 19 feet min long with an adjacent 8 feet clear access aisle. The parking and side access aisle space shall be level and have an 84 in. minimum clear height.

Accessible Passenger Drop Off Area – a 25-foot long vehicular passenger drop off area with a 5 feet min with adjacent aisle space that is level and 25 feet.

Accessible Portable Toilets and Sinks – Toilets and sinks that meet state and federal requirements for wheelchair accessibility. Acceptable toilet manufacturers include, but are not limited to, Satellite and L&L Manufacturing. If one unit is to be provided, it must be accessible. When multiple units are provided, a minimum of 10%, but not less than one unit, and not less than one unit per cluster of units. Accessible toilets and sinks shall be located on a level area, along an accessible route, with an accessible surface. Ramps to accessible units shall not exceed 1:12 slope, have handrails on both sides, and a 60 inch square level landing at the unit door. **Please note: This information is provided for situations in which the general public will be using portable toilets. A portable, accessible toilet is NEVER equivalent access if the general public is using indoor toilets.**

Accessible Restrooms – Toilet rooms that are located on an accessible route and contain accessible features including 32" minimum entry, an interior 60" turning space, lavatory with 27" min. knee space, wide toilet compartments with grab bars, and all accessories mounted no higher than 44 inches to the upper most control, etc.

Accessible Route – A continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.

Accessible Tables – A table providing knee space that is a minimum of 27" high, 30" wide and 19" deep unobstructed knee space with the tabletop no higher than 34".

Accessible Telephones – Telephones that are located on an accessible route, mounted at 48" from the floor to the coin slot and have volume controls.

Assistive Listening Device – A device that takes a signal from a microphone or public address system and sends it to a personal amplification system. Assistive Listening Devices (ALDs) can be procured through companies that provide public address systems (see Resource list below).

Captioned – Video or film program with subtitles reflecting the content of the spoken or descriptive material.

Directional Signage – Signage that indicate the direction of the accessible route when the accessible route is not the same as that of the general public **The signage may be directional arrows that include the International Symbol of Accessibility (ISA)**. Directional signage should be placed at any directional change that is not the same as that of the path of the general public.

Hazard to People Who are Blind or Have Visual Disabilities – Pedestrian and participant areas shall be clear of objects (including plant branches and public art) which overhang less than 80" from the floor surface, or wall, and post mounted or freestanding objects that protrude 4" or more between 27" and 80" above the floor or ground into circulation areas.

Portable Wheelchair Lift – A lift that is not built into the structure but can be available for a specific event. Portable wheelchair lifts can be rented by calling (415) 863-1414 ext.105.

Accessible Seating Location – Accessible seating must be situated so those individuals who cannot stand can view the meeting or event over seated or standing participants. Seating for persons who are deaf must be provided in a location near the stage/ presentation area with direct view to the stage/presentation location of sign language interpreters.

Seating Ratio – The number of accessible seats in relation to the number of seats provided as follows:

1 to 25   One seat

26 to 50   Two seats

51 to 300   Four seats

301 to 500   Six seats

over 500   Six, plus one additional space for each increase of 100

Wheelchair and Companion Seating – Seating for wheelchair users and adjacent, shoulder aligned seating for individuals accompanying wheelchair users that is located on the same level as that of the wheelchair user.

**To receive a copy of this document in an alternate format
or for additional information, please contact:**

County of Marin
Disability Access Program
Marin Civic Center, Room 304
San Rafael, CA 94913
(415) 473-4381 (Voice/CRS dial 711)
(415) 473-3799 FAX
disabilityaccess@marincounty.org
http://www.marincounty.org/depts/pw/divisions/disability-access

Checklist provided courtesy of the City and County of San Francisco, Mayor's Office on Disability. Great thanks for approving its use by the County of Marin.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #5

**PROVIDING AUXILIARY AIDS AND SERVICES
AND DOCUMENTS IN ALTERNATIVE FORMATS**

One means of ensuring that County programs and services are accessible to everyone is to take the necessary steps to effectively communicate with all the County's residents and visitors. For some persons with disabilities this means providing auxiliary aids and services, such as American Sign Language (ASL) interpreters, Certified Real-Time Captioning (CART) or Assisted Listening Devices (ALD) and for some, it means providing information in alternative formats, such as Braille, Large Print, Computer Disk or Audiotape.

REQUIREMENT TO PROVIDE AUXILIARY AIDS AND SERVICES AND DOCUMENTS IN ALTERNATIVE FORMATS

Under Title II of the Americans with Disabilities Act of 1990, all public entities are required to ensure "equally effective communication" and to provide "auxiliary aids and services" to individuals with cognitive or sensory disabilities.

Auxiliary aids and services, in addition to those listed above, may also include making "PDF" files and other electronic documents, including e-mail and websites, accessible to blind persons and others who rely on audible computer screen readers.

Alternative formats of print materials are to be provided just as the County of Marin would provide any other modification of policies, practices or procedures, upon request by a qualified person with a disability. It is therefore advisable to have a variety of such materials on hand and readily available in situations where persons with a disability may have a particular interest or at meetings where persons with disabilities would be likely to attend.

REQUIREMENT TO PROVIDE THE FORMAT REQUESTED

The County of Marin, like all public entities, must give "primary consideration" to the specific aid or service requested. For example, if information in Braille is requested, the County should try to provide the information in Braille. The only circumstances under which the County may choose not to provide the aid or service requested is if the agency can demonstrate that another "equally effective means of providing access" is available, or that use of the means requested would result in undue financial or administrative burden.

PROVIDING ALTERNATIVE FORMATS IS GOOD CUSTOMER SERVICE

If someone requests a particular alternative format, you may offer other alternatives. For example, if someone requests information in Braille, you may mention that you can also provide it on computer disk which may be read by an audible screen reader. The individual may opt for the computer disk, not knowing that was an option, or may confirm the request for Braille. The person may not have a computer, or may simply prefer to have a "hard copy" of the information.

NOTIFICATION OF AVAILABILITY OF ALTERNATIVE FORMATS

Print materials (such as meeting notices, agendas, reports, departmental brochures) should contain a statement that advises people that alternative formats are available upon request for people with disabilities.

To facilitate accessibility, use a simple, uncluttered page design for written meeting announcements. It is recommended that the font be clear and simple, such as 12 to 14 point Ariel or Courier, and that text be in a contrasting color to the paper to increase legibility for readers with low vision. Be aware that some software programs may not allow people using assistive devices, such as screen readers, to read a document. Be prepared to design forms that can be made accessible, or post or have available a Word version of the agenda, if needed for an accommodation.

To ensure that individuals with disabilities can participate in public meetings, a notice with information regarding who to contact to request auxiliary aids and services (American Sign Language interpreters, assistive listening devices, readers, note takers, real-time captioning) or meeting materials in alternative formats (Braille, large print, audiotape or computer disk/CD) must be included on all meeting notices.
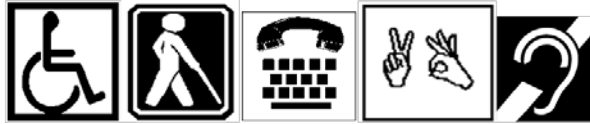
The following notice format is recommended:

Standard Service Footer for Public Meetings

All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TTY) or by e-mail at (email address) at least five business days in advance of the event. Copies of documents are available in alternative formats, upon request.

Standard Service Footer for Large Publications

All County publications are available in alternative formats (Braille, Large Print, or CD), upon request. Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TTY) or by e-mail at (email address).

Standard Service Footer for Smaller Publications
(Fliers, brochures, etc.), including both electronic and hard copy.

Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TDD/TTY) or by e-mail at (email address). Copies of documents are available in alternative formats, upon request.

Always include the name and telephone number of the contact person and timelines for requesting accommodations needed, as well as, the 711 California Relay Service number or a TTY number that can be used by individuals with hearing or speech impairments.

CENTRALIZED COUNTY PUBLIC MEETING & EVENT ASSISTANCE

The Disability Access Program is now able to assist individual departments and programs in securing auxiliary aids and services for your public meetings.   As you know, all announcements of county sponsored public meetings require inclusion of a statement offering to provide accommodations upon request. If you chose, you may now put the dedicated telephone number and dedicated e-mail address below as the point of contact for such requests and Disability Access Program staff will assist in coordinating provision of needed accommodations. These could include American Sign Language interpreters, readers, note takers, assistive listening devices and other auxiliary aids and services. Please be sure to conduct all meetings at accessible sites. A list of accessible sites is available from the Disability Access Program.

If you use this service, you must be sure to send a copy of your meeting notice to the Disability Access Program e-mail address.

Disability Access Program
(415) 473-4381 (voice)
(415) 473-3232 (TTY)
disabilityaccess@marincounty.org

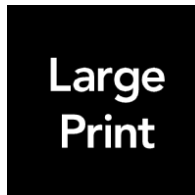PUBLIC HEARINGS WITH PRINT INFORMATION

If you will be providing print materials at a public hearing, be sure to include the statement above regarding availability of alternative formats **on the public hearing notice and agenda**. If it is an event that is likely to be of particular interest to the disability community, meeting planners should plan to have large print and computer disk versions of meeting materials available at the meeting.

Symbols can be used to indicate availability of alternative formats
You are encouraged to place these symbols next to the relevant information in your publications such as program brochures, application forms, event flyers, public meeting or hearing notices, etc. Symbols should be at least 18 point.

Here are symbols that denote alternative format access:

Large print version available   Brailed version available
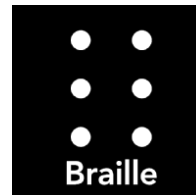
Positive and negative tiff files of this and other disability access symbols are available for copying or downloading at the following website: http://www.gag.org/resources/das.php

HOW TO PROVIDE ALTERNATIVE FORMATS

The requested alternative format should be provided in a timely fashion. Depending on the format requested, it may take a few minutes, a day, a week, or more to provide the alternative format. Making a large print version or putting the document on a CD/DVD may be easily and quickly accomplished. Providing a Braille version of information may take up to a week or longer, depending upon the length and complexity of the document. When providing alternative formats, descriptive information about graphics should be included in a "text only" version of the document.

Braille

Since Marin County does not have Brailing services internally, you must use an outside vendor. Because of this, it will take more time to provide Braille versions of documents. If the document is fairly short and straightforward, you can get a document Brailed within a few days. If the document is longer and/or complex, you will need to confirm delivery date with the vendor. If the information is already a Word, WordPerfect, or text file document, you can simply e-mail the document to the Braille vendor. If it is in PageMaker or other "publisher"

software, you will need to convert it to an acceptable type of file prior to sending it to the vendor. If it is some other type of document, contact the vendor to see what you will need to provide for them to do the Brailing.

Large Print

This is one of the easier alternative formats to provide if the document was produced by one of the common word processing programs (e.g., Word or WordPerfect). When someone requests a document in large print, remember to ask if there is a preferred font style and/or font size because individual needs vary. One person may request the document in Univers 14-point font, while another may request Arial 18-point bold font.   As a default, use Arial font. After changing the font, you may need to do some reformatting; sometimes making a large print version "throws off" a document, just as changing margins can.

If the document is produced in PDF format or by publishing software such as PageMaker, it may take more time, as conversion to a more easily manipulated document may be required.

Computer Disk or E-mail

This is a relatively easily accomplished alternative format, particularly if the document was produced by one of the common word processing programs (e.g., Word or WordPerfect). If the individual does not request the document to be a certain type of file, remember to ask. You want to be sure the type of document you have is compatible with the individual's software. Keep in mind that headers and footers as well as materials in PDF format are often not readable by audible screen readers. Sometimes, simply saving a copy of the original document onto a disk will fulfill the individual's request. For additional information about converting word processing or PDF documents to screen-readable text documents, please contact Christine Camilleri, Senior Systems Support Analyst at Marin County IST – (415) 499-7152.

Please be reminded that when providing Auxiliary Aids or Services, Alternative Formats, or any other accommodations to make a County program, service, or activity accessible to and usable by persons with disabilities, **the County may not charge the individual requiring the accommodation(s)**.

For lists of resources see Disability Access Bulletin #4 – Planning Accessible Public Meetings.

For additional information, please contact:
County of Marin
Disability Access Program
Marin Civic Center, Room 304
San Rafael, CA 94913

(415) 473-4381 (Voice/CRS dial 711)
(415) 473-3799 FAX
disabilityacess@marincounty.org
http://www.marincounty.org/depts/pw/divisions/disability-access

Great thanks to the City and County of San Francisco, Mayor's Office on Disability for providing text for this Guidance Bulletin.

COUNTY OF MARIN

Service Recipient Accommodation Request Form

REQUESTER:

Name: _____

Address: _____

City/State/Zip Code: _____

Telephone/TDD and/or e-mail Address:_____

THIS IS A REQUEST FOR ACCOMMODATION WHICH IS NEEDED BECAUSE OF MY DISABILITY

1. I am applying for services or wish to participate in a program, service or activity provided by the **County of Marin**, Department of _____.

2. The accommodation I am requesting will allow me to participate in the following program, service or activity: _____.

3. My specific functional limitation affecting my ability to fully participate in this program, service or activity is: _____.

4. I believe the following accommodation will allow me to participate in this program, service or activity:_____.

Additional Information:
_____
_____
_____
_____

REQUESTORS SIGNATURE: _____ **DATE:** _____

The County of Marin seeks to provide full participation and equal access for all persons with disabilities in all its programs, services and activities and is committed to working with individuals via an interactive process to identify the appropriate accommodation(s) needed to achieve this end. Thank you for you assistance and cooperation in this process.

INTERNAL USE ONLY: ACCOMMODATION PROVIDED:
_____
_____

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #5b

PROVIDING PUBLIC INFORMATION IN ALTERNATIVE FORMATS

The County of Marin is committed to ensuring the opportunity for full participation for people with disabilities in all county programs, services, and activities. A critical component in achieving program access is the provision of County publications in accessible formats so that communication is equally effective to persons with disabilities. This applies to all County produced publications, whether distributed in hard copy or electronically (email or website), including, but not limited to: reports, newsletters, pamphlets and public meeting announcements.

Notification
The County is required to include a formal notice on all County produced publications advising the public how to request the information included in alternative formats. Alternative formats may include computer disk, audiotape, large print or Braille.

In addition to providing a notice on formal County publications, less formal written materials that are distributed to members of the public, such as an agenda or meeting hand-outs, are also subject to the requirement that communication be equally effective to persons with disabilities. Therefore, all meeting announcements must provide contact information for requesting meeting materials in alternative formats prior to the scheduled meeting.

The font of notices must be clear and simple, such as 12 to 14 point Arial or Courier, and the text of all documents and notices should be in a contrasting color to the paper to increase legibility for readers with low vision. On smaller documents, such as tri-fold brochures or card sized flyers, please be sure that the accessibility notice font is no smaller than the other printed information. For documents with multiple pages, such as newsletters and handbooks, the notice should be printed within the first few pages of the document where it can be readily found.
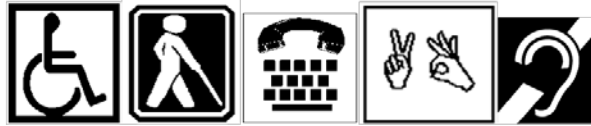
Recommended language for notices is provided below.

Standard Service Footer for Public Meetings

All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (telephone number) (Voice), (TTY number) (TTY) or by e-mail at (email address) at least five business days in advance of the event. Copies of documents are available in alternative formats, upon request.

Standard Service Footer for Large Publications

All County publications are available in alternative formats (Braille, Large Print, or CD), upon request. Requests for accommodations may be made by calling (<u>telephone number</u>) (Voice), (<u>TTY number</u>) (TTY) or by e-mail at (<u>email address</u>).

Standard Service Footer for Smaller Publications
(Fliers, brochures, etc.), including both electronic and hard copy.

Requests for accommodations may be made by calling (<u>telephone number</u>) (Voice), (<u>TTY number</u>) (TDD/TTY) or by e-mail at (<u>email address</u>). Copies of documents are available in alternative formats, upon request.

Please note that while their use is recommended, the accessibility images provided in the language templates of this document may be omitted when space constraints make their use extremely difficult.

Centralized Service for Accommodation Requests
The Disability Access Program is now able to assist individual departments and programs in securing auxiliary aids and services. If you chose, you may now put the dedicated telephone number and dedicated e-mail address as included in the Standard Notices above as the point of contact for such requests in lieu of your own contact information. When using the centralized service, Disability Access Program staff will assist in coordinating provision of needed accommodations. **If you use this service, you must be sure to send a copy of your meeting notice to the Disability Access Program e-mail address:** disabilityaccess@marincounty.org.

Disability Access Program
(415) 473-4381 (voice)
(415) 473-3232 (TTY)
disabilityaccess@marincounty.org

Handling Requests for Alternative Formats
Any information provided to the public in written form must be provided to persons with disabilities in an alternative format upon request. The type of format necessary to ensure effective communication will vary with the individual's needs and the length and complexity of the communication involved. The county will provide an opportunity for individuals with disabilities to request the alternative format of their choice. An interactive discussion with the individual is encouraged when clarification regarding the type of alternative format to be provided is needed. This discussion may result in identifying practical options for the County that are also suited to meet the requestor's needs.

According to the U.S. Department of Justice, the expressed choice of the individual must be given primary consideration unless the public entity can demonstrate that another effective means of communication exists. If there is a disagreement, please consult with your Department Head or the Disability Access Program before denying any request.

Surcharges Not Permitted
Although providing documents in alternative formats may result in some additional cost, a public entity may not place a surcharge on individuals with disabilities to cover these expenses. If a document is available to the public free of charge, it must also be available in an alternative format free of charge. If a fee is charged to the general public, this fee must be the same for documents provided in alternative formats.

Electronic Documents
County documents that are posted on websites or distributed via electronic mail, whether provided in hardcopy of not, are still considered publications and must also contain a notice offering the information they include in alternative formats. Some software programs may not allow people using assistive devices, such as screen readers, to read a document (such as inaccessible PDF's). Whenever possible, you should design documents that are accessible. If not possible, you should post or have available an accessible Word version of such documents. If you need assistance in designing or providing accessible alternatives consult your Information Technology (IT) staff.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #6

TELECOMMUNICATION RELAY SERVICES – DIAL 711

ENSURING TELECOMMUNICATION ACCESS TO COUNTY PROGRAMS, SERVICES AND ACTIVITIES

In order to ensure that individuals who require telecommunication access assistance are able to access County programs, services and activities via telephone, the County will place information regarding access to the California Relay Service on all County letterheads, business cards, publications, notices, and websites. One of the following statements is required:

California Relay Service (Dial 711)

or

CRS 711.

WHAT ARE TELECOMMUNICATION RELAY SERVICES?

Telecommunications relay services are the answer to the following questions:

➢ How can deaf or speech-impaired individuals communicate with one another or with others who have no TTY?

➢ How can someone communicate on a telephone with someone who can only communicate with a TTY?

➢ How can someone speak on the phone with someone who has a speech disability?

The 711 California Relay Service is used to facilitate communication between standard telephone and TTY users, and the Speech-to-Speech service is used to facilitate telephone conversations with those who have speech disabilities**.**

THE 711 CALIFORNIA RELAY SERVICE

The California Relay Service (CRS) is a service designated for people who live or work in California and either use a TTY or want to communicate with someone who does. CRS provides easy and convenient access to telephone service through professionally trained Communication Assistants (CAs). CAs assist callers by first completing their calls, then staying on the line to relay messages

electronically by typing on a TTY or by voicing information to hearing parties. CAs provide exact translations of what they hear and voice exactly what is typed, unless the caller directs them otherwise.

The Relay Service is available 24 hours a day, 365 days a year, with no restrictions on the length or number of calls placed. There is no additional cost for the service; calls are billed at regular rates.

The State of California began using a relay service before the signing of the Americans with Disabilities Act (ADA) into law on July 26, 1990. Title IV of the ADA requires all telecommunications common carriers (telephone companies) to provide, or contract to provide, interstate Telecommunications Relay Services.

HOW DOES THE CALIFORNIA RELAY SERVICE WORK?

CRS enables hearing people using a standard telephone to communicate with people who are deaf, deaf-blind, hard-of-hearing, or speech disabled, and use a TTY or a specially equipped personal computer, and vice versa.

A person who is deaf-blind may use either a TTY (often with a larger visual display) or a TeleBraille device (with refreshable Braille display). A person who is speech-disabled types his/her conversation for the Communication Assistant to read to the standard telephone user, but can listen to the person being called with Hearing Carry Over service (also known HCO). A person who is deaf, but has speech abilities can speak to the telephone headset and the Communication Assistant will type what the hearing party says to the deaf caller on a TTY screen. This is called Voice Carry Over (VCO).

These conversations take place in real time. By law, all calls are handled in strict confidence. No records of any calls are kept and CAs may not divulge the contents of any conversation.

California Relay Service Telephone Numbers

711 (Voice/TTY), 800-735-2929 (TTY only), or 800-735-2922 (Voice)

How to make a 7-1-1 California Relay Service call to someone with a TTY

> ➢ Call the California Relay Service by dialing 711. Tell the CA the number you wish to call and the person to whom you wish to speak.

> ➢ Wait briefly while the CA dials the TTY user. After making the connection, the CA will tell the TTY user that this is a relay call.

> ➢ As with any telephone call, you and the TTY user take turns. The CA will voice the TTY user's words to you, and will type your words on the TTY for the TTY user.

- It is impolite to interrupt the other person while talking via TTY. It is respectful to be brief and to the point, taking breaks to give the other person a chance to respond.

- During the conversation, each time you finish with your turn and wish to hear from the other person, say "go ahead" or "GA" (like saying "over" in radio talk).

- For many deaf people, English is their second language. Some may use what seem to be awkward phrases, misspelled words, or may communicate thoughts and ideas without using Standard English grammar, syntax, or sentence structure. Take care to be respectful and try to avoid jargon, and use language that the caller will be able to understand, depending on his or her facility with English.

- The CA will relay what you say to the TTY user verbatim. Be sure to talk directly to your caller, not to the CA. For example, say, "How are you today?" rather than, "Ask him how he is today."

- At the end of the conversation, you or the TTY user say "GA to SK" (TTY shorthand for "Stop Keying"). If also finished, the other person will say "SK" and you both can hang up.

- A Relay Service call will likely take a bit longer than a standard telephone call. Be sure to set aside sufficient time for your call.

- Calls with TeleBraille users may take longer than the average Relay Service call. The TeleBraille unit works like a TTY, but uses a Braille display that takes longer to read than a visual output TTY screen. Be patient if the person you are calling takes a little while to respond.

HOW DOES SPEECH-TO-SPEECH WORK?

Anyone may access this service, either the individual with a speech disability or someone who would like to telephone a person with a speech disability. Either party can dial toll-free 24 hours a day to reach a trained operator who is familiar with many speech patterns and has acute listening skills. This STS Communication Assistant (CA) then completes the connection by calling the other individual. The CA is there to listen to messages from the person with a speech disability, and re-voice that message to the other party to the conversation. In this way, telephone communication will be clear and accessible to both individuals.

Speech-to-Speech Service Telephone Numbers

711 or 800-854-7784

Some individuals with speech-related disabilities may have difficulty being understood in standard telephone conversations, particularly if the callers are not

well known to each other. Speech-to-Speech users may have Parkinson's disease, cerebral palsy, multiple sclerosis, ALS, muscular dystrophy, or are people who stutter or have had a laryngectomy. Speech-to-Speech may also be useful for those who use speech synthesizers. This Speech-to-Speech service provides an intermediary "communication assistant" to facilitate effective telephone conversations.

WHAT IS VOICE CARRY OVER (VCO)?

People who can speak clearly but may not be able to hear telephone conversations can also place or receive calls through the relay service. This type of relay call is Voice Carry Over because the hard of hearing person's voice is "carried over" to the other party. In this category, no typing is required, except by a Communication Assistant (CA). The CA types everything that the other person says and the words appear as text on the VCO user's TTY or on a VCO phone.

WHAT IS HEARING CARRY OVER (HCO)?

People who can hear but may not be able to speak clearly on the phone can also place or receive calls using the relay service. This type of relay call is Hearing Carry Over because the person with a speech disability is able to hear the other party's voice. HCO users can type what they want to say using a TTY. As is the case with other relay service calls, the Communications Assistant then reads their words to the person they called.

These services are available in either English or Spanish.

For additional information, please contact:

County of Marin
Disability Access Program
Marin Civic Center, Room 304
San Rafael, CA 94913
(415) 473-4381 (Voice/CRS dial 711)
(415) 473-3799 FAX
disabilityaccess@marincounty.org (e-mail)
http://www.marincounty.org/depts/pw/divisions/disability-access (website)

Great thanks to the City and County of San Francisco, Mayor's Office on Disability for providing text for this Guidance Bulletin.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #6a

TTY USE & "Helpful Hints"

BACKGROUND

TTYs are communication devices that do not rely on voice or hearing, but have keyboards (just like a computer keyboard) and visual displays for text-based conversations. While TTYs are used primarily by deaf, hard of hearing, late deafened or deaf-blind individuals, some individuals with disabilities that affect their ability to speak clearly also use TTYs.

ENGLISH SKILLS OF TTY USERS

TTY users who are deaf may have a broad range of English skills. For many deaf individuals, English is their second language. As for anyone for whom English is a second language, he or she may use what seem to be awkward phrases, misspell words (though anyone is capable of a "typo"), or communicate thoughts and ideas without using Standard English grammar, syntax, or sentence structure. Take care to be respectful and try to use language that the caller will be able to understand, depending on his or her familiarity with English. Just as translating from French to Spanish presents unique challenges, American Sign Language ("ASL," visual) and English (print, spoken) are not the same languages.

TTY ETIQUETTE

Here are some basic rules of "etiquette" for TTY communication stated briefly. Following is a more complete explanation of each.

➢ Greet a TTY caller the same as you would a voice caller, being sure to include your name

➢ Take turns and do not interrupt the other person (unless there is an emergency).

➢ If you are interrupted by a customer or co-worker during your TTY conversation, type "pls hd" which means "please hold."

When providing a lot of information, take breaks, allowing the caller to ask questions or comment.

➢ Use abbreviations that can be clearly understood in the context of the conversation and use common TTY abbreviations (see last page).

➢ Don't worry about spelling errors if your meaning is clear within the context.

➢ Don't worry about grammatical punctuation (such as upper/lower case, periods comma- simply put a few spaces in between sentences

➢ Spell out numbers.

➢ Inflections. Insert words such as "smile" or "grin" or "sigh" to indicate attitude.

➢ When you've reached an ending point for the entire conversation, you may type "GA to SK" ["Go Ahead, (I am ready) to Stop Keying"] to indicate to the other person you are finished and ready to end the conversation.

➢ Use abbreviations that can be clearly understood in the context of the conversation and commonly used TTY abbreviations. (See TTY Abbreviations section on the last page of this information bulletin.

➢ It is considered polite to end a TTY conversation with "goodbye" or "so long" or "thanks again" before signing off with "SK".

➢ Add information about indicating emotion ... smile ... grin ... sigh ... etc.

➢ When ending your conversation, type "SKSK."

ADDITIONAL GUIDELINES ON TTY ETIQUETTE

Greet a TTY caller the same as you would a voice caller; be sure and include your name. Answer the call with the same information you would a voice call-For example, "Marin County Library, this is (your name), how may I help you?"...or whatever your office typically uses. Sometimes when people are uncomfortable with using TTYs and/or their typing may take longer, they will modify and/or abbreviate their usual greeting.

Take turns and do not interrupt the other person (unless there is an emergency). Always let the other person complete what he or she would like to say, after which "GA" (which means "Go Ahead") will appear on the TTY display. To start typing or to interrupt before the person has typed "GA" is considered rude or disrespectful. When you see "GA," it is your turn to type. Remember to type "GA" when you're finished, so the other person knows to respond. This is similar to "over" when communicating by radio; it's a cue that it's the other person's turn.

If you are interrupted by a customer or co-worker during your TTY conversation, type "pls hd" which means, "please hold."

While on a standard voice telephone call, the caller may hear the interruption taking place and your response to that interruption, or you might quickly say "just a minute."

In hearing culture, this is acceptable etiquette. Via TTY, there is no way for the TTY user to know what's going on without you giving a cue. Don't just stop typing when interrupted, leaving the TTY caller wondering where you are. Type "Pls Hd" or "Please Hold" to let the other person know you need to take a break from the conversation. If you like, you may even type, "Pls Hd ... Someone in our office needs help." When you've completed the other business, simply resume typing since it is still your turn in the conversation. You may prefer to tell the person who wants to interrupt that you are on a TTY call, and ask him/her to please wait until the call is finished. If you are interrupted while the caller is typing, hopefully you have a printer on the TTY and you may "catch up" on what was typed during the interruption.

When providing a lot of information, take breaks; allow the caller to ask questions or comment. Turn-taking is an important part of TTY calls. It can be frustrating in any conversation if one person goes on and on. In hearing culture, it is acceptable to jump in and express your question or ask for clarification. Since one of the rules of TTY etiquette is to avoid interrupting, it is good practice to be brief and clear; breaking up information you are providing and allow for questions or comments by the caller along the way.

Don't worry about spelling errors if your meaning is clear within the context of the conversation. If your meaning is clear, e.g., typing "new yirk" rather than "new york," don't worry about making any correction. If you are relaying important detailed information (name, address, telephone number, etc.), then simply type "xx" then restart the word or phrase. Particularly for individuals who have visual disabilities in addition to being Deaf or speech-impaired, it can be difficult to "track" with the visual display. It is much simpler for you and easier for the other person to track if you continue typing, indicating an error with "xx" then restarting the word or phrase, etc.

Don't worry about punctuation. It is acceptable in TTY conversations to omit upper/lower case letters and to skip many types of punctuation. In part this is due to simple economy, ESL issues, and developed/accepted practices. If your TTY has a printout, you will notice that there is no upper/lower case within each person's part of the conversation. One person's text is in all lower case, and the other person's text is in all upper case. This makes it easier to follow the conversation on the resultant "tape."

Spell out numbers. Depending upon the TTY you are using, it may have a keyboard that has separate keys for numbers, or you may need to use the "Shift" key to type numbers. Regardless, numbers can be difficult to read so many individuals prefer that you spell out numbers to ensure no misunderstandings. If you do choose to use numbers, follow up by spelling them out, for confirmation.

Inflections. With text-based communication, it can be difficult to indicate inflection or emotion, just as in e-mail messages. (How many of us have felt uncertain about an e-mailer's intent -- terse, rude, serious or teasing us?) Via voice telephone conversations, you can "hear" a smile or laugh. Common in TTY conversations are typing expressions such as "smile" "ha" "grin" or "sigh." Using these expressions, separated in the text by several spaces, allow you to personalize your conversation, provide cues about intent behind words, and help the other person feel more comfortable.

When you've reached an ending point for the conversation, you may type "GA to SK" which indicates "you may Go Ahead, I'm ready to Stop Keying (have nothing more to ask/say). At this point, the individual may say "Thanks for your help. Have a good day. SKSK" You may type, "Thank you. You too have a good day. SKSK" If the person has another question, the conversation will continue. You'll need to "play it by ear," just as you would a voice caller.

Depending on the caller, you may go back and forth a few times before you both finally type SKSK. This is an aspect of Deaf culture that needs to be recognized. Deaf callers are usually quite aware and respectful of hearing culture and they know offices can be busy places; in other words, often, they will modify their own TTY conversational practices to try to fit in with hearing culture/business world communication.

Lastly, relax and don't worry about making mistakes or not doing everything exactly perfect. Every individual who uses a TTY has different skills and has a lot of experience communicating with hearing folks who are unaccustomed to using TTYs. As you would with anyone who contacts your office, do your best, to be respectful and patient, and your TTY conversations will be effective.

ABOUT TeleBraille USERS

As noted above, deaf and fully blind users of TTYs use a Braille display version of a TTY called "TeleBraille." A TeleBraille unit works just like a TTY, has a keyboard for input, but uses a Braille display for output (incoming information.) These conversations necessarily take more time because the person cannot simply read a visual display, but must "read" a Braille display on the device. For many TeleBraille users, reading Braille takes notably more time than for others to read a visual display.

➢ Type slower so the person can more easily keep up. If you're already a slow typist, this may not be an issue. (Smile)

➢ You will need to wait for a TeleBraille user's response ... be patient. Because the caller is using a Braille display, it will take him/her longer to read your part of the conversation -- some individuals longer than others, dependent upon their Braille skills. You will notice "delays" in the caller responding to you. Simply wait; do not interrupt (which will be confusing) or type "are you there qq" or anything.

> ➢ Keep in mind the same TTY rules of etiquette for TeleBraille calls.

> ➢ Because the call will take more time and using Braille takes more energy (and there's no print out which can later be referred to), using abbreviations, taking turns, and providing information with breaks to allow for questions and comments are even more important.

HOW TO ALERT CUSTOMERS ABOUT YOUR TTY AVAILABILITY

If your department has a TTY, you should display a TTY number next to any voice telephone numbers in printed materials such as program brochures, event flyers, department reports, etc. The availability of TTY numbers can be identified by using "TTY" after the telephone number, and/or with this symbol:

Note: Positive and negative tiff files of this and other disability access symbols are available for copying or downloading via a link to:

http://www.gag.org/resources/das.php

You should also familiarize members of your staff with the operation of the TTY. Read the instruction booklet and try a few "test" calls to another County office to ensure that you know how it works.

If you telephone a person who uses a TTY, let the phone ring longer than usual. You can call the person directly by TTY or use the Telecommunications Relay Service (711).

WHY IS TTY THE ACRONYM FOR TEXT TELEPHONE

When telecommunications for deaf people started in the mid-1960s, obsolete teletype-writers were used to communicate through couplers and telephones. These first TeleTYpewriters were 200 to 300 pounds each, noisy and large. They were some- times called clunkers, monsters, or mailboxes, but they were *all* called Teletype-writers--much the same way we use Xerox for copying machines or Kleenex for tissue. There-fore, the acronym was TTY, and this terminology became popular among TTY users.

In the 1970s, smaller models weighing less than five pounds came out. To distinguish between the clunkers and the lightweight models, a new terminology was created: Telecommunications Device for the Deaf (TDD).

As time went by, this second acronym became more of a problem than a solution. One does not have to be deaf to use a "TDD." These devices make it possible for deaf, hard of hearing or speech disabled and hearing people to communicate with each other by telephone. To add to the confusion, teletypewriters were considered telecommunications devices for the deaf, too. In Europe, text telephone is the common name for *all* of these devices. It does not indicate the user, simply that printed words are transmitted through telecommunications --telephone lines, or airwaves. In an attempt to achieve international consistency and remove the "labeling," the Federal Communications Commission decided to use the term "text telephone" and the acronym "TT."

Telecommunications for the Deaf, Inc., a not-for-profit organization of consumers active since 1968, conducted a poll on consumer preference for an acronym for text telephones. TTY was selected overwhelmingly.

The reasons most often cited were:

➢ Signed, TTY is rhythmic to the eye, and it's easy for hearing people to say.

➢ "TTY" reminds users of the history of adaptive telecommunications, and recognizes historic contributions by the teletypewriter coupler's deaf inventors to deaf history and culture.

➢ Finally, in sign language, "TT" is embarrassingly similar to the common sign for "toilet;" spoken, "TT" has similar connotations.

COMMONLY USED ABBREVIATIONS USED IN TTY CONVERSATIONS

Use abbreviations that can be clearly understood in the context of the conversation and commonly used TTY abbreviations.

ABT	About
ASL	American Sign Language
BTW	by the way
CD	could
CUZ	Because
GA	go ahead (signals turn-taking)
HMM...	(signals pause ... while thinking)

HOH	Hard-of-Hearing
LTR	later
LV	leave
MSG	message
MTG	meeting
NBR	number
PLS HD	please hold
PLS	please
QQ	?
R	are
SKSK	stop keying, goodbye
THRU	through
TMW	tomorrow
U	you
UR	you are, your, you're
WD or WLD	would
XXX	erasing a typing error

For additional information, please contact:

County of Marin
Disability Access Program
Marin Civic Center, Room 304
San Rafael, CA 94913
(415) 473-4381 (Voice/CRS dial 711)
(415) 473-3799 FAX
disabilityaccess@marincounty.org
http://www.marincounty.org/depts/pw/divisions/disability-access

Great thanks to the City and County of San Francisco, Mayor's Office on Disability for providing text for this Guidance Bulletin.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #7

WEBSITE ACCESSIBILITY UNDER TITLE II OF THE ADA

ACCESS TO INFORMATION TECHNOLOGY

In the last several years, the Internet has dramatically changed the way County government conducts its business. Today, the County of Marin's departments routinely make much more information about their programs, activities, and services available to the public by posting it on their websites. As a result, many people can easily access this information seven days a week, 24 hours a day.

Many County services and activities are also provided on websites because the public is able to participate in them at any time of day and without the assistance of County personnel. County websites offer a low cost, quick, and convenient way of paying bills, renewing licenses, signing up for programs, applying for permits or funding, submitting job applications, and performing a wide variety of other activities.

The Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973 require that the County provide qualified individuals with disabilities equal access to its programs, services, or activities unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden. One way to help meet these requirements is to ensure that County websites have accessible features for people with disabilities, using the simple steps described in this document. A County department with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for residents and County visitors to use the programs or services, such as a staffed telephone information line. These alternatives, however, are less effective since they are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available.

In 2003, the Department of Justice issued a technical assistance document addressing website accessibility entitled, "Accessibility of State and Local Government Websites to People with Disabilities." This technical assistance document can be accessed on the ADA Home Page at www.ada.gov

WEBSITE ACCESSIBILITY REQUIRES FOLLOWING A FEW SIMPLE STEPS

To understand the basics of website accessibility, you first need to know a few terms:

Webpage - an Internet-based document, usually in HTML format, that can contain a wide variety of information and multimedia content.

Website - a collection of webpages that is hierarchically organized around a homepage.

Web Browser - a computer program that downloads webpages. It is the program installed on your computer that you use to access webpages on the Internet

HTML - short for "hypertext mark-up language," a common mark-up language used to present webpages. It tells the web browser how information should be structured and accessed.

Screen Reader - a computer program that speaks written text. It allows a person to listen to the written text on a webpage or in a computer program. Screen readers read only text; they cannot describe pictures or other images, even if the images are pictures of text.

HTML Tags - specific instructions understood by a web browser or screen reader. One type of HTML tag, called an "alt" tag (short for "alternative text"), is used to provide brief text descriptions of images that screen readers can understand and speak. Another type of HTML tag, called a "longdesc" tag (short for "long description"), is used to provide long text descriptions that can be spoken by screen readers.

Refreshable Braille Display - an electronic device that translates standard text into Braille characters and uses devices such as rounded pins on a refreshable display to create Braille text that can be read by touch.

ONLINE BARRIERS FACED BY PEOPLE WITH DISABILITIES

Many people with disabilities use assistive technology that enables them to use computers. Some assistive technology involves separate computer programs or devices, such as screen readers, text enlargement software, and computer programs that enable people to control the computer with their voice. Other assistive technology is built into computer operating systems. For example, basic accessibility features in computer operating systems enable some people with low vision to see computer displays by simply adjusting color schemes, contrast settings, and font sizes. Operating systems enable people with limited manual dexterity to move the mouse pointer using key strokes instead of a standard mouse. Many other types of assistive technology are available, and more are still being developed.

Poorly designed websites can create unnecessary barriers for people with disabilities, just as poorly designed buildings prevent some people with disabilities from entering. Access problems often occur because website designers mistakenly assume that everyone sees and accesses a webpage in the same way. This mistaken assumption can frustrate assistive technologies and their users. Accessible website design recognizes these differences and

does not require people to see, hear, or use a standard mouse in order to access the information and services provided.

COMMON PROBLEMS AND SOLUTIONS IN WEBSITE ACCESSIBILITY

Problem: Images without Text Equivalents

Blind people, those with low vision, and people with other disabilities that affect their ability to read a computer display often use different technologies so they can access the information displayed on a webpage. Two commonly used technologies are screen readers and refreshable Braille displays. As discussed above, a screen reader is a computer program that speaks the text that appears on the computer display, beginning in the top-left corner. A refreshable Braille display is an electronic device that translates text into Braille characters that can be read by touch. These assistive technologies read text. They cannot translate images into speech or Braille, even if words appear in the images. For example, these technologies cannot interpret a photograph of a stop sign, even if the word "stop" appears in the image.

Because they only read text, screen readers and refreshable Braille displays cannot interpret photographs, charts, color-coded information, or other graphic elements on a webpage. For this reason, a photograph of a supervisor on a county's website is inaccessible to people who use these assistive technologies, and a blind person visiting the website would be unable to tell if the image is a photo, a logo, a map, a chart, artwork, a link to another page, or even a blank page.

Solution: Add a Text Equivalent to Every Image

Adding a line of simple HTML code to provide text for each image and graphic will enable a user with a vision disability to understand what it is. Add a type of HTML tag, such as an "alt" tag for brief amounts of text or a "longdesc" tag for large amounts, to each image and graphic on your agency's website.

The words in the tag should be more than a description. They should provide a text equivalent of the image. In other words, the tag should include the same meaningful information that other users obtain by looking at the image. In the example of the supervisor's picture, adding an "alt" tag with the words "Photograph of Supervisor Jane Smith" provides a meaningful description.

In some circumstances, longer and more detailed text will be necessary to convey the same meaningful information that other visitors to the website can see. For example, a map showing the locations of neighborhood branches of a county library needs a tag with much more information in text format. In that instance, where the map conveys the locations of several facilities, add a "longdesc" tag that includes a text equivalent description of each location shown on the map – e.g., "County Library, 433 N. Main Street, located on North Main Street between 4th Avenue and 5th Avenue."

Problem: Documents Are Not Posted In an Accessible Format

State and local governments will often post documents on their websites using Portable Document Format (PDF). But PDF documents, or those in other image based formats, are often not accessible to blind people who use screen readers and people with low vision who use text enlargement programs or different color and font settings to read computer displays.

Solution: Post Documents in a Text-Based Format

Always provide documents in an alternative text-based format, such as HTML or RTF (Rich Text Format), in addition to PDF. Text-based formats are the most compatible with assistive technologies.

Problem: Specifying Colors and Font Sizes

Webpage designers often have aesthetic preferences and may want everyone to see their webpages in exactly the same color, size and layout. But because of their disability, many people with low vision do not see webpages the same as other people. Some see only small portions of a computer display at one time. Others cannot see text or images that are too small. Still others can only see website content if it appears in specific colors. For these reasons, many people with low vision use specific color and font settings when they access the Internet – settings that are often very different from those most people use. For example, many people with low vision need to use high contrast settings, such as bold white or yellow letters on a black background. Others need just the opposite – bold black text on a white or yellow background. And, many must use softer, more subtle color combinations.

Users need to be able to manipulate color and font settings in their web browsers and operating systems in order to make pages readable. Some webpages, however, are designed so that changing the color and font settings is impossible.

Solution: Avoid Dictating Colors and Font Settings

Websites should be designed so they can be viewed with the color and font sizes set in users' web browsers and operating systems. Users with low vision must be able to specify the text and background colors as well as the font sizes needed to see webpage content.

Problem: Videos and Other Multimedia Lack Accessible Features

Due to increasing bandwidth and connection speeds, videos and other multimedia are becoming more common on the websites of state and local governments. Today, some government entities use their websites to post training videos for their employees, feature automated slide shows of recent public events, and offer video tours of local attractions.

These and other types of multimedia can present two distinct problems for people with different disabilities. People who are deaf or hard of hearing can generally see the information presented on webpages. But a deaf person or someone who is hard of hearing may not be able to hear the audio track of a video. On the other hand, persons who are blind or have low vision are frequently unable to see the video images but can hear the audio track.

Solution: Include Audio Descriptions and Captions

Videos need to incorporate features that make them accessible to everyone. Provide audio descriptions of images (including changes in setting, gestures, and other details) to make videos accessible to people who are blind or have low vision. Provide text captions synchronized with the video images to make videos and audio tracks accessible to people who are deaf or hard of hearing.

OTHER CONSIDERATIONS WHEN DEVELOPING WEBSITES

➢ include a "skip navigation" link at the top of webpages that allows people who use screen readers to ignore navigation links and skip directly to webpage content;

➢ minimize blinking, flashing, or other distracting features;

➢ if they must be included, ensure that moving, blinking, or auto-updating objects or pages may be paused or stopped;

➢ design online forms to include descriptive HTML tags that provide persons with disabilities the information they need to complete and submit the forms;

➢ include visual notification and transcripts if sounds automatically play;

➢ provide a second, static copy of pages that are auto-refreshing or that require a timed-response;

➢ use titles, context, and other heading structures to help users navigate complex pages or elements (such as webpages that use frames).

IDENTIFYING OTHER BARRIERS TO ACCESS

Technology is changing, and many website designers are using creative and innovative ways to present web-based materials. These changes may involve new and different access problems and solutions for people with disabilities.

ASSISTANCE AVAILABLE FOR PROVIDING ACCESSIBLE WEBSITES

The County Information Services and Technology Department can fix web content that is currently inaccessible and is continually implementing procedures to ensure that all new and modified web content is accessible.

RESOURCES

Following are a few of the many resources available to assist state and local governments in making their websites accessible:

- "[Accessibility of State and Local Government Websites to People with Disabilities](#)," a technical assistance document released by the Department of Justice in 2003

- www.access-board.gov, the website of the Architectural and Transportation Barriers Compliance Board (known as "the Access Board"), which establishes the standards used by the federal government to ensure that its electronic and information technology is accessible to people with disabilities;

- www.section508.gov, the website of the Federal Information Technology Accessibility Initiative;

- www.ittatc.org, the website of the Information Technology and Technical Assistance Training Center;

- www.cast.org, the website for the Center for Applied Special Technology, a nonprofit, educational organization working to expand educational opportunities for all, including individuals with disabilities, through technology;

- 1-800-949-4232 (voice and TTY), the ADA and IT Technical Assistance Centers (www.dbtac.vcu.edu).

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #7a

CREATING ACCESSIBLE PDF DOCUMENTS

WHY ACCESSIBILITY IS IMPORTANT FOR PDF DOCUMENTS

The Americans with Disabilities Act (ADA) and Section 508 of the Rehabilitation Act of 1973, as amended, require that electronic and information technology developed, procured or used by government entities be accessible to persons with disabilities. By creating accessible PDF documents, you can broaden your readership to include not only people with disabilities, but anyone who reads PDF documents on handheld devices.

As the internet has grown and developed in recent years, PDF (portable document format) has emerged as one of the most popular formats for placing documents on the World Wide Web, and it is commonly used to distribute electronic documents over corporate networks, by e-mail, and on digital media. In large part this popularity rests upon the versatility of PDF documents. In addition, many authors and publishers prefer converting materials to PDF for security reasons offered by this format. For this reason, creating accessible PDF files is a key component to the goal of creating an accessible digital world.

Virtually any electronic document or scanned image can be converted to a PDF document by using appropriate software (including, but not limited to the most commonly used Adobe Acrobat products. These documents can then be read using Adobe Acrobat, the free Adobe Reader or other software.

NOTE: The following guidance is applicable to Adobe products <u>only</u>. If other PDF software conversion tools are used, follow the guidelines in the website accessibility document specifically the section about Images without Text equivalents and documents not posted in an accessible format.

CREATING ACCESSIBLE PDF DOCUMENTS

Selecting PDF Maker settings before conversion (Windows only) Acrobat PDF Maker provides a dialog box in which you can select the settings that PDF Maker uses to create an Adobe PDF document from a Microsoft Office application file. The information given here lists only the options that affect the accessibility of a PDF document. You select these options from the Settings tab, the Security tab, the Word tab, and the Bookmark tab of the Acrobat PDF Maker dialog box.

➢ To open the Acrobat PDF Maker dialog box, start the Office application and choose AdobePDF> Change Conversion Settings. For more information about all the PDF conversion settings that are available for Acrobat PDF Maker with Microsoft Office files, see "About PDF conversion settings (Microsoft Office files)" in Acrobat 7.0 Help.
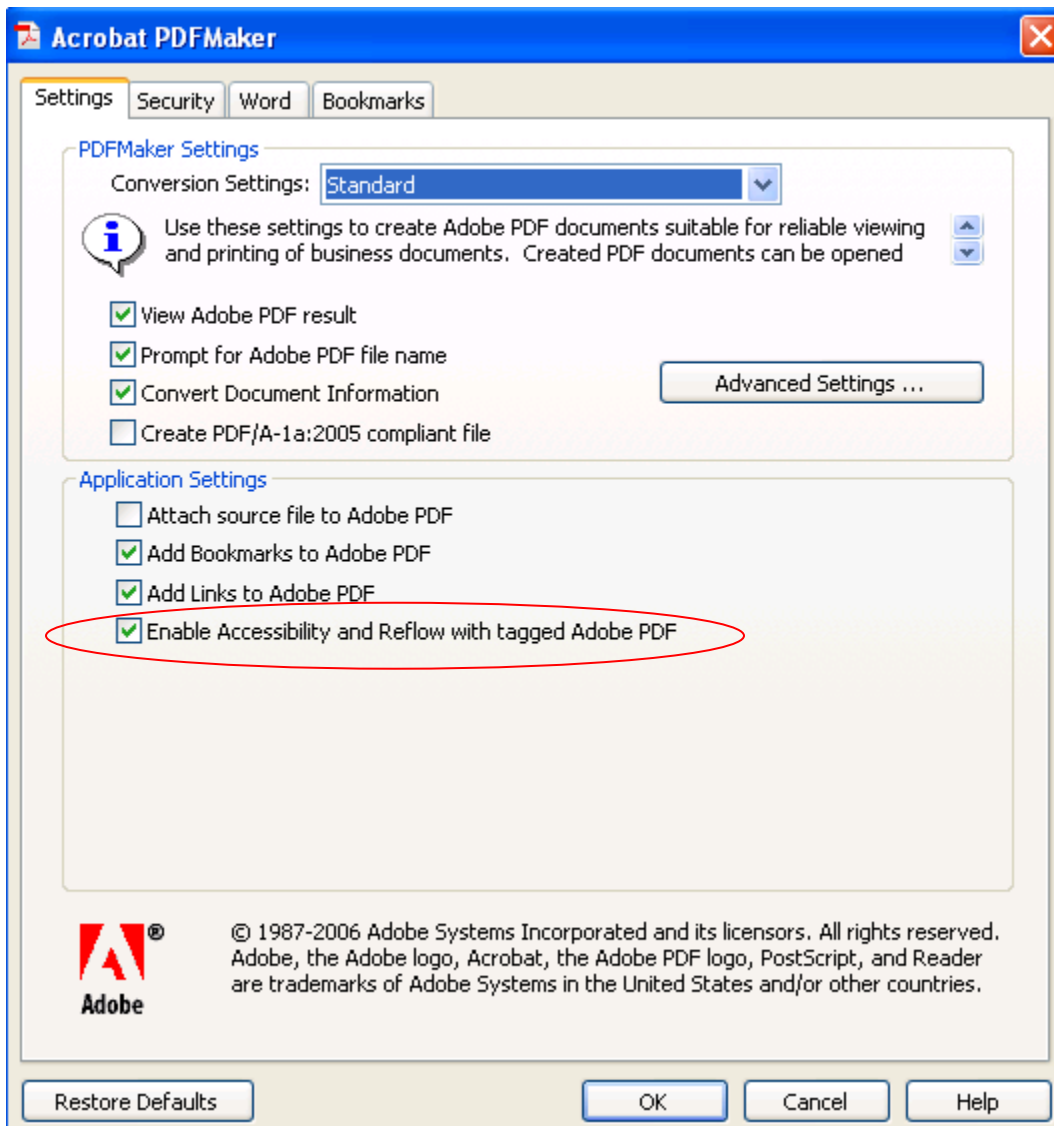
This Guidance Bulletin was developed with assistance from Christine Camilleri, Senior Systems Support Analyst, Information Services – Systems Integration and Support Services. Many thanks.

**COUNTY OF MARIN
Disability Access Program**

<u>**ACCESSIBILITY GUIDANCE BULLETIN 7b#**</u>

SOCIAL MEDIA ACCESSIBILITY

What is Social Media?
Social media allows anyone with an internet connection to view and publish digital content, including articles, photographs, music and videos to the web. It can take many different forms, including blogs, video and picture sharing and podcasts. The role of technology in today's workplace is constantly expanding and now includes social media communication tools that facilitate new avenues of social networking. Social networking can be a vibrant and transparent communications strategy and improves interactivity between local governments and the public, and it reaches populations that don't consume traditional media as frequently as others do. As with any other vehicle for dissemination of information, the County of Marin must comply with accessibility requirements when posting or hosting information on its social media sites. This guidance bulletin establishes best practices regarding maximizing accessibility of County of Marin social media sites and the information contained therein. Additionally, the five most popular social media services are listed in rank order of accessibility.

Social Media and People with Disabilities
Social networking can be an extremely useful tool for overcoming communication barriers. For individuals who find verbal communication difficult or impossible, social media sites allow for a free flow of information through use of blogs or written posts. There are certain accessibility barriers to social media sites that can be challenging, but we can overcome them by following a few, good practices. For example, CAPTCHA's (the squiggly letters you are often asked to read and type into text as part of many website registration processes) are meant to stop malicious attacks and to be sure the registrant is human and not another computer. However, because CAPTCHA's rely on visual perception, users unable to view them are prevented from registration. If you plan on using CAPTCHA's on you social networking pages, be sure to employ audio versions to bypass the visual perception requirement. Additionally, most social media services now offer Application Programming Interfaces (API's) which allow programmers to create applications that can make use of or contribute to accessibility services. For example, Twitter offers an "Accessible Twitter" which is an alternate interface to Twitter that allows people with disabilities to access information you provide on the site in various formats. YouTube has a similar, alternate interface called "Easy YouTube" which when installed allows for accessible streaming of YouTube videos, and a service called Easy YouTube Caption Creator which generates a standard format caption text file that can be attached to videos you post.

Accessible Social Media
There are four best practices you can follow that will greatly increase the accessibility of your social media efforts.

1. _Provide captions for your videos._ Videos produced by the County of Marin that are posted on social media sites must always be captioned. Likewise, all videos you are "hosting" on your media sites must be captioned. For videos that you provide links to that are embedded on other sites and for which captioning may not be available, it is a good idea to offer the information contained in that video in alternative formats upon request. See Guidance Bulletin #5b for entities that provide captioning services.

2. _Title your photographs descriptively and usefully_. Blind people, those with low vision, and people with other disabilities that affect their ability to read a computer display often use different technologies so they can access the information displayed on a webpage. Two commonly used technologies are screen readers and refreshable Braille displays. A screen reader is a computer program that speaks the text that appears on the computer display, beginning in the top-left corner. A refreshable Braille display is an electronic device that translates text into Braille characters that can be read by touch. These assistive technologies cannot interpret photographs, charts, color-coded information, or other graphic elements on a webpage. Adding a line of simple HTML code to provide text for each image and graphic will enable a user with a vision disability to understand what it is. The words in the tag should be more than a description. They should provide a text equivalent of the image, the tag should include the same meaningful information that other users obtain by looking at the image. See Guidance Bulletin #7, Website Accessibility Under the ADA, for further information and instructions on tagging images.

3. _Avoid use of acronyms_. Acronyms can be difficult to translate to individuals who use screen readers and similar assistive technologies. When possible, avoid acronym use, and where their use is necessary for brevity, be sure to provide a clear definition of the acronym immediately preceding its first use in the document.

4. _Make all information that is provided on social media services available in accessible formats elsewhere_. While accessibility of social networking has greatly improved, there are still significant barriers that can occur. Be sure that all the notices, videos, and data that you post on these sites can also be found on your County website or via another format. This way, should someone run into difficulties accessing information on your social

media site, they can still have access to the necessary information and/or services.

Which Sites Offer the Greatest Accessibility?
Typically, the three services which offer the greatest accessibility are Facebook, Skype and YouTube. They all offer a range of accessibility features and alternative interfacing to enhance accessibility. Twitter and MySpace have to date failed to offer significant (if any) accessibility features and will therefore pose a greater challenge to hosting accessible information.

Special thanks to MAA (from Social Media Accessibility Review) and Practical eCommerce (Accessibility and Social Media) for information used in this Guidance Bulletin.

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #8

911 and EMERGENCY COMMUNICATION SERVICES

The ADA requires that 911 and other emergency communications services operated by or for local governments be usable by persons with disabilities. The following questions are relevant to this requirement:

➢ What types of emergency communications services are covered?

➢ How does a TTY work?

➢ What are voice carryover and hearing carryover?

➢ How must a call taker handle silent, open line calls?

➢ What training should call takers receive?

➢ How are technological changes affecting the way deaf people communicate, and what impact does this have on emergency communication services?

➢ How can direct emergency communications services be provided to individuals with hearing disabilities who do not have TTYs?

THE ADA REQUIREMENTS for EMERGENCY COMMUNICATIONS SYSTEMS

The ADA requires that all Public Safety Answering Points (PSAPs) provide direct and equal access to their services for people with disabilities who use teletypewriters (TTYs).

WHAT DOES DIRECT and EQUAL ACCESS MEAN?

"Direct access" means that PSAPs must directly receive TTY calls without relying on an outside relay service or third-party services.

"Equal access" means that the telephone emergency services provided for TTY users are as effective as those provided for people who make voice calls. Access must be equal in terms of:

➢ response time;

- ➢ response quality;

- ➢ hours of operation; and

- ➢ all other features offered (e.g., automatic number identification, automatic location identification, automatic call distribution).

TYPES of TELEPHONE EMERGENCY SERVICE COVERED

All basic emergency services provided by public safety agencies are covered, including police, fire, and ambulance services. Direct, equal access must be provided to all services included in the system. An example of another emergency service covered is an emergency poison control information service.

Some emergency communications services use a two-tiered system to dispatch services. In these situations, a primary PSAP is the initial 911 answering point. It transfers calls to secondary PSAPs, such as fire or emergency medical services. In those transfer situations, PSAPs must understand how to correctly transfer TTY calls. Secondary PSAPs have the same responsibilities under the ADA as do primary PSAPs. They must be able to receive transferred TTY calls as efficiently and effectively as voice calls.

HOW DOES A TTY WORK?

Before further discussion of the requirements for emergency communications services under Title II of the ADA, here is a quick review of how TTYs work. This information is important in order to understand a discussion of equipment.

A TTY is a device that is used with a telephone to communicate with persons with hearing disabilities or speech disabilities. To communicate by TTY, a person types his or her conversation, which is then read on a TTY display or a computer display by the person who receives the call. Both parties must have a TTY or a computer with a TTY modem and related software to communicate. The computer equipment must be compatible with the code used by TTYs and capable of translating between the TTY code and the computer code.

Most TTY devices transmit the information typed through the telephone line in an electronic code called Baudot. When it reaches the receiving TTY, the code is translated back to characters. Computers with TTY modems generally operate in American Standard Code for Information Interexchange (ASCII), an electronic "language." Thus, computers must have an ASCII/Baudot modem and related software in order to translate Baudot sent from TTYs.

911 or ANOTHER NUMBER?

911 is a universal emergency number, but it may not be the number used in your area. If your locality has emergency communications services but uses different

emergency numbers, such as a seven-digit number, you are still required to comply with Title II's requirements for emergency communications The only real difference is the options for TTY users. **Localities that use 911 are prohibited from requiring TTY users to call a different number.** However, entities that do not use 911 may have a separate line for TTY users. If a separate line is used, access must be as direct as and equal to access for voice callers. Wherever the emergency numbers are listed, the TTY number must be listed as prominently as the voice number

When a standard TTY is used, communications can only occur in one direction at a time. In other words, the two people involved in the conversation must take turns sending and receiving. A person sending a communication by TTY indicates that he or she has finished transmitting by typing the letters "GA," which stand for "go ahead."

Baudot Format

I heard that there is more than one type of TTY code. Does Title II require that telephone emergency service systems be compatible with all codes used for TTY communications?

No. Currently, telephone emergency services must only be compatible with Baudot format.

HOW DO YOU KNOW WHEN IT'S A TTY CALL?

➢ Some TTYs emit a recorded spoken announcement to the call taker that a TTY call is being received. For example, the announcement may state: "HEARING IMPAIRED CALLER. USE TTY."

➢ TTY callers may press TTY keys to emit audible tones and more quickly notify the call taker that a TTY call is being placed.

➢ You may not know you have a TTY call unless you query the line with a TTY. Often, the TTY call will be perceived by the call taker as a silent, open line call. This is because the caller's equipment does not recognize that the call has been answered until the call taker sends a TTY response.

A HISTORY of HANG-UPS

Historically, many people who used TTYs have not had confidence in the accessibility of emergency communications services. Silent, open lines have commonly been treated as hangups even though silence may indicate there is a TTY caller on the line. The number of TTY calls each PSAP receives may

increase over time because the ADA is making 911 and other emergency services more accessible to people who use TTYs.

EQUIPMENT and FEATURES to PROVIDE DIRECT and EQUAL ACCESS

PSAPs must provide direct and equal access to emergency communications services for people who use TTYs.

Number of TTYs

In order to provide equal access to TTY users, every call-taking position within the PSAP must have its own TTY or TTY-compatible equipment. PSAPs must have systems that enable call takers to handle TTY calls as properly, promptly, and reliably as voice calls.

To give TTY users equal access to emergency call services, experience has shown that:

➢ With TTY or TTY-compatible equipment at each call-taking position, call takers can handle TTY calls as effectively as voice calls.

➢ Call takers at PSAPs that have only one TTY have significant difficulties handling TTY calls as quickly as voice calls.

➢ Sharing a TTY among several call takers may result in undue delay in obtaining the TTY and connecting it to the answering position.

➢ Transferring a TTY call from a non-TTY capable answering position to a TTY-dedicated position may result in the call being disconnected or undue delay in answering the call. In some cases, transfers may result in the loss of enhanced features, such as automatic number identification and automatic location identification information.

➢ Each call taker needs to query every silent, open line as a potential TTY call. Because most PSAPs receive many silent, open line calls, often more than one at a time, each call taker must have his or her own TTY equipment to be able to query all of those calls with a TTY.

AUTOMATIC IDENTIFICATION FEATURES

Many PSAPs have equipment with advanced features that facilitate quicker responses to callers. For example, many have automatic number identification (ANI) and automatic location identification (ALI). These features automatically tell the call taker the phone number and address from which a call originates.

If your area's emergency service provider has these features, you must ensure that TTY calls have the same access as voice calls to such enhanced features

whenever feasible. Such features are currently available for TTY calls placed using traditional TTY hook-ups to standard telephone lines. Emergency service providers need to stay current with changing technology to ensure that equal access and services are provided to TTY callers relying on newer technologies when they become available.

TTY calls may not simply be transferred to a third line to get this information because transfers often result in the loss of the automatic phone number and address information.

AUTOMATIC CALL DISTRIBUTION (ACD)

Another feature employed by PSAPs is automatic call distribution (ACD). ACD places incoming calls into a queue, sends out a programmed message to callers to let them know that their calls have been received, and distributes calls to the next available call taker. This feature, if offered, must also be accessible for TTY calls. For TTY callers transferred to a queue using ACD, there must be a programmed TTY message providing the same information that other callers receive.

SWITCHING BETWEEN VOICE MODE and TTY MODE

All call takers must have the capability to switch back and forth easily from TTY mode to voice mode during the same call. This is especially necessary for silent calls because it allows the call taker to first query the line by voice and then quickly switch to query the line by TTY.

VOICE CARRYOVER and HEARING CARRYOVER

Voice carryover (VCO) is a communication hybrid of TTY and voice. With VCO, a person with hearing loss can speak directly to the call taker and read the response that is typed back.

Hearing carryover (HCO) allows a TTY user to type words on the TTY and hear call takers' spoken responses through the handset.

Having equipment that can switch back and forth between voice mode and TTY mode is also necessary for VCO and HCO. These types of communication can shorten the length of calls that would otherwise be conducted exclusively by typing.

Both of these types of communication can be accomplished using standalone TTY equipment and alternating between speaking into the handset and placing the handset in the TTY when the caller (HCO) or call taker (VCO) types a response.

Who uses VCO and HCO?

VCO (voice carryover) is often used by persons who become deaf or hard of hearing later in life and prefer to speak instead of type.

HCO (hearing carryover) is often used by persons who are not deaf or hard of hearing but have speech disabilities.

MAINTENANCE and BACK-UP of TTY EQUIPMENT

The ADA regulation contains a specific provision requiring that covered entities maintain their accessible features and equipment in operable working condition. To comply with this regulation, PSAPs must implement procedures for maintenance and back-up capability for TTY equipment that are equally effective as the procedures for maintenance and back-up capability provided for voice telephone equipment. For example, TTY equipment must be maintained and tested as often as voice equipment to ensure that it is working properly.

If a PSAP has a plan for back-up equipment in case some of its equipment malfunctions, the telephone lines malfunction, or there is a power failure, the plan must provide for TTY calls and equipment. For instance, PSAPs should keep extra TTY equipment on hand, in case primary equipment fails, if they have back-up voice telephone equipment for such a situation.

TRAINING CALL TAKERS to RESPOND EFFECTIVELY to TTY CALLS

PSAPs should train their call takers to effectively recognize and process TTY calls. Providing appropriate equipment is only as effective as your staff training.

The ADA does not specify how call takers should be trained. But the Department of Justice believes that the following are essential for proper training:

➢ Training should be mandatory for all personnel who may have contact with individuals from the public who have hearing or speech disabilities.

➢ PSAPs should require or offer a refresher training at least as often as they require or offer training for voice calls, but at a minimum, every six months.

The checklist included with this Accessibility Guidance Bulletin has additional information about what should be included in a comprehensive training program. You should use this checklist to assess your current training program for emergency call services, policies and procedures, and testing program.

TESTING to ENSURE DIRECT, EQUAL ACCESS

Frequent testing is essential to ensure direct, equal access to emergency communications services. The best way to test is to implement an internal testing

program. The goal of these tests is to determine whether TTY equipment functions properly and whether personnel have been adequately trained to handle TTY calls correctly.

Include these steps in your testing:

> ➢ Conduct two types of test calls: silent, open line calls in which no tones are emitted, and calls in which the caller introduces the call by transmitting TTY tones. These tests should be unannounced, and should cover each call taker and each position.

> ➢ Keep records of the results of all test calls. Include, at a minimum, the date and time of each test call; the identification of the call taker and the call taking position; whether each call was silent or transmitted tones; whether the caller received a TTY response and the content of the TTY response; the time elapsed and the number of rings from the initiation of the TTY call until the call taker responded by TTY; and whether the call was processed according to the PSAP's standard operating procedures.

BEYOND TTYs: PROVIDING 911 and EMERGENCY SERVICES VIA NEW COMMUNICATION TECHNOLOGIES

Some people who have hearing disabilities do not have access to TTYs. This is becoming more and more the case as people who are deaf, just like people in general, communicate using the internet and other relatively new technologies. Because of these advances in communication technology, some deaf people and people with speech disabilities no longer have TTYs in their homes and rely instead on instant messaging, text messaging, email, or the video communication features of computers.

State and local governments are responsible under Title II of the ADA for providing effective communication and equal access to 911 and other emergency services. To achieve effective communication, access to 911 services should be made available, when feasible, to people with hearing and speech disabilities who use communication technologies other than standard telephones or TTYs, such as personal digital assistants (PDAs) or other wireless technologies.

Stay informed about emerging communication technologies as well as the technical abilities of telecommunications equipment and service providers. Meet with members of your community who are deaf, hard-of-hearing, or who have speech disabilities to learn what technologies are available in their homes and elsewhere when emergency assistance is needed. Find out about strategies that other emergency communications services are using to provide effective communications to people with hearing and speech disabilities that do not have TTYs. Train PSAP personnel frequently (at least every six months) and update the training as necessary. Finally, use the checklist included in this chapter to

determine if your emergency communications service is providing effective communication as required by Title II of the ADA.

Source material for this Guidance Bulletin was developed by the U.S. Department of Justice:

http://www.usdoj.gov/crt/ada/pcatoolkit/chap4toolkit.htm

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #9

MAKING RECEPTION AREAS ACCESSIBLE

The following information is to assist you in assuring that a welcoming environment is provided in your department's public reception areas so that these public spaces are accessible to and usable by your customers with disabilities.

Here are some simple questions that can be asked to help ensure accessibility which is required by state and federal laws.

➢ Is the entrance door accessible? (This includes the width of the door, the pounds of pressure needed to open it, and the height of the threshold).

➢ Can an individual with a disability move about in the reception area without interference by furniture, planters or similar movable objects? Remember to consider persons with mobility and visual disability issues.

➢ Is there sufficient clear space for a wheelchair to turn around, clear floor space in front of objects that is at least 30" x 48", and space for wheelchair seating which is out of the circulation area of the room?

➢ If there is a reception counter, does it include an area that is at least 36" wide with a counter height between 28" and 34" above the floor? This space must remain clear and cannot be used for storing equipment or office machines.

➢ Is informational and directional signage posted? Is signage tactile (raised letters) and/or Braille? Does the color of signage contrast with the surface it is placed on?

➢ Are brochures, publications, applications and/or other forms readily available in alternative formats such as Braille, large print, audio-tape and computer disk?

➢ Have procedures been developed for obtaining sign language interpreter services and/or assistive listening devices?

➢ Are the public restrooms nearest the reception areas accessible to persons with disabilities?

➢ Does the floor plan or layout of the office allow people with disabilities to obtain materials and services without having to request assistance?

➢ Does the reception area staff know how to appropriately interact with individuals with disabilities?

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #10

ACCOMODATING SERVICE ANIMALS

The County of Marin is committed to making reasonable modifications in policies, procedures, and practices to permit the use of service animals by persons with disabilities. Service animals play an important role in ensuring the independence of people with disabilities, and it is therefore our policy to welcome into County facilities and events service animals that have been individually trained to assist a person with a disability.

What is a Service Animal?

The 2010 U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act define "service animal" as "a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability". This rule states that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of disability, including dogs that are used purely for emotional support, are not service animals. The rule also clarifies that individuals with mental disabilities who use service animals that are trained to perform a specific task are protected by the ADA. The rule permits the use of trained miniature horses as alternatives to dogs, subject to certain limitations. To allow flexibility in situations where using a horse would not be appropriate, the rule does not include miniature horses in the definition of "service animal". In the rare event that use of a miniature horse is requested, please feel free to consult with the Disability Access Program.

Service animals come in all breeds and sizes, may be trained either by an organization or by an individual with a disability, and need not be certified or licensed. Service animals do not always have a harness, sign, or symbol indicating that they are service animals. Service animals are working animals, not pets.

Service animals assist people with disabilities in many different ways, such as:

- Guiding people who are blind or have low vision and retrieving dropped objects for them;
- Alerting people who are deaf or hard of hearing to sounds and the presence of others;
- Carrying and picking up items, opening doors, or flipping switches for people with disabilities who have limited use of hands or arms, limited use of their legs, or limited ability to bend or stoop;

- Pulling wheelchairs;
- Alerting people with disabilities to the onset of medical conditions such as seizures, protecting them and cushioning them if they fall, reviving them, and performing other tasks that reduce the risk of disability-related injury;
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication or waking him up, alerting a person with anxiety to the onset of panic attacks, orienting people with schizophrenia to reality, and helping people with intellectual or cognitive disabilities to locate misplaced items, find places, or follow daily routines; and
- Providing physical support and assisting people with physical disabilities with stability and balance.

Requirements Regarding Service Animals:

Most of the time people with disabilities who use service animals may be easily identified without any need for questioning. If it is clear by looking, do not make an individual feel unwelcome by asking questions. However, if unsure whether an animal meets the definition of a service animal, it is the County of Marin's policy to ask the individual only one question at the point when the individual seeks entry to the facility or event:

- Is your service animal trained to perform tasks that mitigate the effects of disability?

If the individual says yes or otherwise explains that the animal is required because of a disability, the County will welcome the person and service animal into the facility or event. Once an individual with a service animal has answered this question, do not ask any further questions about his or her service animal. The County of Marin will not ask an individual any questions about his or her disability or ask an individual to show a license, certification, or special ID card as proof of their animal's training.

People with disabilities who use service animals cannot be charged extra fees, isolated from other patrons, or treated less favorably than other patrons. You are not required to provide care or food for a service animal or provide a special location for it to relieve itself. Allergies and fear of animals are generally not considered to be valid reasons for denying access or refusing services to people with service animals.

If other patrons complain about the presence of a service animal, explain to them that federal law protects the right of the person to be accompanied by service animals in public places. The County of Marin will permit service animals to accompany individuals with disabilities to all areas of our facilities and events

normally used by members of the public and will treat individuals with service animals with the same courtesy and respect that it affords to all of other members of the public who visit our facilities or events. Thus, the County of Marin will not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

Manager Responsibilities

A person with a disability cannot be asked to remove a service animal from the premises unless: (1) the animal is out of control and the animal's owner does not take effective action to control it (for example a dog barks repeatedly during an event) or (2) the animal poses a direct threat to the health and safety of others. In the event that a particular service animal's vicious behavior poses a direct threat to the health and safety of others, the County of Marin has the right to exclude that animal from our facilities or events at that time. Barking alone is not a direct threat.

Only County Managers, with the approval of their Department Director or Assistant Department Director, can make the decision to exclude a service animal because it poses a direct threat. We will not exclude a particular service animal based on past experiences with other animals, or based on fear that is not related to an individual service animal's actual behavior. Each situation will be considered individually. In the event the County of Marin excludes a service animal because of a direct threat, the individual with a disability will still be welcome in our facilities and events when he or she is not accompanied by that particular service animal.

Please handle any inquiries or complaints about this policy in accordance with our usual procedures by referring the inquiry or complaint to the County of Marin Disability Access Program at (415) 473-4381 or via e-mail at disabilityaccess @ marincounty.org

For additional information, contact:

U.S. Department of Justice ADA Information Line: 800-514-0301

COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN #11

ACCESS SYMBOLS

♿	**International Symbol of Accessibility** This symbol should only be used to indicate access for individuals with limited mobility, including wheelchair users. For example, the symbol is used to indicate an accessible entrance, bathroom or a lowered phone or counter, or for wheelchair users.
ⓘ	**Information** This symbol may be used on signage or on a floor plan to indicate the location of the information or security desk, where one can find information or materials concerning access accommodations and services.
👐	**Sign Language Interpreted** The symbol indicates that sign language interpretation is provided for a public meeting, lecture, tour, performance, conference or other program.
CC	**Closed Captioned** This symbol indicates that a television program or videotape is closed captioned for deaf or hard of hearing people (and others). TV sets or other equipment that have a built-in or a separate decoder are equipped to display dialogue for programs that are captioned. Videos that are part of exhibitions may also be closed-captioned. The alternative is open captioning, which automatically displays dialogue and other sounds in text.
OC	**Open Captioned** This symbol indicates that captions, which translate dialogue and other sounds, are always automatically displayed in print on the screen. Open Captioning is preferred by many, including deaf and hard-of-hearing individuals, persons with some cognitive impairments, as well as people whose second language is English. It is helpful in teaching children how to read and in keeping sound levels to a minimum in museums, restaurants, and bars.

Large Print	**Large Print** This symbol for large print is printed in 18 point or larger text. It is used to indicate that large print versions of books, pamphlets, forms, museum guides and theater programs are available. Sans serif or modified serif print with good contrast is highly recommended, and special attention should be paid to letter and word spacing. Whenever possible, ask the individual what size font is preferred. (The smallest type written text that is considered to be "large print" is 14-point type.)
AD))))	**Audio Description for TV, Video and Film** This service makes television, video, and film more accessible for people who are blind or have low vision. Description of visual elements is provided by a trained Audio Describer through the Secondary Audio Program (SAP) of televisions and monitors equipped with stereo sound.
	TeleTYpewriter (TTY) This symbol indicates that direct TTY access is available. A TTY is a telephonic device with a text display used for communication between deaf, hard of hearing, speech-disabled and/or hearing persons. [In the past TTY has also been called text telephone (TT), or telecommunications device for the deaf (TDD). TTY is preferred.]
AUDIO DESCRIPTION	**Live Audio Description** A service for people who are blind or have low vision that makes the performing and visual arts more accessible. A trained Audio Describer offers live commentary or narration (via headphones and a small transmitter) consisting of concise, objective descriptions of visual elements (for example, a theater performance or a visual arts exhibition at a museum).
	Access for Individuals Who are Blind or Have Low Vision This symbol may be used to indicate access for people who are blind or have low vision, other than print or Braille. For example, this symbol could indicate a guided tour; a path to a nature trail or a scent garden in a park; or a tactile tour or a museum exhibit that may be touched.
	Volume Control Telephone This symbol indicates the location of telephones that have handsets with amplified sound and/or adjustable volume controls.

	Assistive Listening Systems or Devices These systems transmit sound via hearing aids or headsets. They include infrared, loop and FM systems. Also available are portable systems that service conferences and meetings.
	Braille Symbol This symbol indicates that printed matter is available in Braille, including exhibition labeling, publications and signage.

Positive and negative tiff files of these symbols are available for copying or downloading directly FROM THE Graphic Artists Guild via: http://www.gag.org/resources/das.php

For additional information, please contact:

**County of Marin
Disability Access Program
3501 Civic Center Drive, Room 304
San Rafael, CA 94903
(415) 473-4381 (Voice/CRS dial 711)
(415) 473-3799 (fax)
disabilityaccess@marincounty.org**

http://www.marincounty.org/depts/pw/divisions/disability-access

Based on original document courtesy King County (Washington) Office of Civil Rights