

**APBP Professional Development Webinar
ADA Transition Plans – March 17, 2010
Summary of Resources and Guidance for Transition Plans**

Who has to have a Transition Plan? (From Lois Thibault, Coordinator of Research, U.S. Access Board, in a post to the APBP list serve, 12/29/2009):

...Program access is not limited to federal funding. Title II of the ADA covers the operation of all programs that a jurisdiction provides, from pedestrian circulation to transportation to education, recreation, governing, outreach.

Federally-funded facilities and programs are also covered by section 504 of the Rehabilitation Act (1973), which was the model for Title II.

The usability of new and altered buildings and facilities can be measured by compliance to standards, but access to programs is measured by effectiveness: Are people with disabilities able to participate? Not every existing facility needs to be made accessible as long as there are opportunities to benefit from programs, services, and activities.

There are good discussions of program access in the Department of Justice's Title II Technical Assistance Manual at <http://www.ada.gov/taman2..html#II-3.0000> and <http://www.ada.gov/taman2.html#II-5.0000>. See also <http://www.ada.gov/comprob.htm> and <http://www.ada.gov/smtown.htm>

Resources and Guidance

Department of Justice. ADA Best Practices Tool Kit for State and Local Governments. <http://www.ada.gov/pcatoolkit/toolkitmain.htm>

Federal Highway Administration, Questions and Answers About ADA/Section 504 http://www.fhwa.dot.gov/civilrights/ada_ga.htm

Federal Highway Administration, Memorandum: Clarification of FHWA's Oversight Role in Accessibility http://www.fhwa.dot.gov/civilrights/ada_memo_clarificationa.htm

NCHRP PROJECT NUMBER 20-7 (232). *ADA Transition Plans: A Guide to Best Management Practices*. Jacobs Engineering Group, May 2009, Baltimore, MD. <http://www.okplanning.org/images/ADA/ADA%20Transition%20Plans%20Report%20May%202009.pdf>

"The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under the ADA, state and local government, public entities or agencies are required to perform self-evaluations of their current facilities, relative the accessibility requirements of the ADA. The agencies are then required to develop a Program Access Plan, which can be called a Transition Plan, to address any deficiencies. The Plan is intended to achieve the following:

- (1) identify physical obstacles that limit the accessibility of facilities to individuals with disabilities,
- (2) describe the methods to be used to make the facilities accessible,
- (3) provide a schedule for making the access modifications, and

(4) identify the public officials responsible for implementation of the Transition Plan.

The Plan is required to be updated periodically until all accessibility barriers are removed.”

Adaptive Environments. *ADA Title II Action Guide for State and Local Governments & Supplement on Employment*. 1996. Boston: Adaptive Environments.

This publication has useful reading, but it's hard to find. It's available for purchase new from Adaptive Environments

(<http://www.adaptiveenvironments.org/index.php?option=Resource&articleid=185&topicid=25>)

or used from Amazon

(<http://www.amazon.com/Title-Action-Guide-State-Governments/dp/0934753873>)

About Bellevue's Transition Plan

The City of Bellevue's ADA sidewalk and curb ramp compliance program is described in an eight-page article in the Winter 2010 edition of the Washington State *LTAP News* (<http://www.wsdot.wa.gov/LocalPrograms/LTAP/News.htm>). The article includes reference to Bellevue's asset management system for ADA compliance. A much more detailed description of this system is found in a PowerPoint presentation given by Franz Loewenherz, Senior Transportation Planner with the City of Bellevue, at the American Public Works Association conference on September 14, 2009: "Asset Management for ADA Compliance Using Advanced Technologies" (http://www.bellevuewa.gov/pdf/Transportation/ada_presentation_to_apwa.pdf).