



FULTON COUNTY: FORGING AHEAD

Consultant's Report to the County Manager
Phase II: County's Progress After 2012 Self-Evaluation Plan
Under the Americans with Disabilities Act



ADA One, LLC February 25, 2017
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Contents

EXECUTIVE SUMMARY	3
I. BACKGROUND	6
II. SUMMARY OF SELF-EVALUATION FINDINGS AND RECOMMENDATIONS FROM 2012 REPORT	8
III. PROGRESS ON SEVERAL FRONTS SINCE SELF-EVALUATION REPORT.....	10
III.A. New Policies	10
III.B. Training	13
1. Department-Specific Training	13
2. PALMS Training	13
3. “All People Can!” Training.....	14
III.C. “All People Can!” Handbook	15
III.D. Contracts for Auxiliary Aids and Services	15
III.E. Courthouse Audit by U.S. Attorney’s Office (USAO)	15
III.F. Developing and Completing Corrective Action Plans with Milestones	16
1. Process of Developing Corrective Action Plans (CAPs)	16
2. Challenges	17
IV. OVERALL PROGRESS TOWARD MEETING MILESTONES.....	18
IV.A. Data Analysis Methodology.....	18
Chart 1A: Milestones by Evaluation Area	19
Chart 1B: Milestones by Evaluation Area Subcategory.....	20
Chart 2: Milestones by Department	22
IV.B. Highlights of Findings.....	23
1. Infrastructure	23
2. Reasonable Modifications and Communication	23
3. Outside Entities	24
4. Emergency Procedures	24
5. Equipment and Furniture	25
6. Accessibility and Maintenance of Features	25
7. Transportation	26
V. ACCOMPLISHMENTS BY SUBJECT AREA AND DEPARTMENT.....	27
V.A. Infrastructure.....	27
1. Findings	27
2. Summary of Accomplishments	27
3. Items Still to be Addressed	29
V.B. Reasonable Modifications and Participation.....	30
OVERALL FINDINGS FROM SELF-EVALUATION.....	30
1. General Requirements	31
2. Eligibility and Participation, Applications, and Registration	33
3. Testing.....	36
4. Use of Mobility Devices.....	37
5. Hearings, Meetings, Trainings, Classes, Tours and Special Events	39

6. Service Animals	41
7. Advisory Committees and Boards	44
V.C. Effective Communication.....	46
OVERALL FINDINGS FROM SELF-EVALUATION.....	46
1. In-person Communication and Interaction.....	49
2. Effective Written Communications.....	51
3. Auxiliary Aids	54
4. Effective Electronic Communications	60
5. Effective Telephone Communications	62
6. Videos and DVDs	64
V.D. Equipment and Furniture	66
1. Findings	66
2. Summary of Accomplishments	67
3. Items Still to be Addressed	69
V.E. Basic Accessibility and Maintenance of Accessible Features.....	70
1. Findings	70
2. Summary of Accomplishments	71
3. Items Still to be Addressed	72
V.F. Transportation	72
1. Findings	72
2. Summary of Accomplishments	73
3. Items Still to be Addressed	74
V.G. Emergency Procedures.....	75
1. Findings	75
2. Summary of Accomplishments	76
3. Items Still to be Addressed	78
V.H. Outside Entities	78
1. Findings	78
2. Summary of Accomplishments	79
3. Items Still to be Addressed	80
Chart 3: Best Practices and Progress	81
VI. CONCLUSION	89
APPENDIX.....	90
Attachment 1: 2013-2016 and Future Training Sessions.....	90

EXECUTIVE SUMMARY

In 2012, Fulton County assessed its compliance with the Americans with Disabilities Act (ADA), resulting in the *Full Access Ahead* report. Since then, Fulton County has forged ahead with significant enhancements intended to ensure equal access by people with disabilities to the County's public-facing programs. Because it reaches almost all operations of the County's departments, this project aligns with all six of the County's strategic priority areas.

First, in 2013, to clearly state and implement the most critical ADA requirements, the County issued policies and procedures applying county-wide: *Program Access Policy for Persons with Disabilities, 600-72*, along with detailed *Standard Operating Procedures (SOP)*. They specifically cover several core issues including –

- Access to facilities and programs (requiring modifications to discriminatory eligibility requirements, applications, exams, and emergency procedures, as well as equal opportunity to participate in advisory committees).
- Effective communication with people with hearing, speech, and vision disabilities (using sign language interpreters, captioning, the Georgia Relay Service, alternate formats).
- The need to allow people with service animals, other animals, traditional mobility devices like wheelchairs, and other mobility devices like Segways into County facilities with some limitations.
- Access Guidelines for Special Events.

Second, the Office of Diversity and Civil Rights Compliance (DCRC) has developed and provided extensive training about ADA issues – both general and targeted—since 2013:

- DCRC developed general online training for staff and managers. PALMS, the Program Access Learning Management System, won a 2015 Achievement Award from the National Association of Counties and, has been viewed by 2,338 employees to date – 91% of whom completed all four modules. PALMS, continues to be the foundation for the Title II ADA/Program Access training for County employees and is offered through Employee Central and frequently via new employee orientation-type training.
- Through the “All People Can” initiative, managers worked interactively in training for several hours with those in similar programs to apply the principles learned through PALMS and refresher online training that preceded the in-person training. The resulting handbook reinforces the various classes and online training with policies, examples, and practical tips.
- DCRC has offered training on using the telecommunications relay service and worked with individual departments to tailor other learning experiences to their needs.

DCRC also maintains contracts for the provision of services such as sign language interpreting, CART (communication access real time translation), video captioning, and captioning for Board of Commissioners meetings.

This report focuses largely on County Departments' Corrective Action Plans (CAPs). Supported with even more training and guidance from DCRC, the Disability Compliance Liaisons (DCLs) – ADA point

persons at the department level – from 34 departments developed more than 900 milestones (measurable corrective actions with deadlines) to remedy the shortcomings identified in 2012 in their own programs and activities, and they reported on their progress to the DCRC. Almost all the milestones were completed (although generally several months past their deadlines). Examples of typical actions and steps still needed include the following:

- **Infrastructure**

With comprehensive efforts across the board, the County’s effective and knowledgeable ADA Administrator and strongly committed management and staff have put in place a robust infrastructure, including but not limited to: policies and procedures, public notice of the kinds of modifications that can be requested and how modifications can be obtained, comprehensive and frequent training, as well as specific procedures for grievances.

- **Reasonable Modifications (and Participation) and Effective Communication**

The County made significant advances in these two areas, which are key to compliance, affect all departments’ services, and represented almost half the milestones. But work remains to be done.

- Several departments have trained their staff about service animal issues and about making materials available in alternate formats such as large print, Braille, or accessible electronic format and put policies into practice. But some departments and staff need a deeper understanding of the details of issues surrounding animals and mobility devices. The public safety and law enforcement cohorts should work together to be sure that they keep people and their service animals together even in custody and/or evacuation from buildings.
- Departments have a better understanding of why and how to provide auxiliary aids such as alternate formats as well as interpreters, written materials or captions for people who are hard of hearing or deaf. But some managers and staff need to more definitively understand the need to give primary consideration to the needs of people with disabilities, not to rely on companions, and how various accommodations are used. Some need to understand not only how to use the telecommunications relay service but that it is not a substitute for interpreters or other auxiliary aids in a face-to-face situation.
- Very few departments have taken steps to ensure that people with disabilities have an equal opportunity to participate on advisory committees and to be accommodated.
- Not all departments understand that cost is almost never an “excuse” for providing effective communication. More information about various alternatives, and perhaps increased funding for this purpose, could help resolve this issue. The County should consider the use of keyboard devices with screen displays, as well as video remote interpreting, as shared technology that may be appropriate in some situations and help to save costs.
- More departments should assess and implement the County’s SOP that places responsibility on departments and contractors to caption videos and DVDs disseminated to the public

- **Outside Entities such as Contractors**

It appears that central policies require that contracts include disability nondiscrimination language, but more specific language is suggested. Less than half the departments set milestones in this area, but all departments should evaluate past records of ADA compliance when considering potential contractors, grantees, or other partners. Post-award, they should monitor contractors' compliance; only one department planned to do so.

- **Emergency Procedures**

The 2012 report highlighted needs for changes related to evacuating people with disabilities during an emergency, communicating with them during emergencies, and ensuring nondiscriminatory sheltering in place. Most departments addressed these issues with comprehensive milestones. It is recommended that the needs of people with cognitive or psychiatric impairments also be considered, that more work be focused on communicating in a way that is effective for people with disabilities when using email and television broadcasts.

- **Equipment and Furniture**

Reports indicate that the County is doing well in ensuring that equipment and furniture are accessible. The most significant challenge for departments seems to be lack of funding. It also appears that some departments may not understand their responsibilities to ensure access to a program in its entirety; this may require acquisition of accessible equipment and furniture even if new purchases are not otherwise planned. For example, if no equipment or furniture such as public computers or a health clinic's weight scales are accessible, new or modified computers may need to be acquired, even if purchases were not otherwise planned, to ensure access to the program.

- **Accessibility and Maintenance of Features**

The departments have further strengthened their high level of compliance here, by providing accessible parking and lowered reception desks, accessible signage, and assistive listening devices. They also take steps on a staff level to monitor accessible routes to spaces used for programs for obstructions and monitor lifts and doors to be sure they are in working order.

- **Transportation**

Some programs have ensured that the vehicles they use in their programs to transport the public are accessible. However, the DCRC should follow up to clarify whether certain departments have addressed this issue.

The County plans continued training, development of a transition plan for physical changes to facilities needed for program access, and assessment of unique programming areas including emergency planning and website accessibility.

As with all jurisdictions undertaking this work, there is room for improvement. Working toward the end goal has taken – and will continue to take – a significant investment of time and resources. It is hoped that these efforts will be enhanced with the Board's leadership and through the dedication and engagement of County staff and management. With its ongoing commitment to the principles of the ADA, Fulton County will be prepared to achieve its goal of equal access and inclusive high-quality services for people with disabilities.

I. BACKGROUND

Shortly after the passage of the ADA -- from 1992 to 1995 -- Fulton County completed its first ADA Self Evaluation and Transition Plan. Using information from the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Justice (DOJ), the County conducted an initial assessment of its programs and services, policies and procedures, employment practices, and facilities. In 2011, after DOJ issued revised Americans with Disabilities Act (ADA) regulations, Fulton County began a new multi-phase ADA Self Evaluation Plan and Transition Plan Project to specifically review its efforts to carry out its responsibilities under Title II of the ADA.

In Phase I of the project, during 2011 and 2012, the County surveyed and reviewed in depth its policies and practices for 34 distinct departments that possessed a total of 168 public-facing programs. The culmination of this stage was the issuance of a report, *Fulton County: Full Access Ahead*, describing the County's successes in implementing the ADA as well as areas needing improvement.¹

In Phase II, the subject of this report, from 2013 to 2016, the departments established and implemented corrective action plans with milestones, in light of the first report. Under the direction of the Office of Diversity and Civil Rights Compliance (DCRC) (at the time, the Office of Equal Employment Opportunity and Disability Affairs (OEEODA)),² the County –

- Identified department Disability Compliance Liaisons (DCLs), who were familiar with department programs and were in positions to make decisions and/or had direct access to the Department Director to facilitate necessary corrective actions.
- Reviewed policies and practices for unique programming areas not previously covered in Phase I (Registration and Elections, Personnel, Emergency 911).
- Developed corrective action plans (CAPs) with 928 milestones to address the issues raised in the 2012 report.
- Trained staff about the areas needing remediation.
- Developed a database for capturing CAP data and for tracking remediation.
- Completed CAP Milestones remediation work, including development of new policies and procedures as well as training programs.

¹ *Full Access Ahead*, Consultant's Report to the Board of Commissioners (Self-Evaluation and Transition Plan of Fulton County, Georgia, Under the Americans with Disabilities Act), Irene Bowen, ADA One, LLC, August 2012. http://www.fultoncountyga.gov/images/stories/OEEO/FINAL_RPT_Full_Acc_92316.pdf.

² The names of a number of departments have changed over the course of this self-evaluation. At the first mention of a particular department that has undergone a name change, this report will refer to the name that existed when the milestones and progress reports described were developed. Thereafter, it refers to the department by its new name. Those name changes are as follows: Housing and Human Services became two departments, now Aging and Youth and Housing and Community Development; the Office of Communications is now the Office of External Affairs; General Services/Facilities and Transportation Services is now the Department of Real Estate and Asset Management (DREAM); the Office of Equal Employment Opportunity and Disability Affairs (OEEODA) is now the Office of Diversity and Civil Rights Compliance (DCRC).

The multi-phase self-evaluation project aligns with all six of the County's current strategic priority areas,³ in that it reaches almost all operations of the County's departments. For example, putting changes in place means that:

- People with disabilities can learn about emergency, police, and fire services and be treated equally in evacuating buildings and seeking protection or other services from law enforcement and firefighters. They can expect the justice system – from the jails to the courts – to process cases in a fair, timely, and respectful manner. *(All People are Safe.)*
- People with disabilities can access physical and mental health services and programs. *(All People are Healthy.)*
- If people with disabilities find themselves in a situation where they are vulnerable, they can receive the care and community support they need. *(All People are Self-Sufficient.)*
- People with disabilities can get information about and apply for employment and contracting opportunities. *(All People have Economic Opportunities.)*
- With accessible buildings (including libraries), facilities, and exhibits; communication assistance for performances and meetings; and modifications to enable participation, people with disabilities can enjoy access to the performing arts, recreation, and exhibits. *(All People's Lives are Culturally & Recreationally Enriched.)*
- By improving customer service through (a) an accessible website, effective communication, and appropriate interactions, (b) accessible voting locations and procedures, (c) reasonable modifications to policies and practices, and (d) reporting on its performance and engaging with people with disabilities as to the direction of government, Fulton can promote trust on the part of people with disabilities. *(All People Trust Government is Efficient, Effective and Fiscally Sound.)*

The County has already begun working on the next phases of the self-evaluation project:

- Phase III(A): 2016-2017 – Pilot ADA facilities assessment
- Phase III(B): Beginning in 2017 – Facilities assessments of remaining programs (65 locations), leading to a new Transition Plan
- Phase IV: Beginning in 2018 –
 - Ongoing remediation of areas identified for improvement in Phase III (A&B)
 - Assessment of the Atlanta Fulton County Emergency Management Agency (AFCEMA)
 - Assessment of Fulton County public websites

³ The 2016-2019 Fulton County Strategic Plan, with a more detailed description of the six priorities, is at http://www.fultoncountyga.gov/images/stories/2016_graphics/Fulton_County_Strategic_Plan_2016.pdf.

II. SUMMARY OF SELF-EVALUATION FINDINGS AND RECOMMENDATIONS FROM 2012 REPORT

The self-evaluation report, *Full Access Ahead*, detailed findings in several key areas and summarized how the County measured up to the ADA and best practices in the subject matter areas assessed. Most significantly:

- Facets reflecting the “public face” of access (physical accessibility) fared best.
 - Managers and the public generally viewed the locations of County programs and activities as being offered in accessible locations, with regular maintenance of accessible features.
 - Programs reported that computer stations, furniture such as tables and chairs, and equipment did not pose barriers to full participation.⁴
- Two elements were generally successful County-wide: infrastructure and transportation.
 - The County’s management and staff were clearly committed to ADA compliance. The ADA Administrator was knowledgeable and effective. However, the County needed to make ADA-specific additions to its public notices and grievance procedures and to train staff in several areas on a regular basis, including on interaction with people with disabilities. All staff needed to be aware of the ADA Administrator’s availability as a County-wide resource.
 - Most programs that provided transportation as a service or as part of an activity reported that they ensured that accessible transportation was provided, although some vehicles used were not accessible.
- The County needed to make significant improvements in half of the areas surveyed:
 - Reasonable Modifications to Policies
 - It was recommended that the County create or modify its policies relating to service animals and mobility devices.
 - While most programs offered assistance and informally made simple modifications as a matter of customer service, the County needed to let people know they can request modifications, and to develop a process for considering requests for reasonable modifications (other than simple or routine requests) and for documenting reasons for denials.
 - Effective Communication
 - With a few exceptions, Fulton County did not have a process for providing forms, applications, or other print documents in alternate formats – such as large print, Braille, or accessible electronic format – for people with vision disabilities, other than for meetings of the Board of Commissioners and a few advisory committees. Staff was generally unaware of how to obtain or prepare materials in alternate formats.

⁴ Some of the data about furniture and equipment may not be reliable, as explained in the 2012 report at page 83.

- Communication raised several “red flag” issues – suggesting that individuals with disabilities could be excluded or affected in ways clearly prohibited by the ADA. Some programs denied requests for or charged a fee for auxiliary aids or services, and some relied on companions of people with disabilities for assistance in communication.
- No programs that used assembly areas or courtrooms reported use of assistive listening devices.
- Outside Entities: Although the County is responsible for ensuring that vendors, contractors, or other entities that carry out County services and activities do so in a way that is consistent with the ADA, the County rarely monitored these outside parties for this purpose.
- Emergency Procedures: The departments reported that they had procedures that took the needs of people with disabilities into account during an evacuation from a building or sheltering in place. However, almost none had plans for communicating with people with hearing or vision disabilities.

III. PROGRESS ON SEVERAL FRONTS SINCE SELF-EVALUATION REPORT

The County is building on prior successes and following the recommendations of the 2012 self-evaluation report. It has established a robust infrastructure, set new policies, conducted extensive training, and implemented Corrective Action Plans.

III.A. New Policies

On March 6, 2013, Fulton County issued (a) Policy and Procedure 600-72, *Fulton County Program Access Policy for Persons with Disabilities* (Program Access Policy), and (b) the accompanying and more detailed Standard Operating Procedures and Guidelines (SOP) for implementing the policy.⁵ The policy reaffirms the County's commitment to compliance with the ADA and Section 504, commits to making reasonable modifications to ensure nondiscrimination, and establishes a grievance/complaint procedure. It also states a strict prohibition on retaliation against those advocating for the rights of people with disabilities and sets out a process for related disciplinary action.

The detailed 25-page SOP, sets out relevant definitions, policy commitments, program responsibilities, and procedures to assist in implementation of the Program Access Policy. It includes these separate sections:

- (1) Definitions of the various laws as well as terms used in the ADA regulations, and others terms specific to the County such as ADA/SEP Liaisons, Department Transition Plan for Physical Facilities, and Programs, Services, and Activities.
- (2) Guidelines for Ensuring Access to County Physical Facilities and Programs for Persons with Disabilities

These guidelines have general provisions for physical facilities (program access), including as to leasing, construction, and renovations. They also require various types of modifications to be made as to program eligibility, participation, and applications; exams and courses; advisory committees; and emergency evacuation policies and procedures. They require all County contractors (including grantees and sub-recipients), except contractors providing tangible goods, to comply with the policy. Contracts are to require compliance with the policy and the ADA and contracting departments are to monitor contracts accordingly.

- (3) Access Guidelines for Providing Effective Communication to Persons with Disabilities

⁵ Prior to this, the County's formal ADA policies covered only employment-related issues.

These guidelines set out examples of effective communication as well as procedures relating to (a) obtaining a sign language interpreter through a County contract by contacting OEEODA (now DCRC), with details about time frames and cancellations; (b) obtaining materials in alternate format such as Braille (through a vendor) and large print; (c) communicating with people who are deaf, hard of hearing, or speech-impaired through TTYs,⁶ the Georgia Relay Service,⁷ and email. Each department must have at least one email address that is widely available via website and publications so that people with disabilities may contact departments to request accommodations or information. Department staff should be trained in using the relay system.

These guidelines also include an Access Statement for Notices of Public Meetings and Departmental Publications. The specific language is to be placed in all notices of public meetings and events, asking individuals to contact the department seven days in advance for reasonable modifications including alternate formats. If a meeting or event notice does not contain the statement or is not timely, the department must provide sign language interpreters and materials in accessible format unless the department knows that no one needing accommodations will be attending. Specific language is also to be placed in all publications disseminated to the public, with a phone number, email address, and Georgia Relay number, for requesting materials in alternate formats.

In addition, these guidelines place responsibility on each department for responding to requests for captioning of programs that it disseminates to the public. In conjunction with FGTV and the Office of Communications (now the Office of External Affairs), a department is to ensure that any video it produces contains real-time or post-production captioning, as appropriate. Vendors/contractors share this responsibility.

The Office of Emergency Management is to caption emergency announcements and programs provided through broadcasts and videos. These include announcements about hurricane preparedness, sheltering, transportation, and evacuation. Requests are to be made of the television stations to broadcast the announcements with captioning. If this is not possible, scrolled messages and interpreters must be provided.

(4) Access Guidelines for Mobility Devices

These guidelines restate the ADA requirements to allow people with mobility devices to use wheelchairs and manually-powered mobility aids in areas open to pedestrian use and to make reasonable modifications to permit the use of other power-driven mobility devices (OPDMDs) by people with disabilities, with certain exceptions. They set out the factors to be considered as to whether OPDMDs will be allowed in a specific facility; these are drawn from the DOJ regulation. They also set out and track the DOJ regulation's provisions about what questions can be asked of someone seeking to use an OPDMD and its definition of OPDMD.

⁶ Telecommunications devices that allow people with speech or hearing impairments to communicate over the phone using a keyboard and a viewing screen.

⁷ Also called TRS (see Section V.C.5, Effective Telephone Communications).

(5) Access Guidelines Regarding Service Animals in County Spaces

Following the DOJ regulation, these guidelines define service animals, address factors to be considered when determining whether to allow miniature horses into a specific facility, and what questions are appropriate to ask of an owner or handler. They also prohibit surcharges and discuss the need for the animal to be under the control of its handler, with guidance on circumstances under which someone can be asked to remove his service animal from the premises. It adds direction that goes beyond the specifics of the ADA regulation as well: that if County employees find it is necessary to guide an animal through or around a metal detector, gate, or other obstacle, they should not approach or touch the animal without consulting with the owner. Except where the County has responsibility for the owner of a service animal, building managers and security personnel shall be able to direct the owner of a service animal to a nearby place where the animal can relieve itself.

(6) Access Guidelines for Special Events

These guidelines set procedures and accessibility requirements for special events, including public hearings, special meetings, and performances. They are intended to ensure that people with disabilities can get to and participate in all aspects of an event, and give examples of types of accommodations that are required:

- Temporary accessible routes, curb cuts, cross walks, etc. must be accessible.
- There must be no protruding objects or overhead hazards such as signs and guide wires.
- Exhibits, displays, vendor spaces, dining areas, restrooms (including portable toilets), performance spaces, and designated accessible parking must be on an accessible route.
- Merchandise on display must be within certain height limitations.
- Food and drink counters, tables, and seating must comply with some basic accessibility requirements.
- Reserved wheelchair and companion seating must be provided where there is general assembly seating or standing space for audience members. Areas for performers must be accessible.
- Any transportation offered to the event from parking areas must be wheelchair accessible.
- Auxiliary aids/services must be provided upon advance request at the expense of the department.

(7) Access Guidelines Regarding County Department Implementation Responsibilities

These guidelines distinguish the respective responsibilities for implementation by the County Manager, DCRC, Department Directors and Appointing Authorities, Disability Compliance Liaisons (DCLs), DREAM, Department of Purchasing and Contract Compliance, County Attorney, and Commission on Disability Affairs. For example, the DCRC is to oversee compliance of County departments with federal nondiscrimination laws, agreements, and County policies; work with DCLs and ADA/SEP Liaisons to coordinate training, complete the self-evaluation, and develop and implement the County Transition Plan for accessibility of facilities; and update the self-evaluation every five years. Department directors are to monitor contracts/grantees/sub-recipients. DREAM is

to ensure that any space being considered for lease by a County agency is evaluated for access and compliance with regulations and codes. Purchasing is to include language in County contracts specifying nondiscrimination under the ADA and to ensure that contractors comply.

(8) Access Guidelines for Grievances/Complaints

This procedure explains how the County responds to complaints of discrimination on the basis of disability. It sets out department responsibilities, methods and timeframes for filing, time frames for resolution, and procedures.

III.B. Training

1. Department-Specific Training

DCRC has developed and provided extensive training about ADA issues – both general and targeted – since 2013. In addition to online training through PALMS (described in section III.B.2 below), DCRC has presented executive briefings, such as those to the Board of Commissioners, and training on effective communication (including use of the Georgia telecommunications relay service). It has delivered training targeted to specific departments, such as Security, Clerk of the Superior Court, Arts and Culture, Library, Registrations and Elections, and the Sheriff’s Office Command Staff. Floor leaders have been regularly trained about assisting persons with disabilities in evacuating a building. New employee orientation includes ADA information. A list of these training sessions is at Attachment 1 in the Appendix.

2. PALMS Training



The 2012 report, under the heading of “DO IT NOW,” recommended that the County “train staff and managers on a wide range of ADA-related matters and on interaction with people with disabilities.”

DCRC’s answer to address this need – County-wide and in the shortest period of time – was to develop online training, the Program Access Learning Management System (PALMS). Rolled out in 2015, this web-based learning system was designed to increase the ability of Fulton County staff to provide quality

service delivery to persons with disabilities. To date, 2,338 employees have viewed PALMS online training. Of those employees, 91% have completed all four modules.⁸

The training, which received a 2015 achievement award from the National Association of Counties, has four modules:

MODULE ONE: Creating an Inclusive Environment

Module One provides an overview of the County’s access mission, Program Access Policy (600-72), and local governmental responsibilities under the ADA.

MODULE TWO: Interacting with Persons with Disabilities

Module Two emphasizes a commitment to treating every person with dignity and respect. Module II introduces participants to common access challenges persons with disabilities encounter and proper service delivery methods to overcome such challenges.

MODULE THREE: Understanding Effective Communication

Module Three aims to instill an advanced ability to understand effective communication requirements and to respond to the needs of the public, which is vital to delivering outstanding public service. It provides a brief overview of resources that facilitate communication with persons with disabilities.

MODULE FOUR: Providing Auxiliary Aids and Programmatic Solutions

Module Four provides a brief overview of the appropriate use of auxiliary aids, services, and programmatic solutions when providing services to persons with disabilities.

3. “All People Can!” Training

Following the deployment of PALMS, the County developed and conducted additional online training, which was followed with a full-day, in-person training in November 2016 for managers from each involved department as part of the “All People Can!” campaign; the ADA-related portion was carried out in conjunction with ADA One, LLC, as the consultant. Learning more about customer service to individuals with disabilities and/or Limited English Proficiency (LEP), consistent with legal requirements and best practices, 116 individuals participated in interactive training, with one half day dedicated to ADA issues. Prior to the in-person training, participants had been asked to complete an 80-minute online training program developed by the consultant about the basics of the ADA. The in-person training, conducted with groups of up to 30 people at a time, was then devoted to reinforcement of certain principles, followed by smaller groups exploring scenarios or hypothetical questions related to their programs and reporting back to the larger group for further discussion. Managers had an opportunity to learn how others within their own department or those carrying out similar programs in

⁸ The County provides New Employee Orientation training approximately 20 times per year, but currently PALMS is not part of that curriculum. The Office has recently followed up with various departments, and found that PALMS is part of that department’s internal New Employee Orientation, such as in Health Services and most of the courts, where public access to programs and services is the highest.

other departments were approaching issues and to share possible solutions to difficult situations. Some managers set informal goals for later action. For example, some departments in the Public Safety cohort (which included law enforcement, Fire, and Jail) discovered that they had different views of how to address service animal issues and planned to work together to coordinate and resolve them. The Police Department learned about, and wanted to know how to acquire, visor cards that officers can carry in their cars to facilitate communication with people who are deaf or hard of hearing when an interpreter is not yet on the scene. (See photo p. 51.)

III.C. “All People Can!” Handbook

DCRC then produced the “All People Can!” Handbook, which was designed as a follow up to the training program, intended to provide additional resources to staff serving the public, to ensure that people with disabilities and/or Limited English Proficiency (LEP) are able to fully participate in the programs, services, and activities provided by Fulton County. The Handbook will be posted on DCRC’s internal website for Fulton County staff to view, along with links to the online ADA and LEP training presentations.

III.D. Contracts for Auxiliary Aids and Services

DCRC has also entered contracts for auxiliary aids and services to implement the requirements of the ADA about effective communication with people with disabilities. Contracts include, for example, those for --

- Sign Language Interpreting services.
- Communication access real time translation, (CART) services (see photos, pp. 39 and 58), and open captioning transcription services for recorded videos.
- Closed captioning services for the Board of Commissioner's meetings.

III.E. Courthouse Audit by U.S. Attorney’s Office (USAO)

In June 2015, the United States Attorney’s Office for the Northern District of Georgia announced that it had initiated a review of local courthouses in its district, to determine if they were in compliance with the ADA. As part of the review, local officials were asked to complete and return a survey form for nine local courthouses. The USAO said that once the survey forms were completed, investigators might follow up with inspections to confirm survey responses and to evaluate compliance with the ADA regulations.

On June 18, 2015, DCRC coordinated a meeting with the Fulton County Justice Partners to discuss the notification of the audit being conducted by the USAO at courthouses in the district, including Fulton County courthouses. The meeting was intended to ensure all Justice Partners (Superior Court Administration, State Court Administration, District Attorney, Solicitor General, Magistrate Court, Probate Court, Sheriff’s Office, and the Marshal’s Office) were informed of the upcoming audit and that the primary focus was to review the facility and program access enhancements for ADA compliance. In July 2015, the U.S. Attorney and several aides visited Fulton County, meeting with the Superior Court Administrator’s staff, DREAM, and the ADA Administrator. They conducted a survey walk-through with the U.S. Attorney. A survey tool developed by the USAO was then digitized, distributed, and reviewed. The County Attorney’s Office, in conjunction with the Justice Partners and DCRC, returned the surveys to the USAO in October 2015. On February 9, 2017, the DCRC received a Letter of Findings from the USAO.

The Letter of Findings and plans to remediate identified obstacles are under discussion with the County Attorney, DCRC, and DREAM.

III.F. Developing and Completing Corrective Action Plans with Milestones

1. Process of Developing Corrective Action Plans (CAPs)

Across the 34 departments of Fulton County involved in the self-evaluation, 928 Corrective Action Plan Milestones⁹ were developed by the Department Directors, DCLs, and the DCRC, with support from the County Manager. The County has reported that it had completed 98% of those milestones by March 2016.

The CAP Milestones were developed using information identified in the *Full Access Ahead* report, with the primary focus on areas needing significant improvements. The consultant had provided summary issue reports for each program, with responses that reflected a “yes” answer (indicating compliance) to the survey in green, and responses that reflected a “no” answer (indicating noncompliance) in red. The DCLs were instructed to review their department’s survey analysis and were then asked the question, “What do you have to do to change a ‘no’ to a ‘yes,’ or should the answer have been [not applicable] relative to the program?” The resulting milestones were those addressing the “no” responses that were applicable.

DCLs were asked to develop SMART milestones that were Specific with regard to the corrective actions to be taken, were Measurable, were Achievable, assigned Responsibility to individuals for accomplishing them, and were Time-bound. Many milestones were revised after review, to meet these criteria.

In March of 2014, CAP Summary Sheets were developed by the ADA Administrator to highlight discrepancies for each department/program in eight focus areas: Infrastructure, Eligibility, Communications, Equipment, Access, Transportation, Emergency Communications and Outside Entities. The purpose of these summary sheets was to highlight (by department) all milestones that had not been completed by the initial deadline and to facilitate discussion between the departments and the DCRC’s EEO/ADA Officers by focusing on those milestones that had not been completed and determining the reasons for non-completion. Follow-up one-on-one department reviews were conducted on August 8, 2014, with a milestone completion rate of 47% as of that date. Between August 2014 and December 2016, the departments continued to work on completing the milestones and reported that they achieved a 98% completion rate.

From April 2013 to June 2015, DCRC held nine training sessions specific to CAPs or DCLs, including sessions about planning, how to develop the CAP milestones, department responsibilities, explanation of the data base and challenges for completion, using milestones, review of the milestones, completing milestones, updates, follow-up conducted by EEO/ADA Officers, and tracking of milestone completion and data entry.

⁹ See Section IV.A, Data Analysis Methodology.

2. Challenges

The CAP process presented several challenges.

Turnover in Senior Management and Support Positions

According to DCRC, the single most challenging issue has been and continues to be frequent changes to the department DCLs and/or Department Directors. These changes caused delays in CAP completion, redundancy of training, lack of familiarity with the County's policies, and the need for employees to complete PALMS with short notice – all resulting in missing key deadlines and deliverables. In addition, DCLs sometimes lacked management support due to other competing management priorities.

Technical problems

Some difficulties were technical ones regarding the database and input. DCLs sometimes neglected to save data, causing time loss due to redundancy of efforts. In addition, the SharePoint database was designed to promote and respond to timely submission of data and would lock out DCLs/Managers who failed to approve items within a scheduled time frame; Information Technology. Intervention was required before proceeding. The County also experienced technical issues with SharePoint during the initial database development and transition from MS Excel to SharePoint; that transition was tedious and not timely.

IV. OVERALL PROGRESS TOWARD MEETING MILESTONES

- County departments have met almost all the 840 analyzed milestones from their Corrective Action Plans.
 - The County's progress is most notable in three areas core to ADA compliance: infrastructure, reasonable modifications to policies and participation, and effective communication.
 - There is more to be done, especially as to working with and monitoring outside entities like contractors.
-

IV.A. Data Analysis Methodology

The County provided a list of 928 milestones established by individual departments, along with several fields of data for each milestone, including:

- Description
- A revised description where relevant
- Evaluation plan area (in categories corresponding to those of the self-evaluation, such as effective communication)
- Department
- Due date
- Date completed
- Comments (optional)

Of the 928 milestones, only 21 were not marked as completed. Of the 907 milestones marked as completed, 69 were found to be duplicates on their face and were removed. Remaining for analysis were 840 complete, non-duplicate milestones.

ADA One's data analyst additionally categorized each of the 840 milestones into an appropriate evaluation plan area subcategory (such as Effective Electronic Communication under Effective Communications), again corresponding to those used in the self-evaluation. She organized the data to make it usable for analysis and developed the charts in this report.

Several qualifications and limitations about the assessment of the milestones should be noted.

First, upon closer analysis, some milestones in addition to the 69 duplicates were discovered to be redundant, misclassified, or so vague as to not be classifiable or understandable. The consultants made every attempt to change the categories of those that clearly should be modified. However, revising, deleting, and/or modifying the descriptions of others (if indeed adequate descriptions could have been obtained) would have been an unmanageable task.

Second, there is no independent verification of completion of each milestone. For example, several milestones included establishing departmental policies or Standard Operating Procedures (SOPs) and were reported as completed, but in fact they were not necessarily completed. The consultant requested copies of SOPs mentioned by three different departments but learned that only one exists, and it is from 2003. One of the other milestones was to develop an SOP for monthly checking of assistive listening devices (ALDs) for an assembly area to ensure they are charged and functioning. The department's comment on this milestone, which was reported as completed, was that an SOP will be developed for the same agency to assign personnel to check as mentioned. There currently is no SOP in place, but another department charges the ALDs before meetings.

Third, other types of milestones were reported as complete when the comments or other indicators showed that they were not. For example, a milestone for one department was that "Any future emergency plans developed for clients will be provided in alternate formats." While the milestone was marked complete, the comment was "No plans to develop written or alternate formats for clients on information during emergencies." Another department planned to coordinate with departments to determine the percentage of purchased products that provided enhanced accessibility, but then it stated that this was not applicable because individual departments are responsible for accessibility features. Nonetheless the milestone was reported as completed.

Because it would have been beyond the scope of this effort to closely analyze or inquire about, and possibly reclassify, 840 individual milestones, those in these three categories – as well as others that may not have been correctly classified or counted complete – were retained "as is" – i.e., counted and analyzed in the way in which they were reported – for this report.

The two charts below show the overall accomplishments in setting and completing milestones, by the numbers.

Chart 1A: Milestones by Evaluation Area

Evaluation Plan Area	Total Completed	Completion Date			
		# On-Time	# Late	Latest Date (of final MS completed)	Unknown
1. Infrastructure	149	82	60	2/19/2016	7
2. Eligibility and Participation	129	63	48	2/5/2016	18
3. Communications	239	99	95	2/5/2016	45
4. Equipment / Furniture	51	30	10	1/28/2016	11
5. Accessibility and Maintenance of Features	113	67	35	2/5/2016	11
6. Transportation	17	9	8	2/19/2016	0
7. Emergency Procedures (Communications)	101	34	57	3/10/2016	10
8. Outside Entities	41	21	15	2/19/2016	5
TOTAL	840	405	328	3/10/2016	107

Chart 1A summarizes the milestones by evaluation plan area, broken down into the number of milestones completed on time (by the indicated due date), those completed late (after the indicated due date), and the latest date by which all milestones in an evaluation plan area were completed. The column marked 'unknown' indicates milestones where completion date data was missing.

Chart 1B: Milestones by Evaluation Area Subcategory

Chart 1B, on the following page, summarizes the data similarly to Chart 1a, but breaks down the milestones further into subcategories.

Evaluation Plan Area	Evaluation Plan Sub-Category	Total Completed	Completion Date			
			# On-Time	# Late	Latest Date (of final MS completed)	Unknown
1. Infrastructure	1.A. Commitment, General Practices, Training	103	58	43	2/5/2016	2
	1.B. Notice and Grievance	46	24	17	2/19/2016	5
2. Eligibility and Participation	2.A. General requirements	35	19	13	2/5/2016	3
	2.B. Eligibility and participation, applications, and registration	33	24	6	12/21/2015	3
	2.C. Testing	2	1	1	11/9/2015	0
	2.D. Mobility devices	3	2	1	3/3/2015	0
	2.E. Hearings, meetings, trainings, classes, tours, and special events	23	9	8	2/2/2016	6
	2.F. Service animals	31	6	19	10/30/2015	6
	2.G. Advisory committees and boards	1	1	0	6/29/2015	0
	3.A. In-Person Communications	18	7	8	2/4/2016	3
3. Communications	3.B. Effective Written Communications	48	18	20	2/4/2016	10
	3.C. Auxiliary Aids	79	32	34	2/5/2016	13
	3.D. Effective Electronic Communications	37	13	14	12/11/2015	10
	3.E. Effective Tele Communications	40	20	15	2/2/2016	5
	3.F. Video	19	10	4	12/11/2015	5
4. Equipment / Furniture	4.A. Equipment	21	8	7	1/28/2016	6
	4.B. Purchasing	29	22	3	9/3/2015	4
5. Accessibility and Maintenance of Features	5. Access and Maintenance	113	67	35	2/5/2016	11
	6. Transportation	17	9	8	2/19/2016	0
7. Emergency Procedures (Communications)	7. Emergency Procedures (Communications)	101	34	57	3/10/2016	10
	8. Outside Entities Partners	41	21	15	2/19/2016	5
OVERALL		840	405	328	3/10/2016	107

Chart 2: Milestones by Department

Chart 2 summarizes the data similarly to Charts 1a and 1b, but breaks down the milestones by department.

Department	Total Completed	Completion Date				Not Completed
		# On-Time	# Late	Latest Date (of final MS completed)	Unknown	
Aging, Children, and Youth	48	18	27	12/21/2015	3	0
Animal Services	9	4	5	12/21/2015	0	0
Arts and Culture	86	58	7	12/21/2015	21	0
Child Attorney	9	3	6	11/9/2015	0	0
Clerk to the Commission	3	3	0	4/13/2015	0	0
Cooperative Extension	6	6	0	NA	0	0
County Manager	23	5	18	6/26/2015	0	0
District Attorney	26	6	17	1/20/2016	3	3
Diversity and Civil Rights Compliance	15	9	6	6/26/2015	0	0
Economic Development	4	0	4	12/21/2015	0	0
External Affairs	27	12	15	6/15/2015	0	0
Finance	7	1	6	6/18/2015	0	0
Fire	12	8	3	12/18/2015	1	0
General Services	50	49	1	7/22/2015	0	0
Health Services	59	58	1	2/4/2015	0	0
Housing and Community Development	41	3	9	1/6/2016	29	0
Juvenile Court	30	21	9	1/29/2016	0	0
Library	22	11	9	12/22/2015	2	0
Marshal	14	12	0	NA	2	0
Medical Examiner	7	6	1	7/10/2014	0	0
Personnel	28	22	6	12/4/2015	0	0
Planning & Community Services	20	17	3	4/10/2015	0	0
Police	25	21	4	6/30/2015	0	0
Probate Court	5	5	0	NA	0	0
Public Defender	29	1	18	12/31/2015	10	0
Public Works	18	4	14	6/30/2015	0	0
Purchasing and Contract Compliance	22	11	11	12/4/2015	0	0

Department	Total Completed	Completion Date			Unknown	Not Completed
		# On-Time	# Late	Latest Date (of final MS completed)		
Registration and Elections	30	12	18	2/5/2016	0	0
Sheriff Department	84	0	84	2/19/2016	0	0
Solicitor General	5	1	4	4/10/2015	0	0
State Court	7	5	2	4/3/2015	0	1
Superior Court	41	5	0	NA	36	1
Superior Court Clerk	22	8	14	1/28/2016	0	3
Tax Assessor	6	0	6	3/10/2016	0	0
Tax Commissioner	0	NA	NA	NA	NA	13
OVERALL	840	405	328	3/10/2016	107	21

IV.B. Highlights of Findings

Almost all milestones have been reported complete (as qualified by the statements in Section IV.A). More than one third were completed past their original deadlines (on average, more than five months late). The departments' timeliness fell into a wide range, with five departments (Clerk to the Commission, Cooperative Extension, DREAM, Health Services, and Probate Court) completing 98 to 100% of their milestones on time, but three (Economic Development, Sheriff, and the Tax Assessor) completing none on time, and Public Defender achieving timely completion of only one of its 29 milestones. The Tax Commissioner did not complete any of its 13 milestones at any time. These numbers are skewed somewhat by one other factor: A few departments failed to report about completion of a relatively significant percentage of their milestones (with between 24% and 88% not completed): Arts and Culture, Public Defender, Housing and Community Development, Public Defender, and Superior Court.

1. Infrastructure

The most comprehensive accomplishments were achieved as to infrastructure, which fell into the middle ground (generally successful) in the self-evaluation report. The ADA Administrator was then – and continues to be – knowledgeable and effective, and staff and management were then – and continue to be – clearly committed to ADA compliance. The County has met the prior recommendations for additions to public notices and grievance procedures and has made significant inroads with various forms of training.

2. Reasonable Modifications and Communication

The County also made significant advances in two core areas – reasonable modifications and participation, and effective communications – that were rated as needing significant improvement. Almost 45% of the milestones came from these two areas, but more remains to be done. New county-wide policies (in the SOP) state clearly the requirements and guidelines for many types of reasonable accommodations and communications, and several departments now provide notice to the public that they can make requests for modifications and auxiliary aids and services; all departments should do so.

Almost half the departments have improved access to meetings. Although training and central policies have addressed many service animal issues, departments handling law enforcement and public safety should review the requirements and train their staff and managers who interact with the public. Very few departments have taken steps to ensure that people with disabilities have an equal opportunity to participate on advisory committees.

Many departments have now reviewed their documents such as flyers, contracts, informational materials, and forms to ensure that they include notification that accommodations are available to individuals with disabilities; that they make materials available in alternate formats such as large print, accessible electronic format, and Braille; and that staff is trained in this area. Several departments have arranged to provide auxiliary aids and services such as assistive listening systems and sign language interpreters and have trained staff about the use of the Georgia telecommunications relay service; and others have developed procedures and training modules about auxiliary aids and services for individuals with vision and hearing disabilities. The County is urged to consider the use of keyboard devices with screen displays and video remote interpreting in appropriate situations; both these technologies can be shared among departments. It appears that some departments need a better understanding that primary consideration must be given to the wishes of a person with a disability and that cost cannot be a factor in denying auxiliary aids except in extremely limited circumstances. An understanding of sources of auxiliary aids, and perhaps increased funding for them, may benefit some departments. The County's SOP places responsibility on departments and contractors to caption videos and DVDs disseminated to the public, but it appears that more departments should assess the requirements as they apply to their programs.

3. Outside Entities

Although many County services are carried out by contracts or partnerships with outside entities, and this was one of the areas needing significant improvement, less than half the departments set milestones in this area. The County's 2013 SOP required specific nondiscrimination language in County contracts and strengthened its standard contract language about disability discrimination, but implementation of the SOP has not yet been completed. The departments completed all their milestones in this category, including ensuring that contractors do not discriminate and that they provide equal access, but fewer than half of the departments set milestones here. Most significantly, departments should evaluate the prior records of compliance with the ADA when considering potential contractors, grantees, or other partners; and post-award they should monitor contractors' compliance with the ADA. Only one department planned to do so.

4. Emergency Procedures

The self-evaluation report also found a need for significant improvement as to evacuation of people with disabilities from facilities, or sheltering in place, and particularly in communicating with them during emergencies. The majority of departments addressed the identified issues comprehensively by completing milestones that led to development of detailed plans. In addition to reviewing their procedures, they determined to use means of communication such as alternate formats, fire safety training materials in video and written format, accessible email blasts, and captioning of all videos and emergency announcements. Training about assisting individuals with disabilities during emergencies

was central to several milestones and is provided through Floor Leader Training: *Emergency Evacuation Preparedness Training for Persons with Disabilities* twice a year.

Work in emergency procedures could be expanded by planning for the needs of people with cognitive or psychiatric impairments and more specifically assessing how to ensure accessibility of information sent through email blasts, text messages, phone calls, or television broadcasts. Currently, Code Red Emergency Announcements (text messages) are available at no cost to anyone registering within Fulton County. In the event an emergency is televised through FGTV, Sign Language Interpreting services, as well as closed captioning, are available during those broadcasts.

Evacuation chairs are provided in the Government Center Facility in ten locations spaced between floors 3 through 10. Additional evacuation chairs have been provided throughout County facilities where a building consists of more than three floors.

In January 2016, Emergency Services (E911) upgraded its 911 telephone system to a state of the art telecommunications program – incorporating TDD/TTY type services, including ANI (automated number identifier) and ALI (automatic location identifier) from any landline-based call. Due to the enhanced technology of this system, the locations of cell phone users are also more quickly identified.

5. Equipment and Furniture

Although this area was rated highly successful in the initial evaluation, about one third of the departments set and achieved 50 milestones, mostly related to budgeting and identifying funding for auxiliary aids; some purchased equipment such as computer magnification and screen reading software; three now require that all RFPs and RFQs include sections for prospective vendors to explain how they attain accessibility. However, all departments need to ensure that furniture and equipment is arranged so that it does not impede approach and independent use by people with disabilities and that adequate accessible seating is provided. Most significantly, the individual departments should understand their responsibilities to ensure access to a program (program access), which may require acquisition of accessible equipment and furniture even if new purchases of furniture and equipment are not otherwise planned. Also, the most significant barrier for several departments appears to be lack of funding; the County should consider providing increased funding for accessible equipment and technology. In fact, it is required to do so in a number of situations unless it can show an undue financial or administrative burden.

6. Accessibility and Maintenance of Features

The departments have even further strengthened compliance in this area, which was rated highly successful in the self-evaluation. Several departments ensured that accessible parking and lowered reception desks or counters were provided; others modified signage and acquired assistive listening systems. Several guaranteed alternate accessible locations for services and General Services evaluated all lifts, elevators, and power doors and checks power doors daily. Four other departments showed specific exemplary efforts. The County is highly commended for its efforts to ensure maintenance of accessible features, and there are no further changes needed.

7. Transportation

The County was ranked generally successful in ensuring that transportation, when provided, is accessible, as part of the initial assessment. There are very few County programs that provide Transportation Services for its programs. The most common problem was an absence of accessible vehicles, particularly when the County's contractor-provided fixed-route shuttle for employees, official visitors, and jurors operated outside of regular hours. This services goes to and from an off-site parking lot. The selected vendor does use lift-equipped vehicles, and specific parking lots/areas associated with this program have been recently identified to ensure accessible parking spaces are available for persons with disabilities.

The Office of Aging is the second largest provider of transportation within its program area. Eighty percent of the shuttles used for these programs (medical transport and adult day care) utilize lift-equipped vehicles. The Senior Multi-purpose and Neighborhood Centers utilize two vehicles that are not lift-equipped; however, the programs understand their Program Access/Reasonable Modification responsibilities and will provide accessible transportation upon request, with vehicles from their other programs. The Sheriff's Office uses accessible vans to transport detainees, youths, jurors, and judges with disabilities and monitors the process.

Follow up is needed on a few fronts. Health Services said it would research the feasibility of purchasing accessible vehicles, but the outcome was not reported. Three departments that reported transportation programs in Phase I did not address the issue in establishing their milestones, and two others established milestones without specificity.

V. ACCOMPLISHMENTS BY SUBJECT AREA AND DEPARTMENT

V.A. Infrastructure

1. Findings

Full compliance with the ADA is built on a strong infrastructure: a clear commitment to compliance “from the top,” specific and clear policies and procedures, training of staff, notice to the public of their rights under the ADA, inclusiveness of people with disabilities in materials, and use of appropriate language when describing them.

The Title II regulations specifically require that a covered entity –

- Designate an ADA Coordinator.
- Publish notice to the public of rights under the ADA.
- Establish and publicize a complaint procedure.

The self-evaluation showed that the County’s managers and staff were committed to compliance. The County had appointed the ADA Administrator as its ADA Coordinator, and she was apparently widely known to the departments and worked effectively with them. However, there was no general or program-specific notice of ADA rights provided to the public, and most individuals responding to the public-input survey said they did not know how to request an accommodation. Information about nondiscrimination procedures was not specific to the ADA or people with disabilities and was not provided in alternate formats. There apparently was no complaint procedure other than one for employment.

Apparently no general training had been provided before 2011 about interacting with people with disabilities. However, security staff had been trained on ADA-conscious security checks and dealing with service animals, and some offices had been trained about emergency evacuation procedures relating to people with disabilities. A high percentage of respondents said that staff received training at new employee orientation or the beginning of employment; but ADA-related training was almost exclusively geared to employment issues.

The *Full Access Ahead* report recommended specifically that the County –

- Develop a specific notice of rights under the ADA.
- Issue ADA complaint (grievance) procedures.
- Ensure regular training, including about interaction with individuals with disabilities, as to areas other than employment.

2. Summary of Accomplishments

The County has made great progress toward timely completing virtually all of its milestones (149) related to its infrastructure, addressing the recommendations enumerated in the *Full Access Ahead*

report.¹⁰ In addition to completion of the milestones, the County established comprehensive procedures to respond to complaints of discrimination on the basis of disability in its Program Access Policy and the accompanying SOP. (See discussion, section III.A, above.) Previously, the County's grievance procedures applied only to employment.

Most of the departments' milestones pertained to staff training on a series of issues, including Title II of the ADA, Program Access Policy, online PALMS training, and increasing staff sensitivity when interacting with persons with disabilities (including, where appropriate, checklists to ensure compliance). The training on the ADA and County policies included, among other things, the use of auxiliary aids and services, service animals, power driven mobility devices, and handling complaints and grievances. Departments developed various plans for when this training would occur as well, including at orientation for new hires and annual refresher training for all employees.¹¹

A milestone for several departments, e.g., the Public Defender, was the annual review of all of their policies to determine what, if any, departmental changes are necessary to remain in compliance with County policies and federal laws. Some departments (e.g., Registration and Elections) solicited the assistance of individuals with vision, hearing, or mobility disabilities when evaluating their policies.

Several other departments, e.g., Health Services, External Affairs, DREAM, and Public Works, set milestones about identifying a specific person to coordinate compliance with the ADA by responding to questions or issues that were raised with each department with respect to participation by individuals with disabilities.

Several departments that had direct contact with persons with disabilities, e.g., DREAM and Planning and Community Services, included milestones geared to revising their general practices and procedures to ensure that there was a policy to respond to requests for interpreters and materials in accessible formats.

The development of a specific notice of rights under the ADA was another key recommendation from *Full Access Ahead* (at pages 49-50). The County's departments actively included and met a number of milestones in this area. Their primary goal was to ensure that notices about County programs, services, and activities contain statements indicating that reasonable modifications (e.g., communications in alternate formats) would be made to programs and activities to facilitate participation by individuals with disabilities. These included notices posted in public areas, on posters, in brochures, on letterheads, in newsletters, in email blasts, or on the departments' websites.

Included within many of these notices (e.g., Child Attorney, Aging and Youth, DCRC, Health Services, and Medical Examiner) was specific information about whom to contact in the department when making such a request. For example, consistent with the SOP, DREAM included language in its notices stating

¹⁰ Thirty departments established 103 milestones regarding the first subsection in this area – Commitment, General Practices, and Training, and 20 departments established 46 milestones for the second subsection – Notice and Grievance Procedures.

¹¹ See discussion in Section III.B of other training developed by DCRC.

that such accommodations would be available for County-sponsored programs or meetings with seven days' advance notice, but that if the County failed to give adequate notice of an upcoming program, then sign language interpreters and materials in accessible format would be provided by the department, unless it knows that no person needing such accommodations will be attending.¹²

Arts and Culture sought to complete upgrades to its website to reflect and demonstrate sensitivity towards persons with disabilities, show participation of persons with disabilities in programs via photographs, and inform the public of the availability of accommodations to ensure their participation in department programs. For several of the departments involved in similar efforts, this remains an ongoing project, including ensuring accessibility of websites by following standards for Federal websites (under Section 508 of the Rehabilitation Act) as a guide.

In addition, many departments included as milestones the issuance of procedures dealing with complaints and grievances, consistent with the County's Program Access Policy. Some of the departments (e.g., Housing and Community Development) specified that those grievance procedures would be available in alternate formats, including large print. The Public Defender's Office included as a milestone establishing an electronic system to be able to review all such grievances on a 6-month basis, and to expedite the resolution of those that had been pending for more than 6 months.

With the departments having met 149 infrastructure-related milestones, there were only a few instances where they indicated that a particular milestone had not been met, or at least were not met within the timeframes of the County's original plan of action. These included continued work to ensure website accessibility to the departments' programs and activities and demonstration of diversity on those websites (e.g., Arts and Culture, Child Attorney); completion of training due to a diversion of resources to other emergent issues (e.g., Fire Department); the development of policies to address auxiliary aid procedures for individuals with hearing, vision, and speech impairments (e.g., Police); and completion of all steps to ensure the accessibility of meeting or event notices (e.g., Aging and Youth).

3. Items Still to be Addressed

The County comprehensively addressed the deficiencies identified in *Full Access Ahead*. In particular, there was a strong emphasis on training in the departments' established milestones, which was responsive to the chief issue identified during the course of the initial review. As a result, there are no outstanding issues that need to be addressed in this area.

¹² See further discussion about notice in section V.B, Reasonable modifications and participation.

V.B. Reasonable Modifications and Participation

The County has made great strides in accommodating people with service animals, making other modifications to policies and practices, and increasing opportunities for people with disabilities to participate in meetings and other activities.

This section first describes generally the overall findings from the self-evaluation report and then, by seven categories, sets out the County's accomplishments and items still to be addressed.

OVERALL FINDINGS FROM SELF-EVALUATION

An organization usually has certain ways of doing things; its policies, practices, and routines help an organization operate as smoothly as possible. But sometimes the way the County has “always done things” may unintentionally exclude people with certain disabilities or make it difficult for people with disabilities to take full advantage of County services. The ADA addresses this issue by requiring “reasonable modifications” to rules, policies, practices, and procedures, when necessary to avoid discrimination.¹³ This section of the report addresses the ADA's “reasonable modification” requirements, as well as several other related provisions, including –

- The prohibition on discriminatory eligibility criteria, including those that screen out or tend to screen out individuals with disabilities from full enjoyment of a program or activity, unless the criteria can be shown to be necessary for the program or activity.
- The use of service animals and mobility devices.
- Participation in meetings, hearings, tours, and events.
- The requirement that exams and tests must be offered in an accessible place and manner (including through provision of auxiliary aids).
- Participation in advisory committees.

Specifically, the subcategories in this section, each separately treated below, are as follows:

- (1) General requirements
- (2) Eligibility and participation, applications, and registration
- (3) Testing
- (4) Use of manual mobility devices and power-driven mobility devices like Segways
- (5) Hearings, meetings, trainings, classes, tours and special events

¹³ There are limits to this requirement. The County must make changes to policies and procedures only if the changes are necessary and reasonable. It does not need to make changes if they would cause a “fundamental alteration” to the nature of its services or activities, undermine safe operation of the program or activity, or cause a “direct threat” to the health or safety of others.

- (6) Service animals
- (7) Advisory committees and boards

An eighth category, separate programs (an application of the statute’s “most integrated setting” mandate), is not covered here, because the first report found that the County was doing well in this area.

The self-evaluation identified this area, as one in which significant improvements were needed. Specifically –

- The County needed to create or modify its policies relating to service animals and mobility devices.
- Although most programs offered assistance and informally made simple modifications as a matter of customer service, the County needed to let people know they can request modifications, and to develop a process for considering requests for reasonable modifications (other than simple or routine requests) and for documenting reasons for denials.
- The County needed to provide for relocation of and/or remote attendance at meetings and hearings.
- As to advisory committees, the County needed to increase outreach to and accommodations for people with disabilities.

A majority of the departments (28) set 128 milestones in the area of modifications and policies. Many of these milestones focused directly on the issues that had been raised in the self-evaluation, but it appears that a few areas have not yet been addressed adequately.

1. General Requirements

a. Findings

On a positive note, as part of the self-evaluation almost all programs said that individuals could make requests for modifications, and that staff members make reasonable modifications as part of everyday customer service. But more than half of the programs did not inform the public that they may request modifications, and the majority of programs had no formal process for reviewing requests or for documenting denials and the reasons for them. Staff training and specific procedures were recommended.

b. Summary of Accomplishments

In 2015, the County introduced a standard form for requests for reasonable modifications. It includes a means of documenting action on the request.

Just over half of the departments (19) set a total of 35 milestones in this category; about two thirds of these related to providing notice of the ability to request modifications or assistance in filling out forms. Almost all the others pertained to training. State Court and Health Services developed forms for modification requests; Health Services planned to post its form on SharePoint.

Notably, Health Services, State Court, and Child Attorney established a means of recording standing requests for modifications, so that individuals with disabilities do not have to make the same request repeatedly. Health Services also has posted an online notice of the ability to request reasonable modifications and how to do so.

c. Items Still to be Addressed

Additional action is needed on several fronts:

- (1) Notice of right to request modifications** – All departments should inform the public of the right to make requests for reasonable modifications and the process for doing so, consistent with the 2015 form mentioned above. A quick check of the County’s website showed that only Health Services has posted such a notice on its home page. Notices should be included on the County’s general home page as well as on DCRC’s home page.
- (2) Standing requests** -- Each department (those other than Health Services, State Court, and Child Attorney, which now do so) should allow for means of maintaining standing requests for accommodations.
- (3) Documentation of requests and denials** -- Each department should have a means of documenting the reasons for denials of requests for modifications.
- (4) Modification of 2015 Form** – The form should be modified to allow for documentation of the reasons for denial of a request.

2. Eligibility and Participation, Applications, and Registration



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a. Findings

Many County services and activities have unspoken eligibility criteria, and others have specific “qualifications” that must be met in order to participate. The County cannot use eligibility requirements that “screen out” people with disabilities for benefits, termination of benefits, and participation in programs unless the requirements are necessary to the program. It should also make sure that its application processes are accessible. At the application stage, questions about disability can be asked only if they are relevant to eligibility for a program or activity, safe participation in it, or accommodation of a person’s disability-related needs during the application process. Any limitation of participation because of drug or alcohol use must generally be based on current use of illegal drugs. Limitations can appropriately be based on judgments related to objective standards of conduct or behavior but not on speculation or on the basis of status, treatment, or history concerning drug or alcohol use.



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Generally the disability-related inquiries reported by the programs as part of the self-evaluation appeared to be justified in the context of their programs. Because the data about consideration of drug use and physical abilities as to eligibility for several programs was inconclusive, it was recommended that programs be examined individually in this regard. Almost all programs met their responsibilities as to the application process, offering assistance in filling out forms and relocating interviews to accessible locations on request.

b. Summary of Accomplishments

Thirteen departments set 33 milestones in this area. Ten said that they would review their eligibility requirements. Health Services set several significant milestones, including plans to review requirements for continuing eligibility prior to terminating any services or participation, to review its actions relating to those using or with a history of use of alcohol or drugs, and to assist individuals with disabilities in gathering documentation by making calls and through other efforts. Four others planned to provide similar assistance. Four departments planned further training. Three planned to offer alternative means of registration to increase access for people with disabilities.



Arts and Culture set several milestones that appear geared to increasing participation by artists with disabilities in various programs, including implementation of changes to Public Art recruitment and the Public Art Registry, formalizing specific requirements in contracts as to participants' eligibility, and other partnering efforts.

Police set several milestones in this area, including review of eligibility "gaps for subprograms," which is assumed to address physical requirements.

Although almost all programs had reported that individuals were offered assistance in completing forms, several included milestones about it.



c. Items Still to be Addressed

The County's reports show that it has done a good job with compliance in this area. Two additional items should be addressed:

- (1) Physical eligibility requirements** – The departments other than Police should address physical eligibility requirements if they have not already; this might include, for example, Parks and Recreation and the Fire Department.
- (2) Drug or alcohol use** – Those departments other than Health Services that make decisions based on drug or alcohol use should also review their policies.

3. Testing

a. Findings

The few programs that administered tests (for example, Library, which gives the GED test) reported that the tests were always conducted in an accessible location. Several said that they did not make modifications for testing rules and procedures.

b. Summary of Accomplishments

Only Personnel set milestones in this area. It appears that the department met one milestone: to purchase speech recognition and screen-reader software for its computers available for public use. It also set a milestone of purchasing adaptive equipment (presumably for people with mobility disabilities), but decided instead to provide other reasonable accommodations. It is unclear what those accommodations might be and how they might in fact assist an individual who needs adaptive equipment in order to use a computer.

In addition, DCRC purchased speech recognition and screen-reader software for one of its office computers. When individuals, including those with vision impairments, come in to DCRC for a job interview they are requested to provide a writing sample, and the screen reader software is available to these individuals as a reasonable accommodation, if necessary. The Libraries and Courts also have speech recognition and screen reader software on their public use computers.

c. Items Still to be Addressed

- (1) Adaptive equipment** – Personnel should consider purchasing adaptive equipment, because it is not likely that other modifications will assist individuals with mobility disabilities in using a computer.
- (2) Further action by Police and Library** – Police and Library, which also provide testing, should develop and implement milestones in this area.
- (3) Jail's outside contractor** – Jail, which reported in the self-evaluation that tests are given by an outside contractor, should monitor its outside contractor to determine its compliance with the ADA.

4. Use of Mobility Devices



a. Findings

People who use manual mobility devices such as wheelchairs, canes, crutches, braces, and walkers must be allowed to use them anywhere that pedestrians can go. In addition, returning veterans and others with disabilities are using nontraditional devices such as the Segway® PT as their mobility aids of choice more and more frequently. The 2010 DOJ regulations acknowledge this development and state that the use of these and similar devices such as motorized scooters, called “other power-driven mobility devices” or OPDMDs, must be allowed unless the covered entity can demonstrate that the class of devices cannot be operated in accordance with legitimate safety requirements. The rule also lists factors to consider in making this determination.



Program managers were generally aware that use of manually powered mobility devices must be permitted by individuals with mobility disabilities in any area open to the public, with only 4% of the programs reporting issues in this element. However, 20% of departments reported that staff was not aware that people with disabilities must be permitted to use OPDMDs in some circumstances. Programs that were not aware of this provision tend to be the same ones that report that staff members were not trained to handle other modification-related issues like those pertaining to service animals. These included Parks and Recreation, one Library program, and numerous administrative programs.

b. Summary of Accomplishments

The County Manager's Office and DREAM set milestones to inform and train staff about OPDMDs, as did one other department. No others set milestones.

The SOP includes specific Access Guidelines for Mobility Devices, addressing most of these issues, including factors as to whether OPDMDs will be allowed in a specific facility.

c. Items Still to be Addressed

- (1) Increased awareness** – All staff and managers should be aware that individuals with OPDMDs may seek to use their devices on County property and in County facilities.
- (2) Building-by-building determination** – DREAM, in conjunction with DCRC, should determine for each building or facility the types of OPDMDs that will be admitted under which circumstances. The DCL for each department should be aware of these determinations and be the point-person for any issues that arise, and this information should be communicated to all staff and managers. Ideally, information about what OPDMDs will be admitted should be made available to the public in advance.

5. Hearings, Meetings, Trainings, Classes, Tours and Special Events



a. Findings

The County holds countless meetings, trainings, classes, and events. The types of gatherings or events covered by this section must be accessible to people with disabilities, both as to their physical locations and features as well as to auxiliary aids and services (discussed in section V.C.3). At times, it may be necessary to allow an individual to participate remotely (e.g., via telephone or internet connection, or TRS), if the person's disability, such as agoraphobia or severe allergies, prevents him or her from appearing in person.

According to the self-evaluation, most programs required that events be held in accessible locations, and some programs followed the best practice of evaluating the locations for accessibility. However, a significant number of programs stated that events were not relocated if a person wanted to attend and the location was not accessible. The majority of County programs reported that remote attendance was either not permitted or had not been requested.

For a vast majority of the programs, information on accessible features, reasonable accommodations, auxiliary aids and alternate formats was not provided on public notices of events, meetings, hearings, trainings, and classes. The assessment recommended that more information be provided to the public about accessible features at meetings, events, and interviews.

b. Summary of Accomplishments

Of the 23 milestones in this group, set by 15 departments, eight related to ensuring that meetings, hearings, and other events are held in accessible locations, including relocating them if necessary. Several departments, including Planning and Community Services, Public Works, and Purchasing and Contract Compliance, set in place efforts to evaluate locations for accessibility. Registration and Elections planned to identify alternate accessible meeting and training venues.



Four milestones addressed ways of allowing remote attendance at events. Arts and Culture identified ways to ensure through technology that people who could not attend classes or meetings in person because of disabilities such as agoraphobia or several allergies could attend remotely. Health Services allows inclusion by conference calls, video conference, and webinars. Housing offers videotaped tours of at least one facility. DREAM planned to train staff on various options for remote attendance.

However, Juvenile Court stated that it cannot relocate a court hearing/drug court and that accommodations are made as needed.

Aging and Youth set a milestone of developing closed captioned videos that provide information for those seeking to tour facilities but determined that the “use of staff assistance would better serve the purpose.” It is unclear how staff assistance can achieve this result.

Eight milestones addressed the need for information about reasonable modifications, auxiliary aids, and alternate formats to be included on public notices of events, meetings, and hearings and for the notices to be accessible.

The SOP (see section III.A, above) includes an Access Statement for Notices of Public Meetings and Departmental Publications, to be placed in all such notices, and it appears that this statement is frequently included in online notices.



[Buster Benson](#)

c. Items Still to be Addressed

Implementation of the SOP's requirement for public notice by all programs will go a long way toward increasing compliance in this area.

- (1) **Remote participation** – Departments beyond those four that have already done so should determine means of remote participation.
- (2) **Tours** – Aging and Youth should re-assess its determination about providing access to facility tours.
- (3) **Juvenile Court proceedings** – Juvenile Court should identify accessible locations for hearings and other proceedings and develop procedures for doing so.

6. Service Animals

a. Findings

Under the ADA, it is considered discriminatory to deny access to a person who uses a service animal, in most circumstances. Generally, a policy that excludes all animals from a building or program should be changed to permit people who use service animals to enter the building with their animals. The ADA

limits the category of “service animals” to dogs that are trained to do work or perform tasks for a person with a disability, whether the disability is mental or physical.¹⁴

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:

- (1) Is the dog a service animal required because of a disability?
- (2) What work or task has the dog been trained to perform?

Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.



Generally, service animals must be allowed to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

In addition, although DOJ does not consider them service animals, its 2010 revisions to the ADA rules require admission of a person with a miniature horse if it has been individually trained to perform tasks for an individual with a disability and its admission is otherwise reasonable under the circumstances.

Although most programs reported that service animals were allowed in their facilities even if pets were not allowed, a significant number of programs reported that staff members were not trained about the

¹⁴ Other state, local, or federal laws such as the Fair Housing Act may require admission of a broader range of animals and/or those that provide emotional support or other assistance.

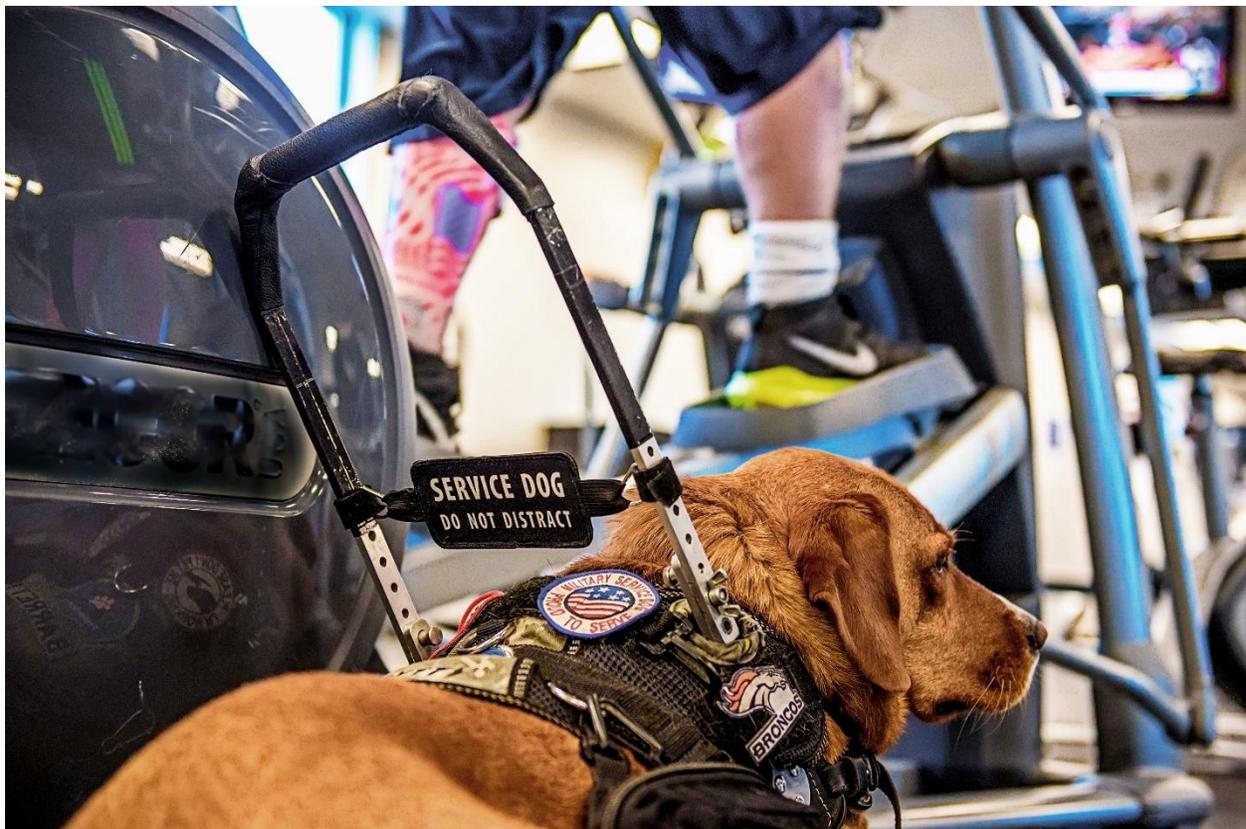
permissible questions and other details of the regulations, and several programs noted that they did require certification or documentation for a service animal.

In addition, 60% of the programs report that staff members were not aware that miniature horses are sometimes used as service animals and 51% of the program representatives were not aware that other animals may provide emotional support or comfort.

b. Summary of Accomplishments

Thirteen departments set 31 milestones in this category. Responding to the most significant findings from the self-evaluation, about half the milestones involved commitments to training staff about the ADA’s requirements. Some departments’ milestones committed to training about specific details, such as those pertaining to miniature horses and emotional support animals (e.g., Aging and Youth, County Manager, DREAM, Housing and Community Development, and Probate Court).

As part of the self-evaluation, the Clerk of Superior Court’s Administration program had reported that service animals were not prevented from entering its facility “as long as participant provides documentation that the animal is a certified service animal.” That department committed to providing training to staff, which should eliminate this issue.



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A few milestones set commitments to adhere to County policies in this area. Police planned to implement any policy changes that it determined were necessary.

Public Defender took additional steps beyond general training about service animals: the department met with the building's leasing office to discuss procedures for admitting service animals, and researched and acquired additional training materials. Registration and Elections conducts training at orientation of staff for each election.

The Sheriff's Department set milestones related to staff reviews during roll calls for Jail Operations staff and to distributing information to employees. However, it appears that the Department relied on PALMS training instead.

The SOP contains excellent and specific provisions about admission of service animals and other animals.

c. Items Still to be Addressed

Adherence to the SOP, encouraged by continuing training, should enable the County to avoid almost all issues relating to this category.

- (1) Law enforcement and public safety training** – Departments responsible for law enforcement and public safety should reinforce the principles of access by service animals and their implications, with staff and others who interact with the public. Some questions arose at the "All People Can!" training about keeping service animals with individuals with disabilities during transfer, evacuation, or detention and how that can be accomplished. It is recommended that these departments consider roll call or other training in this area rather than relying on general PALMS training.

7. Advisory Committees and Boards

a. Findings

Generally, the County must be sure that it does not discriminate against people with disabilities as to membership on or participation in its numerous advisory committees and boards, modify procedures to ensure an equal opportunity to participate, and provide auxiliary aids and services to members and meeting attendees.

Some programs, including the Public Access Board of Directors within the Cable Franchise Division of the FGTV and DCRC reported compliant practices during the self-evaluation.

However, about half the departments reported a lesser degree of compliance, showing shortcomings in making people with disabilities aware of the opportunity to participate on the boards, as well as with ensuring that requests for modifications are considered standing requests and honored continually. The report recommended implementation of uniform policies across departments.

b. Summary of Accomplishments

Only three departments (Child Attorney, Clerk to Commission, and Health Services) sought to establish milestones that would ensure that individuals with disabilities are aware of opportunities to participate

on these boards. Child Attorney focused on ensuring that people with disabilities are aware that they can observe meetings and develop standing requests for accommodations. However, none of these or any other departments set milestones about participation by people with disabilities as members of any advisory committees.

All programs within Arts and Culture reported problems with recruitment and modifications. It does not appear that this department set any specific goals in this area.

c. Items Still to be Addressed

It appears that many of the potential obstacles to participation by people with disabilities on advisory committees and boards have not been addressed. Several steps are suggested:

- (1) Specific policies in SOP** – The County should address advisory committee participation by people with disabilities in DCRC’s SOP and encourage compliance by each department.
- (2) Website statements** – The home page for citizen boards and advisory groups, as well as individual pages, should state that membership by people with disabilities is encouraged.

V.C. Effective Communication

The County has strengthened its ability to ensure effective communication with people with disabilities through –

- Putting in place County-wide and department-specific policies and procedures.
 - Training managers and staff.
 - Notifying the public that they can request auxiliary aids and services.
 - Contracting for services for captioning, sign language interpreters, etc.
 - Captioning videos.
-

This section first describes generally the overall findings from the self-evaluation report and then, by six categories, sets out a summary of the County’s accomplishments and items still to be addressed.

OVERALL FINDINGS FROM SELF-EVALUATION

The County communicates in countless ways with residents and visitors – through face-to-face meetings and office visits, training, phone calls, social networking sites, its cable TV station, and handing out information or receiving filled-out forms. The ADA requires that all these types of communications be “as effective” for people with disabilities (those relating to speech, hearing, or vision) as they are for others.

At its most basic, the ADA requires that public entities provide appropriate tools for communication: alternate formats (for example, materials in large print, in Braille, on recordings, or in accessible electronic formats for persons with vision disabilities) and auxiliary aids and services (for example, sign language interpreters, printed materials, or captioning for people with hearing disabilities and readers for people with vision disabilities).

The type of accommodation or auxiliary aid needed in a particular situation will be driven by the nature of the communication and the needs of the individual with a disability. In the language of the ADA, the County is required to give “primary consideration” to the request of an individual with a disability for a particular type of auxiliary aid or service. The County should consult with individuals with disabilities, whenever possible, to determine what type of auxiliary aid or service is needed to ensure effective communication. But the ultimate decision as to what measure to take rests in the hands of the County, as long as the chosen method results in effective communication.

Sometimes staff can quickly find a relatively easy way of communicating. For example, they can exchange written notes with a person who has a hearing or speech disability, when the communication is relatively basic – the individual is picking up a form, paying a bill, getting a vaccination. Of course, this approach will work only if the individual can communicate in written English effectively. For more

complex communications, interpreters may be needed. For training or other educational services, it may be necessary to offer additional aids and services such as note takers, captioned videos, and assistive listening systems. Certain situations – such as those involving educational presentations, public meetings, investigations, and jury service – will almost always call for an interpreter for a person who is deaf or hard of hearing and prefers to communicate via an interpreter.

For a person who is blind or has low vision, the County will, when necessary for effective communication, need to provide alternate formats (i.e., alternatives to print or written documents, or to other visual presentations) that are accessible. These include Braille or large print documents, audio recordings, audio descriptions, and accessible electronic formats. A person who is blind or has low vision may request such assistance as readers, taped texts, Braille materials, or large print materials. More and more often, people who are blind request an accessible electronic version of a document (e.g., in Word or accessible PDF); they can use this format with screen reader software on a computer, which “reads” the words and associated graphics aloud to them.

If computer terminals are made available, a person with a vision disability may need screen reader software or magnification software to use the terminals. (See photo, p. 61.) Interactive kiosks or touch screens should also contain an audio element for people with vision disabilities.

A public entity does not have to take steps to ensure effective communication if those steps would create an “undue financial or administrative burden” or “fundamentally alter” the nature of the program or the services offered.

The obligation to ensure effective communication extends to companions who have communication disabilities.

Family members or companions should not be asked to interpret for a person who is deaf or hard of hearing or to read materials to a person who is blind or has low vision, except in narrowly defined emergency situations or where an adult is requested to interpret by the individual with a disability and agrees to do so.

The *Full Access Ahead* report found that this area needed significant improvement, based on shortcomings related to some of the very clear and fundamental requirements of the ADA.

The most significant findings from Phase I follow:

- With a few exceptions, Fulton County did not have a process for providing forms, applications, or other print documents in alternate formats – such as large print, Braille, or accessible electronic format – for people with vision disabilities. Staff was generally unaware of how to obtain or prepare materials in alternate formats. The report recommended that the County develop a standard notice of availability of auxiliary aids, alternate formats, and accommodations, to include with information about meetings, events, and other gatherings, and that they be posted on the website and in announcements.

- There was no process for documenting any denial based on a fundamental alteration to the nature of a program or on undue financial or administrative burden.
- Some programs denied requests for or charged a fee for auxiliary aids or services.
- Some programs relied on companions of people with disabilities for assistance in communication.
- Assembly areas or courtrooms almost universally lacked assistive listening devices.
- Staff members generally were not trained in the use of TTYs and the telecommunications relay service¹⁵ for communicating with people with hearing or speech disabilities.
- Many programs did not have clear guidance about accessibility of electronic communication and use of captioning for videos developed and purchased by the County.

For purposes of this report, communications were divided into six categories, evaluated individually below:

- (1) In-person communication and Interaction: the effective communication provisions in face-to-face settings
- (2) Effective written communications
- (3) Auxiliary aids
- (4) Effective electronic communications
- (5) Effective telephone communications
- (6) Videos and DVDs



¹⁵ See Section V.C.5.a, below.

1. In-person Communication and Interaction

a. Findings

Full Access Ahead reported that print documents were not generally provided in alternate formats, and individuals with hearing and vision impairments were not provided with auxiliary aids to assist them in communicating with department staff in these in-person settings.

b. Summary of Accomplishments



[Sign Video London UK](#)

Of the 241 milestones met by the departments in the area of communications, 18 of them, among 12 departments, related to in-person communication and interaction. Many of these milestones focused directly on the issues that had been raised in the self-evaluation.

Primary among the milestones was ensuring that the needs of individuals with disabilities who appeared in person in one of the departments' offices would be accommodated to provide effective communication. Staff training is also an inherent part of many of these established milestones (e.g., Purchasing and Contract Compliance, County Manager's Office, Juvenile Court, and Superior Court Clerk). Examples include the provision of documents in alternate formats, including the use of large font print materials; staff assistance (e.g., Aging and Youth, Housing and Community Development); the use of spoken announcements, visual displays, written notes, and/or making personal contact, as appropriate, for individuals with vision and hearing impairments, to inform them that it is their turn for service (e.g., County Manager's Office); reading to clients with vision impairments; designating a

particular staff person to write what is being said, if needed (e.g., Juvenile Court); providing assistance filling out forms, and using written notes or other informal means to assist a person who is deaf (e.g., Marshal); and posting signs indicating assistance is available and assigning staff to make personal contact with individuals who notify staff of hearing impairments, making sure to consult with individuals with disabilities to determine what they need to ensure effective communication (e.g., Superior Court).

Personnel sought to develop SOPs that address providing assistance to individuals with disabilities when completing forms or other documents. Public Defender added "ability to communicate through the use of alternative means" for all staff recruitments.



Courtesy of sComm

c. Items Still to be Addressed

In establishing the milestones in this area, the departments were responsive to the issues and deficiencies raised in *Full Access Ahead*, in particular with respect to the provision of materials in alternate formats for individuals with vision impairments, and auxiliary aids and services for people who are deaf or hard of hearing or have speech impairments. It would be important, during the training

about providing these accommodations, to emphasize two key points to ensure that all issues raised in *Full Access Ahead* are adequately addressed:

- (1) **Charging for auxiliary aids and services** – Staff should be aware that any accommodations provided are to be provided free of charge to individuals who need them;
- (2) **Relying on companions** – Staff should be aware that they should avoid asking or expecting companions of people with disabilities to assist with communication.

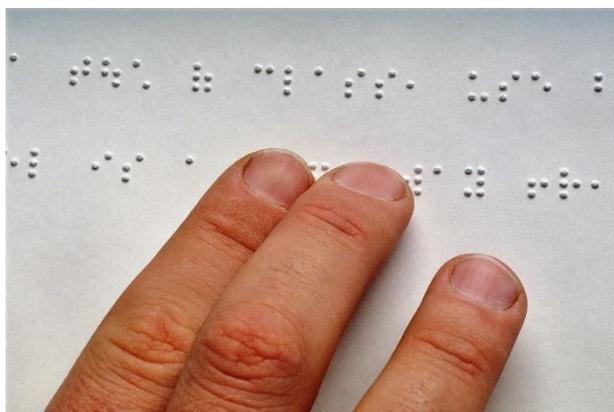


These two issues are also reflected in the narrative in section C.3, below, regarding auxiliary aids.

2. Effective Written Communications

a. Findings

As mentioned, the self-evaluation report found that generally Fulton County did not have a process for providing forms, applications, or other print documents in alternate formats, other than for meetings of the Board of Commissioners and a few advisory committees. More than half the programs did not provide alternate formats. Staff was generally unaware of how to obtain or prepare materials in alternate formats.



b. Summary of Accomplishments

In this category, 16 of the 35 departments established and completed 48 milestones, with 20 of these milestones set by two departments, i.e., Arts and Culture, and Sheriff.

Arts and Culture's established milestones included looking at internally created documents, flyers, posters, contracts, event materials, and written materials to ensure that all of them would be made available in alternate formats, on request, and that such material would include notification that accommodations were available to individuals with disabilities, consistent with the requirements of the ADA. This process would also include encouraging partners, vendors, contractors, and other outside support agencies to make their written materials accessible as well.



Photo: Etan Tal

The above milestones were echoed across the board in the County, with many of the departments requiring that all flyers, posters, brochures, documents, agendas, and other printed materials available to the public would be reviewed so that they could be made available in alternate formats, including large print, Braille, audio format, and accessible electronic format such as email format; and that their staff would be trained regarding the provision of materials in alternate formats (e.g., Aging and Youth, External Affairs, DREAM, Health Services, Housing and Community Development, Library, Personnel, Police, Public Defender, Purchasing and Contract Compliance, and Superior Court).



In many cases in establishing milestones, departments conducted a thorough review, and specifically enumerated the types of documents at issue. For example, the Library specifically noted such written documents as the application process for a library card, circulation rules, reference sessions, code of conduct, and its policy regarding acceptable use of public computers. Personnel noted materials including forms, meeting minutes, hearings, materials at meetings, reports (unless too large to be available in audio format), brochures, bulletin boards/notices/postings, emergency notifications, and historical documents. The inclusion of these types of details demonstrates the departments' commitment to ensuring the availability of these materials to individuals with vision and hearing impairments.

Registration and Elections established as a milestone the compilation of a repository of vendors and non-profit agencies that provide information, services, and training regarding alternate formatting of written materials.

The Sheriff's Office conducted a thorough review of its services in establishing its 11 milestones in this subcategory. Included in these milestones are ensuring that notification be provided to the public that individuals can request alternative communication formats (e.g., Braille, audio recording, audio description, bulletin boards, videos, and podcasts) in advance (at least 7 days), regarding the department's activities, e.g., public sales of property, court services, jail procedures, and law enforcement. The department developed standard language to be included in these notices that includes contact information (via phone, TTY, or Georgia Relay Service) for requesting any modifications. In addition, all employees are to receive online training on the process of obtaining documents in accessible formats, and the provision of such materials in alternate formats is to be monitored, and revised, as appropriate, to ensure compliance.

c. Items Still to be Addressed

The departments that established milestones thoughtfully developed and carried out plans of action to address all of the issues raised in *Full Access Ahead*. We have one remaining recommendation:

- (1) Expanded application of these milestones to additional departments** – Given the broad application of this subcategory to the County's departments, more of the departments should adopt similar types of practices. In this case, just under half of the departments established milestones in this area. However, virtually all of them, and the participants in the departments' programs and activities, could benefit from an expanded focus and inclusion of such provisions in the departments' policies and practices.

3. Auxiliary Aids

a. Findings

About 40% of programs did not provide auxiliary aids and services for people who are deaf or hard of hearing or who have speech impairments.

- Some programs denied requests for or charged a fee for auxiliary aids or services.
- Some programs relied on companions of people with disabilities for assistance in communication.
- No programs that used assembly areas or courtrooms reported use of assistive listening devices, which may be needed by some people with hearing impairments. (See photo, p. 57.)

The reasons stated for denying auxiliary aids and services included (1) cost, (2) no receipt of a request, and (3) no advance notice.

Even though Title II explicitly prohibits charging a fee for auxiliary aids and services, some departments reported that they did charge for them. At times, programs requested that companions provide services.



The *Full Access Ahead* report recommended that the County –

- Make clear to staff that they cannot charge for auxiliary aids and services.
- Make clear to staff that they should avoid asking or expecting companions of people with disabilities to assist with communication.
- Consider two cost-effective means of communicating with people with hearing disabilities when appropriate. One is a keyboard device usable by more than one person, with a screen display, which can be shared by more than one office and can, be used for unscheduled appointments, such as a Ubi-Duo. The other is expanded use of video remote interpreting (VRI), which can also be shared and which allows use of an interpreter who is at a remote location. (See photos, pp. 50 and 58.)

b. Summary of Accomplishments

Of the 241 milestones met by the departments in the area of communications, 79 of them, among 22 departments, related to auxiliary aids, with 28 of the milestones established by three departments (DREAM, Sheriff, and Superior Court Clerk). In addition to the establishment and implementation of these milestones, Fulton County addressed in its SOP many of the issues that were raised in *Full Access Ahead*, as discussed in section III.A, above. These included guidelines for obtaining a sign language interpreter through a County contract, and obtaining Braille materials through a vendor.

Given the prior lack of compliance in this area, as identified in *Full Access Ahead*, certain departments appropriately established as a milestone conducting research to be able to identify available county resources as well as external resources for use in having readily available auxiliary aids and services (e.g., sign language interpreters, note-takers, assistive listening devices, large print materials) at meetings, training, exhibits, or events held by the department (e.g., Aging and Youth, Arts and Culture, Fire, DREAM, Health Services, Housing and Community Development, Juvenile Court, Library, Public Defender, Public Works, Registration and Elections, and Superior Court).

In many of these cases, the departments then arranged to provide these auxiliary aids and services (e.g., Housing and Community Development, District Attorney, Public Works, etc.). For example, Aging and Youth purchased and installed ADA-compliant assistive listening devices. Further, it provided its staff training on the use of the Georgia Relay Service, and arranged for ongoing staff training. The department specifically stated its commitment to compliance with the County's Program Access Policy, including its provisions regarding providing advance notice of meetings, events, etc., which allows staff to arrange for sign language interpreters, as well as informing all of its staff regarding the policy's applicable provisions.

In one instance, although the Library informed all managers how to request sign language interpreter services for library programs, it stated its ability to provide sign language interpreters would be dependent on its available budget, having received a reduced operational budget the prior year. It is the case, however, that DCRC maintains the Sign Language Interpreting contract for County-wide services and an overall budget to provide effective communication, i.e., it coordinates and pays for interpreter services. Thus, it would be important for all departments to be aware of this fact to ensure that all individuals who require sign language interpreters have access to them.

DREAM adopted an SOP regarding advertising that an interpreter will be available upon request for meetings, trainings, or events where a large crowd is expected, or individuals who are deaf, hard of hearing and/or deaf-blind may have a particular interest. In addition, the department informed its staff that such auxiliary aids and services would be made available free of charge, although members of the public could provide their own if they wanted. It determined that it would, on a case by case basis, give consideration to the type of auxiliary aids requested and make an effort to reasonably accommodate based on practicality. Further, it would rely on assistive listening devices (ALDs) in its assembly hall if the public requests the need for assistance in that form; although it clarified in comments that the department evaluated the need for ALDs and, because it does not typically interact with the public, the department will rely on ALDs if the need arises.

Other departments established as milestones developing procedures and training modules regarding the provision of auxiliary aids and services for individuals with vision and hearing disabilities (e.g., use of interpreters, closed-captioning capabilities, written exchanges of information, a hand held signaling device indicating, "next customer" at a polling place) (e.g., County Manager's Office, District Attorney, DCRC, External Affairs, DREAM, Registration and Elections, and Superior Court). Three departments specifically mentioned working with either the requestors of alternate format materials, or the subjects of audits, inspections, or home visits, to determine in advance the particular type of auxiliary aid that is needed, rather than making assumptions about this choice (DREAM, Health Services, and Personnel).

The Sheriff's Office met a variety of milestones it had established with respect to the provision of auxiliary aids. These included several of its offices (e.g., Tax and Accounting Administration, Community Outreach, Court Services, and Law Enforcement) developing a notice to the public that individuals could request interpreters or other auxiliary aids in advance in order to participate in these offices' programs and activities. The notice includes specific contact information (phone, TTY, Georgia Relay Service) for making that request.



The Solicitor General's Office determined that it would assist members of the public with contacting the Georgia Relay Service, and trained two of its staff in how to use the service, in order to enhance communication with individuals with hearing impairments (see comment in section V.C.3.c(5)). The office also developed a brochure to be provided to the public regarding the provision of reasonable modifications to individuals with disabilities.

Superior Court established as milestones identifying audible and visual devices that can be procured to assist individuals with hearing or vision impairments in several divisions (e.g., Business Court, Pre-trial Services, and Law Library), educating staff on how to comply with reasonable requests for accommodations (e.g., Family Division), confirming the availability of electronic services and interpreters when notified in advance (e.g., Jury Services Division), and drafting a policy regarding the advance notice required for staff to be able to provide auxiliary aids and services (e.g., Law Library Division).

c. Items Still to be Addressed

This effective communications subcategory contained the most milestones and involved the greatest number of departments, which makes sense, given the wide-ranging applicability of auxiliary aids and

services to individuals with disabilities. The departments were also comprehensive in their approaches to addressing this issue.



We have several key suggestions, many highlighted in *Full Access Ahead*, but not fully addressed by any of the departments that established milestones in this area. In *Full Access Ahead* (at page 76), the first two of these actions were listed in a section entitled “Do It Now,” meaning that they were recommendations that could be immediately implemented at a low cost to the County.

- (1) Use of keyboard devices with screen display** – One method of improving communication with people with hearing disabilities is the use of a keyboard device usable by more than one person, with a screen display, such as a Ubi-Duo (see photo, p. 50), which can be shared by more than one office and used for unscheduled appointments. (It may well be the case that the County has such a device in operation; however, it would be important that the departments allude to the use of such a device in their policies, procedures, and training.)
- (2) Video Remote Interpreting (VRI)** – The report also mentioned expanded use of VRI, which allows use of an interpreter at a remote location. This is an important option in ensuring that individuals who are deaf or hard of hearing are provided with effective communication and also should be included in departments’ plans to meet their obligations under the ADA.
- (3) No charge for modifications; no reliance on companions to provide auxiliary aids and services** – As specifically mentioned in subsection C.1.c(1) and (2), above, it is essential to emphasize when developing policies and training in this area that all of these accommodations are to be

provided free of charge to individuals who need them, and that the County should avoid asking or expecting companions of people with disabilities to provide auxiliary aids or services or assist with communication.

(4) Obligation to provide auxiliary aids and services not dependent on one department's budget –

One department (Library) indicated that its ability to provide interpreters would be based on its budgetary resources. The obligation to provide effective auxiliary aids and services is not dependent upon an individual department's budgetary resources, and it would need to work with the County to ensure that interpreter services were provided, as requested and appropriate (consistent with the undue burden provisions of the ADA). Although the County's SOP regarding its Program Access Policy, in a section entitled Access Guidelines for Providing Effective Communication to Persons with Disabilities, sets forth the procedures for a department to request an interpreter through the County, there is no language in the policy about where the funding would come to pay for any requested interpreter services.

(5) Ensuring all departments' milestones and actions are consistent with the requirements of the ADA –

Although DREAM highlighted a number of steps it would take to ensure that it provided effective auxiliary aids and services to individuals with disabilities, there are a few qualifiers in the language of its milestones that cause concern. The provision of an interpreter upon request was specified with respect to "meetings, trainings, or events where a large crowd is expected ...". The provision of an interpreter on request at a County-sponsored event should not be dependent upon whether a large crowd is expected, particularly since an individual would need to request an interpreter in advance of the event, thus ensuring the department would have adequate notice. The department would need to ensure that effective communication is provided to people who are deaf or hard of hearing for a gathering of any size. In addition, the Solicitor General's Office should be cautioned (if this is what is intended by use of the Georgia Relay Service) not to use the relay service for face-to-face communication; its intended use is for telephone conversations.

Further, this department's milestone stating that auxiliary aids and services would be provided free of charge, unless members of the public wanted to provide their own, could be somewhat problematic. It is the County's responsibility to provide effective communication to individuals with disabilities, so there needs to be some analysis conducted as to whether the auxiliary aids and services upon which an individual may rely are effective, prior to a determination that the County will rely on an individual to provide his or her own auxiliary aids.

In addition, although the department indicated it would give consideration to the type of auxiliary aid requested by the individual, it states that it "would make an effort to reasonably accommodate based on practicality." It is unclear exactly what this means, but the department would have to have a legitimate reason for denying any request for a particular accommodation, and would need to document such denial as well. Primary consideration must be provided to the type of auxiliary aid requested by the individual and the provision of auxiliary aids and services may only be denied if it would result in an undue financial or administrative burden or

constituted a fundamental alteration to the nature of the program. (See discussion at fn. 13, above.) This same principle applies to one department's reference to "use of interpreters when other informal means of communication had not been effective." The department should use an effective means of communication, depending on the circumstances, not try to avoid use of interpreters if they are appropriate.

Finally, with regard to DREAM's plans regarding the use of assistive listening systems, it indicates that it does not typically interact with the public, and therefore it is unlikely that it would need to use ALS. However, departments must take all reasonable steps, in advance, to make sure that they are aware of individuals who may rely on this system and that it is in place at the time any interaction is scheduled to occur. We understand that this responsibility lies with the IT liaisons within each department.

4. Effective Electronic Communications

a. Findings

The Department of Justice considers websites and email to be covered by the effective communication provisions and has proposed to issue specific regulations on the topic. Web accessibility means that people with disabilities can perceive, understand, navigate, and interact with the Web. This requires an evaluation of several factors, including web page content, web browsers, media players, screen readers and other assistive technology, and the software that creates websites. The first phase of this project assessed some basic questions in this area, including general policies and the use of email, e-newsletters, and social networking sites (Facebook, Twitter, YouTube) for communicating with the public.



[mjmonty](#)

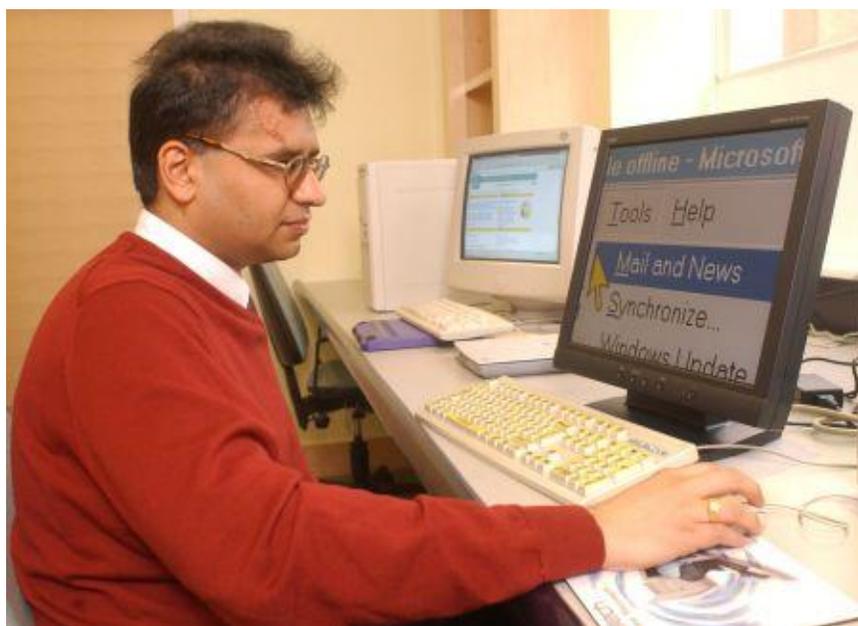
A majority of programs have policies about accessibility of electronic communications. Virtually all programs report use of a standard email template that is in plain text. Some programs use social networking sites like Facebook but report that they do not take steps to ensure that the content provided there is accessible.

The initial assessment found that programs had no consistent policies about accessibility of electronic communication, although most programs did have policies about plain text email. Without clear guidance in these areas, departmental staff representatives may not be aware that captions are needed so that people who are deaf or hard of hearing have access to the aural content and have the opportunity to understand the communication.

b. Summary of Accomplishments

Ten departments set and implemented 37 milestones in this area, a number of which are exemplary. For example, Arts and Culture first determined what its budget would be to fund the requirements for website improvements, and began working with a vendor to achieve that milestone. It also developed a department SOP for managing its website; sought to ensure that accessibility features are fully operational on its website (relying on standards for Federal websites under Section 508 of the Rehabilitation Act); identified and created opportunities for online art training classes on its website; and identified and recommended guidance for its contractors with respect to accessible websites. These steps demonstrate a very comprehensive approach toward addressing this issue.

Other departments stated their intention to research alternate formats for electronic communication, e.g., emails and .pdf documents (e.g., External Affairs); and developed policies with respect to accessibility of electronic communication and alternate formats for individuals with disabilities (e.g., Aging and Youth, Child Attorney, Housing and Community Development, and Personnel).



c. Items Still to be Addressed

Two areas would benefit from further review by the County and its departments:

- (1) Expansion of County's policy** – Although the County's SOP implementing its Program Access Policy addresses a number of areas within the Effective Communication category, it does not reference electronic communications. It would be important for both the County and the departments to have more specific guidelines and procedures in this area in place to ensure consistency, and so that the departments would have increased resources in establishing enhanced electronic communications with respect to their programs and activities.
- (2) Expanded application of these milestones to additional departments** – Although the departments that established milestones in this area were responsive to the ADA compliance issues raised in *Full Access Ahead* (at pages 79-81), only 10 departments out of 34 addressed this issue. Given the nature of communications and the wide variety of mediums through which they are currently made, it would seem many more of the departments could benefit from reviewing their electronic communications with the public and taking steps to ensure their accessibility through a variety of measures. The use of electronic devices and websites to communicate to the public about a department's services will only increase in the future, and the remaining County departments that did not establish milestones in this area would be well advised to do so as soon as possible. It is understood that the County will be addressing this issue in a later phase of its self-evaluation process.

5. Effective Telephone Communications

a. Findings

Very few staff were trained on use of the TTY and telecommunication relay service (TRS). TRS enables people who use TTYs or other telecommunication devices to have a third party transmit and translate (or "relay") a call. This is a service provided by each state (in Georgia, the Georgia Relay Service) at no additional cost, as mandated by title V of the ADA. The report recommended that the County train staff to handle TTY and TRS calls. It also recommended that voice mail systems and other automated systems be evaluated for effective real-time communication for people with disabilities.



b. Summary of accomplishments

Given the emphasis on this area in the *Full Access Ahead* report (at pages 77-79), over half the departments (20) sought to address this issue through the accomplishment of 40 milestones. In addition, the County’s SOP (as referenced in section III.A, above) sets out guidelines for communicating with individuals who are deaf, hard of hearing, or speech-impaired in its provisions regarding TTYs, the Georgia Relay Service, and the availability of a widely publicized email address.

Many of the departments focused on and implemented staff training on the operation and use of TTY equipment and the Georgia Relay Service (e.g., Aging and Youth, Child Attorney, District Attorney, DCRC, External Affairs, Fire, DREAM, Health Services, Housing and Community Development, Juvenile Court, Library, Personnel, Probate Court, Solicitor General, Superior Court, and Superior Court Clerk).

Other departments added the following milestones: the use of teleconferencing and text-to-speech software will be available upon request (e.g., Aging and Youth and Housing and Community Development); the public is to be informed of the availability of TTYs or the Georgia Relay Service for accessible communications (e.g., Animal Services and Superior Court); equipping phones available for public use with volume controls (e.g., County Manager’s Office and Personnel); ensuring staff is trained on the proper setup of voicemail (e.g., District Attorney); ensuring that during regular business hours the telephone is answered by a live person, with no or limited active menu used (e.g., Marshal, Personnel, and Sheriff); developing an SOP that addresses accessibility of electronic communications (e.g., Personnel).



c. Items Still to be Addressed

Once again, the departments embraced the recommendations in *Full Access Ahead* in this area with respect to implementing training – specifically, regarding TTY equipment and the telephone relay service available in Georgia, two very important actions to ensure effective telephone communication. Two additional areas are in need of further attention.

(1) Enhancing automated telephone answering systems – Although this particular issue was addressed, in part, by three departments, i.e., enhancing their automated telephone answering systems to ensure they offer effective real-time communication for people with disabilities, more departments would benefit from similar types of reviews and changes to their systems. As stated in *Full Access Ahead* (at page 78):

. . . the Department of Justice regulations address automated-attendant systems, including voicemail and messaging, and interactive voice response systems. If these are used for receiving and directing incoming calls, the systems must provide effective real-time communication with individuals using auxiliary aids and services, such as TTYs and relay services, including internet-based relay system. The regulation most likely means that a caller using a particular technology should have an opportunity to opt for a live person rather than finding his or her way through the menu; that staff should take the time to complete a call; that automated systems should not shut off a call when a caller fails to respond after just a few seconds, because the delay may be due to use of assistive devices; and that callers using TTYs should have an opportunity to leave message if others can leave voice mail messages.

Thus, a greater number of departments should take action to ensure that this type of effective telephone communications is incorporated into their operations systems.

(2) All staff to be trained in use of telecommunication relay service – In one department’s discussion of its milestones (Solicitor General), it mentioned that it had trained two staff persons in the use of the Georgia Relay Service. It is important that all staff members be trained on the use of the State’s telecommunications relay service. In August of 2014 and again, in August of 2015, DCRC partnered with the Georgia Relay Service to provide training regarding alternative format communications available for person with communication-related disabilities. The Effective Communications and Georgia Relay Partner training was attended by 113 employees, over a two-year period, first targeting employees who had customer service responsibilities, and then others based on recommendations from the program directors. The 2015 training presentation was recorded, modified with closed captioning, and placed on Employee Central for future training opportunities.

6. Videos and DVDs

a. Findings

Videos and DVDs that are developed or produced by the County must be accessible to people with hearing disabilities. For example, if the County (or an individual or group as part of a County program) creates a video or DVD and then uses it in training, posts it on the County’s website, shows it at public events, broadcasts it on FGTV, uses it as a public service announcement, or otherwise distributes it, people who are deaf or hard of hearing must be able to access it. The video or DVD can be either open captioned (with this approach, the captions are always visible) or closed captioned (captions are activated by the user), depending on the nature of the video and whether it will be shown on television or elsewhere.

If the County purchases a video or DVD or otherwise acquires one that it uses, it similarly has an obligation to ensure that the communication is effective for people who are deaf or hard of hearing.

Programs reported no consistent policies about accessibility of electronic communication and use of captioning for videos developed and purchased by programs. Without clear guidance in these areas, departmental staff representatives may not be aware that captions are needed so that people who are deaf or hard of hearing have access to the aural content and have the opportunity to understand the communication.

The audio content of the County's broadcast or recorded TV programming must also be accessible to these individuals. The Office of the County Manager reported that FGTV provides cable programming but that there is no policy requiring that all videos and DVDs developed or produced by the department are captioned. Videos and DVDs produced by or through the County, and FGTV programming, provided to all County residents and visitors, should be addressed as soon as possible.

b. Summary of Accomplishments

Included in the County's SOP is a section placing responsibility on the departments, as well as their vendors and contractors, to respond to requests for captioning of programs disseminated to the public (see discussion in section III.A, above).

Ten departments set 19 milestones in this subcategory. One of the milestones that was set by several departments was the development of a policy on captioned videos and DVDs (e.g., Aging and Youth, District Attorney, DREAM, Health Services, Housing and Community Development, and Superior Court).

Others included the identification of the opportunity for improved electronic communications through videos, MP3s, and CDs for individuals who are home-bound, consistent with the ADA (Arts and Culture); ensuring that all existing videos and DVDs or those to be created for the public in the future are captioned (e.g., District Attorney, Health Services, and Purchasing and Contract Compliance); implementing video captioning where possible for in-house videos (External Affairs); researching funding opportunities for captioning (although the department identified that for videos made available to the public, if they were done via You Tube there would be no cost involved) (External Affairs); training staff on the use of captioning (Health Services); and making sure that the public is aware of the availability of captioned video services (Sheriff).

c. Items Still to be Addressed

One overarching issue should be addressed by the County:

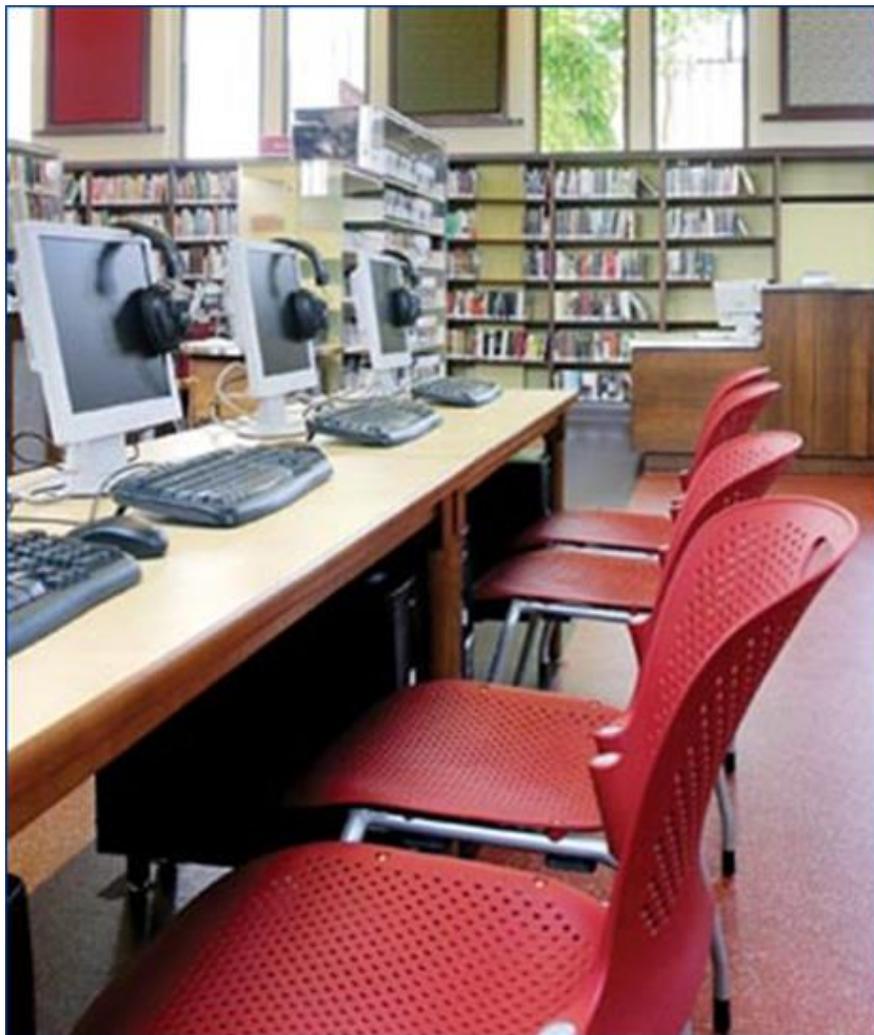
- (1) Expanded application of these milestones to additional departments** – It may well be that only 10 of 34 departments addressed this issue in their milestones because the others do not use videos or DVDs in the operation of their programs. However, to the extent that in the future, departments other than those who have already established milestones in this area begin to rely more heavily on videos or DVDs to communicate about the substance of their programs and activities, they would be well advised to adopt and implement similar policies and procedures.

V.D. Equipment and Furniture

The self-evaluation report rated this area as “highly successful,” while noting that there was some reason to question whether the responses offered a true picture of the state of affairs in this arena.

1. Findings

Inaccessible furniture and equipment can pose barriers to access, equal opportunity, and meaningful participation in programs and activities. This category includes computer stations and computers (e.g., stations that are lowered for people who use wheelchairs or other mobility devices and computers that have software making them usable by persons with vision disabilities); furniture such as tables and desks; and other equipment and furniture such as medical examination tables, emergency call stations, exercise equipment, and public-use copiers (for example, in a library).



Achieving adequate accessibility will sometimes require reasonable modifications to policies and practices, and it requires a thoughtful procurement process. To that end, Phase I sought to determine whether the departments made efforts to research accessible products and to purchase those that are accessible.

Several programs reported steps that they had taken to ensure that furniture or equipment does not pose barriers to access, equal opportunity, or meaningful participation. In addition, two programs of the Housing and Community Development Department offered accessible computer stations where computer stations were used in the program but they did not offer text to speech software for the computers.

The Phase I report recommended that a number of highly public programs such as those in the Judiciary, Arts, and Health Departments take steps to ensure accessible equipment and furniture are available. For example, it urged further evaluation of issues as to whether the County denies equal access to health services by the failure to provide accessible equipment, particularly in the Dental Services Program and the STD and TB clinics.

2. Summary of Accomplishments

In Phase II, across 13 departments, 50 of the 50 milestones set were completed.

Arts and Culture set the highest number of milestones (nine). These were mostly related to budgeting and identifying funding for auxiliary aids. The Department reported that purchase and installation was authorized, but it is not clear whether installation was completed. Ongoing changes at Wolf Creek have not been vetted through DCRC.



Health Services set six milestones and reported them as completed. The Department (1) explored the feasibility of providing text-to-speech and other technology; (2) assessed existing tables, counters, desks, and seating; and (3) created a cost proposal template and accessibility guide for future purchases. The Department noted that no potential new construction or furniture purchases have been identified and did not suggest that any equipment actually had been purchased or modified or that there were plans to do so.

In the Justice arena, several departments (e.g., Probate, State, and Superior Courts) purchased equipment that assists people with speech, hearing, or vision disabilities, such as computer magnification and screen reading software, and some trained staff on their use. Superior Court installed Braille on certain interior signage. It also attempted, unsuccessfully, to obtain funding for assistive listening devices and devices to assist people with mobility disabilities.

Aging and Youth also has computers with text-to-speech software and is identifying them for use for that purpose.

Library, with State of Georgia funding, purchased several "MagniLink S" portable video magnifiers, which magnify printed (paper) text and graphics, and several "MagniLink Voice" reading machines for people with vision disabilities (which read aloud from text on paper). It also received approval to install Windows magnification on all public computers, at each library location. The MagniLink equipment, along with new Zoomtext software, will lead to the implementation of ten accessible service points throughout the library system. (Library noted, however, that it could not achieve some milestones related to assistive listening devices and reading assistance machines because of lack of resources.)



District Attorney has located vendors of screen magnification and screen reader software and is working with DCRC when assistive listening systems are needed.

Housing and Community Development now has text-to-speech software on its computers. The Department researched the number of pieces of other equipment (such as kiosks, emergency call stations, card readers) needed to ensure access but apparently took no action, saying that the transition plan to be developed later will address these issues.

Commendably, Planning and Community Services stated that all RFPs and RFQs include sections for prospective vendors to explain their methods of attaining accessibility.

3. Items Still to be Addressed

While some specific and important improvements were made after Phase I, additional efforts are needed:

- (1) **Arrangement of furniture and equipment** – It did not appear that any milestones were set to address the most common problem identified in the self-evaluation: that program staff often does not ensure that furniture and equipment is arranged in a manner that facilitates approach and independent use by people with disabilities. This is easily remedied by setting a policy or practice that staff will arrange the furniture correctly and check it periodically.
- (2) **Accessible seating** – It does not appear that steps were taken to ensure that 5% of each type of seating is accessible.
- (3) **Access to programs as a whole** – The County should emphasize to individual departments the importance of ensuring access to a program as a whole (program access to existing facilities), which is distinct from ensuring that new equipment and furniture is accessible. It is possible that the timing of this effort and respective roles of the departments are unclear or that the County has decided to focus on these issues when formulating a transition plan. These issues are illustrated by Purchasing’s statement that individual departments are responsible for accessibility features, Housing’s reference to the upcoming transition plan, and the fact that Health Services has an identified need for accessible equipment but appears to be waiting until new mobile medical equipment is purchased before addressing the problem. The “All People Can!” training revealed three equipment related issues that Health Services should address: First, Health Services should arrange for an accessible mobile medical van or an alternate means of providing service. Second, where weight scales are used, at least one should be accessible. Third, staff should be trained in transferring individuals with disabilities to exam tables and other equipment.
- (4) **Address lack of resources** – Lack of funding appears to be a concern and barrier for several departments. The County should consider (1) providing funding for accessible equipment and technology and/or (2) a means of documenting decisions that particular modifications or steps such as purchase of equipment and technology would create an undue financial and administrative burden, the only funding-related justification for not obtaining equipment necessary to ensure program accessibility or effective communication.
- (5) **Acquisition of equipment by District Attorney** – District Attorney should ensure that people needing assistive listening systems and accessible computer technology are able to obtain them at the time of their need; it appears that the department has located vendors, but the equipment should be obtained and ready for use when requested.

V.E. Basic Accessibility and Maintenance of Accessible Features

The County does a good job maintaining accessible features like elevators and automatic doors.

This section of the report addresses steps taken to ensure that meetings and events are held at accessible locations, to provide accessible service desks and counters, and to ensure that accessible features of facilities and equipment are maintained in operable working condition, except for isolated or temporary interruptions due to maintenance or repairs. For example, broken elevators or lifts must be repaired promptly, snow must be removed from approach walks quickly, and boxes and other items should not block accessible doors, elevator buttons, and accessible toilet stalls.¹⁶

1. Findings

The initial assessment found this area to represent one of the County's strengths, and it was rated "highly successful." Almost all programs reported that meetings and events were held in accessible locations, and that interviews were held in accessible locations or relocated as needed. Generally, there appeared to be few problems with maintenance of accessible exterior and interior features.



¹⁶ This section of the report does not address other areas of the evaluation that also related to physical accessibility: the physical survey of several recreation facilities (not included in this report) and assistive listening systems (see Section V.C.3 for a discussion of ALS).

However, managers did report that not all service desks or counters had a lowered service portion (the most frequent issue in this category), and there were some issues related to inaccessible arrangement of furniture and equipment, such as in reception areas and waiting rooms. The second most commonly reported issue was that snow removal was not always promptly achieved. The report encouraged the development of written policies about monitoring and maintaining accessible features.

2. Summary of Accomplishments

Milestones were set by 24 departments in this category.¹⁷ Several stated plans to ensure that accessible parking and lowered reception desks or counters were provided. Others planned changes to signage (for example, indicating accessible entrances) and acquisition of assistive listening systems. Several departments recounted their policies or practices of monitoring interior and exterior routes regularly for obstructions, items placed in the way of accessible features, or other barriers to access; and removing them promptly. Others specifically addressed and developed policies for prompt snow removal, as well as commitments to ensuring that automatic doors remained available and operational whenever the building was open. Established milestones also were intended to guarantee that alternate accessible locations were available for jurors (Superior Court), meetings (Aging and Youth), and services (Health) if not all locations were accessible. DREAM evaluated all wheelchair lifts, elevators, and power doors; the department stated that every day the building mechanical manager checks power doors; if one is determined to be inoperable, a work order is generated for immediate contractor response.

In addition to DREAM, four departments stand out for their exemplary efforts.

Arts and Culture stated that it identified disability coordinators for each of its centers; identified specific relief areas for service animals and posted informational signs; developed a Standard Operating Procedure for accessible exhibits and visual displays; more widely promoted accessibility features in order to increase attendance by people with disabilities at events, exhibits, and other activities; and reviewed seating for people using mobility devices and their companions.

Health Services checks interior routes daily, included snow removal in an SOP, and developed a means of bringing services to an individual with a disability or relocating the service if an area is without elevator access.

Police assessed facilities for each program to ensure they meet accessibility standards, and addressed and will address accessibility shortcomings with property owners during lease renewals.

Registration and Elections surveyed polling facilities for adherence to state accessibility criteria and performs annual related training. The department reviewed all external entrances to facilities used for voter registration, as well as service counters at registration facilities, documenting whether they are accessible for people who use wheelchairs as they complete documents.

¹⁷ 113 milestones were set in this category. This part of the report summarizes those that were not duplicative of others and that were responsive to the matters raised, approximately 80 of the 113. Not included, for example, are those that referred to the transition plan to be developed in a separate phase of this project.



3. Items Still to be Addressed

The County is to be commended highly for its efforts to ensure that accessible features are maintained, by engaging not only the departments responsible for its facilities in general but also those who staff and manage programs of the various departments. There are no further changes needed.

V.F. Transportation

1. Findings

When transportation is provided, arranged, or used, as part of a program (including at events), accessible equivalent transportation should be included so that individuals with disabilities are not denied the benefits of, the transportation service or the activity or program it serves. This requirement will apply whether the program is providing transportation in support of its mission or as a convenience to its participants.

The County can acquire and operate its own accessible vehicles or can contract with a company to provide accessible transportation services. For “demand-responsive” service (that is, one that provides bus or van service in response to a request, such as for an individual trip to a doctor or shopping area) “equivalent service” must be provided; not all new buses that are purchased or leased need to be accessible if service is equivalent and provided in an integrated setting.

The self-evaluation survey responses submitted by ten departments with transportation programs showed the programs to be generally successful.

The most common problem identified was an absence of accessible vehicles. Programs also consistently stated that there are generally no policies for providing equivalent transportation, and that information provided to the public may not refer to the availability of accessible transportation. When public transit vouchers are provided, accessible transportation is not consistently provided. However, programs did report as a consistent practice that staff members know how to obtain accessible transportation, and the drivers are trained to use lifts, ramps, and securement devices.



With respect to the County’s fixed-route shuttle for employees, visitors on official business, and jurors, there was one Fulton County bus on this route, which was equipped with a lift, in operation during business hours. Outside of regular hours, three inaccessible buses were used for this purpose. If a juror or official visitor needed wheelchair accessibility, the person would tell the driver of a contractor bus and the driver would make a call to ensure that a fourth contractor bus, which is accessible, was called to service. This approach – using inaccessible buses and calling for an accessible bus on an as-needed basis – was not consistent with the requirements of the ADA.

2. Summary of Accomplishments

The seven departments that established milestones in this area reported the successful completion of all 17 milestones.

District Attorney stated it would create policies and procedures to provide equivalent transportation if not all vehicles are accessible, or to either borrow or purchase an accessible county vehicle when needed, but in an amended milestone it noted that accessible transportation is provided by DREAM. The department’s Chief of Investigations established guidelines regarding transporting individuals as needed. The department also included as a milestone that it would update its website, publications, and brochures to include information about the transportation services provided as part of the program, and in the comments section stated it follows the policies of Fulton County when it comes to publicizing information about the availability of transportation services.

Health Services established the following as milestones: augment its written transportation permission slip to include information regarding the accessible transportation services provided as part of the program; develop departmental procedures to be included in existing policies, related to the provision of equivalent transportation for program participants; provide training to appropriate staff on how to access transportation services for persons in need of reasonable accommodations; research the

feasibility of purchasing accessible vehicles and, if purchased, provide appropriate training to staff; and research the possibility of providing public transit vouchers to clients with disabilities who need alternative transportation.

Juvenile Court, with the assistance of the Deputy Chief Probation Officer, developed a policy to transport children with disabilities if the program requires an outside trip.

Planning and Community Services indicated that the department had vans with “step-up equipment” (built by the Park Services Division [now Parks and Recreation Department]) to assist patrons with disabilities.

Sheriff indicated that accessible vans are provided to transport youths, jurors, and judges, and that this process is monitored internally to ensure that it is working properly. Similar to its response in many of the other categories surveyed, the department ensures that all of its communications regarding the availability of services will include contact information within the department (phone, TTY, Georgia Relay Service) as to how to access such services.

3. Items Still to be Addressed

There are a few issues that could benefit from follow-up action by County departments.

- (1) Acquisition of accessible transportation by Health Services** – In its milestones, Health Services stated it would research the feasibility of purchasing accessible vehicles. It is unclear if the Department actually followed up and purchased accessible vehicles, but this would be an essential next step in ensuring accessible equivalent transportation.
- (2) Expanded application of these milestones to additional departments** – It is noted that in the original survey, upon which *Full Access Ahead* was based, ten departments had transportation programs in operation (see discussion at page 88). In Phase II of the self-evaluation, seven departments purported to establish milestones in this area, although two of those milestones did not relate to transportation specifically. Thus, it is unclear at this point, given the deficiencies found in Phase I of the self-evaluation, what the other departments that have transportation programs are doing with respect to ensuring compliance with the ADA’s requirements regarding accessible equivalent transportation. We recommend that the County review these other programs, determine what progress has been made toward resolving the issues in *Full Access Ahead*, and establish appropriate milestones, which would then be implemented by these departments.
- (3) Ensure wheelchair accessibility of transportation vehicles** – In one department’s description of its milestones (e.g., Planning and Community Services), it stated the department has vans with “step-up equipment.” It is unclear what this means, but the Department would need to ensure that its vans were accessible to individuals using wheelchairs (and who can’t use steps) versus only providing an additional step to facilitate ease of boarding for those who can use steps.

V.G. Emergency Procedures

1. Findings

The self-evaluation found that this was one area where significant improvement was needed. The primary recommendation of the self-evaluation report was to develop policies for communication with people with disabilities about and during emergency situations.

The self-evaluation addressed two aspects of emergency procedures on a program-specific basis.¹⁸ First, it addressed whether any plans for evacuating locations where services and activities are provided, or plans for sheltering/staying in place, incorporate considerations of the needs of people with disabilities. Secondly, it sought to determine whether those programs that communicate with the public during emergencies (through such means as outgoing recordings or phone lines about cancellations or closings) ensure effective communication.

Generally, if the site that houses a program has an emergency evacuation plan, it should have specific provisions for safely evacuating everyone, including people with disabilities affecting mobility, vision, and hearing as well as people with cognitive or psychiatric disabilities. The program should ensure that people with disabilities are notified of the evacuation plan and procedures, using alternate formats for printed materials. If the building does not have visual alarms for people who are deaf or hard of hearing, it should have a way to notify them of an emergency evacuation or drill. It should also ensure that people are not separated from their wheelchairs, other equipment, or service animals.

If a program has a means of notifying participants or beneficiaries that it is closing its facility or canceling or otherwise altering a planned event, class, counseling session, etc., it should make those means accessible to people with disabilities. If email blasts or text messages are used, they should be accessible to people who are blind or have visual impairments, or individuals should be contacted by phone. Any emergency information provided through television should be captioned and/or interpreted. Any registry or list of individuals who are contacted during emergencies must be confidential, voluntary, frequently updated, and always available in the event of an emergency.

Most programs reported that emergency plans were in place for evacuating or sheltering in place for people with disabilities. However, almost none had plans for communicating with people with hearing or vision disabilities.

The District Emergency Operations Plan (DEOP) from Health Services, outlines the department's responsibility to coordinate the response to emergencies of public health significance within its jurisdiction, in order to protect the health of all people during an emergency. It does not appear that effective communication is considered in the public outreach efforts of the crisis communication plan. Materials that are part of this effort should be provided in alternate formats and in multiple channels to ensure that all members of the public are able to access the information. The DEOP includes a requirement that the Mental Health Liaison coordinate with other entities to ensure that communities

¹⁸ County-wide emergency planning and response will be addressed in a later phase of the self-evaluation.

and individuals affected by the disaster are provided needed support, outreach, and crisis counseling services and refers to a “Special Needs Population Shelter.”



Some of the DEOP’s site-specific evacuation plans do provide guidance on safe evacuation of people with disabilities, and some do not. The Central Training Center had a registry of consumers and staff members with “special needs.”

The majority of issues noted related to communication. Specifically, the programs did not appear to have plans to provide accessible means of communicating written material or audible information to the public during emergencies.

2. Summary of Accomplishments

In its Program Access Policy SOP, the County addressed communication in emergencies by requiring the Office of Emergency Management to caption emergency announcements and programs provided through broadcasts and videos, as well as establishing back-up measures if captioning was not possible. See discussion in section III.C, above.

Many County departments (25) completed 101 milestones to address the issue of emergency procedures, and developed detailed plans to overcome the deficiencies that were identified in the self-

evaluation process. These milestones in many respects represented creative responses to the issues that were raised. They largely fell into two categories: 1) establishing written emergency procedures that address the needs of individuals with disabilities (preparedness); and 2) providing individuals with disabilities with effective communication during emergency situations.

With respect to the first category, many of the departments established the milestone of reviewing all emergency procedure policies to ensure that they are current and that they addressed the needs of individuals with disabilities. Specific measures included identifying the potential modifications that would be required to communicate those policies to individuals with disabilities, including auxiliary aids such as materials in alternate formats (e.g., large print for individuals with vision impairments, placing fire safety training materials in video as well as written format, and captioning of all videos and emergency announcements for individuals with hearing impairments).

Importantly, the departments also sought to train all staff on emergency procedures and how to assist individuals with disabilities. The training covered how emergencies should be handled and how to assist individuals with disabilities during an emergency evacuation; ensuring that individuals with disabilities are not separated from their wheelchairs, other devices, or service animals; and the use of Georgia Relay Services as well as other TTY devices when there was a need to inform people of emergency closures, for example, by phone. As part of that training process, one department included as a milestone scheduling and conducting internal mock exercises consisting of staff handling of situations involving individuals with mobility, vision, and hearing impairments (e.g., Registration and Elections).

A number of other milestones also related to this first category of “preparedness,” including one intended to ensure visual alarms are checked regularly and another to assess buildings to identify the location of evacuation chairs in facilities that have more than one floor (e.g., Health Services and District Attorney).

Further, to ensure effective communication during emergencies, the following milestones were developed by a variety of the County’s departments: 1) develop accessible email blasts, text messages, telephone and TTY communications, and use of local radio during an emergency (Health Services); 2) ensure each building has audio alarms and visual strobe devices that are in working order; 3) assign staff as a point of contact to alert individuals who need accommodations about any emergencies; 4) test visual alarms/strobe lights regularly to ensure they are in proper working order; and 5) ensure the availability of a TTY number (Sheriff).

In addition, two departments recommended collaborating with the County’s Emergency Management Agency to ensure that sheltering, evacuation, and use of transportation is in place and ready for use (Aging and Youth and Housing and Community Development). A subsequent phase of the self-evaluation and transition plan effort will address these issues.

There were only a couple of instances where milestones had not been completed within the allotted timeframes set out; they included the development of an emergency action plan that included evacuation of persons with disabilities (e.g., Registration and Elections).

3. Items Still to be Addressed

Although the departments were extremely comprehensive in addressing emergency procedures issues, there are a couple of areas where the implementation of the milestones can be expanded to ensure that all individuals with disabilities are protected in the event of emergencies. These include the following:

- (1) Inclusion of all disabilities** – Although many of the modifications addressed the needs of individuals with vision, hearing, and mobility impairments, it was rare to find a milestone that particularly addressed the needs of individuals with cognitive or psychiatric disabilities.
- (2) Increased specificity of how information would be relayed** – The departments would benefit from specifying the details as to how certain individuals with disabilities would be informed of emergency situations, i.e., specifically addressing how the departments would go about ensuring the accessibility of email blasts and text messages for individuals with vision impairments, and phone calls or information provided through television for individuals with hearing impairments, e.g., the use of captioning or sign language interpreters. Although such specific procedures may well be in place at this point, it would be important to ensure that the specifics are enumerated and that staff is aware of how to ensure that the process works smoothly.

V.H. Outside Entities

1. Findings

This area was also found to be in need of significant improvement.

Many of the County's services are carried out by contracts or partnerships with outside entities. The County must monitor those entities to make sure that it does not "contract away" its Title II responsibilities. This responsibility also extends to those entities to which the County provides sponsorship or significant assistance (for example, by providing assistance through grants). However, the self-evaluation found little indication that the departments ensured compliance with Title II through oversight of their outside entities by:

- Requiring that grantee/contract organizations offer equal access to goods and services.
- Ensuring that grantee/contract organizations do not screen out individuals with disabilities in determining eligibility criteria.
- Monitoring grantee/contract organizations' provision of auxiliary aids and services and alternate formats.
- Checking for compliance, rather than relying merely on assurances in contracts.

Almost all programs reported that their RFP/RFQ process did not include criteria for evaluating an applicant's record of compliance with these types of requirements. However, the Building Construction Program within DREAM had an exemplary practice of not just stating that engineers and designers under contract with the County must comply with "all applicable standards, codes, and regulations" but of specifying the codes, standards, and regulations with which the contractors must comply. If codes

change after execution of a contract, the County incorporates them into the contract through a change order.

2. Summary of Accomplishments

The departments that established milestones in this area (15) reported the successful completion of all 41 milestones.

A number of departments established as an initial milestone the review of their relationships with outside entities; review of their methods to procure, contract and purchase materials; and then determination of a strategy for moving forward with future engagements by making changes where needed (e.g., Arts and Culture, DREAM, and Health Services).

Another step taken to address some of the deficiencies identified in *Full Access Ahead* pertains to ensuring that contract language with outside entities includes provisions with respect to nondiscrimination against individuals with disabilities and the provision of auxiliary aids and services, as provided for under the ADA. Many of the departments took specific steps to include this type of language in all future contracting provisions with contractors, grantees, and sub-recipients (e.g., Aging and Youth, Arts and Culture, Health Services, Housing and Community Development, Library, Purchasing and Contract Compliance, Sheriff, and Superior Court Clerk). Coordination with the Department of Purchasing and Contract Compliance was emphasized as an important step to be taken to ensure consistency in approach. One department took a step further and developed criteria for evaluating an applicant's record of complying with ADA requirements in advance of entering into a contract with that applicant (DREAM).

As an extension of these initial steps, a number of departments set as a milestone the provision of training (including a timeline for such training) to both department staff, as well as contractors and vendors, about Title II of the ADA and Fulton County's Program Access Policy, through a variety of training modules (e.g., Aging and Youth, Arts and Culture, Finance, DREAM, Planning and Community Services, Purchasing and Contract Compliance, Sheriff, and Superior Court Clerk).

One department set as a milestone reviewing its procedures for the administration of contracts, to monitor outside entities doing business with the County on a monthly basis to ensure that they do not discriminate against people with disabilities (DREAM).

The County's 2013 SOP also addresses these issues in the Access Guidelines Regarding County Department Implementation Responsibilities. The guidelines require the Department of Purchasing and Contract Compliance to:

- Include language in County contracts and related documents specifying non-discrimination for persons with disabilities under the ADA, Section 504 of the Rehabilitation Act, and all other applicable accessibility regulations.
- Ensure that all Fulton County contractors (including grantees and sub-recipients), except contractors providing tangible goods/services, comply with this policy.

It is noted that several exhibits to the Contract Compliance Requirements address discrimination on bases other than disability (race, color, gender, and national origin) with the specific provisions to be included in contracts, but they omit considerations based on disability. These include Exhibit A, Promise of Non-Discrimination, and Exhibit C, Schedule of Intended Subcontractor Utilization. In addition, the standard provisions do not mention Section 504, as directed by the SOP.

3. Items Still to be Addressed

Although the departments completed all of their milestones in this category, particularly in ensuring that criteria were developed to ensure that contractors did not discriminate against individuals with disabilities, and that they provided equal access to these individuals, there are three areas where further improvement would be warranted. As to items 2 and 3, only one department (DREAM) addressed the issue.

- (1) Developing more specific standard contract language** – The standard provisions for contracts should include not only the language quoted above but also a specific reference to the applicable ADA regulations (currently 28 CFR Part 35) and the standards referenced in them (currently the 2010 Standards, at 28 CFR 35.151, and the 2004 ADAAG at 36 CFR part 1191, appendices B and D). These specific statements will help prevent misunderstandings or omissions by contractors and assist the County in monitoring. The standard provisions should also refer to Section 504.
- (2) Reviewing contractors' past records** – When considering applications or bids for grants, contracts, or other assistance or partnership opportunities, departments should evaluate applicants' prior records of complying with the ADA. However, only one department included this feature in its stated milestones.
- (3) Monitoring of contractor compliance** – All departments should monitor contractors' compliance with ADA principles, including, as set out in the original *Full Access Ahead* report (at 93): 1) monitoring grantee/contract organizations' provision of auxiliary aids and services and alternate formats; and 2) checking for compliance, rather than relying merely on assurances in contracts. Neither of these elements appeared as a feature in any of the departments' plans moving forward (with the one exception identified above). Clearly, having effective contractual provisions and training are important features in ensuring compliance by outside entities with the ADA, but it is essential that there be some ability to check and make sure that the outside entities are complying with these provisions. Thus, it is recommended that the departments enhance their current policies to include a monitoring element not only in their written policies, but in their ongoing practices as well.

Chart 3: Best Practices and Progress

The table below is an update/companion to the table “Best practices: How the County Measures Up” in *Full Access Ahead*. The first column shows the evaluation area; the second column summarizes the ADA requirements and best practices per evaluation area; the third column lists prior good practices as well as problems to be addressed, as found in *Full Access Ahead*; and the fourth column summarizes highlights of how these problems were addressed. Check marks indicate good practices; asterisks signal recommendations. "SOP" refers to the County's 2013 Policy and Procedure 600-72, *Fulton County Program Access Policy for Persons with Disabilities* (Program Access Policy), and the accompanying and more detailed Standard Operating Procedures and Guidelines (SOP) for implementing the policy. Please note that this chart is available in accessible Excel format upon request.

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Infrastructure	If >50 employees, designate an ADA Coordinator	✓ ADA Coordinator actively working with Departments to implement the ADA	✓ Additionally, Arts and Culture designated a coordinator for each center
	Notify the public of their rights under the ADA	No standardized or general notice as to ADA	✓ Addressed in SOP ✓ Materials and signage reviewed and revised (21 milestones)
	Have procedures for prompt and equitable resolution of complaints	Complaint procedures apply only to employment	✓ Addressed in SOP ✓ Procedures for public grievances created and staff training provided on grievances and procedures (23 milestones)
	Hold regular training for employees	No apparent regular training for non-employment areas, including interaction with individuals with disabilities	✓ DCRC provided training via PALMS, online ADA Basics, interactive training for managers (All People Can!); more is planned ✓ Trainings held and commitments made to regular training (45 milestones)
	State commitment to ADA compliance	✓ Managers and staff are committed to compliance	--

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
<p align="center">Policies (Reasonable Modifications, Eligibility Criteria)</p>	<p>Make reasonable modifications to policies, practices, or procedures to avoid discrimination</p>	<p>✓ Assistance and simple modifications provided on ad hoc basis as customer service</p>	<p>--</p>
		<p>No official policy or procedure</p>	<p>✓ Procedures established and staff trained on them (more than 50 milestones) * Add specific information to SOP about notice to public of opportunity to request reasonable modifications</p>
		<p>No notice to public that they can request modifications</p>	<p>✓ Provided notification to public on how to request modifications in accordance with ADA Title II (11 milestones) *Address in SOP. All should post on web and allow for standing requests</p>
	<p>Document denials that are based on fundamental alteration to nature of program or undue financial and administrative burdens</p>	<p>No formal process for documenting reasons for denials</p>	<p>✓ New reasonable modification request form developed in June 2015 *New form should address reasons for denial * Departments should document denials of modification requests</p>
	<p>Eligibility, participation, and applications: Don't impose eligibility criteria or</p>	<p>✓ Disability-related inquiries generally are for legitimate program-related purposes</p>	<p>* Departments that have not assessed physical requirements, if any, should do so</p>

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Policies (Reasonable Modifications, Eligibility Criteria)	qualifications that screen out people with disabilities	<p>✓ Generally, drug-related limitations on participation are permissibly based on <u>current and illegal</u> use of drugs</p>	* Departments other than Health Services that make decisions on this basis, if any, should review policies
		Assistance with forms and accessible locations not always provided	✓ Informed staff that they may assist with forms and application processes
	Exams and courses: Offer in accessible place and manner	✓ Most are in accessible locations	* Four departments should take steps as recommended in report
	Hearings, meetings, trainings, classes, tours, and events: hold in accessible locations, provide auxiliary aids and services	Some events not relocated to accessible locations	<p>✓ SOP sets requirements and Access Statement for Notices of Public Events</p> <p>✓ Some additional commitments to relocate hearings and meetings to accessible locations</p>
		Remote attendance not usually permitted	<p>✓ Four milestones addressed ways of allowing remote attendance at events</p> <p>*Other departments need to do so</p>
	Allow service animals (dogs) and miniature horses as appropriate	No specific policy	<p>✓ SOP now addresses</p> <p>✓ Commitment and staff training regarding service animals (31 milestones)</p>
	For service animals, don't require certification or documentation and don't ask intrusive questions	Certification and/or documentation required sometimes	<p>* Additional action needed by Public Safety and Law Enforcement-related departments</p>
		✓ Security staff trained about service animals	
		Others not trained/aware	

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Policies (Reasonable Modifications, Eligibility Criteria)	Allow mobility devices such as wheelchairs and “other power-driven mobility devices” (e.g., Segways)	No specific policy. Lack of awareness	<ul style="list-style-type: none"> ✓ SOP now addresses ✓ Specifically trained staff about allowing wheelchairs and OPDMDs (6 milestones) *DREAM and DCRC should develop facility-specific policies
	Advisory committees: consider people with disabilities for membership and provide equal opportunity and auxiliary aid	<ul style="list-style-type: none"> ✓ Some committees have people with disabilities as members and make modifications 	
	Advisory committees: consider people with disabilities for membership and provide equal opportunity and auxiliary aid	Others do not reach out to people with disabilities or make adequate modifications	<ul style="list-style-type: none"> ✓ Three departments sought to establish milestones that would ensure that individuals with disabilities are aware of opportunities to participate on these boards * Requirements should be included in SOP *Other departments should increase outreach and opportunities to participate, including by postings on websites
	Integration: Provide activities in most integrated setting; offer different or separate programs and services only when necessary for equal opportunity	<ul style="list-style-type: none"> ✓ Programs that are separate were created appropriately to meet needs of people with disabilities 	--

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Effective Communication	Ensure communications with people with disabilities are as effective as those with others	✓ Some departments provide minimal ad hoc services (exchanging notes, reading to person with vision disability, assisting with applications); County has some policies in place	See entries below *Obtain keyboard devices with screen display and video remote interpreting technology (which can be shared) for use in appropriate situations
	Provide auxiliary aids and services (sign language interpreters, captioning, readers) when necessary for ensuring effective communication with people with hearing or speech disabilities	Some deny auxiliary aids	✓ Many changes made to provide more auxiliary aids and alternate formats (over 100 milestones); training provided * The other half of the departments should adopt similar practices *Consider acquiring video remote interpreting services and keyboard screen display devices
	Provide alternate formats (electronic format, Braille, large print) and auxiliary aids for people with vision disabilities	General lack of awareness of requirements and processes	
	Give primary consideration to individual's request for type of aid or service	General lack of awareness of requirements	* Emphasize in training
	Document any denial based on fundamental alteration to nature of program or undue financial and administrative burdens	Minimal compliance and awareness	
	No process	* Develop County-wide process, e.g., address in SOP	

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Effective Communication	Do not charge for auxiliary aids or services or alternate formats	Some programs impose fees	* In training, emphasize this and fact that cost is almost never a factor in providing auxiliary aids and services
	Do not rely on companions of people with disabilities to provide service	Some programs rely on companions	* Emphasize in training
	Ensure effective communication when telephone communication is used, through TTYs or telecommunication relay services (TRS). Train staff	Minimal use of TTYs and TRS. No training	<ul style="list-style-type: none"> ✓ Some training provided ✓ TTY equipment installed and staff trained on use (45 milestones) * Emphasize TRS is just for phone calls, not for meetings and other face-to-face communication * Address automatic answering systems
	Caption videos and DVDs developed by County	Minimal awareness and captioning, no consistent policies	<ul style="list-style-type: none"> ✓ Captioning initiatives instituted (19 milestones) ✓ SOP places responsibility on departments, vendors, contractors
	Offer assistive listening devices in assembly areas, courtrooms	ALDs not offered	✓ Some ALDs installed
	Ensure accessibility of electronic communication (e.g., email, social networking sites)	✓ Most programs have policies about plain text email	<ul style="list-style-type: none"> ✓ 37 milestones completed, including for websites ✓ The County plans a later initiative on website accessibility * The other 24 departments should address * SOP should give guidance

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Basic Access (Accessibility and Maintenance of Features)	Offer programs and services in accessible locations	✓ Managers and public say programs and activities (meetings, events) are held in accessible locations	--
	Provide notice of accessible features	Information generally not provided to public about accessible features at meetings, events	✓ SOP sets requirements
	Relocate as needed	✓ Interviews and tests relocated on request	--
	Maintain accessible features (elevators, clear routes, automatic doors, lowered counters) in accessible condition	✓ Accessible features are regularly maintained	--
Furniture & Equipment	Provide enough accessible furniture and equipment (computer stations, tables and chairs, other equipment) to ensure opportunity for full participation	✓ Furniture and equipment generally don't pose barriers to participation	--
		Some highly public programs (Judiciary, Arts, Health) don't take steps to ensure accessible equipment and furniture are available	✓ 50 milestones completed * Monitor arrangement of furniture and equipment * Ensure access to programs <i>as a whole</i> * Address lack of resources
Transportation	When transportation is provided as part of an activity or as a service, ensure accessible equivalent transportation for people with disabilities	Accessible transportation offered by most programs	✓ 17 milestones completed * Other departments should evaluate
		✓ Some vehicles not accessible	* Specific suggestions for two departments

Area	ADA requirements and best practices	Prior good practices/problems to be addressed	How problems were addressed / recommendations for further action
Emergency evacuation from buildings	Take needs of individuals with disabilities into account for evacuation of buildings or sheltering in place	✓ Procedures take needs into account	✓ 101 milestones completed, including about procedures, communication, training, registry ✓ Evacuation chairs installed throughout numerous buildings * Address needs of people with cognitive or psychiatric impairments
	Ensure effective communication with individuals with hearing or vision disabilities	Almost no programs have policies for communication	✓ Numerous milestones implemented
Outside Entities	Ensure that agencies/ organizations that provide services on behalf of County are not discriminating against people with disabilities	Programs rarely monitor agencies with whom they partner through grants or contracts	✓ SOP establishes policy and standard language for contracts * Implementation and more specific language is recommended * Monitor compliance by outside entities (very few do)

VI. CONCLUSION

Fulton County has dedicated significant time and resources to this self-evaluation effort, in an organized and logical way, beginning with assessing its programs in depth in 2011 and 2012. Many jurisdictions stop there; but this County went further to make sure the findings and recommendations from the initial assessment were turned into actions through Corrective Action Plans. Then it asked for a second look, to hold itself accountable. The County is to be commended for its businesslike and logical approach to monitoring its actions.

This approach is indeed making a substantive difference. Managers and staff are not only taking significant steps to increase access for people with disabilities, they are increasing their understanding of the reasons for taking such action, and of how ADA principles apply to their own programs.

It is the authors' view that County staff and managers have a strong interest in serving people with disabilities. With assessments, training, and policies in place, the County has a solid and extensive basis for further enhancing its services to people with disabilities and compliance with the ADA.

As Fulton County forges ahead in implementation, it is on its way to full inclusion for people with disabilities in all its programs and activities, in the way intended by the Americans with Disabilities Act.

APPENDIX

Attachment 1: 2013-2016 and Future Training Sessions

Date	Topic	Title
2/2013	Board of Commissioners Presentation	Fulton County ADA Self Evaluation Plan Phases II-IV
6/2013	Clerk Superior Court	How to Recognize and Respond to EEO related issues
10/2013	Floor Leader Training	Emergency Evacuation Training for Persons with Disabilities
2013-2016	New Employee Orientation	ADA Program Access, ongoing annually
2/2014	Security	Access for Individuals with Disabilities
9/2014	Floor Leader Training	Emergency Evacuation Training for Persons with Disabilities
11/2014	Effective Communications & Fulton County Government	
11/2014	Georgia Relay System	
12/2014	Clerk Superior Court	On Your Mark, Get Set, Go! – ADA Compliance
2/2015	Managing within the Law Series	ADA, Amendments Act and Reasonable Accommodations
5/2015	Arts & Culture	Accessibility for Contractors, Organizations and Individuals
8/2015	Effective Communications & Georgia Relay Partnership	
8/2015	Georgia Relay System	
10/2015	Library Staff Development Day	Title II, Program Access and Reasonable Modification
11/2015	Floor Leader Training	Emergency Evacuation Training for Persons with Disabilities
2/2016	Clerk Superior Court	ADA Compliance Training
2/2016	Executive Briefing	Making an Equal Opportunity Impact
4/2016	ADA Program Access	Housing and Community Development, Workforce Investment Act, 2016 Community Services Program
4/2016	Registrations & Elections	Challenges to Access in Polling Places
6/2016	Superior Court Administration	Manager's Retreat, EEO & ADA Compliance
7/2016	Superior Court Administration	Jury Services and Accommodations
10/2016	Registration & Elections	Challenges to Access in Polling Places
10/2016	Library Staff Development Day	Title II, Program Access and Reasonable Modifications
10/2016	Sheriff's Office Command Staff	ADA, Program Access and Serving Persons w/Disabilities
10/2016	Equal Access Non-Discrimination Training	All People Can! – Program Access and LEP
FUTURE	Public Works, Health Services	Development of Cultural Competence
FUTURE	New Employee Orientation	EEO, Compliance, Reasonable Accommodation

Date	Topic	Title
FUTURE	Online Training – All People Can!	Program Accessibility and LEP
FUTURE	Health Services	Program Accessibility
FUTURE	Justice/Courts	Point of Service Training (follow up)

This report was developed by ADA One, LLC, under the auspices of the Fulton County Office of Diversity and Civil Rights Compliance, Fulton County, GA

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