

Introduction

Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that all programs, services, and activities (PSAs) of public entities provide equal access for individuals with disabilities. Union County has undertaken a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

ADA Self-Evaluation and Transition Plan Development Requirements and Process

Union County is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the County and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the County. Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Completion of a Self-Evaluation;
- Development of an ADA complaint procedure;
- Designation of at least one (1) person who is responsible for overseeing Title II compliance; and
- Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process.

The Transition Plan will become a working document until all barriers have been addressed. This document describes the process developed to complete the evaluation of Union County's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next 30 years. The ADA Self-Evaluation and Transition Plan is significant in that it establishes the County's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its citizenry.

Discrimination and Accessibility

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs, but also to individuals with sensory and cognitive disabilities. Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.

The following are examples of elements that should be evaluated for barriers to accessibility:

Physical Barriers

- Parking
- Path of travel to, throughout, and between buildings and amenities
- Doors
- Service counters
- Restrooms • Drinking fountains
- Public telephones
- Path of travel along sidewalk corridors within the public rights-of-way
- Access to pedestrian equipment at signalized intersections

Programmatic Barriers

- Building signage
- Customer communication and interaction
- Non-compliant sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for City sponsored events

Ongoing Accessibility Improvements

County PSAs and facilities evaluated during the Self-Evaluation will continue to be evaluated on an ongoing basis, and the ADA Transition Plan will be revised to account for changes that have been or will be completed since the initial Self-Evaluation. This Plan will be posted on the County's website for review and consideration by the public.

Union County Approach

The purpose of the Transition Plan is to provide the framework for achieving equal access to the Union County's programs, services, and activities within a reasonable timeframe. The County's elected officials and staff believe that accommodating persons with disabilities is essential to good customer service, ensures the quality of life Union County residents seek to enjoy, and guides future improvements. Union

County should make reasonable modifications in PSAs when the modifications are necessary to avoid discrimination based on disability, unless the County can demonstrate that making the modifications will fundamentally alter the nature of the program, service, or activity. Union County will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.

Self-Evaluation and Summary of Findings

Union County's Americans with Disabilities Act (ADA) Transition Plan reflects the results of a comprehensive review of the programs, services, and activities provided to employees and the public. The review identifies programmatic barriers to individuals with disabilities interested in accessing the programs, services, and activities offered by the County.

Programs, Procedures, and Policies Review Under the ADA, the County is required to complete a Self-Evaluation of the County's facilities, programs, policies, and practices. The Self-Evaluation identifies and provides possible solutions to those policies and practices that are inconsistent with Title II requirements. To be compliant, the Self-Evaluation should consider all the County's programs, services, and activities, as well as the policies and practices the County uses to implement its various programs and services. To comply with requirements of the plan, the County must take corrective measures to achieve program accessibility through several methods, including, but not limited to:

- (1) Relocation of programs to accessible facilities;
- (2) Modifications to existing programs so they are offered in an accessible manner;
- (3) Structural methods such as altering an existing facility;
- (4) Policy modifications to ensure nondiscrimination; and
- (5) Auxiliary aids needed to provide effective communication.

When choosing a method of providing program access, the County should attempt to give priority to the method that promotes inclusion among all users, including individuals with disabilities. Programs, services, and activities offered by the County to the public must be accessible. Accessibility applies to all aspects of a program, services, or activity, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication. However, the County does not have to take any action that will result in a fundamental alteration in the nature of a program or activity, create a hazardous condition for other people, or result in an undue financial and/or administrative burden. This determination can only be made by the ADA/504 Coordinator or an authorized designee of the County, such as the Mayor or her designee, and must be accompanied by a written statement detailing the reasons for reaching the determination. The determination of undue burden must be based on an evaluation of all resources available for use. If a barrier removal action is judged unduly burdensome, the County must consider all other options for providing access that will ensure that individuals with disabilities receive the benefits and services of the program or activity. This process must be fully documented.

ADA/504 Coordinator (Title I / Title II)

Under the ADA Title II, when a public entity has 50 or more employees based on an entity-wide employee total count, the entity is required to designate at least one (1) qualified responsible employee to coordinate compliance with ADA requirements. The name, office address and telephone number of this individual must be available and advertised to employees and the public. This allows for someone to assist with questions and concerns regarding disability discrimination to be easily identified.

ADA/504 Coordinator: Self-Evaluation Findings:

The county has appointed Heather Taylor as the ADA/504 Coordinator.

Heather Taylor, ADA Coordinator
901 Main Street, Suite 100
Maynardville, TN 37807
Phone: 865-992-3061
Email: heather.taylor@unioncountyttn.gov

ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act

Title I

Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees based on an entity-wide employee total count, including state and local governments. The purpose of the ADA grievance procedure is to provide a mechanism for the resolution of discrimination issues at the county level, rather than require the complainant to resort to resolution at the federal level.

Title II

The reasonable accommodation request process plays a very important role when ensuring that Union County does not discriminate based on disability. A reasonable accommodation is any modification to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace

Title III

The reasonable modification request process allows an individual from the public to request a modification that will provide equal access to any county program, service, and/or activity. A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination unless the modification will fundamentally alter the nature of its program, services, or activity.

Service Animal Guidance

A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodations also include any modification or adjustment to a provided program, service, or activity that the entity provides to ensure accessibility for the public. Reasonable accommodations may also include the use of a service animal. Service animals are used for a variety of reasons, so each accommodation request and modification may be different.

Public Notice Under the ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entity's programs, services, and activities. This notice is required to include information regarding Title II of the ADA and how it applies to the programs, services, and activities of the public entity. Publishing and publicizing the ADA public notice is not a one-time requirement. State and local government entities should provide the information on an ongoing basis, whenever necessary.

Title II/504 ADA Assurances

Every applicant for federal financial assistance shall provide a written assurance stating that all programs, services, and activities are being conducted or operated in compliance with all laws and regulations. As a recipient of federal funds, the county must include a written Title II ADA/504 Assurance in all funding agreements and joint use agreements to receive federal financial assistance. In turn, the County must require that any sub-recipient who receives federal financial assistance from the County provide an annual written Title II ADA/504 Assurance. This includes funding agreements and all joint use agreements with other agencies, entities, or municipalities.

Alternate Format Policy, Procedure, and Request Form Under the ADA

A public entity is responsible for providing ADA accessible communications. This includes any documents or information that is distributed by the County. If a request for an alternate format is received, the County must have an action plan to accommodate the request. For example, the U.S. Department of Justice does not expect entities to have Braille copies of all documents; however, Braille copies are expected to be readily available. Readily available means that once a request is received, a policy and procedure is in place to make a reasonable accommodation or modification to the document or information requested. This document must be provided to the requestor in a reasonable amount of time.

Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos Under the ADA

A public entity is responsible for providing ADA accessible alternate formats, including any documents or information that is distributed by the County obtained from another entity. For example, if there is a link to an external site on County's website that leads to additional information. However, it may not be feasible for the County to obtain the original document from the external source which may prevent the County's ability to create an alternate format. Therefore, the County should add a disclaimer when external sources are referenced stating that the County is not responsible for ADA compliance of

external content and any requests for alternate formats of external content should be directed to the source entity.

Effective Communication Efforts and Policy

The ADA requires that all Title II entities communicate effectively with people who have communication disabilities by providing auxiliary aids and services. The goal is to ensure that communication with persons with disabilities is equally effective as communication with people without disabilities. Auxiliary aids and services are ways to communication with persons with disabilities. The type of auxiliary aids and services are assessed on a case-by-case basis. Auxiliary aids and services must be provided free of charge and provided in accessible formats, in a timely manner, and must be provided in a way that ensures individual privacy and independence. Examples of common auxiliary aids and services include, but are not limited to:

- Sign Language Interpreters
- Written materials
- Closed Captioning
- Real-time captioning
- Audio recordings
- Materials and displays in braille
- Large print materials
- Accessible electronic and information technology
- Assistive listening devices and systems

Self-Evaluation and Solutions

Buildings

Seven (7) buildings within Union County were evaluated. All buildings included in the evaluation are listed in the table below.

Buildings	Address	Self-Evaluation Findings	Possible Solutions
Union County Senior Center	298 Main Street Maynardville, TN 3807	2 Door Signs Needed and 2 mirrors in the bathrooms	Add signs to outside entrance doors and add 2 mirrors at the correct height in the bathroom.
Maynardville Public Library	296 Main Street Maynardville, TN 37807	Bathroom needs ADA approved grab bars and a commode riser	Install grab bars and commode riser that are ADA approved

Finance Office	300 Main Street Maynardville, TN 37807	Two door signs and 2 drain cover needed	Install door signs and drain cover
Maynardville EMS	211 Mulberry Ave Maynardville, TN 37807	Three door signs needed and 1 – lever lock	Install door signs and lever lock
Union County Clerk	825 Main Street Maynardville, TN 37807	Two commode risers, Handrails, lever locks and two door signs are needed	Install ADA approved commode risers, handrails, lever locks and door signs
Union County Health Department	4335 Maynardville Hwy. Maynardville, TN 37807	Two Lavatory fixtures, two door signs, grab bars	Install ADA approved lavatory fixtures, door signs and grab bars.
Brock Community Building	2350 Walker Ford Rd. Maynardville, TN 37807	Door signs, grab rails, and exit signs needed.	Install ADA approved door signs, grab rails, and exit signs.
Cedar Grove Community Building	553 Fall Creek Rd. Maynardville, TN 37807	ADA signs, handrails, and exit signs needed.	Install ADA approved signs, handrails and exit signs.
Paulette Community Building	105 Beech Drive Maynardville, TN 37807	Parking lot needs Handicap markings. Handrails, lever locks, and soap dispenser need to be installed.	Install ADA approved handrails, soap dispenser and lever locks. Paint handicap markings on parking lot.
Sharps Chapel Senior Center	1550 Sharps Chapel Rd. Sharps Chapel, TN 37866	Handicap signs and markings needed in parking lot. Hand rails and lever locks need to be installed.	Install ADA handicap signs and markings in parking lot. Also, rails and lever locks to be installed.
Union County Courthouse	901 Main Street, Maynardville, TN 37807	No water fountains, Loose handrails, Handicap accessible parking lines not wide enough. No manual door at handicap accessible entrance.	Install ADA approve water fountains, stabilize handrail in concrete, install automatic door with bollard and widen parking space lines an and repaint to make them visible.

ADA/504 Coordinator:

Heather Sizemore was recently appointed as the Title I and Title II ADA/504 Coordinators. This information should be prominently displayed in common areas that are accessible to all employees and areas open to the public. Also, the ADA/504 Coordinators' contact information must be included in all materials that are distributed by the County including the County's website. Roles and Responsibilities of the ADA/504 Coordinator Below is a list of qualifications for ADA Coordinators that are recommended by U.S. Department of Justice:

- Familiarity with the entity's structures, activities, and employees; • Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with local entities and people with disabilities; • Familiarity with any local disability advocacy groups or other disability groups;
- Skills and training in negotiation and mediation; and
- Organizational and analytical skills. Roles and Responsibilities of the ADA/504 Coordinator:

Self-Evaluation Findings:

Roles and Responsibilities of the ADA/504 Coordinator:

No information regarding the roles and responsibilities of the ADA/504 Coordinator is provided on the County's website or in County documents.

Possible Solutions: The County should document the roles and responsibilities of the ADA/504 Coordinator.

These roles and responsibilities should be consistent with the U.S. Department of Justice's guidance for "An Effective ADA Coordinator" (<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>).

ADA Grievance Policy, Procedure and Form with Appeals Process for the Americans with Disabilities Act

Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees based on an entity-wide employee total count, including state and local governments. The purpose of the ADA grievance procedure is to provide a mechanism for the resolution of discrimination issues at the County level, rather than require the complainant to resort to resolution at the federal level.

Non-Discrimination Language

All public entities must ensure that no qualified individuals with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity. To do so, public entities must develop two (2) separate policies:

1. Non-Discrimination Statement Policy, which documents the requirement to include a non-discrimination statement in any County publication or document distributed to employees or to the public.
2. Non-Discrimination Clause Policy, which documents the requirement to include a non-discrimination statement in all funding agreements that the County employs to pass federal funds to other agencies, entities, or municipalities but not contractors.

Previous ADA Complaints (Title I & II) Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity.

Previous ADA Complaints Review (Title I & II): Self-Evaluation Findings

The County is not aware of any Title I or Title II ADA complaints that have been received in the past five (5) years.

Previous ADA Complaints Review (Title I & II): Possible Solutions

- The County should maintain confidential complaint/request files and ADA complaint/request logs. However, logs for both Title I and Title II should include detailed information.
- Logs for Title I shall be confidential and should include an internal complaint number, extensive details about the complaint and process, as well as details regarding the resolution.
- Logs for Title II shall be confidential and should include an internal complaint number, extensive details regarding the complaint and process, including locations and pictures, and details regarding the complaint resolution.

Complaint forms should be available on the County's website as well as in the Mayor's office.

Conclusion

This document serves as the Americans with Disabilities Act (ADA) Transition Plan for Union County.

The County is taking the actions and will continue to look for and remedy barriers to access to ensure that Union County citizens who are disabled are given access to the County's programs, services, and activities.