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## Civil Rights Americans with Disabilities Act Self-Evaluation Basics

[www.fhwa.dot.gov/federal-aidessentials](http://www.fhwa.dot.gov/federal-aidessentials)

*This agency-wide process helps ensure that all programs, services, and activities are accessible to people with disabilities*



People that do not have disabilities often take for granted the ability to fully participate in all aspects of their civic lives. However, for individuals with disabilities to exercise their rights to participate civically, socially and personally in their respective communities, many times steps must be taken to eliminate barriers that interfere with access.

Section 504 of the Rehabilitation Act of 1973, commonly referred to as section 504, and the Americans with Disabilities Act of 1990, or ADA, were enacted to ensure that individuals with disabilities have access to their community's programs, services and activities.



As a local public agency (LPA), you cannot just assumed that all of your community's programs, services and activities are accessible. One of your primary responsibilities under these laws is to review, assess, and document that all programs, services and activities, including public rights-of-way, are accessible to



people with disabilities. This is accomplished by conducting a self-evaluation.

The self-evaluation process is the comprehensive assessment of your entity's current policies, practices, services, facilities and public rights-of-way. The findings at the completion of this process are used to create a document that identifies any deficiencies or discriminatory actions that affect people with disabilities, and hinder their access to the programs, services, and activities offered by your agency.

Depending on the circumstances, as an LPA, your goal is to provide equivalent access, not necessarily "identical access," to all persons with disabilities. Depending on the number of facilities, services, and public rights-of-way for which you are responsible, and the resources available to you, the self-evaluation process may seem overwhelming. To keep the self-evaluation process manageable, it is a good idea to divide your inventory into three parts to conduct your assessments. The three parts are:

- Policies, services, and communications
- Buildings
- Programs such as public rights-of-way.

The most commonly used method to conduct a self-evaluation is the field inspection or survey method. After compiling an inventory of all areas under your control, physically visit each site to determine its level of accessibility. Using a form or checklist, document and record all items that

create accessibility barriers and deficiencies for individuals with disabilities. Remember, the 2004 ADA/ABA Accessibility Guidelines (2004 ADAAG) as modified and adopted by the U.S. Department of Transportation (U.S. DOT) are the standards most effective under the Federal law for ensuring accessibility. However, for accessibility issues on which the U.S. DOT regulation is silent, FHWA recommends following the United States Access Board's 2005 Draft Public Right-of-Way Accessibility Guidelines (2005 PROWAG).

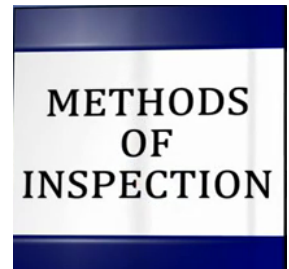


While all facilities you manage are important, there are some critical areas that require immediate attention for accessibility review. Some of the areas that may need to be prioritized include public places that people in your community are likely to frequent, such as public right-of-way to access government offices, permit or licensing offices, public meeting rooms, core downtown areas, medical facilities, school zones and residential areas. Other places that you may want to place at the top of your list to evaluate include rest areas, parks, and shared-use trails. The public right-of-way system includes sidewalks, streets, crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

Depending on the type of assessment you are conducting, you will need to carry a few tools. These tools can range from very basic items such as a level and measuring tape to more sophisticated electronic tools. Examples of electronic tools are a Geographic Information System (GIS) for recording applicable measurements, or a Segway with a meter to automatically evaluate and read slope measurements.

To identify barriers in each site, at a minimum, take the following items with you to conduct your site reviews:

- A copy of the site plan showing where public programs are located
- Collated forms for each building
- Measurement guides
- Clipboards
- Pens or pencils (writing must photocopy clearly)
- Measuring tape
- A regular or digital (smart) level for measuring the degree of the slope on ramps and other slope surfaces (a hand level's especially useful for long exterior slopes);
- Chalk for marking distances on surfaces
- A camera
- Graph paper



When you have successfully completed the self-evaluation, you will have a documented, comprehensive inventory of facilities and public rights-of-way where modifications are needed. Use the completed inventory to begin defining the recommended solutions to make non-compliant facilities accessible to persons with disabilities. Your documented inventory will serve as the foundation for a comprehensive transition plan. The transition plan identifies the actions you will take to address the non-compliant issues.

To ensure that you are appropriately addressing the needs of individuals with disabilities, invite people with disabilities or their advocates to participate in the self-evaluation process. This is not only advantageous, but is also a requirement of the ADA and Section 504 laws. Individuals with disabilities often have unique ideas on how your programs, services, and activities can better serve them. These same individuals can offer unique perspectives on what hinders their involvement and participation. You can gain important insight into key issues that may not be readily apparent to someone without a disability.

Soliciting input from individuals with disabilities during the self-evaluation process will ensure that improvements adequately



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addressed their concerns and recommendations.

All LPAs, regardless of size, are required to ensure accessibility for individuals with disabilities through the self-evaluation. It is a best practice to maintain a copy of your self-evaluation for at least three years from the date of completion. However, if you employ 50 or more employees, it is not only a best practice, it is a requirement. The completed document must include:

- A list of the interested persons and entities or organizations consulted
- A description of areas examined and any problems identified
- A description of any modifications made

Regardless of your size, in the interest of transparency, keep a copy of the self-evaluation available in your files for public review. Also, for the convenience of the community at large, post a copy of your self-evaluation on your official Web site, and other venues where individuals who do not have access to a computer can obtain the information.

As a public entity, it is your responsibility to ensure that individuals with disabilities can participate in all aspects of their civic, social and personal life within your community, both now and in the future. Consider your completed self-evaluation a "living" document, to be revisited and updated regularly. This will ensure your



community's programs, services, and activities remain accessible.

### Additional Resources

- Information from FHWA Office of Civil Rights on ADA and Section 504 topics  
[http://www.fhwa.dot.gov/civilrights/programs/ada\\_sect504qa.htm#q11](http://www.fhwa.dot.gov/civilrights/programs/ada_sect504qa.htm#q11)
- Memo clarifying FHWA's oversight role in applying ADA-Section 504 requirements  
[http://www.fhwa.dot.gov/civilrights/memos/ada\\_memo\\_clarificationa.htm](http://www.fhwa.dot.gov/civilrights/memos/ada_memo_clarificationa.htm)
- ADA guidance on developing transition plans specifically for State and local government programs and services  
<http://www.ada.gov/taman2.html>
- U.S. Access Board guidelines on developing transition plans for public rights-of-way  
<http://www.access-board.gov/prowac/draft.htm>
- Information on applying ADA accommodations in public rights-of way  
<http://www.access-board.gov/prowac/alterations/guide.htm>
- Example of ADA sidewalk and curb ramp compliance program from Bellevue, WA  
[http://www.ci.bellevue.wa.us/pdf/Transportation/ADA\\_sidewalk\\_curb\\_ramp\\_article.pdf](http://www.ci.bellevue.wa.us/pdf/Transportation/ADA_sidewalk_curb_ramp_article.pdf)

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH63-11-F-00066 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This companion resource is the script content for the video production of the same name.