CITY OF CUPERTINO

EST. 1955

AMERICANS WITH DISABILITIES ACT

self evaluation and transition plan

MARCH 2015

Table of Contents

Appendix A: Program Accessibility Questionnaire
Appendix B: Public Meeting Minutes
Appendix C: Facility Reports for City Buildings and Parks
Appendix D: Public Rights-of-Way Reports for City Facilities and Schools
Appendix E: Grievance Form

1.0   Introduction

1.1   Executive Summary

This ADA Self-Evaluation and Transition Plan is being prepared to partially fulfill the requirements set forth in Title II of the Americans with Disabilities Act. The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This report will assist the City of Cupertino, and its departments, to identify policy, program, and physical barriers to accessibility and to develop barrier removal solutions that will facilitate the opportunity of access to all individuals.

Title II of the ADA emphasizes the accessibility of programs, activities and services. This Plan addresses these issues by providing recommendations for action steps based on a comprehensive review of current practices including an on-line questionnaire that was completed by City staff regarding the delivery of services to the public. This process included every office, department and division that provides services to the public.

When it is not feasible to provide accessible City programs, activities and services by relocating these activities to accessible facilities or providing auxiliary aids and services, the ADA requires that the City complete a Transition Plan describing the physical modifications to facilities that will support accessible programs.

The Transition Plan described in Chapter 3 is the result of a detailed evaluation of all City of Cupertino municipal facilities where programs, activities and services are available to the public. Municipal facilities included in the reports are City buildings and parks. Facilities that are not addressed in this ADA Title II Plan include private businesses or offices, private schools, County, State or Federal facilities, places of worship or private clubs.

The facility evaluations were conducted using the most recent ADA 2010 Standards, the 2013 California Building Codes, and supplemented by the 2013 ABA Accessibility Guidelines for Outdoor Developed Areas. The resulting facility reports for City buildings and parks are contained in the Appendices to this report. Each facility report lists potential barriers, provides information about the relevant State and Federal codes, includes a planning level cost estimate to remove the barrier, and indicates a barrier removal priority.

The Transition Plan is intended to provide a framework for the continuous improvement of City facilities for people with disabilities. Barriers in City facilities will be removed systematically, City-wide, based on established program priorities. It is the intent of the City to address and remove barriers to accessibility in public buildings and parks based upon on the immediate necessity of programmatic access, degree of complexity, and overall cost.

A table contained in Chapter 3 describes the schedule for barrier removal in public facilities owned by the City of Cupertino. This preliminary schedule represents a 10-year plan for barrier removal.

Many of the potential barriers identified are associated with facilities that currently have accessibility features that serve people with disabilities such as designated parking, accessible restrooms, access ramps, accessible door hardware and other code compliant and usable features.

The Transition Plan also contains reports of potential barriers observed in the pedestrian rights-of-way (PROW) adjacent to City facilities and parks. The City has established a 15-year time frame to remove PROW barriers that limit program accessibility.

The City of Cupertino has designated David Stillman, from the Public Works Department, as its primary ADA Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated Title II of the ADA. The ADA Coordinator is also responsible for coordinating the efforts of the City to comply with Title 24 and all other applicable State and Federal physical and program accessibility requirements.

1.2   Legislative Mandate

The American with Disabilities Act (ADA) is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

The development of a Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that:

> No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act.

Specifically, the City may not, either directly or through contractual arrangements, do any of the following:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions.

- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the City offers permissibly separate or different activities.
- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

Title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services. This report and certain documents incorporated by reference, establishes the City's ADA Self-Evaluation and Transition Plan.

1.3   ADA Self-Evaluation and Transition Plan Requirements and Process

The Self-Evaluation is the City's assessment of its current policies, practices, and procedures. The Self-Evaluation identifies and makes recommendations to correct those policies and practices that are inconsistent with Title II requirements. As part of the Self-Evaluation, the City:

- Identified the City's programs, activities, and services; and
- Reviewed the policies, practices, and procedures that govern the administration of the City's programs, activities, and services.

The ADA sets forth specific requirements for preparation of an acceptable Transition Plan. This plan includes:

- A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be used to remove these barriers and make facilities accessible;
- Planning level cost estimates for their removal;
- A schedule for taking the steps necessary to achieve compliance with the ADA, Title II; and
- The name of the individual responsible for the plan's implementation.

1.4   Discrimination and Accessibility

There are two kinds of accessibility:

- Program accessibility; and
- Physical accessibility

Absence of discrimination requires that both types of accessibility be provided. Program accessibility includes physical accessibility, but also entails all of the policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and

services. Program accessibility may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate sites.

When choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In compliance with the requirements of the ADA, the City must provide equality of opportunity.

1.5   Undue Burden

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

The determination that an undue burden would result must be based on an evaluation of all resources available for use in the City. For example, if a barrier removal action is judged unduly burdensome, the City must consider other options for providing access to the benefits and services of the program or activity by individuals with disabilities.

1.6   Facility Survey

In 2014, the City completed a physical audit of facilities to identify facility barriers and identify recommendations and alterations in order to meet state and federal accessibility standards. The list of facilities surveyed included:

- City-owned parks
- City-owned buildings
- City-owned public-rights-of-way adjacent to City-owned facilities
- City-owned public rights-of-way along Stevens Creek Boulevard through the Crossroads area

1.7   Self-Evaluation

In 2014, the City of Cupertino evaluated its policies, programs, and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities.

An online questionnaire administered to department staff provided information on the nature of the program, forms and methods used to advertise the program's services and activities, a profile of current participants, the types of equipment and materials used, testing and entrance requirements, the level of staff training, and any special modifications provided. Questionnaires were distributed and received from the following:

- Administrative - Human Resources
- Administrative Services - City Manager
- City Attorney's Office
- City Clerk
- Community Development
- Information Technology
- Public Works - Engineering
- Public Works - Operations and Maintenance
- Recreation and Community Services

Information provided in the completed questionnaires and meetings with City staff revealed that the City's existing policies, programs, and procedures may present barriers to accessibility for people with disabilities. It is the intent of the City to address the programmatic accessibility barriers in the following areas:

Customer Service – Policies and practices that ensure individuals with disabilities can participate in the programs, activities, and services provided by the City.

Outreach and Information – Notices, printed information, televised and audiovisual information, the City website, public telephones, and communication devices.

Training and Staffing – The current level of training and experience of City staff with policies and procedures regarding providing services to individuals with disabilities.

Programs and Activities – Program eligibility and admission, public meetings, tours and trips, transportation services, the use of consultants or contractors to provide city services, emergency evacuation procedures, special events and private events on City properties, maintenance of accessible programs, and ongoing accessibility improvements.

Accessible/Adaptive Equipment – Automated electronic equipment and auxiliary aids may be used to assist individuals with disabilities in participating in City programs.

General findings for the City's programs, activities, and services can be found in section 2.3. A copy of the survey questionnaire can be found in Appendix A.

1.8   Public Outreach

An initial public meeting was held on September 29, 2014 to introduce the project and receive questions and comments related to the ADA Plan. The City of Cupertino posted the Draft Plan to its website and made hard copies available for review at City Hall, the library, and the Senior Center. A second public meeting was held February 2, 2015 to receive comments from the public. The Final Plan will be presented to the City Council for adoption in March 2015.

Meeting minutes and presentations materials for all community meetings related to the project are located in Appendix B.

This page intentionally left blank

2.0   Self-Evaluation of Policy and Programmatic Accessibility

2.1   Introduction

Programs, activities, and services offered by the City of Cupertino to the public must be accessible. Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

This section details the review of current City-wide policies, services, programs, and activities based on meetings with City staff and responses to the program accessibility questionnaire from the following:

- Administrative - Human Resources
- Administrative Services - City Manager
- City Attorney's Office
- City Clerk
- Community Development
- Information Technology
- Public Works - Engineering
- Public Works - Operations and Maintenance
- Recreation and Community Services

The findings and recommendations contained in this section will serve as a basis for the implementation of specific improvements for providing access to City programs as required by law. Detailed department reports can be found in section 2.5.

2.2   Programmatic Modifications

The ADA Coordinator, or designee, will follow-up with each department to review the recommendations contained in this Self-Evaluation Report. In those situations where a policy, program, or procedure creates a barrier to accessibility that is unique to a department or a certain program, the ADA Coordinator, or designee, will coordinate with the department head or program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

2.3   Findings and Recommended Actions – City-Wide Programs, Activities, and Services

This section is organized into categories based on the requirements of Title II of the ADA.

- Accessible/Adaptive Equipment
- Customer Service
- Notice Requirements
- Printed Information

- Televised and Audiovisual Public Information
- Website
- Public Telephones and Communication Devices
- Training and Staffing
- Program Eligibility and Admission
- Public Meetings
- Transportation Services
- Tours and Trips
- Use of Consultants for Delivering Program Services
- Emergency Evacuation Procedures
- Facilities
- Special Events on Public Properties

Accessible/Adaptive Equipment

Adaptive aids are devices, controls, appliances, or items that make it possible for persons with disabilities to improve their ability to function independently and participate in programs, services, and activities offered by the City. For example, a pen and clip board for a person with a hearing or speech impairment to write notes on or accessible electronic equipment such as accessible computer stations.

Self-Evaluation Findings:

One department reported providing the public access to electronic equipment. The department reported using adjustable tables and adaptive aids to ensure electronic equipment is accessible and usable by people with disabilities.

Recommended Actions:

1. Provide standard equipment at each site where programs are administered to facilitate basic communications access using alternative formats. Equipment may include, but is not limited to, paper and pencil, an enlarging copy machine, and access to TTY or relay service (711) technology.
2. Collaborate with community organizations that serve people with disabilities to develop and maintain a current resource list of assistive technology equipment and sources.
3. Establish and maintain a "Resources Toolkit" of adaptive aids and human resources that should be available for use by individuals participating in City programs. Include information about the availability of specific equipment and/or individuals who are available to provide special services (e.g., ASL translation) in public information materials such as brochures and the City's website.
4. Include accessibility as a criterion for purchasing. Whenever possible, evaluate furniture and building materials purchases for compatibility with a wide range of disabilities and sensitivities. Select items that are easily adjustable or can be modified to accommodate a variety of physical and ergonomic needs when purchasing items such as furniture, site furnishings, and office

systems. Consultation with disability organizations and persons with disabilities (see Section 6.0 for Disability Resources) will assist in this task.

5. Maintain accessible equipment already in place.

Customer Service

In-person interaction with the public is one of the primary functions of most City departments.

Self-Evaluation Findings:

Most departments reported not having an eligibility requirement for participating in city programs. Many departments reported that they tracked accessibility requests. No department reported charging an additional fee for modifying a program for a person with a disability. One department indicated that they have a partnership with an outside organization that provides services to the elderly. Some departments have a policy or procedure for making informal changes to standard operating procedures to accommodate people with disabilities.

Recommended Actions:

1. Continue to make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.
2. Develop criteria for determining reasonable modifications to provide program accessibility, which may include acquisition or redesign of equipment, assignment of aides to persons with disabilities, and provision of services at alternative accessible sites. An approach should include:

   - Requests for reasonable modification in programs or services should be made to the department responsible for the program or service.
   - The department offering the program or service should meet with the individual with a disability to identify which aspects of the program limit participation and what modifications can be made.
   - The department offering the program or service should consult with the relevant program or service staff to determine the reasonable modification. The department offering the program or service may also consult with the City's ADA Coordinator or other resources providing services or information regarding persons with disabilities as appropriate.
   - The department offering the program or service should document the modification(s) that was offered and the response of the person with the disability to the modification(s) offered. This documentation should be filed with the City ADA Coordinator's office. All accessibility requests should be tracked. The ADA requests should be analyzed periodically to look for global issues that can be addressed and problems than can be solved proactively.
   - If individuals with a disability are not satisfied with the results of this process, they should be directed to the City's ADA Grievance Procedure.

3. Assess the composition and needs of the population of people with disabilities. Take the necessary steps to improve communication and outreach to increase the effective participation of community members with disabilities in all City programs and activities.

4. Create partnerships with organizations that provide services to people with disabilities to assist in communicating about accessible City programs. Keep programs up-to-date through increased community involvement and partnerships with organizations that offer services to persons with disabilities.

5. Publicize efforts to increase participation by persons with disabilities, which might include activities such as distributing program brochures to members of the disability community.

6. Continue the policy of not charging an additional fee for program modifications or alternative formats.

Notice Requirements

Title II regulations require the City to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities.

Self-Evaluation Findings:

Many departments are aware that the City has a nondiscrimination statement that includes persons with disabilities. The nondiscrimination statement includes information about how to reach the City's ADA coordinator. Some departments notify all persons that meetings, hearings, and conferences will be held in accessible locations and that adaptive aids such as assistive listening devices will be provided upon request to participants with disabilities.

Many departments reported knowing the procedure to file a disability complaint and that they notify the public about how and with whom to file a disability complaint.

Recommended Actions:

1. The City should continue to inform the public of the possible modifications that can be provided to make services, programs, and activities accessible.

2. Include the following or similar notice regarding the City's commitment to providing accessible services in all City publications that provide information about City services, programs, or activities. The notice should also be placed in all City departments in a location that will maximize public exposure.

   Example:

   The City of Cupertino does not discriminate on the basis of physical or mental disability, race, color, creed, age, sex, sexual orientation, religion, ancestry, or national origin in admission to, access to, or operation of its services, programs, or activities.

   Individuals with disabilities who need auxiliary aids or services or alternative formats for effective communication in services, programs and activities of the City are invited to

make their needs and preferences known with 72 hours notice to the ADA Coordinator.
This information is available in alternate formats upon request.

City Cupertino
David Stillman, ADA Coordinator
Phone: (408) 777-3249, California Relay Service - 711
Email: davids@cupertino.org

Printed Information

In order to meet the ADA's communication standards, City departments must be able to provide information, when requested, in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape or CD, computer disk, or other formats as requested.

Self-Evaluation Findings:

Most departments provide printed information to the public. Many departments reported that they provided printed materials in alternative formats upon request. One department reported including pictures of people with disabilities in their printed materials. Many departments reported that they provide materials in easy to understand language for people with learning disabilities.

Recommended Actions:

1. Provide information or training to each department on how to produce printed information in alternative formats for persons with various disabilities to ensure requests are handled in a uniform and consistent manner.
2. Publicize the City's commitment to provide program information in alternative formats on an individual basis as requested.
3. Ensure the uniformity of charges for a publication for all formats of that publication.
4. Include the following notice on all materials printed by the City that are made available to the public:

   This publication can be made available in alternative formats, such as Braille, large print, audiotape, or computer disk. Requests can be made by calling the ADA Coordinator at (408)777-3249 (Voice) or by using the 711 California Relay Service. Please allow 72 hours for your request to be processed.

5. Handle all requests for other alternative formats or lengthy documents on an individual basis.
6. Provide program, facility, permit, and reservation information in a variety of formats upon request (for example, enlarged print format for persons with visual disabilities or in simple language for persons with cognitive disabilities). Provide programmatic changes (e.g., staff assistance), upon request to assist in filling out forms or when alternative formats are unavailable or infeasible.

7. Produce meeting agendas and other public information distributed at meetings in alternative formats when requested.

8. When images of people are included in materials, consider including photos of persons with disabilities.

Televised and Audiovisual Public Information

Televised and audiovisual information is a means for disseminating public information through presentations produced by City departments. All televised and audiovisual information must be accessible to persons with disabilities. As more and more communication is being done remotely via the rapidly changing internet, it will be increasingly important that all communication tools maintain accessibly as technology changes.

Self-Evaluation Findings:

One department reported producing audiovisual and televised presentations but did not provide an alternative formats.

Recommended Actions:

1. Use closed captioning or other alternatives to audio presentations for City programs and for audiovisual presentations produced by the City (including videos, films, and City Council meetings) in order to ensure that persons with hearing impairments can benefit from these presentations.

2. When presenting PowerPoint presentations read all slides and describe all graphics. This will allow the blind and visually impaired to fully understand the information being presented.

Website – City and Departmental Websites

As people turn to the Internet as their primary source of information regarding services, programs, activities, and facilities, the City's website http://www.cupertino.org/ takes on increased importance as a communications tool.

Providing public access to City publications online is an effective means of reaching persons with disabilities. New accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998 have set forth the technical and functional performance criteria necessary for such technology to be accessible.

Self-Evaluation Findings:

Most departments provide information about their programs on the City's website.

Recommended Actions:

1. Increase outreach to persons with disabilities by having the website include more information about the City's commitment to providing accessible services and facilities.

2. Publish the City's Policy of Non-Discrimination, including on the basis of disability, on the City's website.

3. Provide information regarding programs, facilities, permits, and reservations on the City's website in an accessible format. This information should be easily found by new web users.

4. Include the City's statement regarding accessible locations and the availability of auxiliary aids upon request on the website.

5. Continually improve the accessibility of web pages through the use of web accessibility analysis to meet and/or exceed Section 508 of the Rehabilitation Act guidelines for accessibility of electronic information. Acquire the technological resources necessary to create accessible PDF and graphics files as described in the ADA Guideline for electronic and information technology.

6. Assign one department the authority to provide standards and oversight for outside vendors who create pages and for departments who post their own documents. This will support consistent and accessible web pages. Monitor web pages for continued compliance with accessible web page standards.

7. Provide training to City staff members in creating accessible PDF and other electronic files for posting on City or departmental websites.

8. Use services that help web page authors provide an accessible website by identifying and repairing barriers to access for individuals with disabilities.

Public Telephones and Communication Devices

Self-Evaluation Findings:

Two departments reported using either or both the California Relay Service, or 711, to communicate with the people with hearing and/or speech impairment. Some departments reported that they offer TTY services and have TTY device numbers listed in their publications. One department provides staff trainings on how to communicate with people with hearing and/or speech impairment.

Recommended Actions:

1. Train staff members in the use of TTY equipment or other means of communicating over the telephone with a person with a hearing or speech impairment, such as the California Relay Service (CRS) – 711.

2. All publications that list phone numbers should also include information for people with hearing and/or speech impairment to communicate with departments by phone.

3. Consider Video Remote Interpreting Services (VRI) for communicating with people with hearing and/or speech impairment. There are many situations where a live interpreter is required, such as in medical situations, but VRI is a convenient, flexible, lower-cost alternative to live interpreters.

Training and Staffing

Self-Evaluation Findings:

Most departments reported having contact with the public. Departments reported that staff receives informal training through discussions and tailgate meetings for interacting with persons with a disability.

Recommended Actions:

1. Provide all City staff members with on-going awareness and sensitivity training.
2. Provide training to City staff members who have contact with the public about how to provide modifications and use assistive devices to make their programs, activities, and services accessible. Ensure that customer service training includes information about communicating with and providing modifications for persons with a variety of disabilities. Include program-specific adaptations, assistive devices, and modifications in each department's accessibility policy manual.
3. Develop a comprehensive disability access training program. Educate all City staff about their responsibilities under the ADA. The City's ADA Coordinator and department supervisors should be responsible for ensuring that staff members receive training. Reference materials that address special modifications should be included in this training.
4. Develop standard guidelines for training materials. These guidelines should include standard language that appropriately describes the City's policy on inclusion and non-discrimination, and staff members should receive training in using the guidelines effectively.
5. Whenever staff has contact with the public and depending on operational needs, consider offering training to employees who wish to learn basic American Sign Language (ASL) communication skills. This training should emphasize basic communication skills and should not be viewed as a substitute for utilizing qualified ASL interpreters when requested.
6. Train Maintenance Services staff with respect to accessibility compliance and building codes to maintain facilities in an accessible condition.
7. Provide City staff members with training in general building evacuation procedures for assisting persons with hearing, speech, visual, mobility, and learning disabilities in an emergency.
8. Designate one manager in each department to serve as the department's Disability Access Liaison. The Liaison will be required to complete a training program and attend periodic retraining regarding accessibility issues.

Program Eligibility and Admission

The public should be able to access all programs, services, and activities, regardless of disability. Admission criteria, ability to complete forms and participation in interviews should be available to all members of the public by providing reasonable accommodations.

Self-Evaluation Findings:

No departments reported having limitations or ratios requirements that would exclude persons with disabilities. Some departments noted that they have eligibility requirements but these related to progressive series of classes. Some forms used by programs contain a nondiscrimination statement.

A few departments require an interview prior to participation in City programs activities.

Recommended Actions:

1. Ensure that individuals with disabilities are not excluded from regular programs or are required to accept special services or benefits. Involve individuals with disabilities in regular programs to the maximum extent possible.
2. Modify policies, practices, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of the program or create a hazardous situation.
3. Ensure that when specific requirements that exclude or limit the participation of persons with disabilities are necessary for the safe operation of programs, those requirements are based on real risks, not on speculation, stereotypes, or generalizations.
4. Include a nondiscrimination statement on all forms.
5. When interviews are required for program participation, ensure that the meetings are held in an accessible location and that auxiliary aids are provided upon request.

Public Meetings
Self-Evaluation Findings:

Many departments hold public meetings. Most meetings are required to be held in accessible locations. Most departments reported that they provide auxiliary aids upon request to allow people with disabilities to fully participate in meetings. This includes ASL translators and assistive listening devices.

Recommended Actions:

1. Continue to schedule public meetings at accessible locations. An accessible location includes, but is not limited to, the following: wheelchair accessible path-of-travel to the meeting room, accessible restrooms, accessible parking, an accessible route from transit and parking to the meeting facility, temperature control, signage, and the ability to provide access to fresh air for persons with chemical sensitivities.
2. Maintain a list of on-call American Sign Language interpreters who may be brought to meetings to assist individuals with hearing impairments.
3. When a fully accessible site is not available, make reasonable modifications so that an individual with a disability can participate.
4. Make information available to City staff on the types of modification requests that may be made by persons with different types of disabilities. Provide information about auxiliary aids such as different types of assistive listening systems, sign language interpreters, readers, descriptive services, and other assistive technologies like "real-time captioning." Provide guidance in the

layout of the room, sign-in table and refreshments table, to insure that these features are accessible.

5. Display a notice on meeting agendas indicating the availability of accessibility modifications.
6. Provide agendas and other meeting materials in alternative formats, when requested.
7. Consider assigning a staff member to be a greeter at public meetings and events. Identify the staff member as a resource for persons who may require assistance.
8. Provide flexibility in the time limit on speaking for individuals with communication difficulties.
9. Continue to provide assistive listening devices at public meetings, when requested.
10. Develop a checklist for creating accessible meetings and selecting accessible meeting spaces, and make the list available to all City departments and programs.
11. Prepare a list of already accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.
12. Move disability-related agenda items to the beginning of agendas when possible. Some people with disabilities are unable to stay late at meeting because they use para-transit, or have fixed schedules, and/or need to use personal care attendants.

Transportation Services

Self-Evaluation Findings:

One department reported providing transportation services to the public. The department has procedures for making transportation accessible to people with disabilities.

Recommended Actions:

1. Ensure transportation services are provided in a way that allows people with mobility, visual, speech, hearing and cognitive disabilities to fully participate.
2. Provide information to participants in advance about availability of accessible transportation services and how arrangements can be made.

Tours and Trips

Self-Evaluation Findings:

One department reported providing tours and trips to the public. The department has procedures for making the programs accessible to people with disabilities.

Recommended Actions:

1. Ensure that tours are provided in a way that allows people with mobility, visual, speech, hearing and cognitive disabilities to fully participate.
2. Evaluate the destination of the tour or trip in order to determine the level of accessibility and any accommodations or modifications that may be required.
3. If a tour route or a portion of a route is not accessible, the City will continue the practice of rerouting the tour or providing alternate accommodation (e.g., photographs, close-captioned videos, etc.) that will allow the tour to be experienced.

4. Provide information to participants in advance of a tour or trip regarding the destination, transportation, and other characteristics of the event so that informed requests for accommodations can be made.
5. Provide information about accessibility of the tour on the program's website.

Use of Consultants for Delivering Program Services

Self-Evaluation Findings:

Some departments reported the use of consultants for delivering program services.

Recommended Actions:

1. Ensure consultants are aware of their obligation to make city programs are accessible.
2. Monitor programs and activities to ensure continued accessibility.

Emergency Evacuation Procedures

Self-Evaluation Findings:

Some departments were aware of and communicated emergency evacuation procedures to users with disabilities.

Recommended Actions:

1. Develop guidelines for the evacuation of persons with disabilities in various types of emergency situations. Each department, division, or program should use these guidelines to create emergency evacuation plans. These plans should:

    *   Address what to do when an alarm is triggered;
    *   Establish meeting places for assistance and evacuation chairs;
    *   Provide direction on what to do if assistance is not available; and
    *   Establish floor captains.

2. Specific suggestions for evacuation plans and procedures can be found through the US Access Board: http://www.ada.gov/emergencyprepguide.htm
3. and the Emergency Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the US Fire Administration.
4. Train City staff regarding emergency evacuation procedures with periodic drills, both announced and unannounced.
5. Review existing procedures dealing with emergencies to ensure that persons with disabilities can be alerted and that they can alert emergency service providers. Provide all evacuation policies and procedures in alternative formats when requested. Work with disability organizations to explore the use of other technologies such as audible exit signs for orientation and direction and vibrating paging systems.
6. Provide training for public safety personnel to enable them to communicate in basic American Sign Language in the event that there is an emergency condition and the area is being

evacuated. For example, this training would be provided to police, firefighters, lifeguards, and building inspectors involved in post-disaster emergencies.

7. Take the necessary steps to ensure that emergency teams are aware of persons with disabilities in their communities who may require special assistance in the event of an emergency.

8. Provide American Sign Language interpreters at emergency facilities on an as-needed basis. To accomplish this, form a pool of interpreters as a resource from which to draw upon as needed (see Section 6).

Facilities

Self-Evaluation Findings:

Some departments reported they had received requests for accessibility improvements at their facility(ies).

Recommended Actions:

1. Provide information about facility accessibility on department publications including the department's website.

2. All requests relating to facility access should be tracked. The ADA requests should be analyzed periodically to look for global issues that can be addressed and problems that can be solved proactively.

Special Events on Public Properties

Self-Evaluation Findings:

Some departments reported that they offer special events on City property. One department has a policy in place to ensure that the events are accessible to people with disabilities.

Recommended Actions:

1. In situations where private organizations sponsor events in City facilities, the City will inform private organizations about applicable ADA requirements.

2. The City will provide information during the application process to inform organizers of their responsibility for accessibility under the ADA. The information will be available on the City's website.

2.4   Policy Review: City Municipal Code

This review was completed using the electronic copy version of the City of Cupertino Municipal Code in August 2014:

Overall Recommendations:

- It is recommended to replace references of the terms "handicapped" and "invalid person" with the word "disabled" or "person with a disability".

> Codes: 11.24.040.E Curb Markings and Signs Designated
> 11.24.110 Spaces Restricted to Handicapped Persons
> 11.24.190 Off-street Parking for Handicapped Persons.
> 11.26.040 Curb Markings and Signs Designated.
> 16.02.270 Board of Appeals.
> 19.08 Definitions
> 19.12.040 Authority of the Director of Community Development.

- Generally, it is recommended to include an exception in the code language for required forms or applications providing that an alternative accessible format will be made available upon request and will be accepted by the issuing department.
- Generally, it is recommended to include an exception in the code language for when signatures are needed, an alternative to providing a written signature such as a signature stamp will be accepted by the department requiring the signature.

Other Recommendations:

8.01.090 Animals in City Buildings.

> *No person having the control or care of any animal or animals shall suffer or permit any such animal to enter or remain in City-owned or managed buildings other than a building used for the purpose of care, detention, space control or treatment of animals, or a building used for training classes, shows or exhibitions, except persons who are blind or deaf and who use dogs for guidance, or persons expressly authorized by the City Manager.*

Recommended action: Provide exemption for all service animals regardless of disability.

8.03.010 Restraint of Dogs.

Recommended action: Expand exception to all service animals regardless of disability.

10.44.050 Permit Application Contents.

A. Applications for a permit authorizing an event shall be filed with the Director of Community Development on forms provided by the City and shall contain all of the following information:

Recommended action: Provide information on alternative routes for persons with disabilities that may be affected by the event.

11.10.013 Exemption from Regulation.

Recommended action: Provide exemption for mobility devices used by people with disabilities except where deemed dangerous or hazardous to the environment.

11.24.110 Spaces Restricted to Handicapped Persons.

The City Traffic Engineer is authorized to determine and to mark parking spaces on public streets for the exclusive use of vehicles which display a distinguishing license plate or placard issued by the California Department of Motor Vehicles to handicapped persons or to disabled veterans pursuant to Sections 22511.5 and 9105 of the California Vehicle Code. All parking spaces so designated shall be identified by blue paint on the curb or edge of the paved portion of the street adjacent to the space. In addition to blue paint, the space may also be indicated by signs or other suitable means.

Recommended action: Change language from "Handicapped" to "disabled". Change last sentence to "In addition to blue paint, the space must also be indicated by required signs and markings and meet current technical standards for accessible parking spaces."

11.26.100 Spaces Restricted to Handicapped Persons–Markings.

The City Traffic Engineer is authorized to approve parking spaces for the exclusive use of vehicles which display a distinguishing license plate or placard issued by the California Department of Motor Vehicles to handicapped persons or to disabled veterans pursuant to Sections 22511.5 and 9105 of the California Vehicle Code.

All parking spaces so designated shall be identified by blue paint on the curb or edge of the paved portion of the street adjacent to the space. In addition to blue paint, the space may also be indicated by signs or other suitable means

Recommended action: Change language from "Handicapped" to "disabled". Ensure all spaces are marked with the striping and signage required by the ADA Standards for Accessible Design and California Building Code Title 24 Chapter 11 and meet current technical standards for accessible parking spaces.

13.04.020 Definitions.

H. "Vehicle" means any wheeled conveyance, whether motor-powered, animal-drawn, or self-propelled. The term includes any trailer in tow of any size, kind or description. Exception is made for baby carriages, wheelchairs, and vehicles in the service of the City parks.

Recommended action: It is recommended to include "Other Power Driven Mobility Devices" in addition to wheelchairs as an exception.

13.04.130 Behavior of Persons in Parks.

D. No person having the control or care of any dog, shall suffer or permit such dog to enter or remain in a park or sport field, unless posted for such use, and then only if it is led by a leash of suitable strength not more than six feet in length, unless it is permitted to be off-leash by the City as part of a City-authorized event or program; and the owner and the attendant shall be responsible for any damage caused, in any event, by such dog, even if on leash;

E. Lead, ride, drive, keep or let loose any animal, reptile or fowl of any kind, without a permit to do so from the Director of Recreation and Community Services;

Recommended action: It is recommended to provide an exception for service animals.

13.04.150 Vehicle Requirements.

G. Ride a motorcycle, motor bike, or similar vehicle in any park, except where used to transport invalid persons;

Recommended action: It is recommended to change language from "invalid person" to "a person with a disability".

2.5   Department Reports

The following are survey summaries based on answers to the Programs, Services, and Activities Questionnaire (see appendix A).

This section documents the ways in which the City is currently providing accessible programs, activities, and services to the public.

- Administrative - Human Resources
- Administrative Services - City Manager
- City Attorney's Office
- City Clerk
- Community Development
- Information Technology
- Public Works - Engineering
- Public Works - Operations and Maintenance
- Recreation and Community Services

Administrative - Human Resources

Description of Programs and Services

Recruitment and Employee Retention, Benefit Programs, Payroll Changes, Employee Training and Development, Performance Evaluations, Employee Relations, Negotiations, Risk Management

Customer Service
- Human Resources does have program eligibility requirements including physical fitness standards and safety standard. Human Resources will ask people with disabilities to self-identify so that they can make reasonable accommodations to ensure these policies do not discriminate against people with disabilities.
- Human Resources has a statement of procedure that includes reasonable accommodations.
- There are no circumstances in which a person with a disability would be asked to pay a fee or meet any other requirement not imposed on other program participants.
- The City does not have any policies which exclude service animals.

Notice Requirements
- Human Resources does have a non-discrimination statement including persons with disabilities.

Printed Information
- Human Resources does produce printed materials.
- Both the department and central management manage printed materials.
- Human Resources makes documents available in simple, easy-to-understand language for persons with cognitive disabilities.

Website
- Human Resources has a page on the City's website.

Public Telephones and Communication Devices
- Human Resources does communicate by telephone with persons with hearing/speech disabilities.

Training and Staffing
- There are staff members that would be able to better provide customer service if trained in ASL.

Program Eligibility Requirements
- There are no limitations or rations on the number of people with disabilities that can participate in a program.
- Some City programs have minimum qualifications for each job classification.
- Forms contain a notice that the city does not discriminate against people with disabilities.

Facilities
- Community Room

Administrative Services - City Manager

Description of Programs and Services

Finance - administers payroll, accounts payable, accounts receivable and budget and financial reporting

Notice Requirements

- Administrative Services does have a non-discrimination statement including persons with disabilities.
- Administrative Services notifies the public of how and with whom to file a disability discrimination complaint on the employment application.

Printed Information

- Administrative Services does produce printed materials.
- Both the department and central management manage printed materials.
- Administrative Services makes documents available in electronic copy.
- Administrative Services makes documents available in simple, easy-to-understand language for persons with cognitive disabilities.

Television and Audio-Visual Information

- Administrative Services does prepare or use audiovisual or televised presentations.
- Administrative Services prepares power point presentations for Council items that appear online and on TV.

Website

- Administrative Services has a page on the City's website.
- Basic department information and documents are provided on the website.

Program Eligibility Requirements and Admission

- There are no limitations or rations on the number of people with disabilities that can participate in a program.
- Administrative Services does not use any criteria or written/oral tests in the admission process.
- Forms contain a notice that the city does not discriminate against people with disabilities.

Facilities

- City Hall
- Administrative Services has received a request for providing an alternate counter height for the cashier window.

City Attorney's Office

Description of Programs and Services

The City Attorney is the legal counsel to the City Council, City Commissions, City Manager and staff.

Customer Service
- The City Attorney consults with Human Resources and the City Manager regarding changes to the standard operating procedure
- The City Attorney tracks accessibility requests, but none have been received.
- The City Attorney does not have a policy that would exclude service animals.

Notice Requirements
- The City Attorney does have a Non-Discrimination Statement including persons with disabilities.
- The Non-Discrimination statement is posted on the bulletin board for the public to view
- The City Attorney knows the procedure for filing a disability discrimination complaint.
- The City Attorney notifies the public of how and with whom to file a disability discrimination complaint. Although they do not provide legal advice to the public, they would provide the procedure if asked.

Training and Staffing
- The City Attorney Staff has contact with the public.
- The City Attorney's Office provides written materials and verbal instruction to staff, but the department does not provide programs or activities to the public.
- Staff receives training, written materials, and verbal instruction on interacting with persons with disabilities.

Emergency Evacuation Procedures
- Individuals with disabilities are notified of emergency evacuation procedures.

Facilities
- The City Attorney's Office does not provide programs.
- The City Attorney has not received a request for improving accessibility to a facility.

City Clerk

Description of Programs and Services

City Council agendas and legislative actions; Public Records requests; City Council elections; Boards and Commissions; Legal noticing; Customer service

Customer Service
- The City Clerk does not have program eligibility requirements.
- The City Clerk will make changes to standard operating procedure to accommodate a person with a disability. Hearing devices are provided at Council meetings.
- There are no circumstances in which a person with a disability would be asked to pay a fee or meet any other requirement not imposed on other program participants.
- The City Clerk does not have any policies which exclude service animals.

Notice Requirements
- The City Clerk does notify all persons that meetings, hearings, interviews, and conferences will be held in accessible locations and that adaptive/auxiliary aids will be provided, upon request, to participants with disabilities.

Printed Information
- The City Clerk produces and manages printed materials.
- The City Clerk makes printed materials available in audiotape and electronic formats.
- City Clerk documents are made to be understood by the public.

Website
- The City Clerk has a page on the City's website.
- Elections and public record information is available on the webpage.

Training and Staffing
- City Clerk Staff has contact with the public.
- There are staff that provide emergency services.

Public Meetings
- City Clerk does hold public meetings.
- Public meetings, hearings, and conferences are required to be held in accessible locations.
- Assistive listening devices and ASL interpreters are provided to ensure individuals with hearing disabilities can effectively participate in meetings with 24 hours advanced notice.
- The City Clerk insures all individuals with hearing disabilities who do not read sign language can still participate in meetings via assistive listening devices.

Facilities
- City Council Meetings at Community Hall.

Community Development

Description of Programs and Services

The processing of building permits for any new construction, alterations, and additions to residential and commercial developments within the city limits.

Customer Service
- Community Development does not have program eligibility requirements for program participation.
- Internal policies and procedures are created and managed by the Building Official.
- Community Development is unaware of having a policy that would exclude service animals.

Printed Information
- Community Development does produce printed materials.

Television and Audio-Visual Information
- Television and Audio-Visual Information
- The Department prepares or uses audiovisual/televised presentations.

Website
- Community Development has a page on the City's website.
- Building Code information and department policy, procedures, and downloadable forms.
- Training and Staffing
- Community Development Staff has contact with the public.

Public Meetings
- Community Development does hold public meetings.
- American Sign Language interpreters, readers, or adaptive equipment provided when requested for meetings, interviews, and conferences
- The Department ensures all individuals with hearing disabilities who do not read sign language can participate effectively in meetings via assistive listening devices or other means.

Facilities
- Community Hall and City Hall

Information Technology

Description of Programs and Services

The IT Division supports all related computing, networking, business applications installation, configuration, maintenance and support.

Customer Service

- IT does include physical fitness standards as a program eligibility requirements.
- IT does not have a policy that would exclude service animals.

Facilities

- City Hall; Attorney's Office; Quinlan Center; Senior Center; Service Center; Sports Center; McClellan Ranch; Blackberry Farm Golf; Blackberry Farm.

Public Works - Engineering

Description of Programs and Services

Reviews Development Projects for the Public Works Department. Interact with the Public over the counter. Perform traffic engineering functions.

Customer Service

- Engineering tracks accessibility requests. The department has received one complaint in the last year regarding a public sidewalk that is constructed of paver stones.
- Engineering does not have a policy that would exclude service animals.

Printed Information

- Engineering does produce and manage printed materials.
- Engineering will make a document available in large print, Electronic Copy, Braille, and would attempt to accommodate other format requests.

Website

- Engineering has a page on the City's website.
- Information about Public Works is available on the webpage.
- Information for the web page is provided by the Engineering Department and maintained by the IT group.

Training and Staffing

- Engineering Staff has contact with the public.
- Staff are informed via discussions regarding department policies for interacting and enabling people with disabilities to participate in programs.

Public Meetings

- Engineering does hold public meetings.
- Public meetings, hearings, and conferences are required to be held in accessible locations.
- ASL Interpreters and assistive listening devices are provided to ensure individuals with hearing disabilities can effectively participate in meetings.

Consultants

- Engineering does engage contractors to conduct programs.

Facilities

- City Hall Conference Rooms; Community Hall; Quinlan Center

Public Works – Operations and Maintenance

Description of Programs and Services

Public Works Maintenance is responsible for the divisions of Facilities, Grounds (parks and sport fields), Trees & Right of Way (street trees and medians), Streets (pavement signs and markings, storm drain, street lights and hazardous materials) and Fleet.

Customer Service
- Operations and Maintenance tracks accessibility requests and the department's response.
- Operations and Maintenance does not have program eligibility requirements
- Operations and Maintenance procedures are reviewed internally within public works and approved at Department Head level.

Notice Requirements
- Facilities does have a non-discrimination statement.

Printed Information
- Operations and Maintenance does produce printed materials usually in the form of notification of upcoming work in the public right of way that may affect residents / businesses.
- Operations and Maintenance manages printed materials.

Website
- Operations and Maintenance has a page on the City's website.
- Description of the various City assets maintained, answers to frequently asked questions and to request service
- The City's IT department manages the website. Public works provides the information that is posted by IT.

Public Meetings
- Operations and Maintenance does hold public meetings. For large or complex projects, public meetings may be held to inform the public of the project.
- American Sign Language interpreters, readers, or adaptive equipment are provided when requested for meetings, interviews, and conferences.
- If Operations and Maintenance is aware of the need for assistive listening devices an accommodation would be made.

Training and Staffing
- Operations and Maintenance staff has contact with the public. The Service Center is open to the public. Questions and service request to residents and businesses occur.
- If a member of the public came with a disability that limited or prevented communication with staff, the staff and department would do their best to accommodate and coordinate with the appropriate personnel at City Hall that could facilitate communication.

- Operations and Maintenance indicated training staff members in ASL would potentially improve customer service.

Emergency Evacuation Procedures

- In emergency situations, Operations and Maintenance may be called to assist with this activity. If accommodation was needed, staff would contact the appropriate person at the Emergency Operation Center (if activated) or the appropriate person at City Hall to accommodate.

Facilities

- City Hall, Library, Service Center, Quinlan, Senior Center, McClellan Ranch, Monta Vista, Portal, Wilson, Sport Center, Creekside, Community Hall, Teen Center, Blackberry Farm
- Operations and Maintenance does not operate programs available to the public. Staff interact with the public at all public facilities relative to maintenance. For planned projects that are large or complex, public meetings may occur. These would typically occur at either City Hall or Community Hall.
- Facilities has received requests including park restroom improvements. and responds to requests at public buildings. These requests are evaluated and completed per ADA requirements. The Streets Division routinely makes improvements to accessible curb ramps throughout the City.
- Operations and Maintenance routinely assists with the set up / traffic control of City festivals and events but is not the operator of the event.

Recreation and Community Services

Description of Programs and Services

Provides recreation services to the community of Cupertino.

Accessible/Adaptive Equipment

- The program does provide the public access to electronic equipment at the Senior Center computer lab.
- Recreation and Community Services uses adjustable tables to ensure electronic equipment is accessible to and usable by individuals with disabilities.
- Auxiliary aides are provided upon request.

Customer Service

- There are no eligibility requirements for participation.
- Recreation and Community Services accommodates everyone as needed. People are asked to let the program know when they register.
- Recreation and Community Services has a formal procedure for making changes to standard operating procedure.
- Recreation and Community Services tracks accessibility requests and records it on the user profile in the program management system.
- Recreation and Community Services does not charge an additional fee to modify programs for people with disabilities.
- Recreation and Community Services does work with outside organizations including para-transit outreach, shuttles from senior housing, rebuilding together.
- Recreation and Community Services does not have a policy that would exclude service animals.

Notice Requirements

- Recreation and Community Services does notify all persons that meetings, hearings, interviews, and conferences will be held in accessible locations and that adaptive/auxiliary aids will be provided, upon request, to participants with disabilities.
- Recreation and Community Services does know the procedure for filing a disability discrimination complaint.
- Recreation and Community Services does notify the public of how and with whom to file a disability discrimination complaint.

Printed Information

- Recreation and Community Services does produce and manage printed materials.
- Recreation and Community Services makes documents available in simple, easy-to-understand language for persons with cognitive disabilities.
- Recreation and Community Services does include images of people with disabilities in publications where people are shown.

Website

- Recreation and Community Services has a page on the City's website.
- Information about all programs and facilities is available on the webpage.
- Information for the web page is provided by the Recreation and Community Services Department and maintained by the IT group.

Public Telephones and Communication Devices

- Recreation and Community Services does communicate by telephone with persons with hearing/speech disabilities.
- Recreation and Community Services has not used a TTY phone but would if requested.
- Recreation and Community Services does use the California Relay Service.
- Recreation and Community Services does publish their CRS number on some materials.

Training and Staffing

- Recreation and Community Services Staff has contact with the public.
- Recreation and Community Services does have staff training on department policies for interacting and enabling people with disabilities to participate in programs.
- There are staff that provide emergency services.
- There are staff members that would be able to better provide customer service if trained in ASL.

Program Eligibility Requirements /Admission

- There are no limitations or rations on the number of people with disabilities that can participate in a program.
- Progression type classes have minimum qualifications.
- Registration forms are required for admission to the program.

Public Meetings

- Recreation and Community Services does hold public meetings.
- Public meetings, hearings, and conferences are required to be held in accessible locations.
- Assistive listening devices are provided to ensure individuals with hearing disabilities can effectively participate in meetings.

Transportation Services

- Recreation and Community Services does provide transportation services for camp trips and senior center trips.
- Accommodations for accessible transportation are made upon request.

Tours and Trips

- Recreation and Community Services does provide tours through the Senior Center travel program.
- Accommodations for accessible transportation are made upon request.

Consultants

- Independent contractors teach the majority of Recreation and Community Services classes.

- Contractors are told about their obligations to facilitate participation of individuals with disabilities in City Programs when hired.
- Recreation and Community Services will let the contractor know when someone registers who has special needs.

Emergency Evacuation Procedure

- Part of the Recreation and Community Services emergency action plan is a walkthrough of the building and helping anyone who needs assistance evacuating building.

Facilities

- Facilities: Blackberry Farm Golf Course; Blackberry Farm Picnic Grounds; Cali Mill Plaza; City Hall; Communication Academy; Community Hall & Council Chamber; Cupertino Library; Cupertino Sports Center; Cupertino Square Ice Center; Cupertino Teen Center; Deep Cliff Golf Course; Garrod Farms; Joyful Melodies Music School; KMVT15 Community Television; Library Field; McClellan Ranch Preserve; Melody Academy of Music; Monta Vista Recreation Center; Quinlan Community Center; Senior Center
- Parks: Creekside Park;, Franco Park; Hoover Park; Jollyman Park; Linda Vista Park; Mary Avenue Dog Park; Memorial Park; Monta Vista Park; Portal Park; Shoreline Park; Mountain View; Somerset Square Park; Stokes Avenue; Sterling Barnhart Park; Three Oaks Park, Varian Park, Wilson Park
- Schools: Collins Elementary; Cupertino High School; Cupertino Union School District; DeAnza Community College; Eaton Elementary; Fremont Union High District Office; Faria Elementary; Garden Gate Elementary; Homestead High School; Hyde Middle School; Kennedy Middle School; Lawson Middle School; Lincoln Elementary; Lynbrook High School; Monta Vista High School; Regnart Elementary; Sedgwick Elementary; Stevens Creek Elementary
- Recreation and Community Services has received requests for additional accessible parking at the Senior Center and ASL for Shakespeare in the Park.
- Recreation and Community Services does host special events on public property including block parties, festivals, music & movies in the park, Shakespeare in the park, Big Bunny 5k.
- Private events on public property are required to provide handicapped parking, otherwise, accommodations made if requested.

3.0 ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use to develop a Transition Plan to make their facilities meet the standards for Program Accessibility. Program Accessibility means that a program, activity and/or service are accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

This Transition Plan combines the findings of the facility surveys, public rights-of-way surveys, policy assessments, and program evaluations. Specific policy and program recommendations can be found in Section 2.0. The specific architectural modifications required to make programs accessible are listed in the City of Cupertino—Facility Reports (see Appendix C). Each facility report contains a complete list of architectural barriers and barrier removal actions. Not all barriers need to be removed in order to provide program access. The first priority is to remove those barriers limiting access to programs.

This Transition Plan is divided into two parts: facilities, which includes buildings and parks including their related grounds; and the public pedestrian rights-of-way, which includes sidewalks and curb ramps in front of City-owned facilities and Stevens Creek Boulevard from Highway 85 to De Anza Boulevard.

In compliance with the requirements of the ADA, the City will maintain in working order equipment and features that are required to provide access to individuals with disabilities.

3.1 Facilities

A. Program Barrier Removal Priorities

A prioritization meeting was conducted with City staff on October 23, 2014. All facilities in which the City provides programs, activities, and services were reviewed and ranked based on the following criteria. Each of these criteria is deemed by the City to have equal importance with no single criteria having priority over another:

- Level of use by the public: Does the facilities receive a high level of public use?
- Program uniqueness: Some programs are unique to a building, facility, or park and cannot occur at another location.
- Geographic distribution: By selecting a range of facilities that are distributed throughout the City, the City can ensure maximum access for all residents.
- Citizen rights: Facilities where services are provided to exercise citizen rights– voting, right to a trial, access to elected officials, etc.
- Citizen responsibilities: Facilities where taxes are paid, permits and licenses are obtained, and where services are obtained.
- Social need: Facilities that meet social needs such as homeless shelters, health clinics, etc.

- Identified complaints: Efforts should focus on identified accessibility complaints.

B. Prioritizing Access to Programs, activities, and services

City staff from each department listed the programs, activities, and services provided to the public and locations where the programs are provided. Each program was evaluated using the criteria listed above.

C. Categories for Barrier Removal within Facilities

The following guidelines were used by the City to categorize barriers found in City facilities:

Category One: Barriers that impede accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place (e.g., parking, walks, ramps, stairs, doors, corridors, etc.).Examples:

- Connection to the public right-of-way
- Parking and passenger loading
- Entrance walks
- Entrance ramps
- Entrance stairs
- Entrance doors

Category 2: Barriers that impede access to program use areas (e.g., transaction counters, conference rooms, public offices, restrooms, etc.). Examples:

- Transaction counters
- Conference and meeting rooms
- Public offices
- Recreation environments/features
- Public restrooms

Category Three: Barriers that impede access to amenities serving program areas (e.g., drinking fountains, telephones, site furnishings, vending machines). Examples:

- Drinking fountains
- Public telephones
- Vending machines

Category Four: Areas or features that are not required to be modified for accessibility because no public programs are located in this area, or there are nearby duplicate accessible features.

Category Five: The fifth category identifies features that are subject to exemptions based on the historic status of the building or property.

D. Transition Plan for Facilities

The Transition Plan for the removal of architectural barriers to program access must contain the following information:

- Identification of the barriers to program access
- Identification of the specific barrier removal action(s)
- Identification of a schedule for barrier removal and
- Identification of responsibility for ensuring barrier removal

The facility reports appended to this document provide the identification of barriers and the specific barrier removal actions. The City will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers; and construction projects to remove architectural barriers.

The responsibility for ensuring barrier removal will reside with the City of Cupertino' ADA Coordinator.

E. Phasing Schedule for Facilities

Barriers in City facilities will be removed systematically, City-wide, based on established program priorities. It is the intent of the City to address and remove barriers to accessibility in public buildings and parks based upon on the immediate necessity of programmatic access, degree of complexity, and overall cost.

The City of Cupertino reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. It is the goal of this Transition Plan to provide access to the programs, activities, and services provided by the City. Interim measures will be explored and implemented in order to provide programmatic access to the public pending the implementation of physical barrier removal projects.

The following tables describe the priorities and schedule for barrier removal in public facilities owned by the City of Cupertino. This preliminary schedule represents a 10-year plan for barrier removal. It is the City's intent to review all barriers during the first year of the implementation of this plan and address those barriers that can be resolved through programmatic modifications. The City will then revise the following schedule for the removal of the remaining barriers.

Table of barrier removal schedule for City owned facilities.

City of Cupertino - Facility Transition Plan									
Corridor Project		**Civic Center**		**City Facilities**		**Park Buildings**		**Parks**	
1	McClellan Ranch	1	City Council Chambers	1	Sport Center	1	Wilson Park	1	Memorial Park
2	Stevens Creek Trail	2	Library	2	Teen Center	2	Monta Vista Park	2	Portal Park
3	Blackberry Farms	3	City Hall	3	Quinlan Center	3	Creekside Park	3	Don Burnett Path/Bridge
4	BBF Golf Course			4	Senior Center	4	Portal Park	4	Civic Ctr Plaza/ Library Field
5	Blue Pheasant			5	Service Center			5	Jollyman Park
								6	Creekside Park
								7	Monta Vista Park
								8	Linda Vista Park
								9	Wilson Park
								10	Varian Park
								11	Sterling/ Barnhart
								12	Hoover Park
								13	Franco Park
								14	Canyon Oaks Park
								15	Three Oaks Park
								16	Oak Valley Park
								17	Mary Avenue Dog Park
								18	Somerset Park

3.2   Pedestrian Rights-of-Way (PROW)

A. Overview of the PROW

The ADA addresses accessible pedestrian rights of way where sidewalks are provided by the City of Cupertino. The ADA does not mandate the installation of sidewalks, but does require curb ramps at intersections where existing sidewalks are provided on both sides of the roadway.

The City's General Plan outlines the City's desire and steps to provide safe and convenient pedestrian circulation connections. Guidelines for improving pedestrian circulation include identifying a citywide pedestrian circulation grid and making connections between existing facilities within the system to provide access between residential, recreational, and commercial locations. Other improvements aim to improve safe routes to school, timed pedestrian crossings at traffic signals, and improved pedestrian facilities.

B. Surveys of Existing PROW Conditions

For the ADA Transition Plan, the City completed a study that included sidewalks and curb ramps associated with the PROW of City-owned facilities and along a section of Stevens Creek Boulevard. Further evaluation of pedestrian facilities will be conducted based on the priorities listed below.

C. Pedestrian Rights-of-Way Prioritization

Under Title II of the ADA, a City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of ramps at some locations undesirable. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of curb ramps that the City is required to provide.

The City will prioritize PROW projects in the following order:

1. Pedestrian barriers identified by City staff or members of the public
2. Government offices and facilities
3. Bus stops and transportation facilities
4. Places of public accommodation such as commercial and business areas
5. Facilities containing employers
6. Other areas such as residential neighborhoods and underdeveloped regions of the City.

Additional criteria for prioritization may be developed for replacing existing curb ramps. For example:

- Repair of hazardous conditions
- Distance from a City-operated program or building
- Distance from a bus stop
- Proximity to a facility serving disabled clients
- Level of pedestrian traffic

- Lack of feasible alternate routes
- Distance from non-City owned public facilities

D. Time Period for Pedestrian Rights-of-Way Improvements

The City has established a 15-year time frame to remove PROW barriers that limit program accessibility. Funding improvements for pedestrian facilities is costly and competitive for State and Federal funding sources. Pedestrian improvements are often paired with other roadway improvements, Safe routes to School projects and Capital Improvement Projects. The ADA Title II regulations states that if a Transition Plan will take more than one year to fully implement, it must contain interim steps that will be done to provide program accessibility.

E. PROW Construction Details

The City of Cupertino' standard construction details are available on the City's Public Works Engineering web page: http://www.cupertino.org/index.aspx?page=311

The details and specifications are consistent with state and federal accessibility requirements.

F. Accessibility During Construction

The City strives to maintain accessibility during construction projects as a matter of general practice.

G. Street or Sidewalk Closure for Special Events

When there is special event that requires street or sidewalk closure, a Special Events Permit is required. The applicant is then responsible to ensure accessibility at their event.

No signage for special events may obstruct or prevent free ingress to or egress from any door, window, fire escape, driveway, sidewalk, or bike path.

H. Citizen Request Process

Access Cupertino is a web page on the City's website. It is a portal for citizens to make requests for information or submit complaints or suggestions to City personnel directly responsible for the facility or topic.

I. Street-Related Capital Improvement Projects

The City provides a Pavement Management Report and the Cupertino Street Pavement Condition Index on the Public Works web page. These reports provide a description of the Pavement Management Program, maintenance techniques, and the overall conditions of Cupertino's street.

The City has an annual ramp improvement program with over 100 ramps being constructed or improved in 2013. In addition to the ramp improvement program, the City completed a Park Accessibility project including curb ramp installations at Varian Park, Hoover Park, Three Oaks Park, Jollyman Park, and the intersection of Homestead Road and Barranca Drive.

4.0   ADA Policy and Complaint Procedure

ADA Grievance Procedure

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance. The City of Cupertino has designated David Stillman, from the Public Works Department , for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated Title II of the ADA. The Coordinator also is responsible for coordinating the efforts of the City to comply with Title 24 and all other applicable State and Federal physical and program accessibility requirements.

Complaints or grievances will be kept confidential to the greatest extent possible, unless required to be released by state or federal law, or ordered released by a court of competent jurisdiction. Alternative means of filing complaints or grievances may be accepted at the discretion of the ADA Coordinator.

City of Cupertino ADA Complaint Procedure

Any individual who believes that they have been subjected to unlawful discrimination on the basis of disability by the City of Cupertino, its employee(s), service or program may file a complaint.

A complaint is a formal expression of dissatisfaction with an employee, policy, service or program provided by the City of Cupertino regarding access or discrimination on the basis of disability as defined in the Americans with Disabilities Act of 1990.

Procedure

1. Any individual who believes he or she has been discriminated against on the basis of disability including being denied access to facilities and programs, may make a written complaint as soon as possible after the incident. In order to facilitate the investigation, the complainant is encouraged to submit the complaint within 30 days of the alleged incident(s).

2. In all cases, complaints must be received in writing and include the location and date the alleged incident occurred. All complaints should be sent to the City Manager's office, City Hall, 10300 Torre Ave., Cupertino, CA 95014, for resolution. A written record of the complaint and the action taken will be maintained by the City. A decision by the City Manager will be rendered in writing within 30 working days. For additional information or assistance, call the City of Cupertino Public Works Department at (408) 777-3354. Copies of this policy are available in large print.

The complaint shall include:

- a description of the alleged discriminating activity, policy, program or service;
- date(s), time(s) and location(s) of incident(s);
- name(s) of witnesses, if any;
- complainant's address and telephone number;
- copies of documents; and
- remedy desired.

3. Upon receipt of a complaint, the City Manager shall cause an investigation of all charges to be made. The investigation shall include interviews with: (a) the complainant; (b) the person(s) responsible for the activity, policy, programs or service engaged in the alleged incident; and (c) any other person believed to have relevant knowledge concerning the complaint.

4. Upon completion of the investigation, the City Manager shall review factual information gathered through the investigation to determine whether the alleged complaint constitutes discrimination, giving consideration to all factual information, the totality of the circumstances, including the nature of the activity, program or services and the context in which the alleged incidents occurred.

5. The City Manager shall then prepare a written report stating the results of the investigation and the determination as to the action(s) to be taken, if any. The results of the investigation and recommendation(s) shall be conveyed to appropriate persons, including the complainant and the person(s) responsible for the alleged activity, policy, program or service engaged in the incident. The decision of the City Manager is final.

6. The complainant's right to a prompt and equitable resolution of the complaint will not be impaired by the complainant's pursuit of the other remedies, such as the filing of a complaint within the Department of Justice of other appropriate federal agency, or the filing of a suit in state or federal court. Complaints to any federal agency must be within 180 days of the alleged discrimination.

5.0   Definitions

The following is a summary of many definitions found in the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations (http://www.ada.gov/).

5.1   Auxiliary Aids and Services

The term *auxiliary aids* and services include:

1. Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
2. Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and
3. Acquisition or modification of equipment or devices; and other similar services and actions.

5.2   Complaint

A *complaint* is a claimed violation of the ADA.

5.3   Disability

The term disability means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
2. A record of such impairment; or
3. Being regarded as having such impairment.

5.4   Discrimination on the Basis of Disability

Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a qualified citizen with a disability to discrimination;
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Deny equal benefits because of a disability;
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;

- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

5.5   Having a Record of Impairment

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

5.6   Physical or Mental Impairments

Physical or mental impairments may include, but are not limited to: vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; Hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

5.7   Qualified Individual with a Disability

A *qualified individual* with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

5.8   Reasonable Program Modifications

If the individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

1. To a registration or application process to enable an individual with a disability to be considered for the program or activity;

2. To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and

3. That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability;
- It creates a hazardous situation;
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or
- It poses an undue burden on the City.

5.9   Regarded as Having a Disability

An individual is *disabled* if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

5.10   Substantial Limitations of Major Life Activities

An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

1. The nature and severity of the impairment;
2. The duration or expected duration of the impairment; and
3. The permanent or long-term impact (or expected impact) of or resulting from the impairment.

5.11   Undue Burden

The City of Cupertino shall not provide an accommodation that imposes an undue burden on the operation of the City's business.

Undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City.

Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to the City of Cupertino, the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for the modification is available from an outside source. If no such funding is available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

The following factors shall be considered in determining whether a program modification would create an undue burden: the nature and cost of the modification; the financial resources of the City available to make the modification; the impact the expense of the accommodation will have on the affected City operation; and the permanence of the alterations affecting the site.

6.0   Program Accessibility Guidelines, Standards and Resources

6.1 Introduction

In order to facilitate access to all City programs and departments, the City will maintain these program accessibility guidelines, standards and resources. This information is available to all employees and volunteers. The City will add to these guidelines when necessary to address its needs and include information and technological devices that help staff and volunteers communicate with individuals with a variety of disabilities. The City will periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included. This section also contains the accessibility standards of care that govern new construction and alterations to facilities.

6.2 Federal Accessibility Standards and Regulations

There are both State and Federal regulations for accessible facilities. Below are resources for both the State of California and Federal facility regulations.

U.S. Department of Justice

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. Publications are available in standard print as well as large print, audiotape, Braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website (http://www.ada.gov/).

- ADA Regulation for Title II: This publication describes Title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.
- Title II Technical Assistance Manual (1993) and Yearly Supplements. This 56-page manual explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance.
- Accessibility of State and Local Government Websites to People with Disabilities. A 5-page publication providing guidance on making state and local government websites accessible.

- ADA Information for Law Enforcement. This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects, and others who have disabilities.

U.S. Access Board Publications

The full texts of federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available free and can be downloaded or ordered by completing a form available on the Access Board's website (http://www.access-board.gov/). In addition to regular print, publications are available in: large print; disk; audiocassette; and Braille.

Communications & IT

Access to information and communication technology (ICT) is addressed by Board standards and guidelines issued under Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act.

- Section 508 Standards: http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards
- Refresh of the Section 508 Standards and the Telecommunications Act Guidelines: http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh
- Telecommunications Act Accessibility Guidelines : http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-telecommunications-act-guidelines

Buildings & Sites

Standards issued under the Americans with Disabilities Act (ADA) address access to buildings and sites nationwide in new construction and alterations.

- 2010 ADA Standards for Accessible Design: This document contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by federal agencies, including the Department of Justice and the Department of Transportation, under the ADA. This document must be used in conjunction with Title 24 of the California Building Code (see State of California Accessibility Standards and Regulations).
- 2010 ADA Standards: http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards

Recreation Facilities

Access to recreation facilities, including play areas, swimming pools, sports facilities, fishing piers, boating facilities, golf courses, and amusement rides is addressed in the ADA and ABA standards. New provisions will cover access to trails, picnic and camping sites, and beach access routes.

- Recreation Facilities:
  http://www.access-board.gov/guidelines-and-standards/recreation-facilities/about-recreation-facilities
- Outdoor Developed Areas:
  http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas

Streets and Sidewalks

New guidelines the Board is developing will cover access to public rights-of-way, including sidewalks, intersections, street crossings, and on-street parking. The Board is also addressing access to shared use paths providing off-road means of transportation and recreation.

- Public Rights-of-Way:
  http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way
- Shared Use Paths:
  http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/about-this-rulemaking

6.3 Title II: U.S. Department of Justice Publications

Title II Technical Assistance Manual | Supplement

A 56-page manual that explains in lay terms what State and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. (1993) http://www.ada.gov/taman2.html

The ADA and City Governments: Common Problems | PDF

A 9-page document that contains a sampling of common problems shared by city governments of all sizes, provides examples of common deficiencies and explains how these problems affect persons with disabilities. (2000) http://www.ada.gov/comprob.htm

ADA Guide for Small Towns | PDF

A 21-page guide that presents an informal overview of some basic ADA requirements and provides cost-effective tips on how small towns can comply with the ADA. (2000) http://www.ada.gov/comprob.htm

Accessibility of State and Local Government Websites to People with Disabilities | PDF

A 5-page publication providing guidance on making State and local government websites accessible. (2003) http://www.ada.gov/websites2.htm

ADA Checklist for Polling Places | PDF

This 39-page checklist is a self-help survey that voting officials can use to determine whether a polling place has basic accessible features needed by most voters with disabilities. (2004) http://www.ada.gov/votingchecklist.htm

An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities | PDF

A 11-page illustrated publication that provides guidance on preparing for and carrying out emergency response programs in a manner that results in the services being accessible to people with disabilities. (2006) http://www.ada.gov/emergencyprep.htm

Access for 9-1-1 and Telephone Emergency Services | PDF

A 10-page publication explaining the requirements for direct, equal access to 9-1-1 for persons who use teletypewriters (TTYs). (1998) http://www.ada.gov/911ta.htm

Commonly Asked Questions About the ADA and Law Enforcement

A 12-page publication providing information for law enforcement agencies in a simple question and answer format. (2006) http://www.ada.gov/q&a_law.htm

Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers | PDF

This 8-panel pocket guide provides basic information for officers about ADA requirements for communicating effectively with people who are deaf or hard of hearing. (2006) http://www.ada.gov/lawenfcomm.htm

Model Policy for Law Enforcement on Communicating with People Who Are Deaf or Hard of Hearing | PDF

This 4-page document serves as a model for law enforcement agencies when adopting a policy on effective communication with people who are deaf or hard of hearing. Agencies are encouraged to download and adapt the policy to suit their needs. (2006) http://www.ada.gov/lawenfmodpolicy.htm

Questions and Answers: The ADA and Hiring Police Officers

A 5-page publication providing information on ADA requirements for interviewing and hiring police officers. (1997) http://www.ada.gov/copsq7a.htm

6.4 State of California Accessibility Standards and Regulations

Title 24, California Building Code

The State of California has also adopted a set of design guidelines for accessible facilities, which can be found in the California Code of Regulations, Title 24, Part II, California Building Code (CBC). CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. Although California has adopted most of the ADA Guidelines for Accessible Design requirements, there are some differences. In general, the more restrictive requirement (whether federal or state) should be applied when designing accessible facilities. The complete Title 24 or any of its parts is available for purchase from the International Code Council (ICC), 5360 Workman Mill Road, Whittier, CA 90601, (800) 423-6587, (http://www.iccsafe.org) or at various bookstores that carry technical books.

Since the CBC is updated every three years, the City should have an ongoing program of regularly reviewing these changes and updating policies and procedures related to accessibility to keep them current.

Division of State Architect

The Division of State Architect (DSA) also provides information and resources for accessible or universal design. Publications available for downloading at DSA's website (http://www.dgs.ca.gov/dsa) include:

- DSA's 2011 California Access Compliance Reference Manual: The purpose of this book of regulations and statutes together is to clarify the obligations for architectural accessibility in California.

For further technical assistance contact DSA's Access Compliance Program at 1102 Q Street, Suite 5100, Sacramento, California 95811 (916) 445-8100.

Resources for Providing Accessible Programs and Facilities

- ADA Document Portal: This website provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers (http://www.adaportal.org/).
- American Association of Museums: Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, The Accessible Museum, which offers model programs of accessibility for older people and people with disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors (http://www.aam-us.org).
- Beneficial Design: Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource. Contact Beneficial Designs, Inc. at 2240 Meridian Blvd, Suite C, Minden, NV 89423-8628, (775) 783-8822), (http://www.beneficialdesigns.com/).

- California State Parks Accessibility Guidelines: A State outdoor recreation resource: (http://www.parks.ca.gov)
- DisabilityInfo.Gov: A one-stop interagency portal for information on Federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.
- National Center on Accessibility: The Center is a cooperative project between the National Park Service and Indiana University to provide information and technical assistance, primarily on recreation access. The NCA website also has information on campground accessibility, accessible picnic tables, access to beaches, and inclusion of people with disabilities in aquatic venues. (http://www.ncaonline.org/)
- National Center on Physical Activity and Disability: The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps, and health and leisure services (http://www.ncpad.org/).
- Smithsonian Institution: The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design (1996), which are available for downloading from their website: (http://accessible.si.edu).

  Further information is available from the Smithsonian Accessibility Program at the Arts and Industries Building, Room 1239 MRC 426, Washington, D.C. 20560 (202) 786-2942.

Resources for Assistive Technologies (General)

The City should utilize the many disability-related resources available through the Internet.

ABLEDATA

The National Institute on Disability and Rehabilitation Research of the U.S. Department of Education maintains a national web-based service which provides up-to-date links to assistive technologies and disability-related resources (http://www.abledata.com/).

CALIFORNIA ASSISTIVE TECHNOLOGY SYSTEM (CATS)

CATS is a statewide project of the California Department of Rehabilitation that promotes access to assistive technologies, related services, and information to enable people with disabilities to be successful, independent, and productive. CATS maintain several directories on their website (http://www.atnet.org) including:

- On-site and remote real-time captioning services
- American Sign Language (ASL) Interpreters
- Ergonomic office equipment vendors
- Augmentative and assistive communications manufacturers and vendors
- Organizations that provide low-cost and donated computers for organizations that provide services to people with disabilities
- Assistive technology vendors and service providers for:

- Hard of Hearing/Deaf
- Learning Disabled
- Mobility/Physical/Orthopedic
- Speech/Language
- Visually impaired/Blind

ALTERNATIVE FORMAT COMMUNICATIONS

Resources to produce standardized publications such as applications and registration forms in Braille, audiotape, large-print text, and accessible electronic media will be assembled. Information regarding Braille Services and other accommodations for people with visual disabilities is available by contacting:

- American Council of the Blind: ACB (http://www.acb.org/) is a national organization advocating on behalf of persons who are blind or have low vision. ACB also publishes A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired, which is available online, in regular print, large print, Braille, or on cassette tape. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800) 424-8666 or by email at info@acb.org.
- National Center on Accessibility: NCA publishes 'What are Alternative Formats? How Do They Apply to Programs and Services?' which is available for downloading from their website (http://www.ncaonline.org/).
- National Center for Accessible Media: NCAM is a research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities. Developers of Web- and CD-ROM-based multimedia need an authoring tool for making their materials accessible to persons with disabilities. NCAM has developed two such tools, version 1.0 and 2.01 of the Media Access Generator (MAGpie), for creating captions and audio descriptions for rich media. Media Access Generator (MAGpie) is available for downloading from NCAM's website (http://ncam.wgbh.org).

American Sign Language Interpreters

A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their availability. Some programs may need to have a pool of interpreters who are available on a twenty-four-hour basis to handle emergency procedures.

The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, certain circumstances, such as the provision of emergency medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality.

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

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

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

Assistive Listening Systems and Devices

Systems and devices to amplify sound for persons with hearing disabilities should be available for public meetings and events. Various technologies exist for these devices. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

- See the on-line directory of augmentative and assistive communications manufacturers and vendors available at the California Assistive Technology System website (http://www.atnet.org).
- See also the Assistive Listening Systems Technical Bulletins available on the U.S. Access Board's website (http://www.access-board.gov/).

Closed Caption Machine

To the extent practical, City departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.

- See the on-line directory of On-site and remote real-time captioning services available at the California Assistive Technology System website (http://www.atnet.org).

Optical Readers

Equipment that can translate printed information into an audio format should be available to the City programs.

Text Telephone (TTY)

City programs should have access to a text telephone or have access to a telephone transfer service as required by the law and offered by public telephone companies.

- TDI: TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more (http://tdiforaccess.org/).
- See the Text Telephones Technical Bulletin available on the U.S. Access Board's website (http://www.access-board.gov/).

Video Relay Services (VRS)

Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a "communications assistant" (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. Because the conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, VRS has become a popular form of TRS (www.fcc.gov/guides/video-relay-services).

- Hands on Video Relay Service: (877) 467-4877 English or (877) 467-4875 Spanish
- Sorenson Video Relay: Using a standard telephone, simply call the toll-free number 1-(866)-327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number or IP address) ready. Remain on hold until the call is answered by the next available interpreter.
- Sprint VRS Directions: (877)709-5776 or website www.sprintvrs.com

Enlarging Printed Materials

A copy machine capable of enlarging printed materials should be available for staff.

Guide to Disabilities and Disability Etiquette

A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and that they are sensitive to the abilities and needs of people with disabilities. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities.

- Disability Etiquette: Interacting with People with Disabilities is available on-line at the City of Long Beach's website: (http://www.longbeach.gov/hr/ada/disability_etiquette.asp).

Lending Library of Assistive Technology Equipment

The City should establish a "Resources Toolkit" of adaptive aids and resources that will be available for use by staff and volunteers without the means to assemble their own. It is recommended that the City explore local sources of assistive technology.

- DisabilityInfo.gov's online resources for High School: Guidelines for Accessing Alternative Format, inclusion materials, educational technology, a comprehensive list including college preparatory materials, transition issues for children with special needs and more (https://www.disability.gov/education).
- Accessibility Connections Community Map: A Directory of Bay Area Assistive Technology Services is an on-line service available at (http://www.cforat.org/BARD/).

- American Association of People with Disabilities: The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States (http://www.aapd.com/).

- American Foundation for the Blind: The American Foundation for the Blind is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database (http://www.afb.org/). Local assistance is available through the American Foundation for the Blind-West, 44 Montgomery Street, Suite 1305, San Francisco, CA 94040 (415) 392-4845 or by email at sanfran@afb.net.

- Adaptive Environments: This educational non-profit organization is committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. Adaptive Environments provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements to design places, things, communication and policy that integrate solutions to the reality of human diversity (http://www.adaptenv.org/).

- The Arc: The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families (http://www.thearc.org). Local information is available from Arc Alameda County, 14700 Doolittle Drive, San Leandro, CA 94577, (510) 357-6619 or by email via the website (www.arcalameda.org) and The Arc San Francisco, 1500 Howard Street, San Francisco, CA 94103, (415) 255-7200 or by email via the website (www.thearcsf.org).

- Disability Resources, Inc.: Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources (http://www.disabilityresources.org/).

- Environmental Health Network: EHN's focus is on issues of access and developments relating to the health and welfare of the environmentally sensitive and to promote public awareness of environmental sensitivities and causative factors. EHN provides information environmental and chemical sensitivities at EHN, P.O. Box 1155, Larkspur, California, 94977-1155 (415) 541-5075 and on its website (http://ehnca.org/).

- National Association of the Deaf: NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website (http://www.nad.org/).

- National Federation of the Blind: NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided on-line resources for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers, and sources of closed circuit TV (CCTV's) (http://www.nfb.org/).

- National Organization on Disability: The National Organization on Disability promotes the full and equal participation and contribution of America's 54 million men, women and children with

disabilities in all aspects of life. NOD maintains an on-line directory of information and links including transportation-related resources (http://www.nod.org/).

- Paralyzed Veterans of America: PVA is a national advocacy organization representing veterans. PVA's Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness. PVA's website: (http://www.pva.org) provides information on useful sports publications and a list of contacts.

- State Council on Developmental Disabilities,
  1507 21st Street, Ste. 210, Sacramento, CA 95814-5299
  Phone: (916) 322-8481
  email: scdd@dss.ca.gov or website (http://www.scdd.ca.gov/).

- State Office for Deaf Access, Department of Social Services
  744 P Street, MS 6-91, Sacramento, CA 95814
  Phone: (916) 653-8320.
  email: deaf.access@dss.ca.gov or website (http://www.dss.cahwnet.gov)

- State Office of Services to the Blind, Department of Social Services
  744 P Street, MS 6-94, Sacramento, CA 95814
  Phone: (916) 657-3327,
  email: BlindAccess@dss.ca.gov or website: (http://www.dss.cahwnet.gov).

- United Cerebral Palsy Association: UCP's mission is to advance the independence, productivity and full citizenship of people with cerebral palsy and other disabilities, through our commitment to the principles of independence, inclusion and self-determination. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities. Information about the Sports and Leisure Channel is available on UCP's website (http://www.ucp.org).

- United Spinal Association: United Spinal Association is a membership organization serving individuals with spinal cord injuries or disease. Formerly known as the Eastern Paralyzed Veterans Association, the organization expanded its mission to serve people with spinal cord injuries or disease regardless of their age, gender, or veteran status. Information on accessibility training and consulting services and recreational opportunities for people with spinal cord injuries or disease is available on their website (http://www.unitedspinal.org).

- World Institute on Disability: WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design, and ADA (http://www.wid.org/resources/).

Resources for Persons with Disabilities in the City of Cupertino

Abilities United
http://www.abilitiesunited.org/
525 E. Charleston Road
Palo Alto, CA 94306
Phone: (650) 494-0550

Children's Health Council
http://www.chconline.org/
650 Clark Way
Palo Alto, CA 94304
Phone: (650) 326-5530

Cupertino Senior Center
seniorcntr@cupertino.org
21251 Stevens Creek Blvd
Cupertino, CA 95014
Phone: (408) 777-3150

Cupertino Union School District
1309 S. Mary Avenue, Ste 150/250
Sunnyvale, CA 94087
Phone: (408) 252-3000

De Anza College Disability Support Services
http://www.deanza.edu/dss/
Community Services Building, Room 141
Phone: (408) 864-8753
TTY: (408) 864-8748

HOPE Services
http://www.hopeservices.org/
30 Las Colinas Lane
San Jose, CA 95119
Phone: (408) 374-9960

NAMI of Santa Clara County
http://www.namisantaclara.org/
1150 S. Bascom Ave., Suite 24
San Jose, CA 95128
Phone: (408) 453-0400

San Andreas Regional Center
http://www.sarc.org/
300 Orchard City Drive, Ste 170
Campbell, CA 95008
Phone: (408) 284-2850

San Jose State Disability Resource Center
http://www.sjsu.edu/aec/
Administration Building, Room 110
Email: drc-info@sjsu.edu

Santa Clara County United Way
1400 Parkmoor Ave, Ste 250
San Jose, CA 95126
Phone: 211 or (866) 896-3587
TTY: (866) 390-6845

Santa Clara Valley Blind Center
http://www.visionbeyondsight.org
101 North Bascom Avenue
San Jose, CA 95128
Phone: (408) 295-4016

Silicon Valley Council of the Blind
http://www.svcb.cc/
Phone: (888) 652-5333

Silicon Valley Independent Living Center
http://www.svilc.org/
2202 N. First Street,
San Jose, California, 95131
Phone: (408) 894-9041
TTY: (408) 894-9012

Silicon Valley Lions Club of Mountain View
http://siliconvalleylions.org/

Sourcewise (Council on Aging Silicon Valley)
http://www.mysourcewise.com/
Phone: (408) 350-3200

Veteran's Affairs
http://www.paloalto.va.gov/
3801 Miranda Avenue
Palo Alto, CA 94304
Phone: (650) 493-5000

Vista Center for the Blind and Visually Impaired
www.vistacenter.org/index.html
2470 El Camino Real, Suite 107
Palo Alto, CA 94306
Phone: (650) 858-0202

Appendices

Appendix A: Program Accessibility Questionnaire

Appendix B: Public Meeting Minutes

Appendix C: Facility Reports for City Buildings and Parks

Appendix D: Public Rights-of-Way Reports for City Facilities

Appendix E: Grievance Form