

Great Plains Center

A member of the ADA National Network

University of Missouri
College of Human Environmental Sciences
Architectural Studies Department

www.gpadacenter.org

adacenter@missouri.edu

1-800-949-4232

573-882-3600

Serving Iowa, Kansas, Missouri, & Nebraska

The Status of ADA in Local Governments for Persons with Disabilities: Iowa Findings

Iowa State Association of Counties

July 14, 2021

Acknowledgements

**With special thanks to Kandace L. Fisher – McLean, PhD, HHS
Associate Extension Professor – Architectural Studies**

With thanks for support and guidance:

Chuck Graham

Dr Ruth Tofle

Dr Steve Jeanetta

Jim Dejong

Julie Brinkhoff

The work of this Center was developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR grant number 90DP0086). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this presentation do not necessarily represent the policy of NIDILRR, ACL, HHS, and you should not assume endorsement by the Federal Government.

Your Instructors

Richard Sternadori AIA, M. ARCH, M.Ed., CBO, CRC, ACTCP

Research Director, Senior Program Coordinator; Instructor

Dept. of Architectural Studies, Great Plains ADA Center

University of Missouri

Columbia MO, 65203

(800) 949-4232

(573) 489-8756

Sternadorir@Missouri.edu



Kandace L. Fisher – McLean, PhD, HHS

Associate Extension Professor – Architectural Studies

Healthy Homes Partnership - National Coordinator

Healthy Homes Training Center and Network - National Director

University of Missouri

Columbia MO, 65203

(618) 521-1155

fisherkl@missouri.edu



ADA CENTER REGION VII

The Great Plains ADA Disability and Technical Assistance Center is one of ten centers established shortly after the Americans with Disabilities Act was signed into law in 1991.

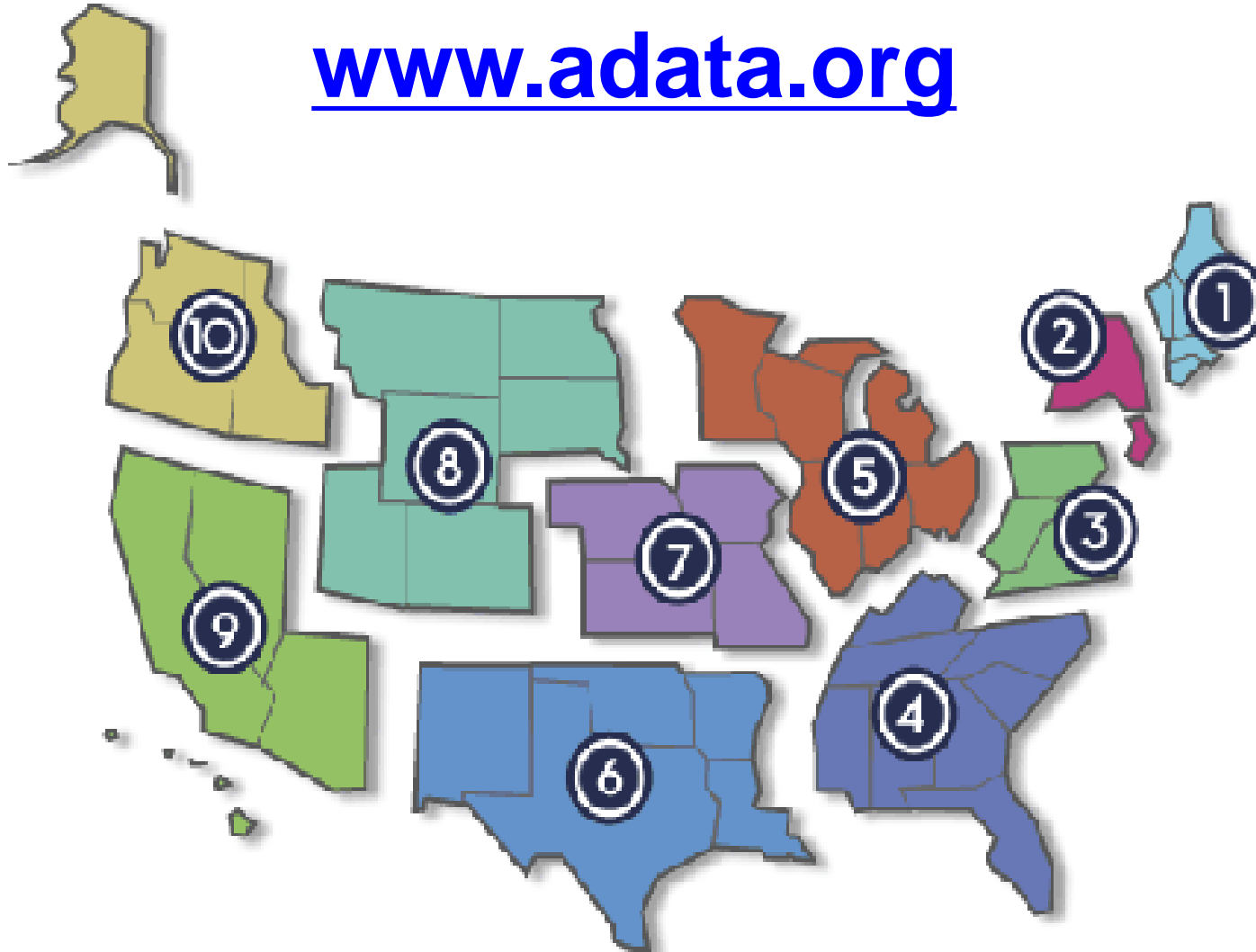
Our mission is to provide information, technical assistance and training on the Americans with Disabilities Act and related disability laws.



The Ten National ADA Centers

1-800-949-4232

www.adata.org



Technical Assistance, Guidance, Training...

The ADA Info Line.

Or submit questions
on-line at

www.adaproject.org.



1-800-949-4232

People with disabilities = 19.7 % or 1 in 5 of your citizens

People with Disabilities &
Families

Cities & Counties

ADA Coordinators

Building Code Officials

Architects

Community Organizations

Small Businesses

Employers

Service Providers

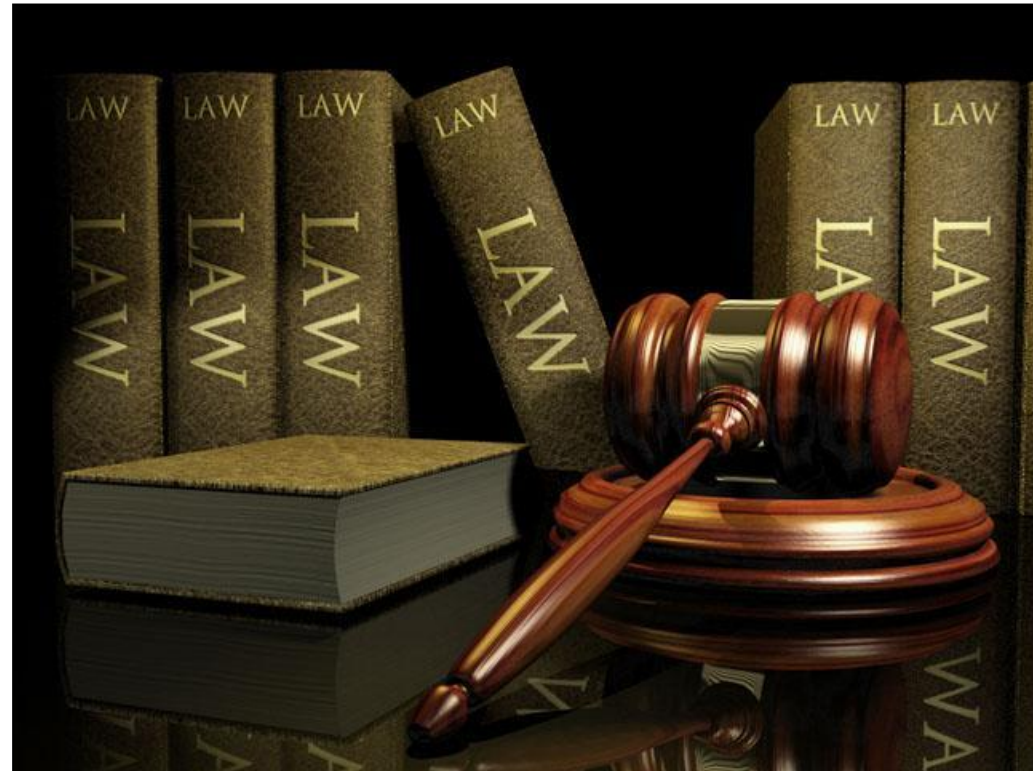
Educators



Five ADA Titles

The five Titles are separate regulations within the ADA

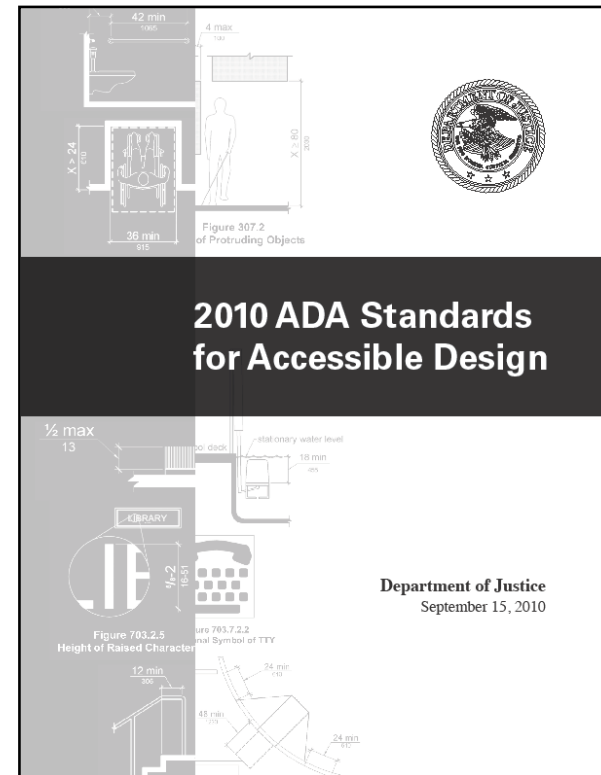
- I. Employment – Each of us is covered
- II. Public Entity: State and Local Governments
- III. Public Accommodations – Everyone else
- IV. Communications
- V. Miscellaneous provisions



ADA Title I - Employment

Title I regulates all employment activities and those can be affected and informed negatively or positively by the 2010 Standards for Accessible Design.

- Job applications and recruitment
- Hiring and discharge
- Compensation and benefits
- Job assignment –reassignment
- Advancement
- Performance management
- Annual and sick leave
- Job training
- Social and recreational activities
- Other terms, conditions and privileges of employment.

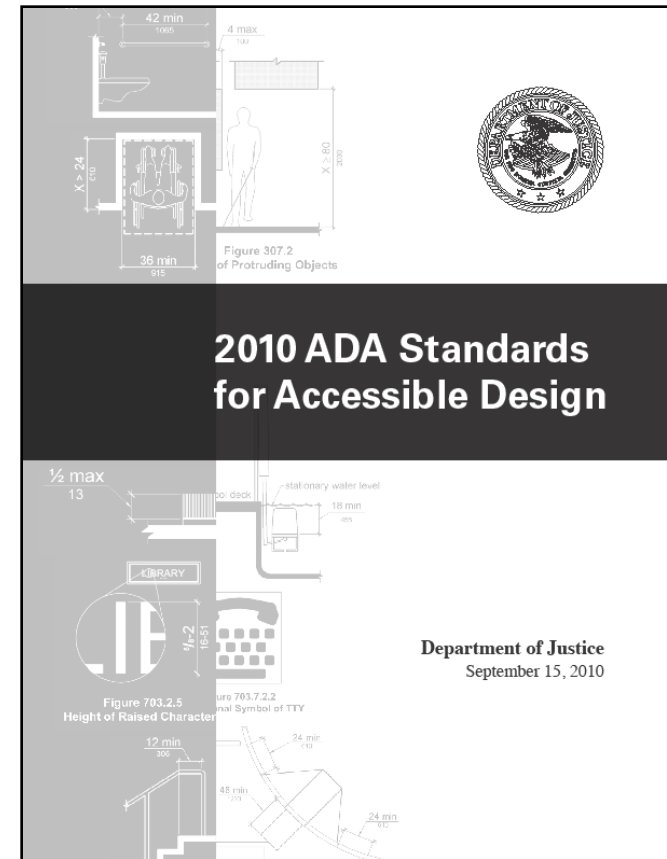


The limits of the ADA Titles and the IBC

Title's II and III: For this training the focus is selected provisions from:

- 2010 ADA Standards
- IBC
- ICC A117

regarding only new and altered construction, or alterations which may be necessary for job accommodations.



Title II-Program Access

State and local governments are required to operate their programs so that, “...when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.”

Take the 40,000-foot view. When a service, program or activity is “*...viewed in it’s entirety...*”

Only title II entities can provide the services, programs, and activities to individuals with disabilities through alternative methods, if physical barriers are not removed.



What Did We Want To Know?

The central question: To what extent are City and County governmental jurisdictions in our region applying the ADA Title II regulations and related provisions?

To understand the effect of a specific set of seven public resources – “*Community Capitals*” - on facilitating accessible and liveable communities for persons with disabilities. Our four central goals are:

- (1) How can we improve our delivery of ADA Center services in our region?
- (2) What is the impact of rural vs urban demographics in local government’s endorsement and application of the ADA Title II regulations?
- (3) How can the ADA responsiveness of a jurisdictional government affect the ‘livability’ of the community?
- (4) How can the findings inform the direction, topics and content of our educational programs and models?

Research Framework

Community development model. Community Capitals Framework (CCF) (2014) Flora, Flora, and (2004) Frey, Flora, Neal, and Jan Floras).

All seven capitals must be measured and integrated to understand the community development effects

We constructed 28 items 23 subcomponents to identify accessibility resources across the seven community capitals.

1. natural
2. cultural
3. human
4. social
5. political
6. financial
7. built

Methods

- Mixed-method survey electronically distributed by each state's *Leagues of Cities* and *Associations of Counties* and Risk Management (*NIRMA*) directly to their respective registered members.
- 28 items with subcomponents for a total of 51 items.
- Pre-survey advertising by agencies in e-zines, online, direct email.
- Recruitment initiated by email describing the study and an invitation to participate.
- Link to Qualtrics in the recruitment.
- Follow up weekly reminders

Qualtrics survey distributed to 3,021 jurisdictions and 387 (12.8%) jurisdictions responded. Based on population size, responses are.

Population Identification	Number of Respondents	Percent of Respondents
Rural	301	77.78%
Suburban	49	12.66%
Urban	18	4.65%
No Answer	19	4.91%

Iowa:

Is your local government a City or County?

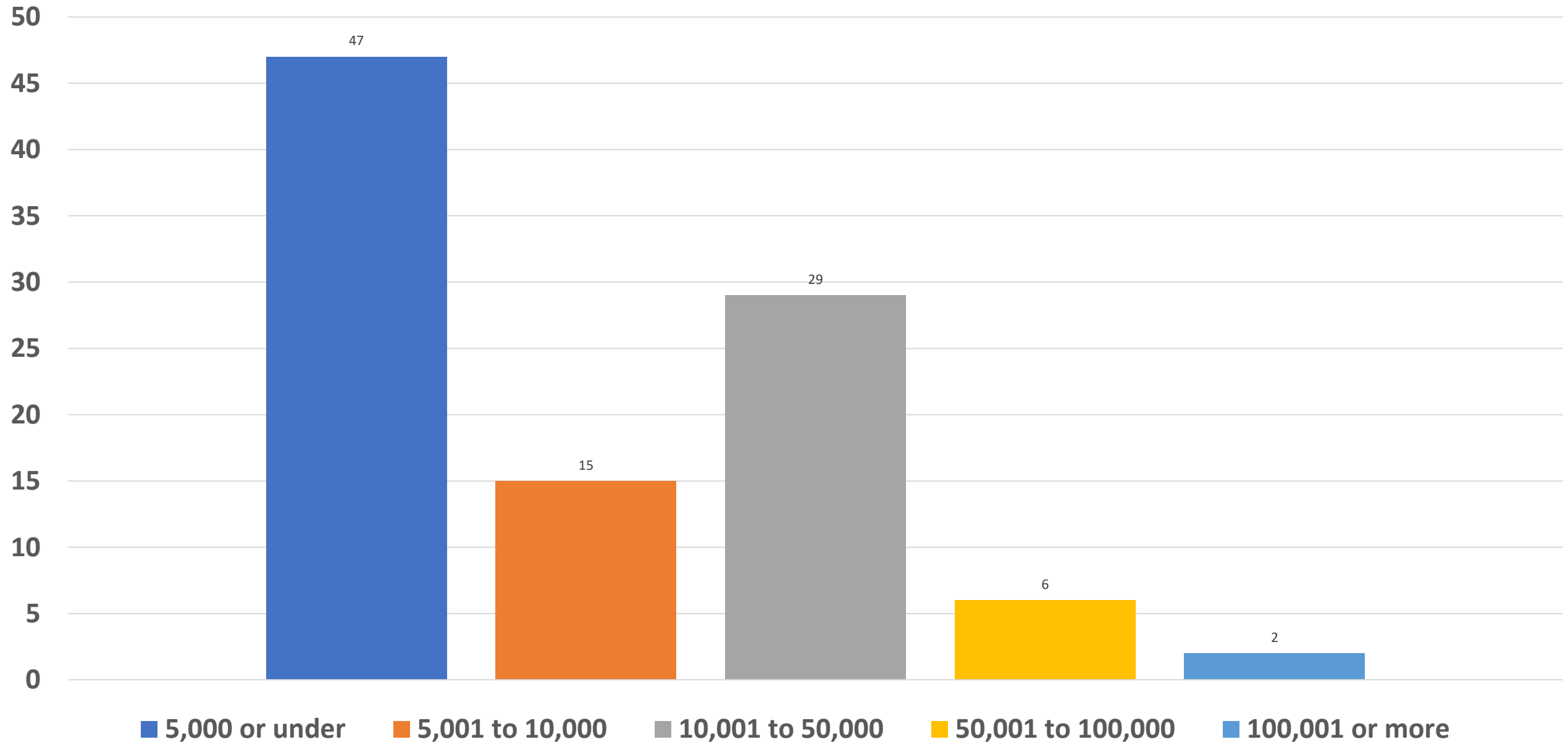
Level of Administration	Number of Respondents	Percent of Respondents
City	55	55.56%
County	44	44.44%

Which of the following best describes your jurisdiction based on population size?

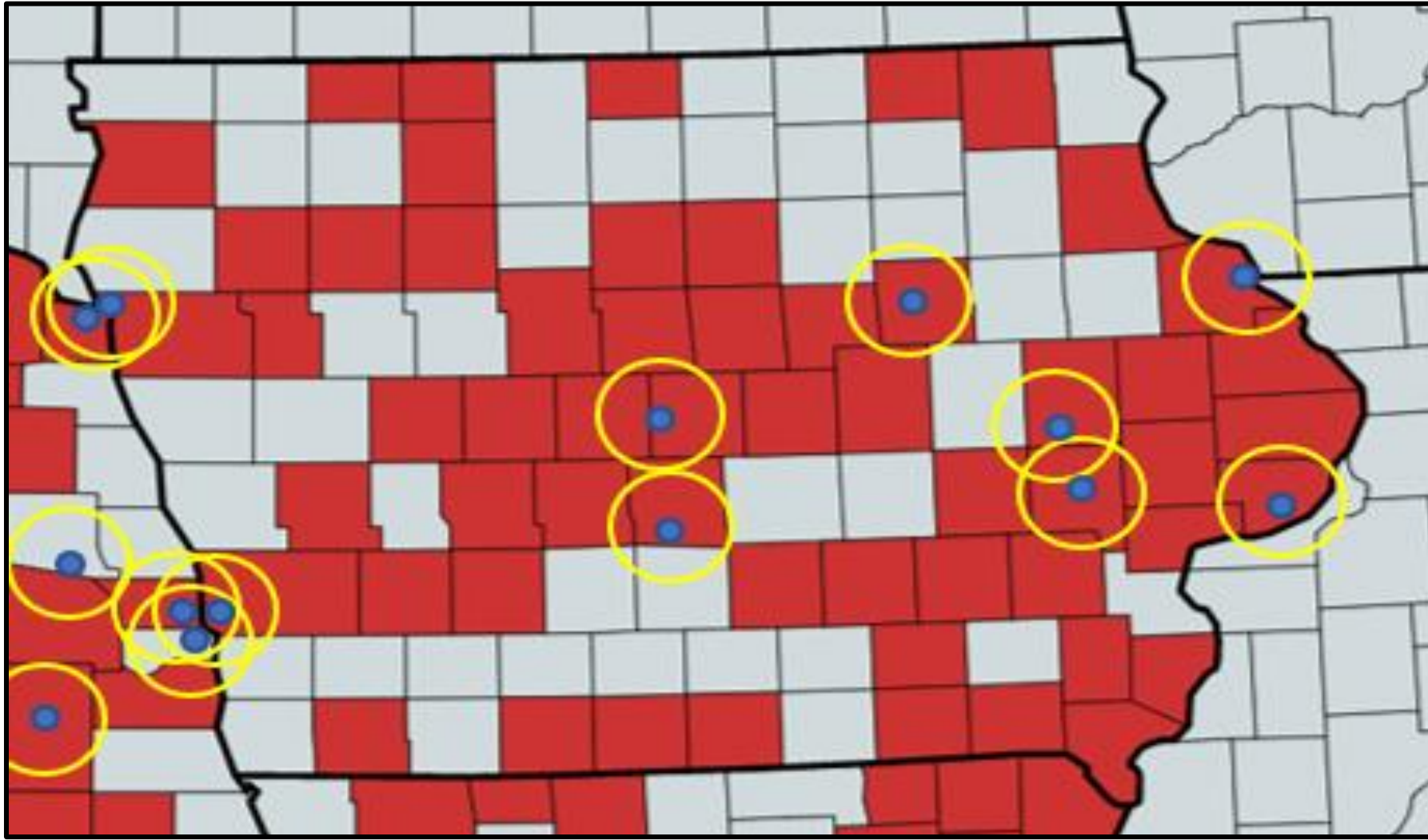
Population Identification	Number of Respondents	Percent of Respondents
Rural	81	81.82%
Suburban	11	11.11%
Urban	7	7.07%

Approximate general population of jurisdiction

(N = 99)



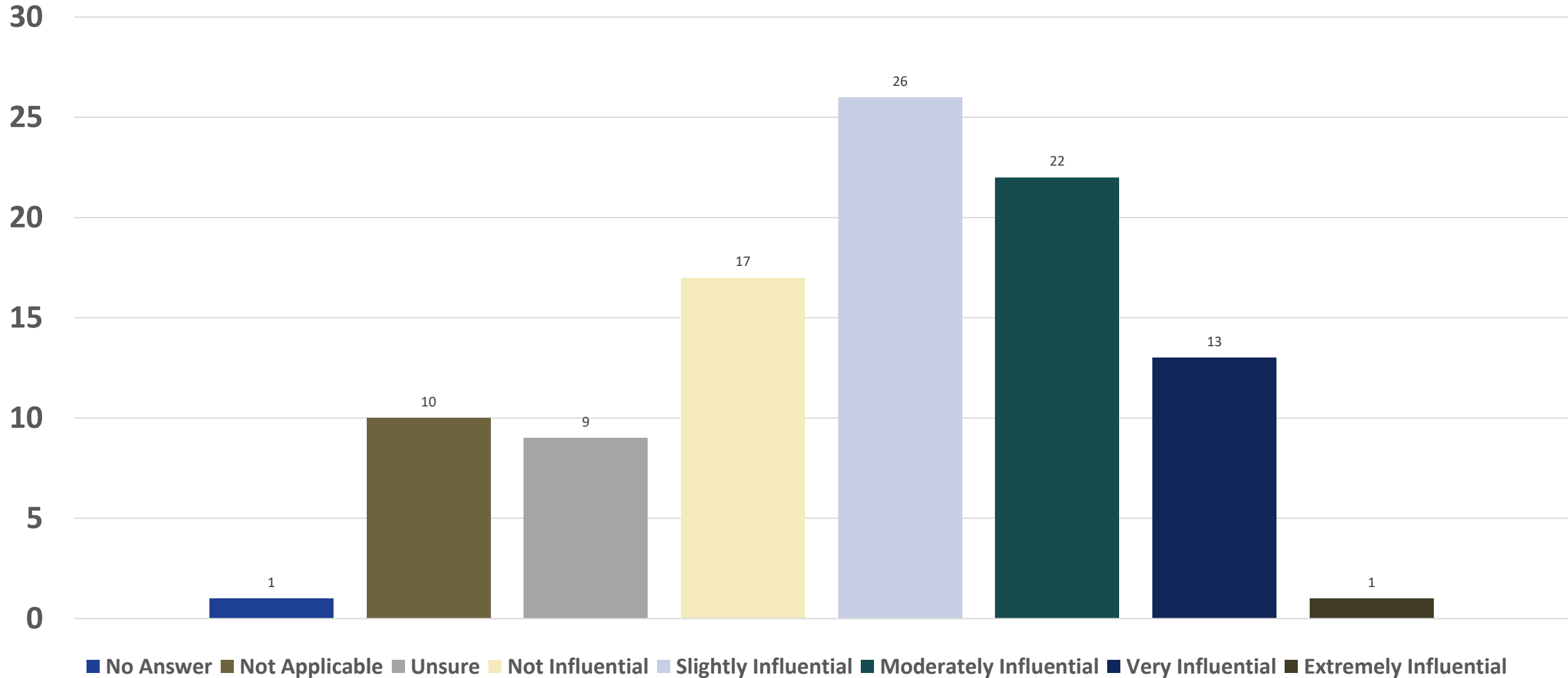
Proximity to Metropolitan Areas: Red = County respondents. Blue = City respondents. Yellow circle = 25-mile radius around the nine major metropolitan areas



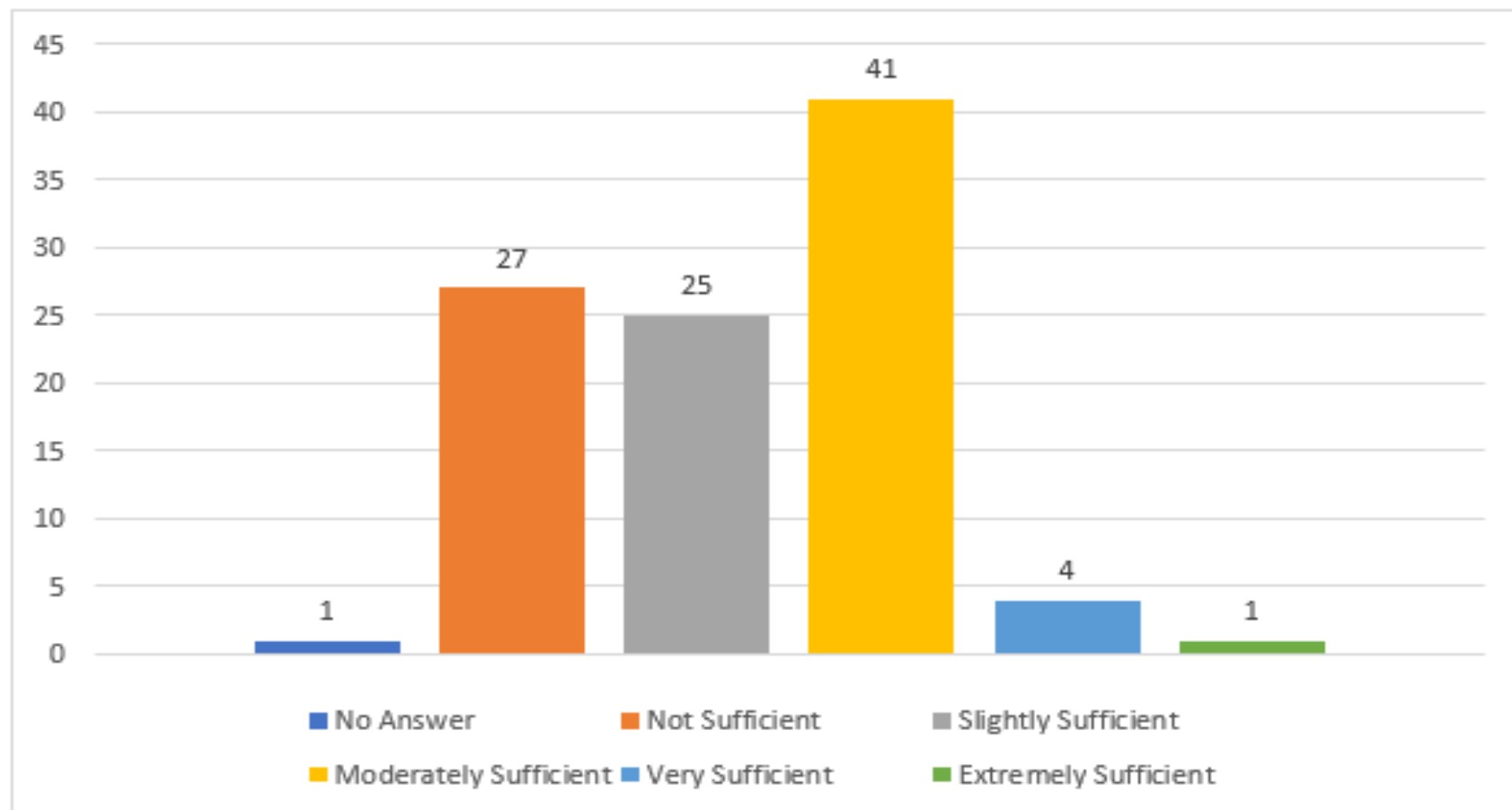
Majority of jurisdictions reside in rural areas that may be outside the availability of resource that may be offered in a larger metropolitan area.

Influence of the disability community on local governments, policies, budgets, participation, etc.

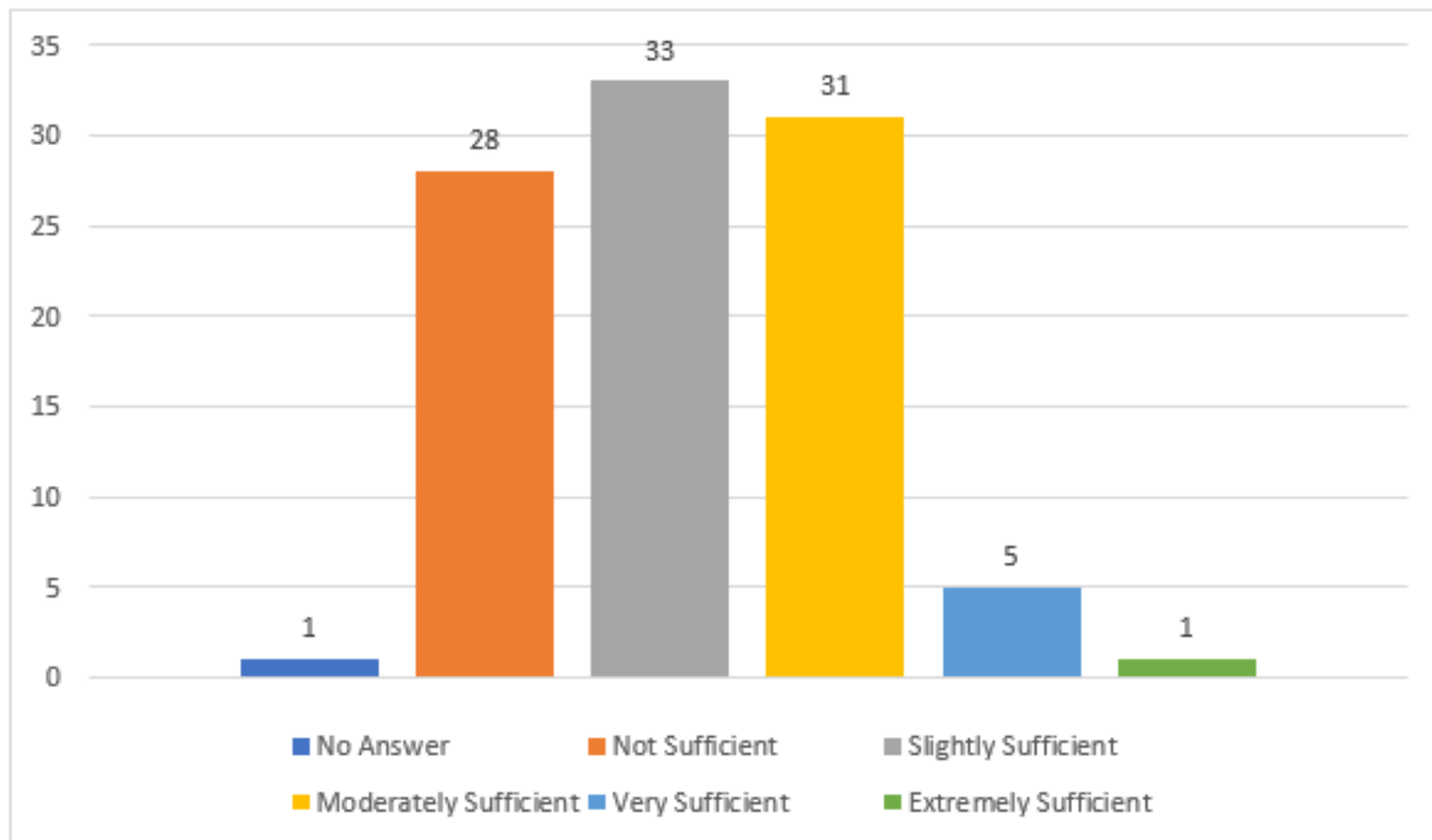
(N = 99)



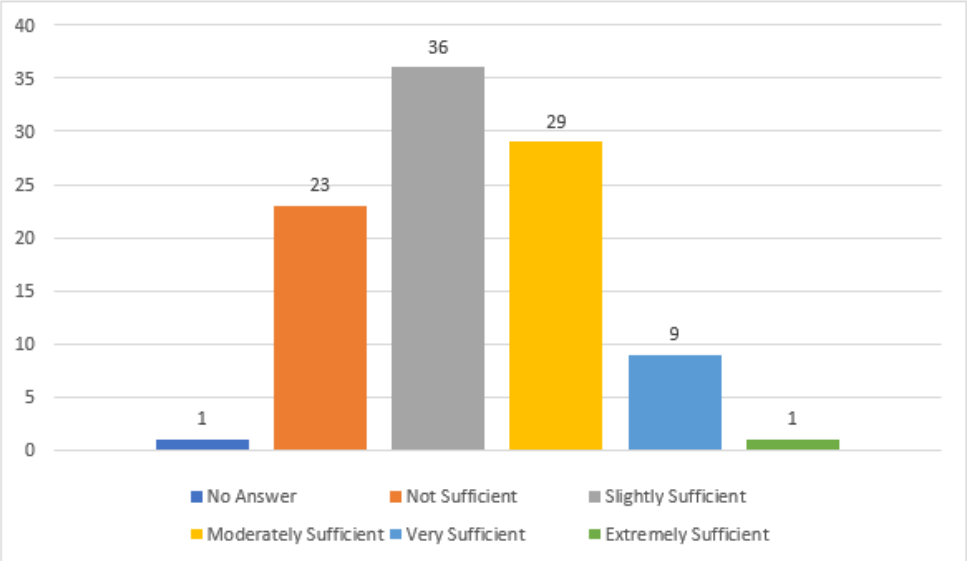
Sufficiency of financial resources



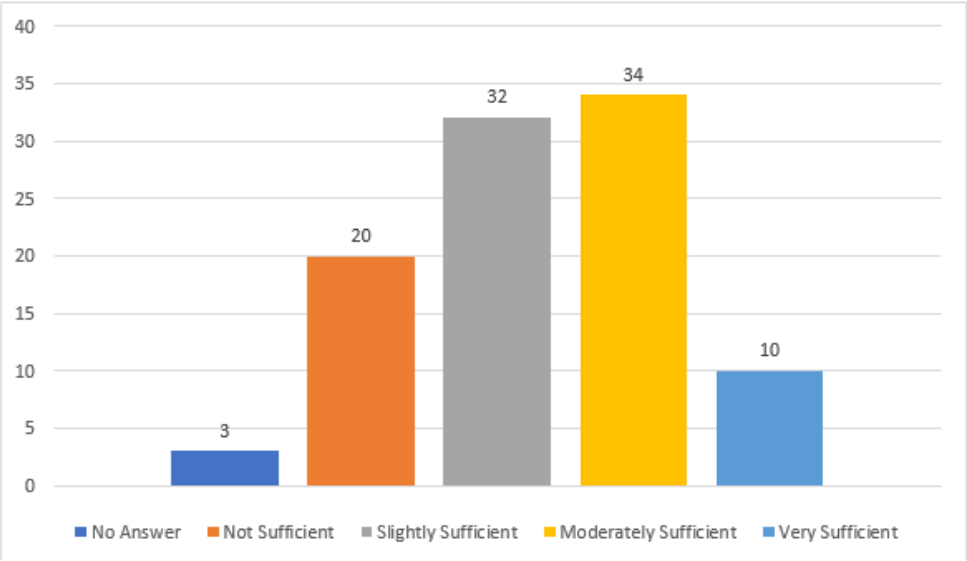
Allocation of financial resources directly targeting ADA regulations



Sufficiency of personnel resources

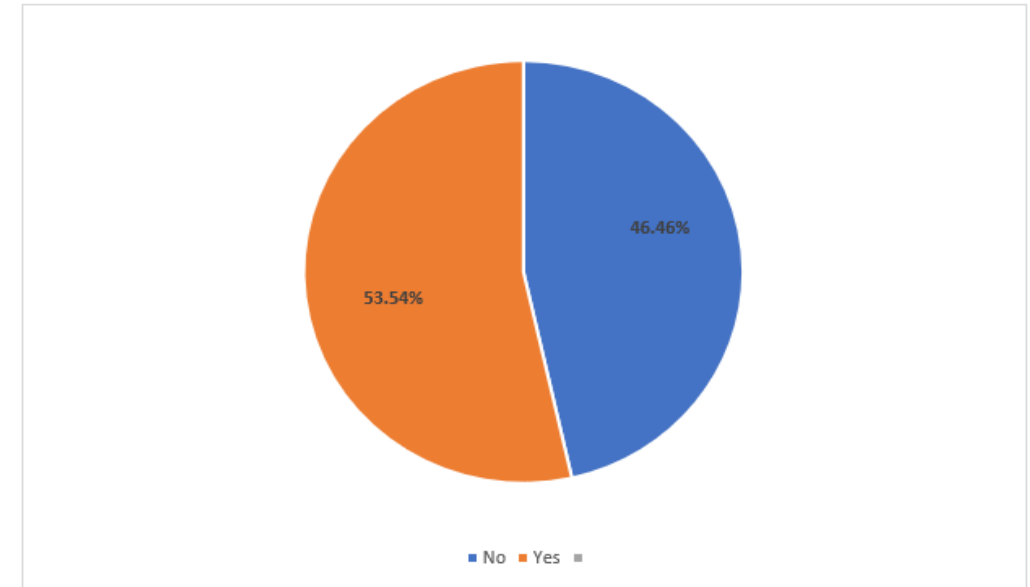


Sufficiency of political motivation



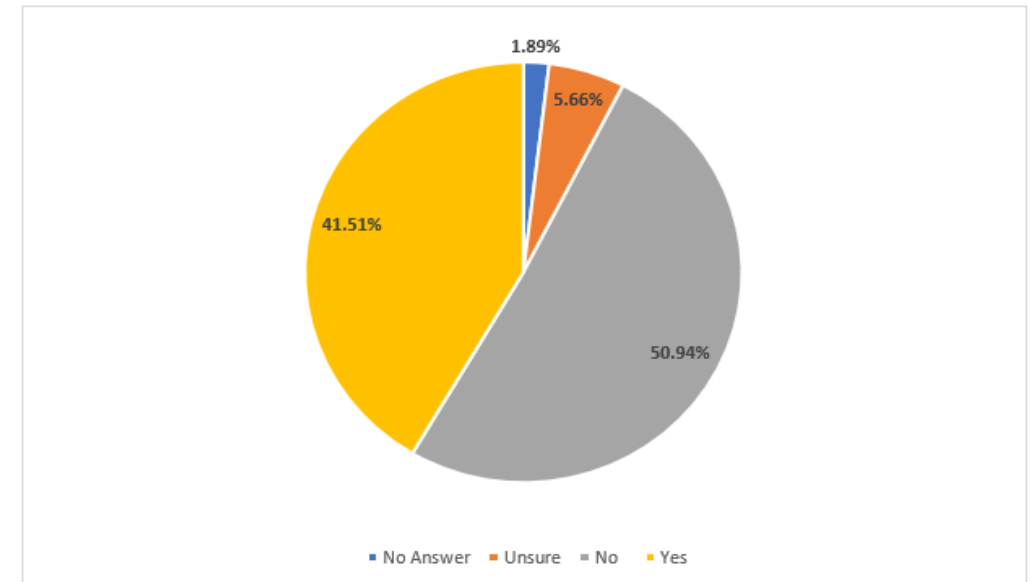
Every state and local government with 50 or more employees must have a central person or persons appointed as ‘responsible’ for ADA regulations. This includes grievance procedures, employment and HR issues, public notices and implementation of the Federal regulations

Does your jurisdiction have 50 or more full and/or part-time employees?



No = 46 (46.46%), Yes = 53 (53.54%)

For jurisdictions that responded “yes”, how many employ an ADA coordinator?



No Answer = 1 (1.89%), Unsure = 3 (5.66%), No = 27 (50.94%), Yes = 22 (41.51%)

Functions of the ADA Coordinator

- To conduct a self-evaluation of its services, policies, and practices
- To notify applicants, participants, beneficiaries, and other interested persons of their rights and the city's obligations department's regulations

to designate a responsible employee to coordinate its efforts to comply and carry out the city's ADA responsibilities (ADA coordinator)

- To establish a grievance procedure for resolving complaints of violations
- To operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities,
- Physical changes to buildings in accordance with the department's title II regulation, ADA standards for accessible design ("standards") or the uniform federal accessibility standards ("UFAS");

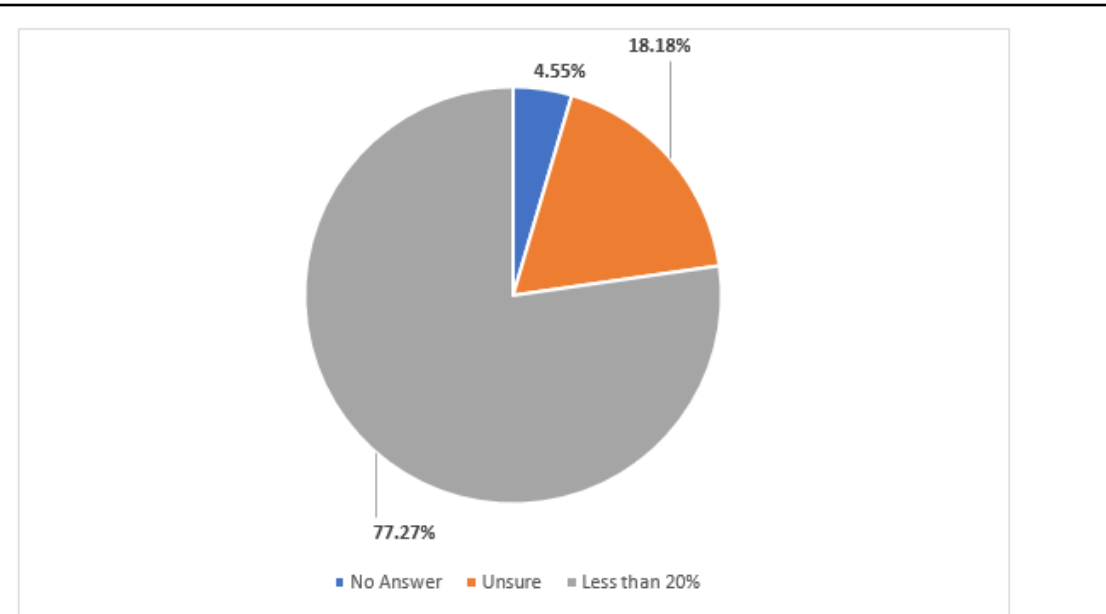
to ensure that facilities for which construction or alteration was begun after January 26, 1992, are readily accessible to and usable by people with disabilities,

- To ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others

What is the approximate percentage of time the person acting as the ADA Coordinator is expected to commit to accessibility duties?

More than half (51%) of the jurisdictions that require ADA Coordinators do not have them.

And 77% of the other half have less than 20% of work time to devote to ADA duties



The majority of ADA coordinators (17 out of 22) employed by a jurisdiction dedicated less than 20% of their time to accessibility duties.

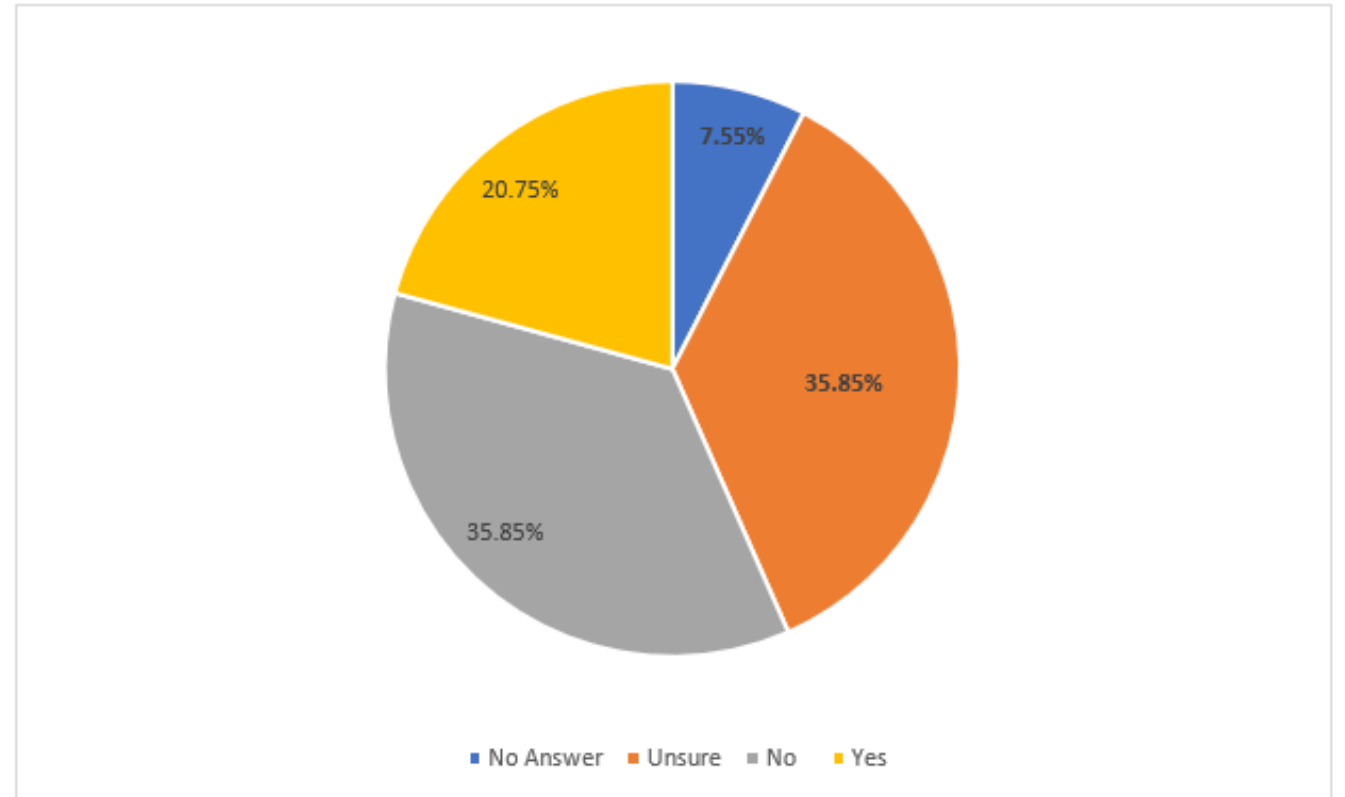
In what division or department of your jurisdiction is the ADA Coordinator housed?

Responses	Number of Responses
Administration	6
Legal	3
Human Resources	6
Facilities	1
Other	5
Unsure	1
*Other: We pay an outside company for HR consulting. etc. HR Director is coordinator for employment issues; Building Maintenance Superintendent is coordinator for Title II The responsibility falls onto one of our Elected Officials, at the request of the Board of Supervisors. Conservation Dept. Public Health	

Every jurisdiction must have a 'Self-Evaluation' regardless of number of employees.

Local and state governments are required to have a "Self-Evaluation" of their services, activities, programs and facilities that documents any barriers to accessibility within the jurisdiction. Barriers may include inaccessible programs, services, activities and buildings, sites, and facilities.

Does your jurisdiction have a formal Self-Evaluation on the policy of their current accessibility conditions?

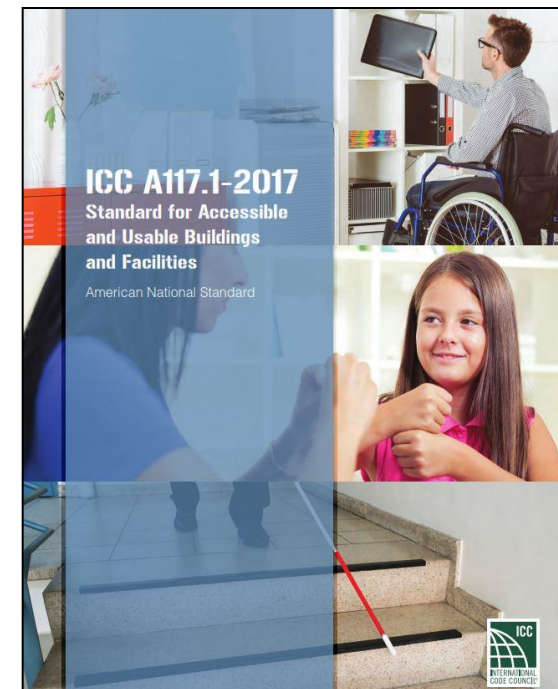
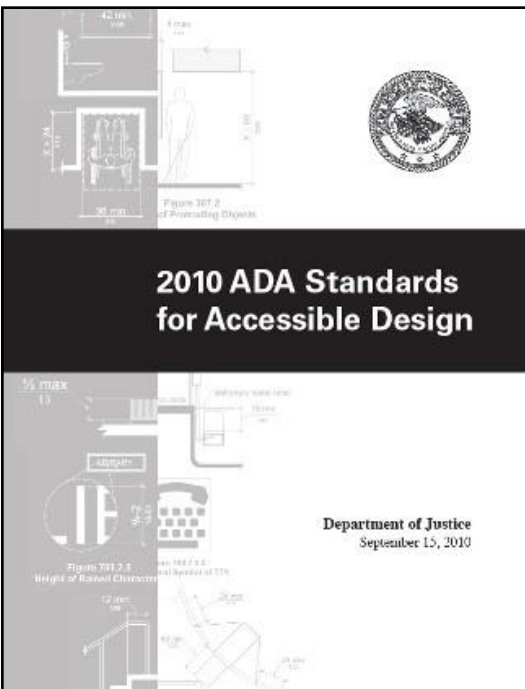


No Answer = 4 (7.55%), Unsure = 19 (35.85%), No = 19 (35.85%), Yes = 11 (20.75%)

Building Permits, Plans, and Inspections

More than half (58.5%) of participants responded that their jurisdiction issued building permits for new and altered commercial or multi-family construction.

For those jurisdictions that issued building permits, 86.5% responded that their jurisdiction required a review of building plans, blueprints, and other documents prior to permit issuance.



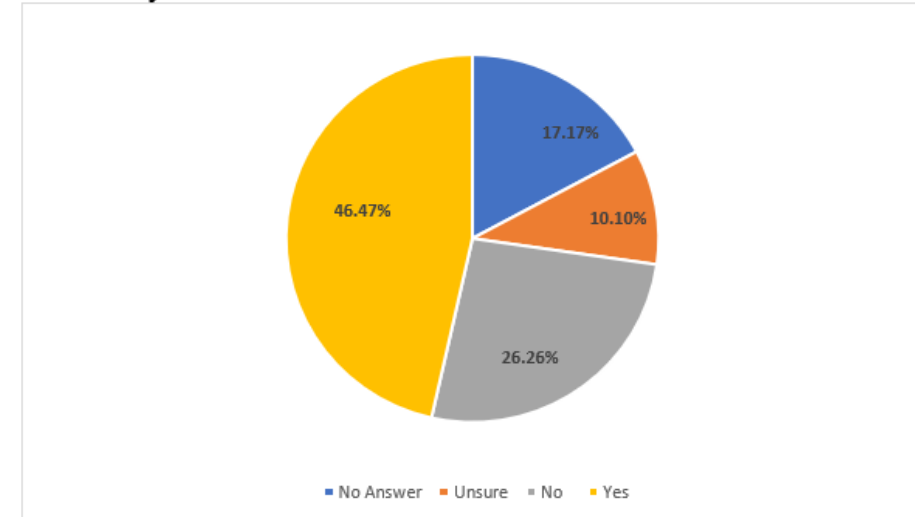
A significant number of responding jurisdictions require plans for review and issue permits.

State of Iowa Fire Marshall division looks at accessibility in construction documents and on site.

The inferences are that cities; jurisdictions within 25 miles of major metropolitan cities; most counties; and remote rural jurisdictions are providing a minimum level of modern accessibility in new and altered construction

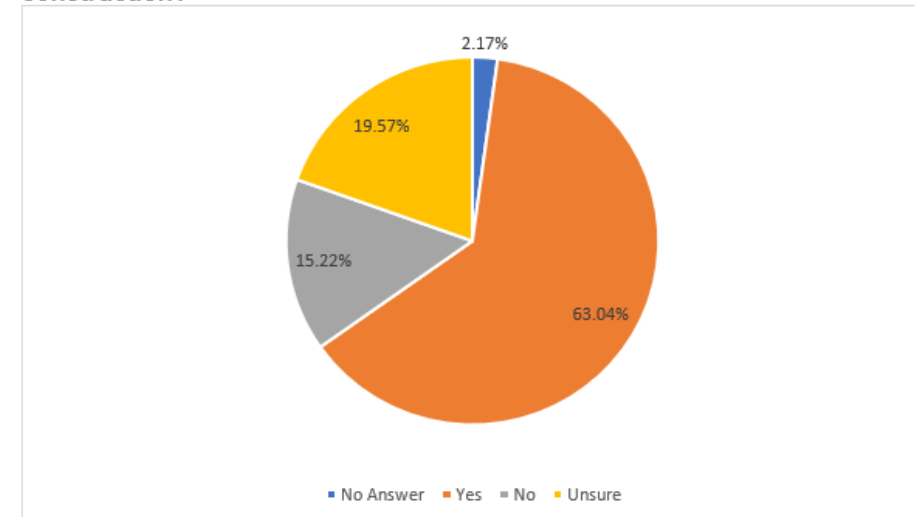
Building Permits

Does your jurisdiction issue building permits for new and altered commercial or multi-family construction?



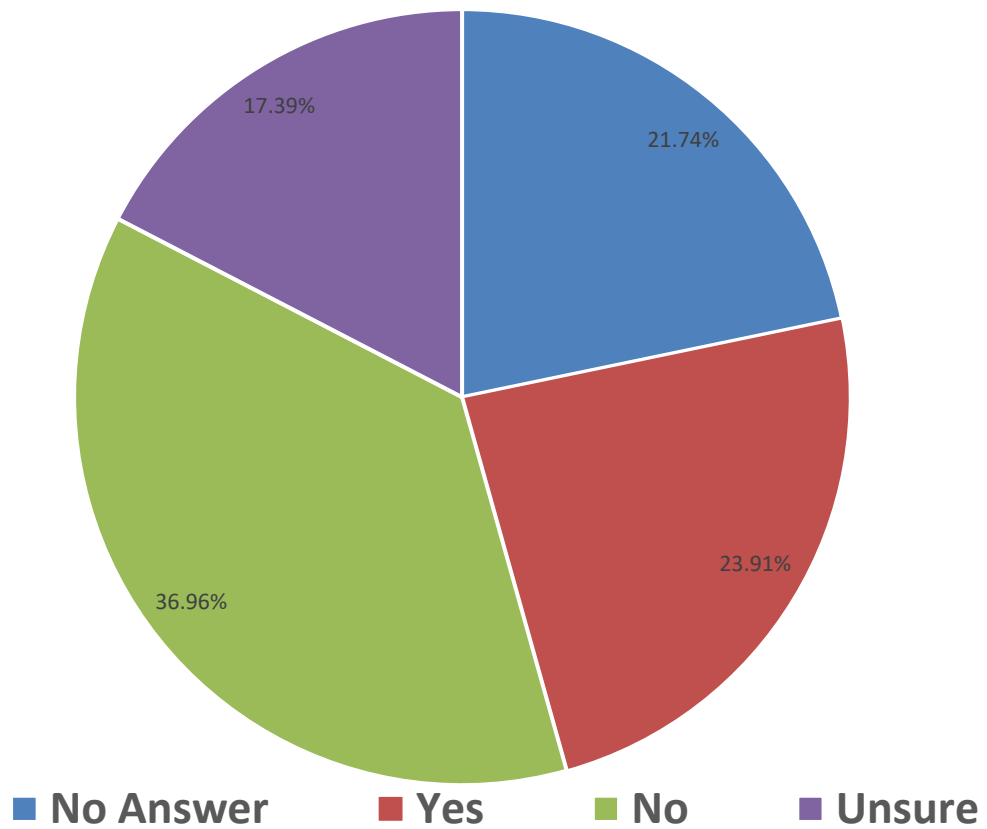
No Answer = 17 (17.17%), No = 26 (26.26%), Unsure = 10 (10.10%), Yes = 46 (46.47%)

Prior to permit issuance, does your jurisdiction require a review of building plans, blueprints, or similar documents to for new or altered commercial or multi-family construction?



No Answer = 1 (2.17%), Unsure = 9 (19.57%), No = 7 (15.22%), Yes = 29 (63.04%)

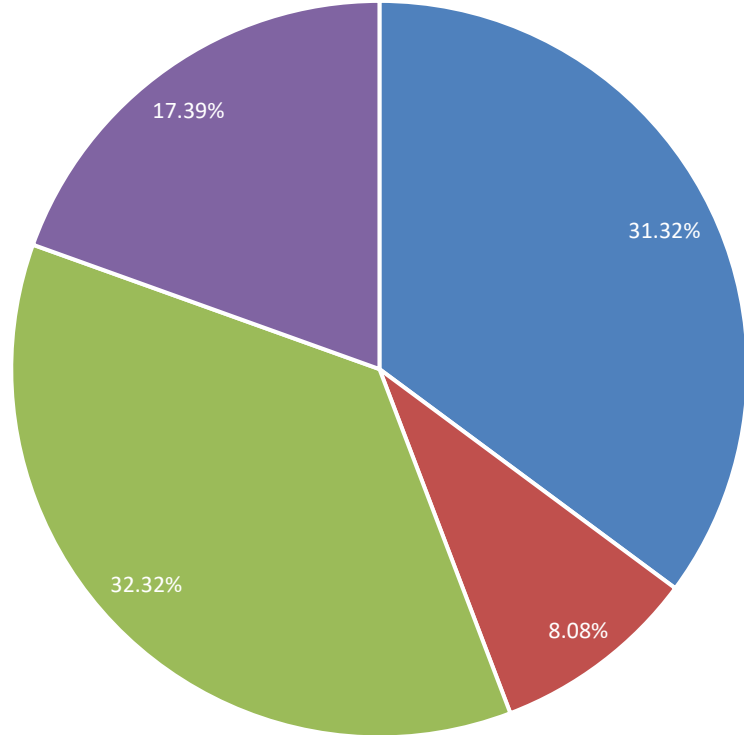
After permit issuance, and prior to occupancy, does your jurisdiction require on-site, physical building inspections for new or altered commercial or multi-family construction?



No Answer = 10 (21.74%), Unsure = 8 (17.39%), No = 17 (36.96%), Yes = 11 (23.91%)

While pre-construction permits and plan reviews can ameliorate barriers to accessible facilities, follow-up inspections are implied between 37% to 61% of responding jurisdictions.

Has your jurisdiction established a policy and created a process for implementation so that your jurisdiction's internet websites and webpages are accessible to and usable by a wide range of users with disabilities?

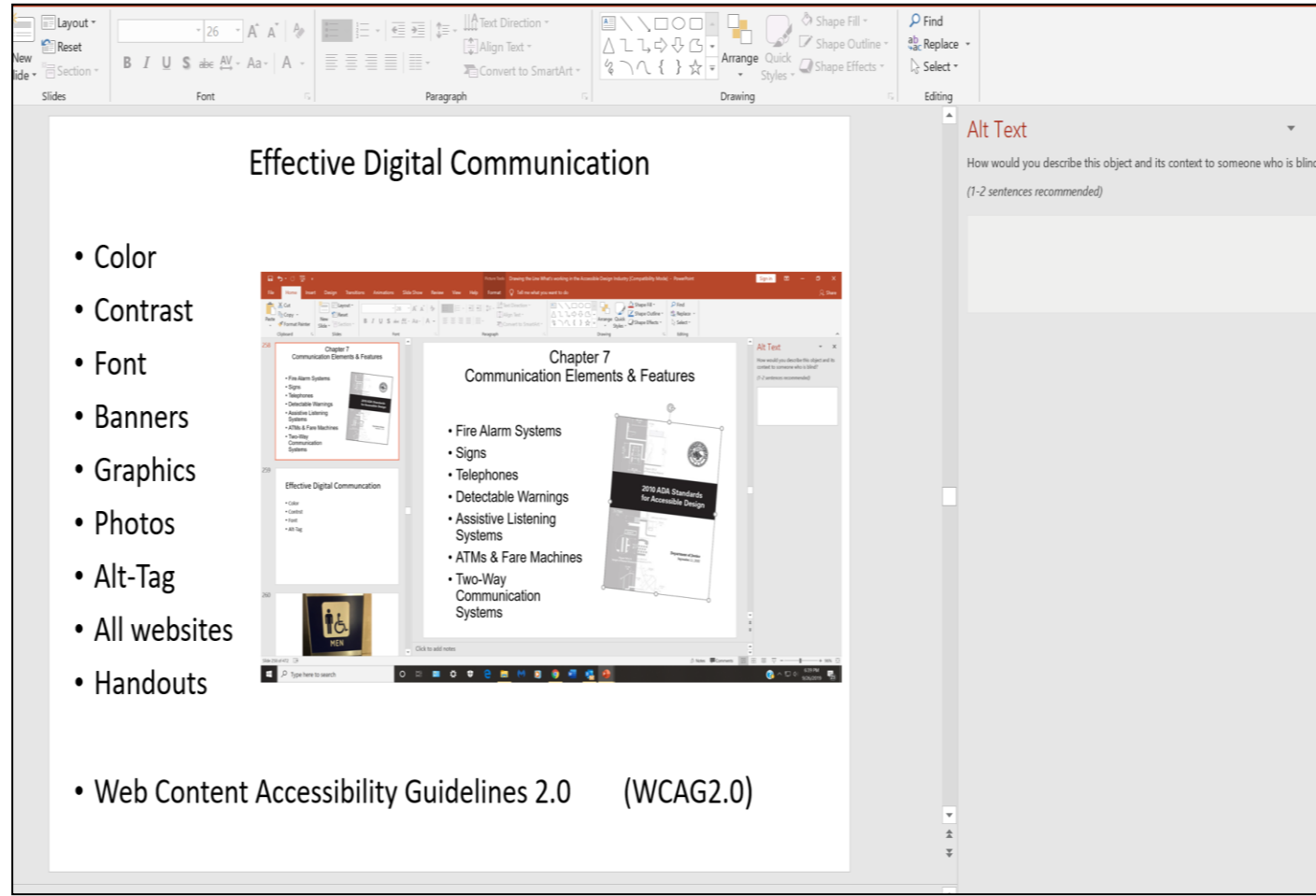


■ No Answer ■ Yes ■ No ■ Unsure

No Answer = 31 (31.32%), Unsure = 28 (28.28%), No = 32 (32.32%), Yes = 8 (8.08%)

Critical requirement and need for effective digital communication

- Color
- Contrast
- Font
- Banners
- Graphics
- Photos
- Alt-Tag
- All websites
- Handouts
- This Presentation

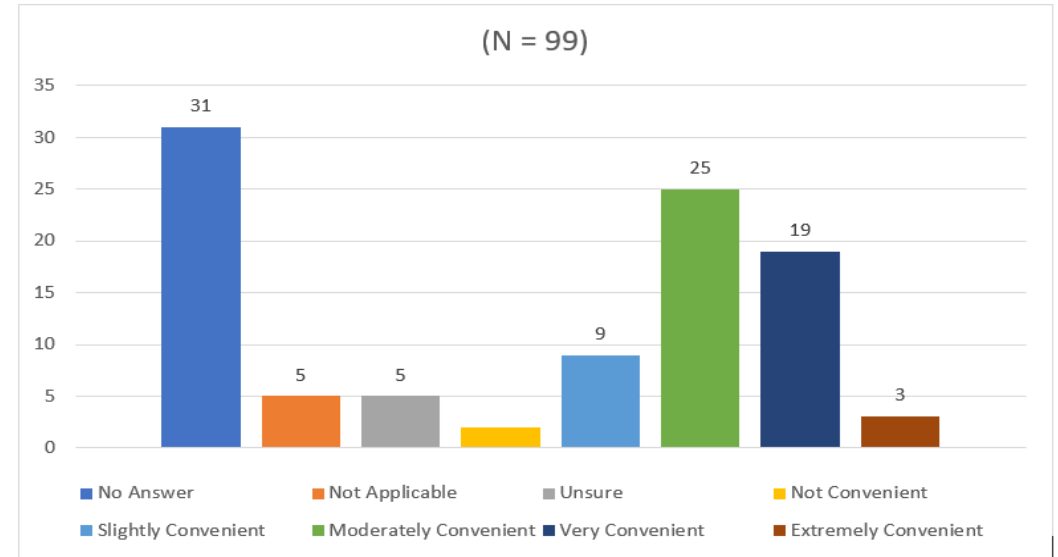


- **Web Content Accessibility Guidelines 2.1 (WCAG 2.1)**
- Dominoes Pizza v. Robles - No. 18-1539. Supreme Court. October 7, 2019.
- The most safe and equitable form of social distancing for pwd during pandemics

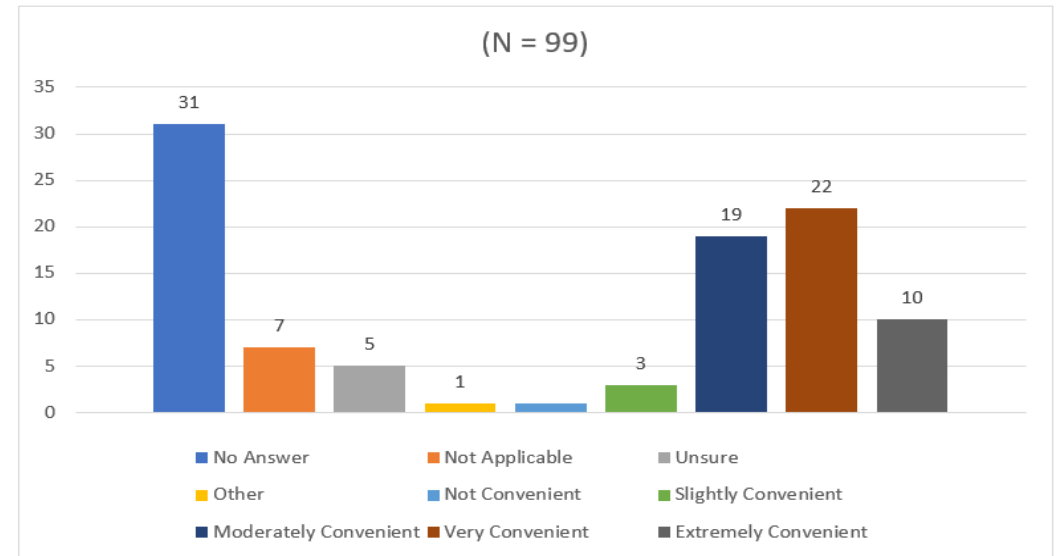
Without physical access, PWD are reliant on others, on internet, transportation or delivery services, increased costs and risks.

Access to education libraries, schools, allows for legal justice, resource and service allocation for health, employment or advocacy etc.

Access to businesses or personal services such as restaurants, grocery stores, banks, hairdressers, childcare, healthcare, etc.



Access to education (libraries, schools)



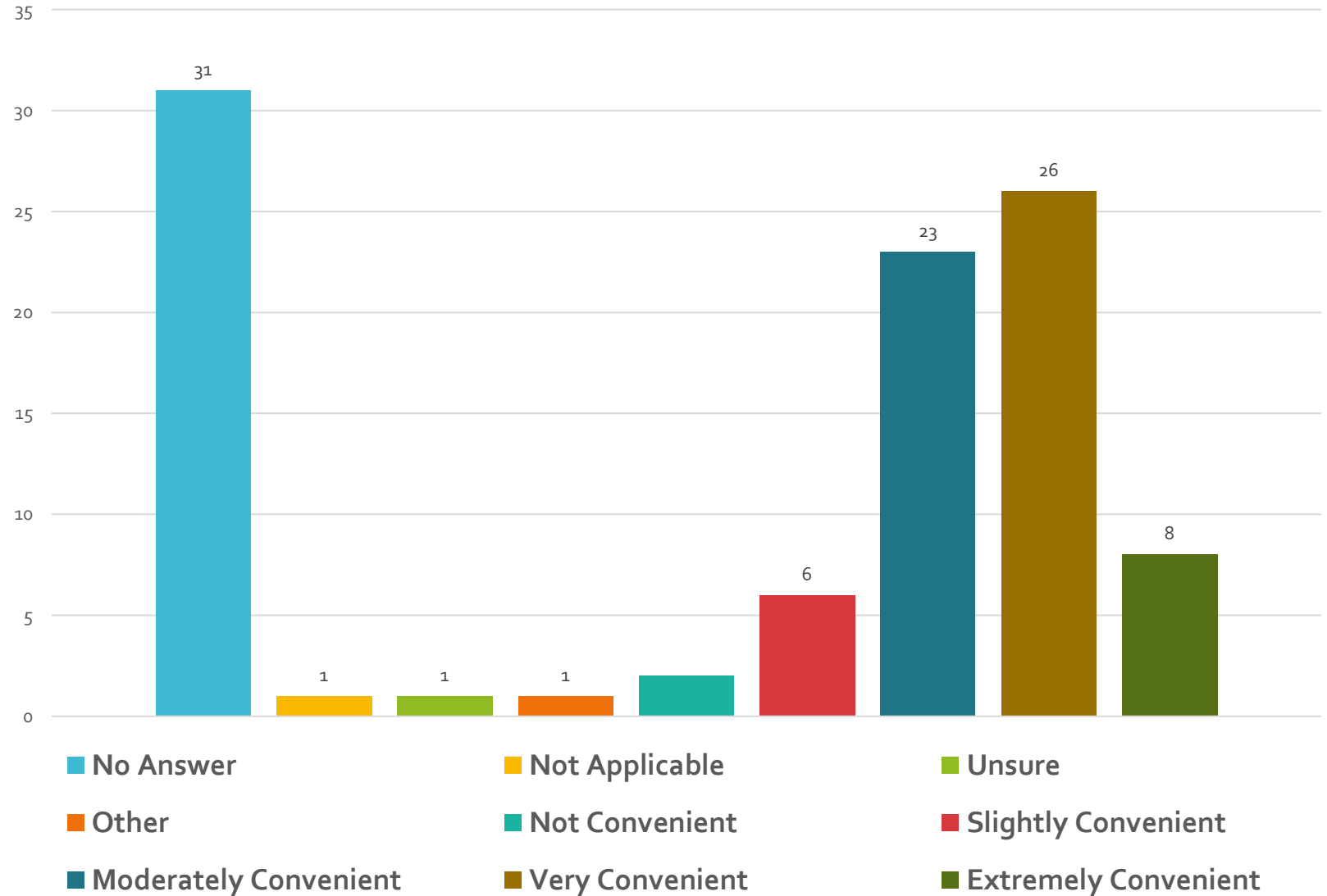
*Other: Library - not convenient (no elevator) Schools - convenient

Access to government buildings, sites, facilities, etc.

Only State and Local governments may provide accessible programs, services and activities in alternate locations and by other means of delivery.

But when physical access is the only means, then the self-evaluation and/or transition plan informs steps forward to remove barriers.

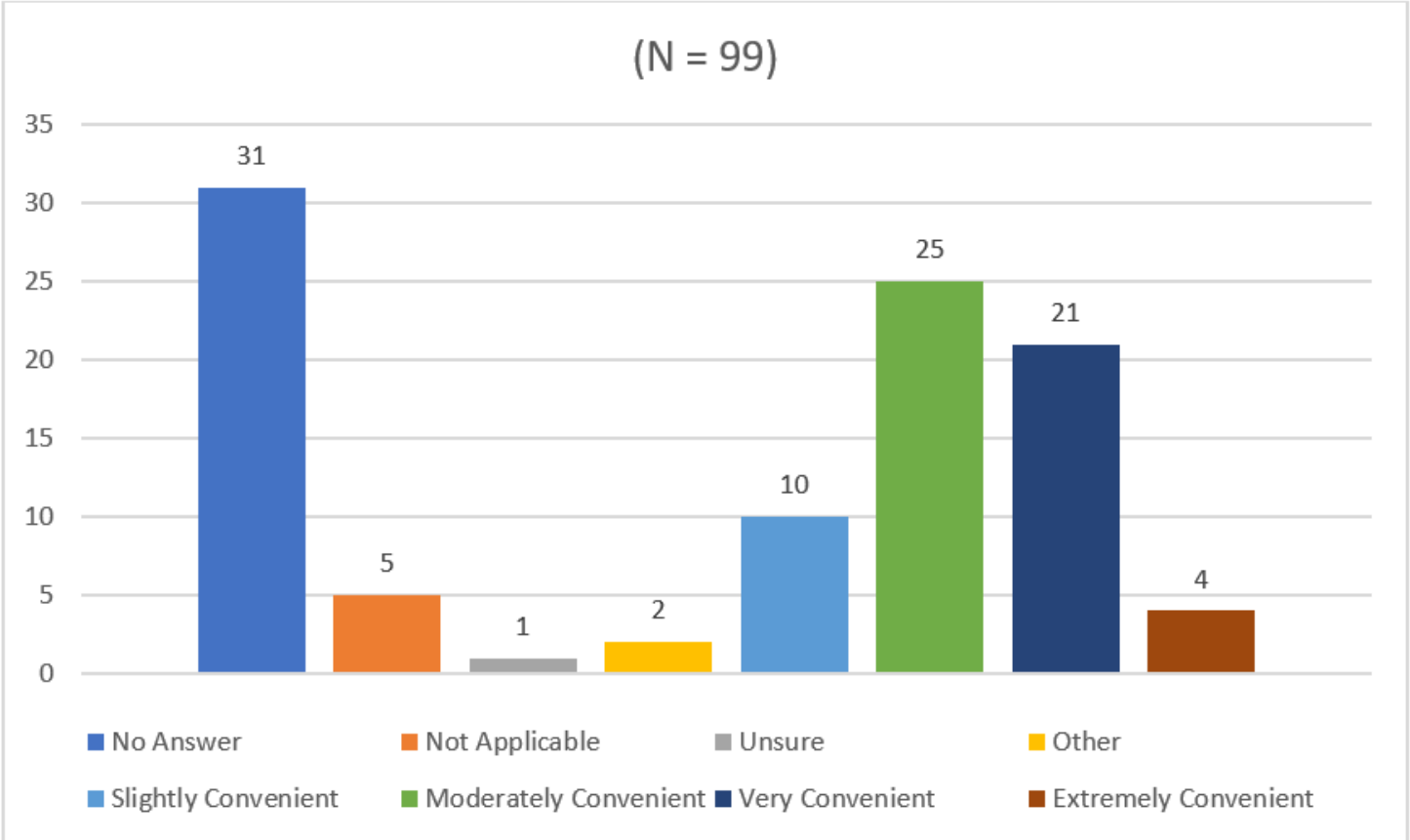
(N = 99)



Two qualities which help make a community livable are access for persons with disabilities and convenience. Please rate the livability of your community and/or neighborhood based on the following items.

- For PWD, recreation equals extended life expectancy, social connectedness, reduced stress and comorbidities and enhanced health.
- Water, pool access is the equivalent of near-weightlessness for PWD.
- Partnering with outside agencies and the disabled community is strongly recommended
- Access includes roads (paved or not) bike trails and sidewalks/rights of way

Access to parks, pools, trails, playgrounds or other man-made or natural areas for recreation



*Other: Conservation is working on a plan for ADA Accessibility to the county lake under their jurisdiction; What determines access and convenience? Paved roads? Bike trails? Sidewalks?

Play Areas: Regulations apply to existing recreation now, not based on new or altered construction. Issues of accessible routes; accessible play structures; new ASTM friction, surfacing and impact regulations.



Access regulations apply to all existing pools now

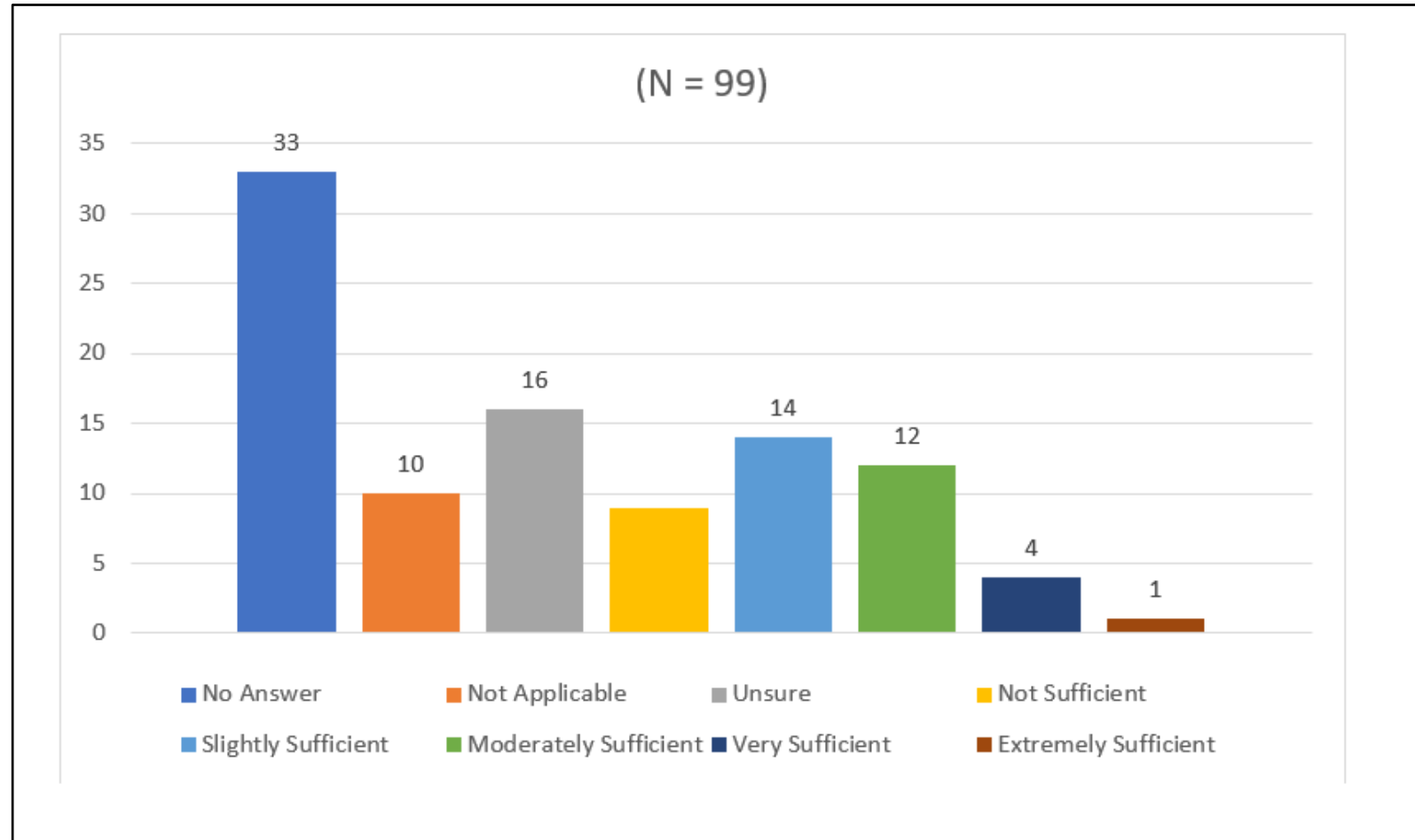
- Reduced gravity and freedom from the wheelchair.
- Extended lifespan, not just recreation
- Socialization and learning.
- Livability of a community



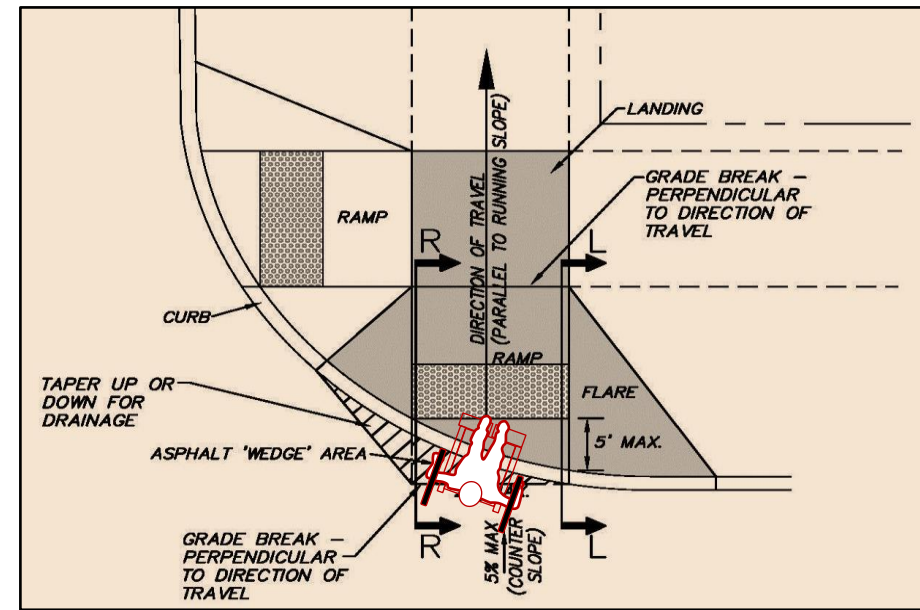
Replacement of play structures, such as swings, slides, or composite play structures, with accessible play equipment.

Accessible equipment allows children with disabilities, siblings, parents, grandparents, caretakers - with or without disabilities - the chance for recreation and family/social connectedness.

Research supports these characteristics for extending lifespans, reducing depression and stress.



Pedestrians with Disabilities and public rights of way access.



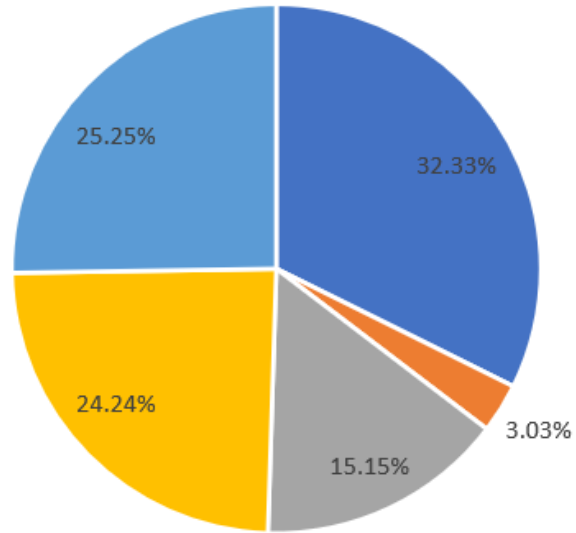
Sidewalks and crosswalks at street intersections must be accessible, which may include curb cuts, ramps and other elements along sidewalks and rights-of-way. What stage is your jurisdiction currently in regarding public access?

Regardless of your community size, every program, service or activity offered must be accessible.

- Self-Evaluation
- Employment
- Police and LE
- Emergency Preparedness
- Rights of Way
- Recreation
- Websites
- Public meetings
- All means of communication

Responses	Number of Responses
We are planning and budgeting for accessible sidewalks and curb cuts in the future but currently have not started the process.	3
We have begun cutting curb ramps and making sidewalks available in high traffic areas, such as in our downtown districts, business districts, schools, parks, etc.	26
We have completed making our sidewalks, intersections etc. accessible throughout the community.	9
Unsure	16
Other	10
<p>*Other: We don't have curbs except downtown. Those are cut already. We are a tiny town of 84 people. 99% of these questions do not apply to us. We have accessibility in newer parts of the city. We are working to retrofit as budget allows in older and inaccessible areas. We have ramps and crossing markings on our Main Street. Neighborhood sidewalks are variable for sidewalk ramps. All new construction/reconstruction of sidewalks are required to install a ramp. Have completed above answer #2 and working on #3. We don't have sidewalks. This falls under each city's jurisdiction Accessibility into our county buildings are ADA Compliant. Street cutouts and curb cut outs, sidewalks etc. are under the City jurisdiction.</p>	

Has your jurisdiction participated in or benefitted by the trainings and assistance from the ADA Center?



■ No Answer ■ Yes ■ No ■ Unsure ■ I'm not familiar with the Great Plains ADA Center

No Answer = 32 (32.33%), No = 15 (15.15%), Unsure = 24 (24.24%), Yes = 3 (3.03%), I'm not familiar with the Great Plains ADA Center = 25 (25.25%)

The Ten National ADA Centers

1-800-949-4232

www.adata.org



Great Plains Center

Serving Iowa, Kansas, Missouri, & Nebraska

A member of the ADA National Network

This presentation is a product of the Great Plains ADA Center. We provide information, training, and technical assistance on the Americans with Disabilities Act.

Learn more about our services at www.gpadacenter.org