City of Commerce, California
ADA Self-Evaluation and Transition Plan

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PART 1 – EXECUTIVE SUMMARY

1.0 Overview

The City of Commerce is committed to providing all of their programs, services, and facilities accessible to all without discrimination, while at the same time complying to the Americans with Disabilities Act (ADA) and other federal and state laws, codes and regulations, and proposed guidelines for accessible rights-of-way (PROWAG).

It is the intent of the City to address and improve the following programmatic and physical 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 including: procedures for program modifications, and not charging additional fees for reasonable accommodation to the person with a disability for modification required to make a program accessible.

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

Training and Staffing: Raise 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: The use of automated electronic equipment and auxiliary aids to assist individuals with disabilities participate in City programs.

Removal of Physical Barriers: Removal of any barriers or obstacles that prevent or restrict the entrance or use of any facilities, and public rights-of-way.

1.1 Purpose

This self-evaluation and transition plan report analyzes [1] program accessibility and [2] physical accessibility. For there to be an absence of discrimination, both of the types of accessibility must be provided.

Program accessibility: The policies, practices, and procedures that permit people with disabilities to participate and have access to important information. Individuals with disabilities shall be provided an equally effective opportunity to participate in or benefit from the City's programs and services.

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 or public rights-of-way.

The City may achieve accessibility by a number of methods:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aides;
- Providing services at alternate accessible sites; and
- Designing or fixing public rights-of-way.

When choosing a method of providing program access, the City should give priority to the solution 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. For example, the use of separate auxiliary counters to conduct transactions could be viewed as segregation; therefore, it is recommended that the main counters used for transactions and services are accessible.

1.2 Legislative Requirements

The American with Disabilities Act (ADA) is a wide-ranging civil rights law for persons with disabilities that prohibits discrimination and ensures equal opportunity for persons with disabilities in

employment, State and local government services, public accommodations, commercial facilities, and transportation.

- Title I of the law prohibits discrimination by employers against qualified individuals with disabilities in all aspects of employment.

- Title II covers State and Local Government activities which prohibits discrimination in the City's policies, programs, services, and facilities that are available to the public; which include the requirements in the ADA Accessibility Guidelines (ADAAG) that apply to the facilities and other physical holdings (e.g. sidewalks, streets, and pedestrian ways.)

- Title III covers businesses and nonprofit service providers that are public accommodations, privately operated entities, privately operated transportation, and commercial facilities.

- Title IV addresses telephone and television access for people with hearing and speech disabilities; which requires telephone companies to provide telecommunication relay services.

- Title V contains supplemental regulations that are not explicitly covered in other parts of the law.

Title II has the broadest impact on the City of Commerce and is intended to protect qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all State and local governments. Title II also extends the prohibition of discrimination on the basis of disability established by section 504 of the Rehabilitation Act of 1973, as amended, to all activities of State and local governments, including those that do not receive Federal financial assistance.

This ADA Self-Assessment and Transition Plan has been prepared to fulfill the requirements set forth in Title II of the Americans with Disabilities Act (28 CFR §35.105 and 28 CFR §35.150(d)); which requires that all public entities with 50 or more employees create a "transition plan" that sets forth the steps necessary to ensure compliance with ADA and its implementing regulations.

The California Code of Regulations, Title 24, Part 2 (commonly referred to as Title 24) mandates that all publically funded buildings, structures and related facilities shall be accessible to and usable by persons with disabilities. Although California has adopted most of the

ADAAG requirements, there are some differences. In general, the more restrictive requirements (whether federal or state) should be applied when designing accessible facilities. Title 24 was incorporated in the evaluation of architectural barriers as part of the Transition Plan described in Part 3 of this report.

The Unruh Civil Rights Act (Cal. Civ. Code § 51(f)) and the California Disabled Persons Act (Cal. Civ. Code § 52(a), 54(a)) allow plaintiffs to add state claims for money damages onto ADA lawsuits filed in federal court. This is not the case in other states, where ADA plaintiffs are entitled only to having an access issue remedied, plus attorney's fees.

The law prohibits excluding persons with disabilities or denied the benefits from the services programs, or activities offered by the City (28 CFR §35.130(a)); and it is the City's responsibility to provide access to its programs, services and activities in both owned and leased facilities (28 CFR §35.130(b)(4)). This document presents the results of the City's review of access programs, services and activities by persons with disabilities. This report will assist the City of Commerce 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.

1.3 Summary

This plan is presented in four (4) parts and describes the process by which policies, programs, and facilities were evaluated for compliance with the ADA; presents the findings of that evaluation; and provides Recommendation to ensure compliance.

A survey of the City's sidewalks, curb ramps, and traffic signals with the right-of-way throughout the City was included in the physical barrier review along with review of City facilities.

Part 1: EXECUTIVE SUMMARY - This section provides an overview of the requirements for developing the Self-Evaluation and Transition Plan and outlines the plan development process.

Part 2: SELF-EVALUATION – The Self-Evaluation is the City's assessment of its current policies, practices, and procedures. The Self-Evaluation identifies and makes Recommendation 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.

Part 3: TRANSITION PLAN – This section includes a review of physical barriers of sites for compliance with the Americans with Disabilities Accessibility Guidelines (ADAAG) and Title 24 of the California Code of Regulations (which is cited as the California Building Code) and a barrier removal/transition plan. The specific requirements for preparation of an acceptable Transition Plan are described in 28 CFR §35.150(d)(3). 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 list of physical barriers in the City's public rights-of-way that limit the accessibility of persons on sidewalks, curb ramps, intersections, and bus stops.

- A detailed outline of the methods to be used to remove these barriers and make the facilities accessible;

- 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.

Part 4: TOOL KIT – This section contains references to Federal, State, and other groups for the City to maintain the program accessibility guidelines, standards, and resources.

1.4 City Profile

The City of Commerce, incorporated in 1960, is a 6.6 square mile city located approximately 6 miles east of downtown Los Angeles. The City is known as The Model City. The City got its name when industrial leaders came together with residents in the community and encouraged commerce, and the name was implemented to match that goal. Commerce has approximately 12,997 residents, and it is known for its substantial business and industrial community. The City is a general law city that operates under the Council/Manager

form of government with a five member council, elected at large by the city residents.

City Facilities include the City Hall Complex; three Libraries; Aquatorium; Senior Center; Teen Center, Transit Center, Camp Commerce, and Metrolink Station. The City facility also includes four parks.

1.5 Methodology

The process to implement the City of Commerce's ADA Self-Evaluation and Transition Plan included meetings with department heads and employees; the administration of departmental program accessibility questionnaires; a review of the City's published rules, regulations and policies; a survey to identify physical barriers in public facilities and streets; and a public involvement process to obtain input from the public and to review the draft.

A city wide survey of the sidewalks, curb ramps, and traffic signals with the right-of-way throughout the City was also performed in this study. The city has an ongoing public sidewalk maintenance problem.

Self-Evaluation:

Policies, programs, and procedures were evaluated to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. A departmental program and policy questionnaire was sent to all City Departments. From this questionnaire and follow-up interviews, 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 departments:

- Administration
- Finance
- Human Resources
- Libraries
- Park and Recreations
- Public Safety and Community Services
- Public Works and Development Services
- Transportation

The self-evaluation process identified public accessibility issues that have both City-wide and department specific impacts. Specific issues have been identified and presented into actions that need to be implemented. Issues that have commonality across all departments have been incorporated into policy Recommendation for overall application. Findings from each department's report and Recommendation can be found in Part 2 and a copy of the blank questionnaire can be found in Appendix A.

Transition Plan:

The transition plan was prepared by performing the following steps:

- A physical site investigation of all City facilities (both interior and exterior as required) was performed to determine what alterations might be necessary in order to meet ADA Accessibility Guidelines.

- A physical site investigation of all City sidewalks, curb ramps, intersections and bus stops was performed to determine any alterations that might be necessary in order to meet public rights-of-way guidelines.

- A barrier assessment inventory with photos was developed and includes recommended improvements needed to remove the physical barriers. Reference to code defining the barrier is included.

- Preliminary estimates on the costs of the alterations that would be necessary to remove barriers and make City facilities fully accessible was performed.

- The barriers were prioritized and an implementation schedule was developed.

The following are the City facilities assessed:
- City Hall Complex
- Teen Center
- Greenwood Library
- Atlantic Library
- Senior Center Transit Center
- Rosewood Park
- Aquatorium/Community Center
- Camp Commerce
- Recreation Center
- Metrolink Station
- Bandini Park
- Bristow Park
- Veteran's Memorial Park

Public Outreach:

Title II of the ADA (28 CFR §35.105(b) and 28 CFR §35.150(d)(1)); requires that the City provide opportunities by individuals with disabilities , organizations representing individuals with disabilities and other interested individuals to participate in the development of the transition plan by submitting input into the self-evaluation process.

Several opportunities were provided for input into the self-evaluation process. Input collected from within the City's organizational structure through the departmental questionnaire (Appendix A), selected interviews, and document reviews. A public input questionnaire was available at the public counters and posted on the City Website to afford members of the public an opportunity to provide input. A public notice and announcement was made at City Council Meeting on January 5, 2016. City Council Agenda's and meeting minutes are included in Appendix A. There was no input received from the public.

1.6 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.

Disability: The term disability means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;

- A record of such impairment; or

- Being regarded as having such impairment.

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.

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.

Complaint: A complaint is a claimed violation of the ADA.

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.

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:

- The nature and severity of the impairment;

- The duration or expected duration of the impairment; and

- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

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.

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.

Reasonable Program Modifications: If the individuals' disabilities prevent them from performing the essential functions of the

program or activity, it is necessary to determine whether reasonable program modifications would enable these individuals 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:

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

- 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

- That enable 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.

Undue Burden: The City 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 Sonoma, 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.

Auxiliary Aids and Services: The term auxiliary aids and services include:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments,

- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments;

- Acquisition or modification of equipment or devices; and other similar services and actions.

PART 2 – ADA SELF-EVALUATION

2.0 Introduction

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 [1] identified programs, activities, and services; and [2] reviewed the policies, practices, and procedures that govern the administration of the City's programs, activities, and services.

Policies, programs, and procedures were evaluated to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. A departmental program and policy questionnaire was sent to all City Departments. From this questionnaire and follow-up interviews, 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 departments:

- Administration
- Finance
- Human Resources
- Libraries
- Park & Recreations
- Public Safety & Community Services
- Public Works & Development Services
- Transportation

The self-evaluation process identifies public accessibility issues that have both City-wide and department specific impacts. Specific issues have been identified and presented into actions that need to be implemented. Issues that have commonality across all departments have been incorporated into policy Recommendation for overall application. This section presents the findings and Recommendation from each department's report. A copy of the blank questionnaire can be found in Appendix A.

2.1 General Recommendations

These recommendations are the ongoing efforts and business practices to maintain accessibility to programs and services.

1. <u>Public Review:</u> This plan should be available public review (28 CFR §35.150(d)(1)). The City should maintain this plan (in all the appropriate alternate formats) for public access review and inspection.

2. <u>Terminology:</u> Although not a code requirement, City publications should be reviewed to see if the word "handicapped" is used. The words "individuals with disabilities" or "persons with disabilities" should replace "handicapped". The term "disabled person" should also be avoided.

3. <u>Prohibition Against Discrimination and Nondiscriminatory Treatment:</u> (28 CFR §35.130(a) and (b)(1)(i)thru(iv)) The ADA prohibits public entities from excluding persons with disabilities or denied the benefits from the services programs, or activities offered by the public entity. This is accomplished by the City completing the following actions:

   a) The completion of this self-evaluation and transition plan is a significant step in ensuring the City does not have and discriminatory treatment.

   b) Maintenance of Records: For three years after completion of the self-evaluation, the City must keep a record of any problems identified (28 CFR §35.105). Ongoing customer satisfaction surveys and other methods for public input will assist with ongoing input to enhance the efforts of the City to serve individuals with disabilities; therefore, the City should maintain the public input questionnaire available to the public.

   c) The City should adopt the recommendations in this report then budget and implement all of the recommendations in the transition plan presented in this report.

   d) Maintenance of Accessible Features: The City needs to develop and implement a maintenance program for their accessible features and elements (28 CFR §35.133).

e) Training: On-going compliance with the ADA can only be achieved if City staff and officials receive training. Although training is not required by the ADA, continuing training regarding the requirements of the ADA is recommended. The City should develop and implement an annual training program for all employees. The staff training program needs to include the following subjects:

   i. Disability etiquette: Staff members who interact with the public should be aware of the many tips on interacting with individuals with disabilities. Refer to Appendix A.

   ii. Acceptable methods for reasonable accommodations: Staff members should be aware of simple and easy methods to accommodate individuals with disabilities.

   iii. Resources available: Staff members should know about auxiliary aids, services, assistive listening devices etc. available. All staff members should know where to look and who to call.

2.2 Evaluation of Services, Programs, and Activities – Citywide

2.2.1 ADA Coordinator:
    28 CFR §35.107(a)

Requirement:

ADA requires that the City designate at least one employee to coordinate ADA compliance. The regulations require the City to make available to interested persons the name, office address and telephone number of the ADA coordinator.

Finding:

The City has a designated ADA Coordinator; however, questionnaire results show that not all members of city staff know how to find the info for the ADA coordinator.

Mr. Michael A. Casalou /HR Director and ADA Coordinator

2535 Commerce Way
Commerce, CA 90040
Phone: 323.722.4805 ext. 2227
Email: Director.HR@ci.commerce.ca.us

Recommendation:

1. A citywide periodic training program should be established explaining the roles and responsibilities of the ADA coordinator and the resources available.

2. The contact information of the ADA coordinator is available on the website; however it can be made clearer and easier to find. Adding the information to the Staff Directory is recommended.

3. Postings and notifications need to be available at all public counters. See section 2.2.2 below.

2.2.2 Public Notice and Written Notifications
28 CFR §35.106
28 CFR §35.163

Requirement:

The City needs to inform the public of their rights and protections provided by ADA and ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities. The law requires the following:

- Provide information to applicants, participants, beneficiaries, employees and other interested persons of the rights and protections afforded by Title II of the ADA;

- All written materials must include notice of non-discrimination;

- Provide Title II information in alternative formats to ensure that the information is accessible to people with disabilities.

The law does not specifically state how the City must provide for accessibility to the City's programs, services and activities. One method is to disseminate information in a variety of locations and formats to enhance the access to programs, services and activities of the City.

Findings:

1. The <u>NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT</u> is generally not posted at the public counters and bulletin boards. A sample copy of a notice is included in Appendix G.

2. Public notifications regarding events and registration often do not include nondiscrimination language.

3. When there is a public notification, it does not always identify a contact person for individuals with disabilities who may request program modifications, or information on how a hearing or speech impaired person could communicate by telephone.

4. <u>City Council Meeting agendas</u>: The City Council meeting agendas have the same basic Notice of Compliance and indicate a phone number to call if an individual with a disability has a request for assistance. Plus, there is a statement that guides those with hearing impairments who would like an assistive listening device to contact the Deputy City Clerk prior to the meeting. These Notices of Compliance for the various public meetings comply with the requirements of the ADA. Thus, no modifications or additions are required.

5. The following agendas were reviewed and found that the ADA Notice of compliance was not included.

   - Community Services Commission meeting Agenda
   - Education Commission meeting Agenda
   - Library meeting Agenda
   - Oversight Commission meeting Agenda
   - Planning Commission meeting Agenda
   - Senior Citizens meeting Agenda
   - Traffic Commission meeting agenda
   - Youth Advisory Commission meeting Agenda

<u>Recommendations:</u>

1. Increase outreach to persons with disabilities. The City should increase their efforts to inform the public of the

possible modifications it is required to and can provide to make its services, programs, and activities accessible. Ensure that the ADA Public Notice regarding the City's commitment to providing accessible services continue to be posted on all City information boards and kiosks that will maximize public exposure. Non-discrimination language should continue to appear on all meeting agendas, and all written materials.

2. The non-discrimination language and public notices should include a list of those City agencies, departments, and specialized services that offer TTY/TDD in printed City directories.

3. The non-discrimination language and public notices should include a statement that the information is provided in alternate formats for persons with disabilities and that the City provides appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity.

4. The identity, title, address, phone number and e-mail address of the ADA Coordinator needs to be included with the non-discrimination language and public notices.

5. Add the ADA Notice to the following agenda:

   - Community Services Commission meeting Agenda
   - Education Commission meeting Agenda
   - Library meeting Agenda
   - Oversight Commission meeting Agenda
   - Planning Commission meeting Agenda
   - Senior Citizens meeting Agenda
   - Traffic Commission meeting agenda
   - Youth Advisory Commission meeting Agenda

2.2.3 Distribution of Publications
28 CFR§35.163(b)

Requirement:

Materials need to be displayed in departments and areas that are accessible for individuals with disabilities.

Finding:

The City provides materials available for public review in three locations (at the Community Development Department, City Hall,

and the Library.)   In general, these locations are accessible to persons with disabilities.

Recommendation:

The City should develop a written policy describing the requirement that material on display and available for public review must be accessible for individuals with disabilities.

2.2.4 Equally Effective Communication
28 CFR §35.160(a)

Requirements:

The City must ensure that members of the public, applicants, and participants with disabilities have communication access that is equally effective as that provided to persons without disabilities. In order to meet the ADA's communication standards, City departments need to be able to have a reasonable accommodation policy to provide information in alternative formats such as using easy-to understand language, Braille, large-print format, audiotape, or computer disk.

The City must provide appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity. (28 CFR §35.160(b)(1))

Findings:

1. Most City departments and offices produce printed information that is available to the public.

2. While some City departments distribute information about obtaining printed information in alternate formats, other departments do not.

3. Most registration forms, permits, and waivers are only available in written form.

4.   Although the City Agenda notices say that assistive listening devices are available upon request, the City does not have any devices available.

5.   The City does not have a list of available a list of interpreters, readers, etc. to be used to accommodate requests.

Recommendation:

1.   Develop a Citywide policy and provide information to each department on how to produce printed information in alternative formats for persons with various disabilities to ensure that requests are handled in a uniform and consistent manner. This policy should describe the reasonable accommodations (e.g., staff assistance), upon request, to assist in filling out forms or when alternative formats are unavailable or infeasible and that all requests for other alternative formats or lengthy documents on an individual basis.

2.   The Citywide policy should describe the City's commitment to provide program information in alternative formats on an individual basis as requested, including large print media and taped announcements available over the telephone. Refer to section 2.1.2 above on posting a publicizing the City's notice and commitment.

3.   When publications are accompanied by illustrations, the City should include images of individuals with and without disabilities.

4.   Ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities. (28 CFR §35.163) This information should be included in the Citywide policy and training of staff. The posting of appropriate signage is addressed in Part III of this report.

5.   Include a notice on all materials printed by the City that are made available to the public that the publications can be made available upon request in alternative formats, such as,

Braille, large print, audiotape, or computer disk. Include the contact information for processing the request. Refer to section 2.2.2 above.

6. Provide program, facility, permits, and reservation information in a variety of formats upon request (for example, in large-print format for persons with visual disabilities or in simple language for persons with cognitive disabilities).

7. The City should purchase assistive listening 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. In determining what type of auxiliary aid and service is necessary primary consideration shall be given to the requests of the individual with disabilities. (28 CFR §35.160(b)(2))

8. Identify and have available a list of interpreters, readers, etc. to be used to accommodate requests for these services. (28 CFR §35.160(c))

    a. Interpreters should be provided as determined through the request for accommodation process or in circumstances where an interpreter is known to be required. The City must ensure that those individuals utilizing a language other than English and are deaf, are also provided interpreter services that specialize in signing for that language.

9. Where the City communicates by telephone with applicants and beneficiaries, ensure that TDD's or equally effective telecommunication systems are used to communicate with individuals with impaired hearing or speech. (28 CFR §35.161)

    a. The City does not have a main TDD number, and none of the departments have sufficient demand to install their own TTY/TDD.

    b. Request that the phone company provide an amplification device, a shelf, and text telephone (TDD/TTY) or an outlet for a text telephone at a single

location available for all departments to be able to use if required. Ensure that the Citywide policy and staff training describe the existence and location of this resource.

c. Train staff in use of TDD/TTYs and the 711 California Relay System.

2.2.5 Grievance Procedures
28 CFR §35.107(b) and
28 CFR §35.170 thru 178

Requirement:

The City is required to adopt and publish grievance procedures which provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA.

Findings:

1. The City does not have formal published grievance procedures.

2. Questionnaires indicate that City staffs are generally not aware of how and with whom to file a disability discrimination complaint.

Recommendations:

1. The City should adopt Citywide Grievance policy, application process, and form. The policy should include process for determining whether a policy or practice modification would fundamentally alter the nature of the program or service being offered. A sample policy included in Appendix G.

1. As described in section 2.1.2 above, all departments need to ensure the ADA notice is posted at all public counters. This notice includes information about how and with whom to file a disability discrimination complaint.

2. All departments need training on how and with whom to file a disability discrimination complaint.

2.2.6 Access to Programs, Services, and Activities
28 CFR §35.130(b)(3)

Requirement:

The City may not adopt official policies that are discriminatory or engage in practices that are discriminatory. This prohibition applies to policies that are explicitly exclusionary and to those which appear to be neutral but have a discriminatory effect.

Findings:

In general, from the review of policies, the City has no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities.

Recommendation:

The City should develop and adopt a citywide policy that describes the City's commitment that they will not adopt any policies that are discriminatory or engage in practices that are discriminatory.

2.2.7 Provide for Modifications to Policies, Practices, or Procedures:
28 CFR §35.130(b)(7)

Requirement:

Procedures and policies shall allow for reasonable modifications to policies, practices or procedures, when such modifications are necessary to offer goods or services, etc., to individuals with disabilities unless doing so would fundamentally alter the goods or services, etc. (28 CFR §35.150(a)(3) and 28 CFR §35.164).

Finding:

1. Although the City's ADA notice describes that a reasonable accommodations to make modifications to policies and procedures, the City does not have any formal policy, forms, or training.

2. The City does not have a process for determining whether a policy or practice modification would fundamentally alter the nature of the program or service being offered.

3. Auxiliary aids (such as tools, adjustable work tables, etc.) are generally not available to assist persons with disabilities.

Recommendation:

The City should develop a reasonable accommodation policy, application process, and form. The policy should include process for determining whether a policy or practice modification would fundamentally alter the nature of the program or service being offered.

The policy should also require, when appropriate and when requested, that the City will provide or make available auxiliary aids that would allow a person with disabilities to participate in programs.

The policy should be based on Citywide protocol as described in section 2.1.4 above.

2.2.8 Fees and Surcharges
28 CFR §35.130(f)

Requirement:

The law requires that the City cannot charge a fee or add a surcharge to cover the cost of making their facilities, programs, services or activities accessible to persons with disabilities.

Finding:

From the review of the policies, 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 for the City.

2.2.9 Website Accessibility
28 CFR §35.149 and 28 CFR §35.163(a)

Requirement:

The ADA Title II and the Rehabilitation Act of 1973 generally require that state and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities. One way to help meet these requirements is to ensure that government websites have accessible features for people with disabilities.

Findings:

1. The internet is an important tool used by the City of Commerce to do business. The City of Commerce routinely makes information about their programs, activities, and services available to the public by posting it on their website. As a result, many people can easily access this information. The website also allows the public to participate in at any time of day and without the assistance of government personnel.

2. A preliminary review of the City's website was performed using the W3C Web Accessibility initiative, "Easy Checks – A First Review of Web Accessibility." This purpose of this check helps assess the accessibility of the web page, and covers only a few accessibility issues and is not comprehensive; a web page could seem to pass these checks, yet still have accessibility barriers. More robust evaluation is needed to evaluate all issues comprehensively. The detailed results of the website review is presented in Appendix A

Recommendations:

1. The City should perform a thorough web accessibility evaluation. The checks performed of the website are not definitive and only covers a few issues. A robust evaluation is needed to evaluate all issues comprehensively.

2. An agency with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use the programs or services, such as a staffed telephone information line. These alternatives, however, are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available.

2.2.10 Public Meetings
  28 CFR §35.130(d)

Requirement:

Services, programs, and activities must be conducted in the most integrated setting appropriate to the needs of qualified individuals with disabilities where possible, the same setting offered to others.

Finding:

Almost every City department is responsible for holding public meetings. Generally, public meetings are held in locations that are accessible to persons with mobility impairments. The physical architectural barriers of each facility are described in Part III. However, most City departments indicated that they need training on how to respond to requests for other accommodations. City Council and Advisory Board Agendas describe that assistive listening systems for the Council Chambers and American Sign Language Interpreters are available through the City Clerk's office with at least forty-eight (48) hours advance notice for meetings. There have been no recent requests for these services. The City does not have any assistive listening devices available nor is there a list of sign language interpreters available.

Recommendation:

- Refer to Section 2.2.4 above regarding requirements for effective communications requirements and Recommendation.

- Purchase assistive listening devices for all conference rooms and public meeting rooms that use sound amplification systems.

- Identify and have available a list of interpreters, readers, etc. to be used to accommodate requests.

- Revise the City policy to require all public meetings and special events must be held in accessible locations.

2.2.11 Printed Information

Requirement:

The law requires that the City ensures that individuals with disabilities have communication access that is equally effective as that provided to persons without disabilities. In order for the City to meet the ADA communication standards the City must be able to provide information in alternative formats.

Finding:

1. In general the City departments do not have alternate communication formats available. Staff indicated that they have limited understanding of the requirements and types of accessible alternate formats and did not have a procedure to produce accessible alternate formats.

Recommendation:

The City should develop and adopt a policy that describes where appropriate or when requested, the City should provide documents and publications such as large print, Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities. The policy should be based on Citywide protocol as described in section 2.1.4 above.

1. When publications are accompanied by illustrations, images of individuals with and without disabilities should be included.

2.2.12 Transportation

Requirement:

Services and programs offered by the City to the public must be accessible. Accessibility applies to all aspects of the program or service including transportation.

Finding:

The City provides fixed route transit and Medi-ride services to public and general route and schedule information over the telephone. To utilize the Medi-ride, patrons must prove their eligibility, as it relates to public transportation.

1. The City's transit system provides accessible transportation throughout the city at no additional cost.

2. The Senior Center provides transportation for many of their programs and has a lift equipped van to transport individuals who use wheelchairs.

3. The City provides a Medi-Ride system to transport persons to their medical appointments that provides a lift equipped van.

Recommendation:

The City should develop a written policy describing accessibility requirements for programs that provide transportation. The policy should include a provision for the destinations of trips to be accessible to people with disabilities. This policy also should include the resources available to the departments. The policy should describe how individuals with visual disabilities are escorted door-to-door and that sign language interpreters will be provided when requested.

2.2.12 Use of Consultants
28 CFR §35.130(b)(5)

Requirement:

The City cannot use contract procurement criteria that discriminate against persons with disabilities. Further, contractors should be held to the same nondiscrimination rules as apply to the City.

Findings:

The City Departments normally have all contracts be reviewed by the City Attorney to ensure that outside consultants are notified of their responsibilities for providing services in a nondiscriminatory manner. This is a normal practice; however, there is not a written policy describing this process.

Recommendation:

The City should develop a written policy describing the requirement that all contracts must be reviewed by the City Attorney and include language that notify outside consultants of their responsibilities for providing services in a nondiscriminatory manner. The contracts should include the City's policy regarding accessibility for individuals with disabilities.

2.2.13 Telephones, Communication Devices, and Auxiliary Aids

Requirements:
The law requires that where the City communicates by telephone, text telephones (TDD/TTY) or equally effective telecommunication systems must be used. (28 CFR §35.161)

Services and programs offered by the City to the public must be accessible. Accessibility applies to all aspects of the program or service including provisions for auxiliary aids.

Findings:

The City does not have TDDs/TTYs nor are the staff members are trained in the use of TDD/TTY equipment or other means of communicating over the telephone with a person with hearing and speech disabilities, such as the 711 California Relay System.

Recommendation:

The City should acquire or gain access to TDDs/TTYs and ensure that staff members are trained in the use of TDD/TTY equipment or other means of communicating over the telephone with a person with hearing and speech disabilities. This system should be available for use by all City Departments as required. The policy should be based on Citywide protocol as described in section 2.2.4 above.

2.3   Evaluation of Services, Programs, and Activities – Department Specific

2.3.1 Administration   The City's Administration department includes the City Administrator, City Attorney, Public Information Department and City Clerk.

Customer Service:

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Finding:

1. In general, from the review of policies, The Administration Office has no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.2.6 above

2. The City does not have a written policy allowing individuals with disabilities to be offered the opportunity to participate as members of your planning or advisory boards (28 CFR §35.130(b)(1)(vi)).

Recommendation:

1. Ensure that the ADA Public Notice regarding the City's commitment to providing accessible services is posted on all City information boards and kiosks that will maximize public exposure.

2. Develop and adopt a policy for staff training for providing alternative methods of completing forms for people with disabilities that prevent them from filling out or signing forms. The policy should be based on Citywide protocol as described in section 2.1.4 above.

3. The department should ensure that individuals with disabilities can obtain information about the location of accessible entrances, program sites, and other access features and special procedures for individuals with disabilities. This information should be posted and available at the front desk and bulletin boards.

4. The City should develop a written policy and implement the Recommendation of section 2.2.10 above in accordance with Citywide protocol. The Policy should include allowing individuals with disabilities to participate as members of the planning or advisory boards.

2.3.2 City Clerk

The City Clerk's Office provides many services to both the public and other city departments, including clerical and records keeping, maintaining an accurate record and index of City Council, andvarious advisory committee proceedings, and keeping a repository of contracts, agreements, and official legislative actions.

The office accumulates an agenda packet of supporting documentation for each City Council and advisory committee meetings, prepares resulting minutes, and ensures completion of directed actions, processes claims and lawsuits, provides voter registration information, and conducts the municipal elections.

The City Clerk's Office provides public information and responds to requests for public information, certifies and distributes ordinances and resolutions, posts legal notices, and is responsible for maintaining and distributing the Commerce Municipal Code.

Customer Service

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Finding:

In general, from the review of policies, The City Clerk Office has no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.2.6 above.

Public Meetings:

Requirement:

Services, programs, and activities must be conducted in the most integrated setting appropriate to the needs of qualified individuals with disabilities where possible, the same setting offered to others. (28 CFR §35.130(d))

Finding:

1. The City Clerk is responsible for holding all Council and Advisory Board meetings Generally, public meetings are held in locations that are accessible to persons with mobility

impairments. The physical architectural barriers are described in Part III.

2. City Council and Advisory Board Agendas describe that assistive listening systems for the Council Chambers and American Sign Language Interpreters are available through the City Clerk's office with at least twenty-four (24) hours advance notice for meetings. There have been no recent requests for these services. The City does not have any assistive listening devices available nor is there a list of sign language interpreters available.

3. The City does not have a written policy allowing individuals with disabilities to be offered the opportunity to participate as members of your planning or advisory boards (28 CFR §35.130(b)(1)(vi)). The requirements for participation are voter registration and residency.

Recommendation:

The City Clerk should develop a written policy and implement the Recommendation of section 2.1.10 above in accordance with Citywide protocol. The Policy should include allowing individuals with disabilities to participate as members of the planning or advisory boards.

2.3.3 Public Safety and Community Services

The Public Safety and Community Services Department is responsible for code enforcement, public safety, and food distribution activities within the city.:

The main offices for the department are in the City Hall Complex. Refer to the barrier facility reports for physical barriers to this building.

The Food Distribution program uses the Central Receiving warehouse. This facility should be upgraded to be ADA accessible. The physical architectural barriers are described in Part III.

Customer Service

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Findings:

1. In general, from the review of policies, The Public Safety and Community Services Department has no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.2.6 above.

2. A part of business practices, applicants are required to complete written forms.

Recommendation:

The department should develop a written policy and training to provide alternative methods of completing forms for people with disabilities that prevent them from filling out or signing forms. The policy should be based on Citywide protocol as described in section 2.2.4 above.

The department should ensure that people with disabilities can obtain information about the location of accessible entrances, program sites, and other access features and special procedures for individuals with disabilities. This information should be posted and available at the front desk and bulletin boards.

Printed Information

Requirement:
The law requires that the City ensures that individuals with disabilities have communication access that is equally effective as that provided to persons without disabilities. In order for the City to meet the ADA communication standards the City must be able to provide information in alternative formats.

Findings:

Documents and publications are not provided in alternative formats such as Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities. Additionally, most printed materials provided by the department to the public are available on the City's website.

Materials need to be displayed in departments and areas that are accessible for individuals with disabilities. (28 CFR §35.163(b)).

Recommendation:

Where appropriate or when requested, the Department should provide documents and publications such as large print, Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities. Where appropriate or when requested, the Department should also provide documents and publications in simple, easy-to-understand language for individuals with learning disabilities. The policy should be based on Citywide protocol as described in sections 2.2.3 and 2.2.4 above.

2.3.4   Public Works and Development Services

The Public Works Department provides planning and management of the design, construction, operation, and maintenance of Commerce's infrastructure and mining industry by ensuring a safe and clean environment for residents, businesses and customers in the most cost-effective manner. The Public Works Department consists of the following divisions:

Building and Safety: This division is responsible for the administration and enforcement of city, state, and federal building and safety codes. It provides standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the construction, quality of materials, use, occupancy, location, and maintenance of all buildings within our jurisdiction.

Planning processes all development applications and oversees all design review approvals. It also drafts new city ordinances and prepares amendments to the General Plan.

Public Works/Engineering: This divisions main functions are:

- Preparation of plans and specifications

- Right of way appraisals and acquisitions

- Oversee the bidding process for Capital Outlay projects

- Administration, inspection, and construction of Capital Improvement Projects

- During construction, engineering staff inspects the work

Economic Development: This division is responsible for mreserving and maintaining the City's quality of life through.

The main offices for the department are in the City Hall complex. Refer to the barrier facility reports for physical barriers to this building.

Customer Service

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Findings:

1. In general, from the review of policies, The Public Works / Development Services Department have no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.2.6 above.

2. A part of the Department's business practices, applicants are required to complete written forms.

3. The Department does not advertise the accessibility of facilities, and their special procedures used for individuals with disabilities (28 CFR §35.163) The ADA Public Notice is posted on the information bulletin board.

Recommendation:

1. The Public Works / Engineering Department should develop a written policy and training to provide alternative methods of completing forms for people with disabilities that prevent them

from filling out or signing forms. The policy should be based on Citywide protocol as described in section 2.2.4 above.

1. The department should ensure that people with disabilities can obtain information about the location of accessible entrances, program sites, and other access features and special procedures for individuals with disabilities. This information should be posted and available at the front desk and bulletin boards.

Licensing and Certification

Requirement:

Licensing and certification programs shall be administered in a manner that allows qualified individuals with disabilities full and equal access, and to the extent that you establish requirements for the programs or activities of licensees, or certified entities that such requirements ensure full and equal access for qualified individuals with disabilities to such programs or activities. (28 CFR §35.130(b)(6))

Finding:

The Public Works Department administers the business license program. In review of this program it appears that the City is not using eligibility criteria that tend to exclude or screen out persons with disabilities, unless such criteria can be shown to be necessary for the provision of the goods, services, etc. being offered. (28 CFR §35.130(b)(8))

New Construction and Alterations

Requirement:

1. For new construction and alterations (28 CFR §35.151), each facility or part of a facility constructed by, on behalf of, or for the use of a public entity must be designed and constructed in accordance with the current standards and in such manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities.

2. Newly constructed or altered streets (28 CFR §35.151(i)), roads, and highways must contain curb ramps or other sloped areas at

any intersection having curbs or other barriers to entry from a street level pedestrian walkway.

3. California Civil Code Section 55.53 requires that the City employ or retain a sufficient number of building inspectors who are CASp certified to conduct permitting and plan check services to review for compliance with state construction-related accessibility standards.

Findings:

1. The plan check process and inspections for both City Capital Improvement Projects and private developers use the Los Angeles City Building and Safety and Public Works Department. This practice ensures that the plans and construction meet the appropriate building codes for accessibility. This practice also allows the City to meets the requirement for CASp certified inspectors to be retained.

2. The City's normal practices meet the requirements; however there are is no written policy describing processes and requirements to ensure new construction and alterations are designed and constructed in accordance with the current codes and standards.

Recommendation:

The Department should develop a written policy describing how the City will ensure that new construction and alterations will be designed and constructed in accordance with the current codes and standards.

2.3.5 Human Resources

The Human Resources Department works to provide assistance and guidance in recruitment, employee relations, training and Development, workers' compensation, and risk management.

Employment:

Requirement:

Employment Discrimination Prohibited (28 CFR §35.140) – The City must comply with the equal opportunity employment requirements of Title I and the requirements of section 504 of the Rehabilitation Act of 1973.

Finding:

This report is a review of the City's compliance with Title II; therefore a detailed and comprehensive review of Title I compliance was not completed.

Recommendations:

The City should develop and adopt a REASONABLE ACCOMODATION POLICY, APPLICATION PROCESS, and FORM.

The City should develop and adopt a GRIEVANCE POLICY AND PROCEDURE.

Sample forms for these policies are provided in Appendix G.

2.3.6 Libraries

The mission of the City of Commerce Public Libraries is to provide access to ideas, knowledge, and intellectual resources in various formats that satisfy the educational and recreational needs of the community by developing and providing services with an awareness of the various needs of different people and to be a lifelong learning center for all citizens.

Refer to the barrier facility reports for physical barriers to this building.

Customer Service

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Findings:

1. In general, from the review of policies, the libraries have no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.1.6 above.

2. A part of Library's business practices, applicants are required to complete written forms, and the staff assists everyone with the computers, book retrieval etc. The libraries do not have any written policy for providing reasonable accommodation or book retrieval policies.

3. The Libraries do advertise the accessibility of facilities, and their special procedures used for individuals with disabilities (28 CFR §35.163). The ADA Public Notice is posted on the information bulletin board at the Library describing the procedures.

Recommendation:

1. The Department should have a written policy provide alternative methods of completing forms for people with disabilities that prevent them from filling out or signing forms. The policy should be based on Citywide protocol as described in section 2.2.4 above.

2. A sign should be posted at the main checkout desk indicating with the International Symbol of Accessibility (wheelchair Symbol) that Staff is available upon request to provided assistance.

3. A periodic library staff training program should be implemented on proper disability etiquette. This training can be performed on an annual basis and be implemented with the citywide training program.

4. If there is a special event held at the Library, staff needs to be aware of ADA compliance requirements and especially in any advertising; for example, any brochures or pamphlets pertaining to the event shall address ADA compliance.

5. The libraries should have written book retrieval policy for assisting people with disabilities.

6. The department should ensure that people with disabilities can obtain information about the location of accessible entrances, program sites, and publications are provided in alternative formats such as large print, Braille, audiotape, computer disk, pictorial signage, etc. other access features and special procedures for individuals with disabilities. Additionally, most printed material information should be posted and available at the front desk and bulletin boards.

Use of Consultants

Requirement:

The City cannot use contract procurement criteria that discriminate against persons with disabilities. Further, contractors should be held to the same nondiscrimination rules as apply to the City. (28 CFR §35.130(b)(5))

Findings:

The libraries do have outside consultants for programs performed in the Library. The contracts that are used have been provided by the City Attorney; however it is not clear if the appropriate language is included that notifies outside consultants of their responsibilities for providing services in a nondiscriminatory manner.

Recommendation:

The libraries should comply with the Citywide contracting policy. Also refer to section 2.2.13 above.

2.3.7 Senior Center

The Senior Center Department Operates the Senior Center facility which includes a billiard room, computer lab, exercise and TV rooms, classrooms, dining room, a commercial kitchen, and a lobby area for reading the newspaper, drinking coffee and or playing board games.

Services include a nutritional lunch program, transportation to and from the center, and a ride assistance program that helps seniors do errands.

In addition, numerous field trips, including day trips, overnight and extended tours are offered throughout the year.

Customer Service

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Findings:

1. In general, from the review of policies, The Senior Center has no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.1.6 above.

2. The Senior Center does advertise the accessibility of facilities, and their special procedures used for individuals with disabilities. (28 CFR §35.163). The ADA Public Notice is posted on the information bulletin board.

3. A part of the Senior Center services, members of the public, applicants, etc. are required to complete written forms.

Recommendation:

1. Ensure that the ADA Public Notice regarding the City's commitment to providing accessible services continue to be posted on all City information boards and kiosks that will maximize public exposure.

2. The Senior Center should have a policy and have staff training to provide alternative methods of completing forms for people with disabilities that prevent them from filling out or signing forms. The policy should be based on Citywide protocol as described in section 2.2.4 above.

3. The department should ensure that people with disabilities can obtain information about the location of accessible entrances, program sites, and other access features and special procedures for individuals with disabilities. This information should be posted and available at the front desk and bulletin boards.

Printed Information:

Requirement:

The law requires that the City ensures that individuals with disabilities have communication access that is equally effective as that provided to persons without disabilities. In order for the City to meet the ADA communication standards the City must be able to provide information in alternative formats.

Findings:

1. Documents and publications are not provided in alternative formats such as Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities.

2. Materials need to be displayed in departments and areas that are accessible for individuals with disabilities. (28 CFR §35.163(b)). The Senior Center provides materials available for public review. In general, these locations are accessible to persons with disabilities.

Recommendation:

Where appropriate or when requested, the Department should provide documents and publications such as large print, Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities. Where appropriate or when requested, the Department should also provide documents and publications in simple, easy-to-understand language for individuals with learning disabilities. The policy should be based on Citywide protocol as described in sections 2.2.3 and 2.2.4 above.

Transportation

Requirement:

Services and programs offered by the City to the public must be accessible. Accessibility applies to all aspects of the program or service including transportation.

Findings:

The Senior Center provides transportation services for many of their programs and provides accessible transportation upon request or based on perceived need. The Senior Center has a lift equipped van to transport individuals who use wheelchairs.

Recommendation:

The Senior Center should develop a written policy based on Citywide policy (refer to section 2.2.12 above) describing accessibility requirements for programs that provide transportation.

**2.3.8 Transportation
Department**

The Transportation Department and provides fixed route transit and Medi-ride services to public and general route and schedule information over the telephone.

Customer Service

Requirement:

Policies and practices that ensure individuals with disabilities can participate in the programs, activities and services provided by the City including a reasonable accommodation to the person with a disability for modification required to make a program accessible.

Findings:

1. In general, from the review of policies, the Transportation Department has no policies or practices that could have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities. (28 CFR §35.130(b)(3)). Also refer to section 2.2.6 above.

Recommendation:

1. Ensure that the ADA Public Notice regarding the City's commitment to providing accessible services continue to be posted on all City information boards and kiosks that will maximize public exposure.

2. The department should have a policy and have staff training to provide alternative methods of completing forms for people with disabilities that prevent them from filling out or signing forms. The policy should be based on Citywide protocol as described in section 2.1.4 above.

3. The department should ensure that people with disabilities can obtain information about the location of accessible entrances, program sites, and other access features and special procedures for individuals with disabilities. This information should be posted and available at the front desk and bulletin boards.

Printed Information:

Requirement:

The law requires that the City ensures that individuals with disabilities have communication access that is equally effective as that provided to persons without disabilities. In order for the City to meet the ADA communication standards the City must be able to provide information in alternative formats.

Findings:

1. Documents and publications are not provided in alternative formats such as Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities.

2. Materials need to be displayed in departments and areas that are accessible for individuals with disabilities. (28 CFR §35.163(b)). The Senior Center provides materials available for public review. In general, these locations are accessible to persons with disabilities.

Recommendation:

Where appropriate or when requested, the Department should provide documents and publications such as large print, Braille, audiotape, computer disk, pictorial signage, etc. for individuals with disabilities. Where appropriate or when requested, the Department should also provide documents and publications in simple, easy-to-understand language for individuals with learning disabilities. The policy should be based on Citywide protocol as described in sections 2.2.3 and 2.2.4 above.

Transportation

Requirement:

Services and programs offered by the City to the public must be accessible. Accessibility applies to all aspects of the program or service including transportation.

Findings:

The City provides fixed route transit and Medi-ride services to public and general route and schedule information over the telephone. To utilize the Medi-ride, patrons must prove their eligibility, as it relates to public transportation.

The Transportation Department is required to follow Title VI of the Civil Rights Act. The procedures and inspections by FTA ensure that the bus vehicles meet ADA requirements. Therefore, this assessment did not review the bus vehicles.

Recommendation:

The Transportation Department should develop a written policy based on Citywide policy (refer to section 2.2.12 above) describing accessibility requirements for programs that provide transportation.

2.4   Public Input

2.4.1 Response to Questionnaire Comments

A public input questionnaire was available at the public counters and posted on the City Website to afford members of the public an opportunity to provide input. A public notice and announcements were made at City Council Meeting on January 5, 2016. City Council Agenda's and meeting minutes are included in Appendix A.

There were no questionnaires received from the public.

2.4.2 Public Workshop

A public workshop was held on April 6, 2016. The only attendees were City staff.

PART 3 – TRANSITION PLAN

3.0 Overview

This section includes a review of physical barriers of sites for compliance with the Americans with Disabilities Accessibility Guidelines (ADAAG) and the California Code of Regulations, Title 24, Part 2 (commonly referred to as Title 24) of the California Code of Regulations (which is cited as the California Building Code) and a barrier removal/transition plan. The specific requirements for preparation of an acceptable Transition Plan are described in 28 CFR §35.150(d)(3). 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 the facilities accessible;

- 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.

Although California has adopted most of the ADAAG requirements, there are some differences. In general, the more restrictive requirements (whether federal or state) should be applied when designing accessible facilities. Title 24 was incorporated in the evaluation of architectural barriers as part of the Transition Plan.

Because the City of Commerce has a large number of facilities, it is impossible to immediately renovate all facilities that create barriers to program access, barriers to facilities will be removed systematically.

Facilities targeted in Phase One will become a high priority for capital improvement funding.

The following tables are a compilation of the results of the priorities work sessions and the public meeting and describe the priorities for barrier removals at City facilities. Specific barriers to program access and their removal actions may be found in Appendix B – Facility Reports.

The responsibility for ensuring the barrier removal will reside with the City Manager and the ADA Coordinator.

The following are the City facilities assessed:

- City Hall Complex
- Teen Center
- Greenwood Library
- Atlantic Library
- Senior Center
- Transit Center
- Rosewood Park
- Aquatorium/Community Center
- Camp Commerce
- Recreation Center
- Metrolink Station
- Bandini Park
- Bristow Park
- Veteran's Memorial Park

3.1 Priorities

Barriers were assigned levels of priority using the following criteria:

<u>Level 1: Potential Liability Issues</u>

Level One priorities are assigned to immediate safety hazards as well as features that significantly affect access to facilities. For example:

Pedestrian Access Routes:

- Tripping Hazards.
- Overhead Clearance Obstacles.
- Loose Debris Impeding Access Routes.
- Detectability issues

Facilities:

- Entry walks and doors.
- Handrail Modifications
- Signs indicating accessible entrances.

- Overhead Obstacles

- Accessible Parking Stalls

Level 2: Barriers that pose obstacles to access routes and hinder access to programs.

Level Two priorities are those features that create obstacles to both roadside and facility pedestrian access routes. Also included are barriers to programs, activities, and services provided by the City. For example:

Pedestrian Access Routes:

- Driveway Landings

- Impediments to Access route width

Facility Access:

- Conference rooms, classrooms, program areas. The most frequently used and highest volume rooms as Level Two priorities. Duplicate rooms or features are prioritized at a lower level).

- Primary doors into program areas.

- Braille and tactile signage.

- Assistive-listening devices.

- Public restrooms.

- Showers and locker rooms associated with swimming programs.

- Transaction counters where information is offered, bills are paid, etc.

Level 3: Minor access and amenity barriers.

Level Three priorities are those features that are not immediately preventing passage but provide hardship to the impaired. Also included are features that do not directly affect access to programs, activities, and services provided by the City. For example:

Pedestrian Access routes:

- Cracked cement slabs.

Facility Access Routes:

- Doors that pose little obstacle to program access.

- Vending machines, drinking fountains, light switches, electrical outlets, and storage rooms in program areas.

3.2 Phasing and Expenditure Plan This is a five (5) year plan to implement the City of Commerce's ADA improvements for removal of barriers.

The projected schedule is based on a realistic estimate of the funding availability and timing for design and permitting. Some lower priority items are scheduled for the near term because they require little planning and can be achieved with minimal costs and can be completed by City staff. In Appendix B (Facility Assessment Reports) these barriers are tagged as Maintenance items. Some of the higher priority items are scheduled further out because of the planning and design requirements (Contractor Tag); additionally an entire facility can be upgraded at one time and would address all items at once.

Estimate costs are based on information obtained from several industry accepted data-base sources, such as R.S. Means, BNI Building News, and National Estimator. These sources are used as a basis, along with the estimator's professional judgment, to adjust for the specific project type, location, complexity and size, and other unique or special circumstances.

All costs represented in this report reflect current-year U.S. dollars. The costs generated are built on identified deficiencies with replacement of materials or components in-kind unless industry standard requires change of material or component type.

Costs for contingency, escalation, design, construction management, engineering, permitting, inspection and similar professional services for developing the plans to remove barriers are included in the expenditure plan and estimated at 30%. Other indirect costs such as temporary space rental or costs associated with fundraising or financing are not included.

Opinions of costs of repair or replacements are approximations only and should not be interpreted as bids or offers to perform work. Actual costs can be affected by the extent of work to be done as one project, the quality of contractor, the quality of materials chosen, and the specific work conditions.

Table A: Total Costs for ADA Facility Improvements by Facility

Facility	# of Items	Direct Cost Estimation	% of Project Total	Project Cost Total*
Aquatorium	163	$ 175,147.70	14.11%	$ 227,692.01
Astor Teen Center	40	$ 30,940.00	2.49%	$ 40,222.00
Atlantic Library	42	$ 35,847.50	2.89%	$ 46,601.75
Bandini Park	54	$ 49,553.40	3.99%	$ 64,419.42
Bristow Park	116	$ 170,285.70	13.72%	$ 221,371.41
Bristow Park: Snack Bar	18	$ 18,635.50	1.50%	$ 24,226.15
Camp Commerce	22	$ 45,168.50	3.64%	$ 58,719.05
Camp Commerce - Cabin 5	11	$ 8,794.50	0.71%	$ 11,432.85
Camp Commerce - Lodge	67	$ 46,650.50	3.76%	$ 60,645.65
Central Receiving	18	$ 12,499.50	1.01%	$ 16,249.35
City Hall	23	$ 24,453.00	1.97%	$ 31,788.90
City Hall - EOC	19	$ 17,355.00	1.40%	$ 22,561.50
City Hall - Exterior	69	$ 55,302.00	4.46%	$ 71,892.60
City Hall Interior	41	$ 11,576.50	0.93%	$ 15,049.45
City Hall Library	25	$ 11,888.50	0.96%	$ 15,455.05
City Hall parking	24	$ 18,050.50	1.45%	$ 23,465.65
Greenwood Library	25	$ 22,119.50	1.78%	$ 28,755.35
Metrolink Station	31	$ 59,170.80	4.77%	$ 76,922.04
Rosewood Park	46	$ 122,781.10	9.89%	$ 159,615.43
Senior Center - Interior	35	$ 24,453.00	1.97%	$ 31,788.90
Transportation Center	11	$ 16,094.00	1.30%	$ 20,922.20
Veterans Park	106	$ 228,231.90	18.39%	$ 296,701.47
Veterans Park - Recreation center	62	$ 36,023.00	2.90%	$ 46,829.90
Grand Total	**1068**	**$ 1,241,021.60**	**100.00%**	**$ 1,613,328.08**

*Includes 30% soft cost allowance, GC cost & fee, escalation and contingency

Table B: Total Costs for ADA Facility Improvements by Priority

Row Labels	Priority 1*	Priority 2*	Priority 3*	Grand Total
Aquatorium	$ 51,636.26	$ 152,235.20	$ 23,820.55	$ 227,692.01
Astor Teen Center	$ 17,069.00	$ 18,336.50	$ 4,816.50	$ 40,222.00
Atlantic Library	$ 13,097.50	$ 28,856.75	$ 4,647.50	$ 46,601.75
Bandini Park	$ 9,359.22	$ 37,053.25	$ 18,006.95	$ 64,419.42
Bristow Park	$ 55,362.71	$ 104,949.00	$ 61,059.70	$ 221,371.41
Bristow Park: Snack Bar	$ 507.00	$ 20,001.15	$ 3,718.00	$ 24,226.15
Camp Commerce	$ 11,466.65	$ 46,973.55	$ 278.85	$ 58,719.05
Camp Commerce - Cabin 5	$ 2,239.25	$ 9,193.60		$ 11,432.85
Camp Commerce - Lodge	$ 21,953.10	$ 27,868.10	$ 10,824.45	$ 60,645.65
Central Receiving	$ 7,267.00	$ 7,765.55	$ 118.30	$ 16,249.35
City Hall	$ 1,833.65	$ 29,955.25		$ 31,788.90
City Hall - EOC	$ 4,267.25	$ 7,706.40	$ 10,587.85	$ 22,561.50
City Hall - Exterior	$ 59,766.85	$ 11,846.90	$ 278.85	$ 71,892.60
City Hall Interior	$ 2,568.80	$ 8,813.35	$ 3,667.30	$ 15,049.45
City Hall Library	$ 1,757.60	$ 9,920.30	$ 3,777.15	$ 15,455.05
City Hall parking	$ 20,964.45	$ 1,250.60		$ 23,465.65

Greenwood Library	$ 12,091.95	$ 13,705.90	$ 2,957.50	$ 28,755.35
Metrolink Station	$ 76,186.89	$ 735.15		$ 76,922.04
Rosewood Park	$ 10,025.08	$ 110,745.70	$ 37,594.05	$ 159,615.43
Senior Center - Interior	$ 1,259.05	$ 18,792.80	$ 10,892.05	$ 31,788.90
Transportation Center	$ 10,351.25	$ 10,232.95	$ 338.00	$ 20,922.20
Veterans Park	$ 64,909.52	$ 197,400.45	$ 33,225.40	$ 296,701.47
Veterans Park - Recreation center	$ 3,067.35	$ 37,594.05	$ 5,196.75	$ 46,829.90
Grand Total	$ 459,007.38	$ 911,932.45	$ 235,805.70	$ 1,613,328.08

*Includes 30% soft cost allowance, GC cost & fee, escalation and contingency

Table C: Total Sidewalk Length and Status

Status	# of Barriers	Segment Length (Mi)	% of Total Length	Total Project Cost*	% of Total Cost
Compliant		43.412	32.49%	$ -	0.00%
Noncompliant		55.851	41.80%	$ 30,224,552.59	53.95%
Unimproved		34.350	25.71%	$ -	0.00%
Barrier Items	4622		0.00%	$ 25,794,647.26	46.05%
Grand Total	**4622**	**133.613**	**100.00%**	**$ 56,019,199.85**	**100.00%**

*Includes 30% soft cost allowance, GC cost & fee, escalation and contingency

Table D: Curb Ramps, Signalized Intersections and Transit Stops Estimate Summary

Item and Status	# of Items	Total Cost Estimate	% of Cost Estimate	Total Project Costs*
Curb Ramps	**516**	**$ 1,098,182.00**	**71.59%**	**$ 1,427,636.60**
Compliant	229		0.00%	$ -
Noncompliant	287	$ 1,098,182.00	71.59%	$ 1,427,636.60
Signalized Intersections	**49**	**$ 408,060.00**	**26.60%**	**$ 530,478.00**
Compliant	7	$ -	0.00%	$ -
Noncompliant	29	$ 408,060.00	26.60%	$ 530,478.00
UNDER CONSTRUCTION	13	$ -	0.00%	$ -
Transit Stops	**73**	**$ 27,740.00**	**1.81%**	**$ 36,062.00**
Compliant	49	$ -	0.00%	$ -
Noncompliant	24	$ 27,740.00	1.81%	$ 36,062.00
Grand Total	**638**	**$ 1,533,982.00**	**100.00%**	**$ 1,994,176.60**

*Includes 30% soft cost allowance, GC cost & fee, escalation and contingency

3.3 Funding for Projects   CALTRANS has published a transportation funding guidebook in August 2008 titled "State and Federal Funds Available for Local Agency Projects,"

http://www.dot.ca.gov/hq/LocalPrograms/lam/Transportation_Funding_Guidebook.pdf

This document provides concise, high-level overviews of several Federal and State transportation funding programs available to local agencies. Each program description contains key facts about eligibility, project selection, significant dates, references, sources for assistance and other essential information.

The Community Development Block Grant (CDBG) program, administered by U.S. Housing and Urban Development (HUD), is a flexible program that provides communities with resources to address a wide range of unique community development needs.

3.4   Historical Structures

The law does not require modifications that would threaten or destroy a historic property (28 CFR §35.150(a)(2)). However, alterations to historic properties shall comply with section 4.1.7 of ADAAG (28 CFR §35.150(b)(3)). If it is not feasible to provide physical access to a historic property in a manner that will not threaten or destroy the historic significance of the building or facility, alternative methods shall be provided.

During the design process, the design team should determine if the required improvements meet the thresholds of the ADA codes for historical structures.

PART 4 – ADA TOOLKIT   The pool facility classifies as a large pool having over 300 feet of total perimeter wall (CBC 11B-242.2); and therefore is required to have two methods of access which can be a sloped entry, transfer wall, transfer system, or pool stairs complying with CBC 11B-1009.6.

The standards for pool lifts require lifts to be fixed and to meet additional requirements for location, size of the seat, lifting capacity, and clear floor space.

4.0   Overview   **Program Accessibility Guidelines, Standards and Resources**

Although not mandated by the law, keeping recourses and guidelines current to existing codes is important to meeting the code requirements.

Recommendation:

In order to facilitate access to all City Programs and Departments, the City should maintain these program accessibility guidelines, standards and resources. This information should be made available to all employees, volunteers, and contractors. The City should maintain and update these guidelines as necessary to address its needs. Revisions should include information and technological devices that help employees and contractors communicate with individuals with a variety of disabilities. The City should periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included.

Federal guidelines and standards and the CBC are periodically updated (CBC is normally every three years). These periodic revisions are based on research findings and guidance from advisory committees. Therefore, the City should have an ongoing program of regularly reviewing code changes and updating policies and procedures related to accessibility. The program should include a regular practice of reviewing research materials posted to the U.S. Access Board's website and updating local

guidelines and practices as new standards are adopted or existing standards are revised.

A guide to disabilities and disability etiquette is provided in Appendix H. It should be distributed to employees, volunteers and contractors in addition to employee training. The guide helps ensure that employees and contractors are familiar with a variety of types of disabilities and that they are sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. These guides are periodically updated, so the City should periodically check to ensure that the current guide is available. There are many websites that have this information easily available. The City may also want to consider developing their own etiquette guide.

Federal Accessibility Standards and Regulations	
U.S. Department of Justice http://www.ada.gov	
ADA Regulation for Title II http://www.ada.gov/reg2.html	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.
Title II Technical Assistance Manual (1993) and Yearly Supplements http://www.ada.gov/taman2.html http://www.ada.gov/taman2up.html	This manual explains what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner.
Americans with Disabilities Act of 1990 http://www.ada.gov/pubs/adastatute08.pdf	This link is the current text of the ADA statute including changes made by the ADA Amendments Act of 2008 (P.L. 110-325)
ADA Information for Law Enforcement http://www.ada.gov/policeinfo.htm	These compliance assistance materials will help state and local law enforcement officers understand how to interact with victims, witnesses, suspects, and others who have disabilities.
ADA Best Practices Tool Kit for State and Local Governments http://www.ada.gov/pcatoolkit/toolkitmain.htm	This Tool Kit provides an overview of ADA compliance issues for state and local governments. The Tool Kit is a helpful supplement to – not a replacement for – the regulations and technical assistance materials that provide more extensive discussions of ADA requirements.
US Access Board http://www.access-board.gov/	
• The Access Board is responsible for developing and updating design guidelines known as the ADA Accessibility Guidelines (ADAAG).	
ADA Accessibility Guidelines (ADAAG) http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/background/adaag	• This document contains scoping and technical requirements for accessibility to buildings and facilities. • This document must be used in conjunction with Title 24 of the California Building Code
Section 508 Standards for Electronic and Information Technology	http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards/section-508-standards
Telecommunications Act Section 255 Guidelines	http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-telecommunications-act-guidelines
State of California Accessibility Standards and Regulations	
Title 24, California Building Code http://www.iccsafe.org	• The complete Title 24 or any of its parts is available for purchase from the International Code Council (ICC). • Although California has adopted most of the ADAAG requirements, there are some differences. In general, the more restrictive requirements should be applied.
Division of the State Architect (DSA) http://www.dgs.ca.gov/dsa/Programs/progAccess.aspx	
California Access Compliance Reference Materials http://www.dgs.ca.gov/dsa/programs/progaccess/accessmanual.aspx	• DSA has prepared several documents to help code users understand and apply the accessibility provisions. • These documents clarify obligations and code requirements under the CBC, and provide background and context for accessibility issues.

State & National Organizations who Provide Disability Services and Information	
Pacific ADA Center **http://www.adapacific.org/**	The Pacific ADA Center is one of ten Regional centers nationally that have been set up to provide information and referral, training, consultation, and technical assistance to the business, state and local government, and disability communities
Disability.gov https://www.disability.gov/	The U.S. federal government website with one-stop interagency portal for information on disability programs and services nationwide.
California Department of Development Services (DDS) http://www.dds.ca.gov/DDSHomePage.cfm	The California Department of Developmental Services is the agency through which the State of California provides services and supports to individuals with developmental disabilities.
United Cerebral Palsy of Los Angeles, Ventura and Santa Barbara Counties http://www.ucpla.org/	Nonprofit direct care provider of services in Southern California for persons with cerebral palsy, autism, Down syndrome and other developmental disabilities. Programs include adaptive services, assistive technology services, summer programs, life skills training, and a center for arts and technology.
Ability Tools http://www.atnet.org/	Ability Tools, formerly the AT Network, is California's Assistive Technology Act Program. Ability Tools connects Californians with disabilities to assistive technology devices, tools and services to make life easier.
AbleData http://www.abledata.com	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.
Disability Resources, Inc. http://www.disabilityresources.org	A national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources.
Independent Living Research Utilization http://www.ilru.org/	The ILRU (Independent Living Research Utilization) program is a national center for information, training, research, and technical assistance in independent living.
World Institute on Disabilities (WID) http://wid.org/	WID maintains a comprehensive list of accessible technology resources. http://wid.org/resources
Center for Accessible Technology (CforAT) http://www.cforat.org/	CforAT's focus is on access to computers and technology for people with disabilities
BuyAccessible Wizard Tool http://www.buyaccessible.gov/	For projects that require agencies to meet Section 508 requirements, the BuyAccessible Wizard is a web-based application that guides users through a process of gathering data and providing information about Electronic and Information Technology (EIT) and Section 508 compliance.
AAPD http://www.aapd.com/	The American Association of People with Disabilities (AAPD) is the nation's largest disability rights organization.
National Organization on Disability (NOD) http://www.nod.org/	The National Organization on Disability (NOD) is a private, non-profit organization. NOD focuses on increasing employment opportunities for the 79 percent of working-age Americans with disabilities who are not employed.
National Center for Accessible Media http://ncam.wgbh.org/	A non-profit R&D organization dedicated to achieving media access equality for people with disabilities.
National Center on Physical Activity and Disability http://www.ncpad.org	The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier.

Paralyzed Veterans of America (PVA) http://www.pva.org/	PVA is a national advocacy organization representing veterans
TDI http://tdiforaccess.org	TDI (*formally known as Telecommunications for the Deaf and Hard of Hearing, Inc.*) is a national advocacy organization addressing equal access issues in telecommunications and media.
Accessible Tech.org http://www.accessibletech.org/index.php	Accessible Technology in the Workplace. Website with resources for use of electronic information technology that is universally accessible.
Braille Institute http://www.brailleinstitute.org/	Braille Institute is a nonprofit organization whose mission is to eliminate barriers to a fulfilling life caused by blindness and severe sight loss.
State of California Department of Social Services - Office of Special Services to the Blind http://www.cdss.ca.gov/cdssweb/PG83.htm	Provides information and referral on services, programs, entitlements, and products of benefit to individuals who are blind or visually impaired and their families or service providers.
American Foundation for the Blind (AFB) http://www.afb.org	AFB is a national organization that seeks to remove barriers, create solutions, and expand possibilities so people with vision loss can achieve their full potential.
National Federation of the Blind (NFB) https://nfb.org/	NFB provides on-line resources for technology for the blind.
State of California Department of Social Services - Office for Deaf Access http://www.cdss.ca.gov/cdssweb/PG145.htm	Office for Deaf Access administers the Deaf Access Program (DAP) which ensures that state operated public programs address the communication needs of people who are deaf, deaf-blind, hard of hearing and late-deafened.
National Association of the Deaf (NAD) http://www.nad.org/	A national organization of, by and for deaf and hard of hearing individuals in the United States of America.
National Alliance on Mental Illness (NAMI) http://www.nami.org	NAMI is a national mental health organization dedicated to building better lives for the millions of Americans affected by mental illness. NAMI advocates for access to services, treatment, supports and research and is steadfast in its commitment to raise awareness and build a community for hope for all of those in need.
American Speech-Language-Hearing Association (ASHA) http://www.asha.org/	The American Speech-Language-Hearing Association (ASHA) is a national professional, scientific, and credentialing association.
Learning Ally **https://www.learningally.org/**	Learning Ally (formerly Recording for the Blind & Dyslexic (RFB&D),) is a national nonprofit with a defined approach to help support students with learning disabilities and their families.
California State Library - The Braille and Talking Book Library, http://www.library.ca.gov/services/btbl.html	Blind and visually disable people may borrow recreational reading materials and magazines on cassette, digital cartridge, and Braille provided by the Library of Congress National Library Service for the Blind and Physically Handicapped (NLS) network.

State and National Organizations who Provide Information about Creating and Maintaining Accessible Websites	
How To Tell if Your Web site is Accessible	
HiSoftware - http://www.hisoftware.com/	HiSoftware's compliance and security solutions mitigate risk by actively monitoring content to give organizations the power to easily and more effectively enforce regulatory and corporate guidelines on public-facing websites, intranets, extranets, file shares and SharePoint sites.
HiSoftware® Cynthia Says™ Portal http://www.cynthiasays.com/	A free service for personal, non-commercial use to inform the community on what constitutes accessible web design and content.
W3C Web Accessibility Initiative - Accessibility Evaluation Resources http://www.w3.org/WAI/eval/	This is a list of resources which provide general procedures and tips for evaluation in different situations, from evaluation during Web site development to ongoing monitoring of existing sites.
Resources for Web Developers	
Accessibility of State and Local Government Websites to People with Disabilities **http://www.ada.gov/websites2.htm**	DOJ technical assistance document providing guidance on making state and local government websites accessible
National Center for Accessible Media http://ncam.wgbh.org/invent_build/web_multimedia/tools-guidelines	A collection of resources for developers and users interested in ways to make media accessible to people with disabilities.
Access Board Section 508 guide	http://www.access-board.gov/guidelines-and-standards/communications-and-it
Section 508 on-line accessible software development training	http://www.section508.gov/?fuseAction=Courses
ADA Pacific Center Website Accessibility Resourses	http://www.adapacific.org/ait/index.php#resources

State and National Resources for Emergency Preparedness Plans	
National Organization on Disability (NOD) Resources on Emergency Preparedness	http://nod.org/disability_resources/emergency_preparedness_for_persons_with_disabilities/
Earthquake Preparedness Guide for People with Disabilities	http://www.earthquakecountry.org/downloads/ShakeOut_Earthquake_Guide_Disabilities_AFN.pdf
United States Department of Labor Emergency Preparedness for People with Disabilities	http://www.dol.gov/odep/programs/emergency.htm
Department of Labor - Preparing the Workplace for Everyone	http://www.dol.gov/odep/programs/emergency.htm
Ready.gov http://www.ready.gov/	Guidelines for additional preparations a person with disability or an access and functional may need for emergencies. http://www.ready.gov/individuals-access-functional-needs
Disability.gov https://www.disability.gov/	Disability.gov's Guide to Emergency Preparedness & Disaster Recovery. https://www.disability.gov/resource/disability-govs-guide-emergency-preparedness-disaster-recovery/
	Feeling Safe, Being Safe – an Emergency Preparedness Guide for Californians with Disabilities https://www.disability.gov/resource/feeling-safe-being-safe-california-emergency-preparedness-resource/
California Department of Development Services (DDS) Emergency Preparedness http://www.dds.ca.gov/ConsumerCorner/EmergencyPreparedness.cfm	Booklet describing emergency preparedness tools for a wide range of people and field-tested the tools to make sure that the materials could work for everyone. http://www.dds.ca.gov/consumercorner/fsbs/action_selectfile.cfm?FN=4C_FSBSStory
National Center for Accessible Media http://ncam.wgbh.org/	Access to Emergency Alerts for People with Disabilities Recommendation for Accessible Emergency Notification http://ncam.wgbh.org/file_download/47

Resources for Providing Accessible Facilities and Programs	
Providing Accessible Meetings	Accessible Information Exchange: Meeting on a Level Playing Field http://www.ada.gov/business/accessiblemtg.htm
Common ADA Errors and Omissions in New Construction and Alterations	http://www.ada.gov/error.htm http://www.ada.gov/errors.pdf
ADA Checklist for Polling Places	http://www.ada.gov/votingck.htm
Access in telecommunications and media	**http://tdiforaccess.org**
Accessing relay services	http://www.accessibletech.org/articles/telecom/relayServices.php
Captioning Standards	http://www.accessibletech.org/articles/multimedia/captionsStandards.php
Deaf and Disabled Telecommunications Program (DDTP).	Telephone communications access for deaf and disabled Californians. http://www.ddtp.org/homepage.aspx Provides California Relay Service (CRS), and the California Telephone Access Program (CTAP)

Resources for Providing Accessible Parks and Recreation Facilities and Programs	
Access Board Recreational Guidelines	http://www.access-board.gov/guidelines-and-standards/recreation-facilities
California State Parks Accessibility Guidelines	http://www.parks.ca.gov/pages/21944/files/ca_statepark saccessguiderev_titlepagewithdisclaimer.pdf
National Center on Accessibility http://www.ncaonline.org/	NCA has many resources regarding access issues unique to park and recreation programs and facilities including on campground accessibility, accessible picnic tables, access to beaches, and inclusion of people with disabilities in aquatic venues.
National Center on Physical Activity and Disability http://www.ncpad.org	**Discover Accessible Fitness:** This booklet can serve as a tool for fitness professionals to become familiar with key considerations for wheelchair users using fitness equipment and to broaden their knowledge to help more people. http://www.nchpad.org/discoverfitness/index.html
	Certified Inclusive Fitness Trainer: Certified Inclusive Fitness Trainers (CIFT) master an understanding of exercise precautions for people with disabilities, and utilize safe, effective and adapted methods of exercise training to provide exercise Recommendation. http://www.nchpad.org/fppics/CIFT.pdf
Paralyzed Veterans of America (PVA) Sports and Recreation Resources http://www.pva.org/site/c.ajIRK9NJLcJ2E/b.6349705/k.2492/Get_Sports.htm	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.
United States Association of Blind Athletes	http://www.usaba.org
United Spinal Association list of Wheelchair Recreation, Sports & Travel	**http://www.usatechguide.org/articledisplay.php?artid=22&link=sports_rec**

Appendix A

Supplementary Documents

Appendix A

Part 1

Questionairres

City of Commerce, CA
Americans with Disabilities Act (ADA)
Program Facility Survey Form

The City of Commerce is in the process of preparing their ADA Self Evaluation and Transition Plan which is required by Americans with Disabilities Act (ADA) Title II (28 CFR §35.105(a)). The following is a program and facility access survey. The purpose of this questionnaire is to gather data on how your department's programs are, or are not, accessible to people with disabilities.

Each department should provide the following information with respect to all of its programs and facilities. Please complete a separate questionnaire for each program, service, and facility. You may use one form if the answers to the questions for all of your programs or facilities are the same. Please ensure all the programs and services are identified on the form. You may also use multiple forms if required. Please reply to each question.

See page 10 for explanation of terms and acronyms.

Your participation in completing this questionnaire will assist your department in improving its ability to serve the needs of people with disabilities and their families.

Department's Name:_____

Contact Name:_____

Address:_____

Phone:_____

Date of Review:_____

Location of Program/Service/Facility:_____

Brief Description of Program/Service/Facility:_____

If you need assistance during the self evaluation, please contact: **Gina Nila at (323) 722 4805 x2839**

Please return the completed questionnaires on or before: **January 13, 2016**

Please email completed forms to: **Gina Nila [ginan@ci.commerce.ca.us**] or

give to: **Gina Nila** at Public Works

Thank you for your time and consideration.

Page 1 of 10

	Yes	No	Don't Know	Suggested Improvement/ Comment
General:				
1. Do you know if the City has a designated ADA Coordinator?				If yes, please provide name:
2. Do you know where to find the contact information of the City's ADA coordinator?				If yes, please describe where you have seen it:
3. Have you experienced any nonaccessible areas or programs?				If yes, please describe: (See note below)
4. Has anyone requested improvements for accessibility to your department's programs or facilities?				If yes, please describe when and for what:
5. Please walk the path from the drop-off area and/or parking to the location of the program or service;				
a. Is the ADA informational signage along the path apparent?				If no, please describe:
b. Is the entire path accessible? (see note below)				If no, please describe:
6. Are you aware of any future or planned improvements to any building or facility?				If yes, please describe projects:
7. Have you ever requested an accommodation for a disability for yourself, a family member or customer?				If yes, please describe the accommodation made by the City:
Policies and Practices:				
8. Are you aware of any programs, services, or activities that are not accessible to individuals with disabilities?				If yes, please describe:

Additional comments/Suggestions:

_____

_____

_____

_____

Note for questions #3 and #5b: (Examples: no accessible parking spaces, difficulty reaching an accessible entrance, steep ramps, uneven sidewalks, stairs only to the facility, narrow doorways, protruding objects in the hallways, lack of assistive devices, missing or inappropriate signage, lack of interpreters, etc.)

Page 2 of 10

	Yes	No	Don't Know	Suggested Improvement/ Comment
9. Are you aware of any programs directed specifically toward people with disabilities?				If yes, please describe:
10. Please check all of your department's formal and informal program eligibility and admission criteria or licensing standards. Particular attention should be paid to policies incorporating or establishing: ___Physical or mental fitness or performance requirements ___Safety standards ___Testing requirements ___Educational requirements ___Work experience requirements ___Income level requirement ___Credit rating requirements ___Requirements based on disability ___Requirements that prohibit participation because of disability ___Insurability requirements				
11. Is there a process for determining whether a specific modification to include a person with disabilities would:				
a. Fundamentally alter the nature or undue burden of the program you offer?				If yes, please describe:
b. Cause a direct threat to the participant or others?				If yes, please describe:
Outreach and Information:				
12. Is information available explaining the City's policy to provide accessible policies, programs, services or activities and practices?				If yes, please describe where it is located:
13. Is information available notifying of special procedures used for individuals with disability?				If yes, please describe where it is located:
14. Consider your public meetings, hearings, and conferences; is information available regarding accommodations, and the process for requesting auxiliary aids, assistive listening systems, interpreters, alternate formats, specialized equipment, or assisted services, etc.?				If yes, please describe where it is located:

Additional comments/Suggestions:

_____

_____

_____

_____

Page 3 of 10

	Yes	No	Don't Know	Suggested Improvement/ Comment
15. Is information available about how and with whom to file a disability discrimination complaint?				If yes, please describe where it is located:
Printed Information:				
16. How do you make documents and publications available to individuals with visual disabilities? (check all that apply): ___ Audiotape ___ Computer disk ___ Large print ___ Some other media. ___ Braille If so, please list them:				
17. Do you make the content of documents and publications available in simple easy-to-understand language for individuals with learning disabilities?				
18. Do your publications, service announcements and advertisements make known that they are also available in alternative formats (e.g. large print, audio, Braille, etc.)?				
19. Do you portray individuals with disabilities in your documents and publications?				If yes, please describe the name of the document or publication:
Televised and Audiovisual Public Information:				
20. Does your department prepare audiovisual or televised presentations or website demonstrations/webinars for the public or make audiovisual presentations to the public?				If no, skip to question #25.
21. Does your department make audio-visual, televised or online presentations to the public accessible to individuals with disabilities? (i.e. captioning, alternative formats, web sites and documents that can be translated with a screen reader, etc.)				

Additional comments/Suggestions:

_____

_____

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_____

	Yes	No	Don't Know	Suggested Improvement/ Comment
22. List the audiovisual presentation (film, videotape, or television) and whether or not they are captioned.				
a. Name of presentation: _____ Captioned?				
b. Name of presentation: _____ Captioned?				
c. Name of presentation: _____ Captioned?				
23. If not captioned, has the department taken steps to ensure that persons with hearing disabilities can benefit from this presentation?				If yes please describe:
24. Do you portray individuals with disabilities in audiovisual presentations?				If yes please describe the name of the presentation:
Website:				
25. Does your department's website include any information about the programs you offer?				Please list you department's website address:
26. Does your department's website include information about the accessibility of facilities where programs or services are offered?				
27. Does your department provide documents on its website for downloading by the public?				
Public Telephones and Communication Devices:				
28. Does your department conduct business or provide services or public information by telephone to the public?				If no, skip to question #31
29. Have you or the rest of the staff been trained in operating TTY/TDDs and in other means of communicating over the telephone with a person having a hearing or speech disability?				

Additional comments/Suggestions:

_____

_____

_____

_____

Page 5 of 10

	Yes	No	Don't Know	Suggested Improvement/ Comment
30. Is a telecommunication device or deaf (TDD) or other equally effective system available for communication with hearing and/or speech impaired persons?				
a. If you use Text Telephones (TTYs) or Telecommunication Devices for the Deaf (TDDs), list location, telephone number, and organization or TTY/TDD directories in which the TTY/TDD number is listed.				
b. If you use a TDD relay service, list the name of the company and type of service.				
c. If you use a relay service, have you performed outreach to persons with hearing disabilities?				If yes, please describe:
Training and Staffing:				
31. Have all staff members who have contact with the public, been made aware of the department's obligations and policies that enable people with disabilities to participate in department programs or activities?				If yes, please describe training:
32. Does your department offer or participate in training regarding the provision of appropriate modifications for people with disabilities?				If yes, please describe training program:
Emergency Services: (If your department does not provide emergency services, skip to question #36)				
33. Have staff members in your department who provide emergency services to the public had training in emergency evacuation including communicating in emergency situations with people who have hearing or speech impairments? (e.g. American Sign Language (ASL), etc.)				If yes, please describe training?

Additional comments/Suggestions:

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	Yes	No	Don't Know	Suggested Improvement/ Comment
34. Are all emergency response services in your department equipped with TDD or other equally effective service accessible to persons who are deaf, hearing and/or speech impaired?				
Public Meetings:				
35. Does your department hold public meetings, hearings, and conferences in locations that are accessible?				
36. Is accessible seating provided for individuals with disabilities at programs, community events, etc. held at the facility?				
37. Does your department provide provisions or assist the public by providing interpreters, readers, and/or adaptive equipment provided when requested?				If yes, please briefly describe the policy.
38. Do you ensure that individuals with hearing disabilities who do not read sign language can participate effectively in meetings, conferences, and hearings via assistive listening devices or other means?				If yes, please briefly describe the policy.
39. Are auxiliary aids and specialized equipment available at the facility?				If yes, please describe where the equipment is stored.
Automated and Electronic Equipment:				
40. Are electronic equipment, including copying machines, PCs, microfilm readers, etc. available to the public at your facility?				
a. If yes, please describe how you ensure that electronic equipment is accessible to and usable by individuals with disabilities?				

Additional comments/Suggestions:

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	Yes	No	Don't Know	Suggested Improvement/ Comment
Emergency Evacuation Procedures:				
41. Are there emergency evacuation plans posted at your facility?				
42. Are there equipment and/or policies available to notify individuals with disabilities of emergencies and evacuation procedures?				
a. If yes, briefly describe the equipment and/or procedures specific to individuals with: • Visual disabilities: • Hearing disabilities: • Mobility disabilities: • Learning disabilities:				
Transportation:				
43. Do you provide transportation to volunteers, beneficiaries, visitors, etc?				
a. If yes, briefly describe the procedures your department follows to make transportation accessible to persons who have: • Visual disabilities: • Hearing disabilities: • Mobility disabilities: • Learning disabilities:				
Use of Contractors:				
44. Do you use contractors to conduct programs or activities on behalf of your department?				
a. If yes, are contractors aware of their obligations to facilitate participation of individuals with disabilities in programs or activities operated on behalf of your department?				If yes, please describe how you monitor your contractors to ensure they fulfill their obligation?

Additional comments/Suggestions:

_____

_____

_____

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	Yes	No	Don't Know	Suggested Improvement/ Comment
Special Events an Private Events on Public Properties:				
45. Does your department organize special events or do you help facilitate private events on public property?				
a. If yes, please describe the type of event and what types of outside organizations are involved.				
Service Animals				
46. Do you have any restrictions on service animals?				
a. If yes, please briefly describe the policy on service animals				

Additional comments/Suggestions:

_____

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_____

_____

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Terms and Acronyms:

Adaptive aids	Tools or services required for people with disabilities to have access to programs and information: qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments; qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; acquisition or modification of equipment or devices; and other similar services and actions.
ASL	American Sign Language. Manual (hand) language with its own syntax and grammar used primarily by people who are deaf.
Auxiliary aids	Same as adaptive aids
Hearing impairment	Partial or total deafness
Disability	A physical or mental impairment that substantially limits one or more of the major life activities.
Learning disabilities	Any form of physical or mental disability that delays development or acquisition of knowledge.
Mobility disabilities/mobility impairment	A condition limiting physical ability; generally considered to include lack of a limb or loss of limb use due to disease, amputation, paralysis, injury, or developmental condition; or limitation of movement due to cardiovascular or other disease.
Program	The term "Program" means "program, service, or activity" provided to the public unless otherwise indicated
TDD	A Telecommunication Device for the Deaf allows a person to transmit typed messages over the phone lines to another person with a TDD. Most TDD's include a keyboard for typing messages to send and a display and/or printer to receive messages.
TTY	See TDD. TTY stands for Text Telephone and is a registered trademark for a specific kind of TDD.
Visual disabilities	Loss or partial loss of vision.
Webinar	Web seminar. Live or recoded meeting on the web.

Appendix A

Part 2

City Council Minutes

City of Commerce

Meeting Minutes

Tuesday, January 5, 2016 - 5:30 PM

CONCURRENT REGULAR MEETINGS OF THE CITY COUNCIL OF THE CITY OF COMMERCE, JOINT POWERS FINANCING AUTHORITY AND THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION

5:30 P.M. CLOSED SESSION

Mayor Leon called meeting to order at 5:30 p.m. in the Council Chambers.

CALL TO ORDER

ROLL CALL

Mayor Pro Tem Baca Del Rio arrived at 5:35 p.m.

> **Present:** 5 - Councilmember Altamirano
> Councilmember Argumedo
> Councilmember Rebollo
> Mayor Pro Tem Baca Del Rio
> Mayor Leon

PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no individuals wishing to address the City Council/Successor Agency on any item on Closed Session agenda.

RECESS TO CLOSED SESSION

City Council/Successor Agency recessed to Closed Session at 5:31 p.m.

1. Pursuant to Government Code §54956.9 (b), the City Council will confer with its legal counsel, and take appropriate action with respect to, significant exposure to litigation in one potential case.

RECONVENE TO OPEN SESSION

City Council/Successor Agency reconvened to Open Session at 6:30 p.m.

ORAL CLOSED SESSION ANNOUNCEMENT

City Attorney/Legal Counsel Olivo reported that there were no reportable action taken in item #1 on Closed Session agenda.

6:30 P.M. - CITY COUNCIL MEETING

CALL TO ORDER

Mayor Leon called Regular City Council meeting to order at 6:31 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

Miss Commerce 2015 Diana Lopez led the Pledge of Allegiance

INVOCATION

Councilmember Altamirano offered the invocation.

APPEARANCES AND PRESENTATIONS

1.   Sister City Aguascalientes Trip Report by Miss Commerce 2015

Miss Commerce 2015 Diana Lopez shared with Council that her trip to Aguascalientes was unforgettable. City Council thanked Miss Commerce for great representation during 2015.

PUBLIC COMMENT

City Clerk Shumway read a letter for the record received from Carol Fernandez.

CONSENT CALENDAR

Mayor Pro Tem Baca Del Rio moved, seconded by Councilmember Rebollo, to approve the Consent Calendar. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Leon

2.   Approval of Warrant Register Nos. 13A and 13B

3.   Scope Adjustments to the Metrolink Station Parking Lot, ADA, and Lighting Improvement Project

4.   Agreement with Citizens Business Bank to Provide Banking Services to the City of Commerce

5.   Applications to CalRecycle for Payment Programs and Related Authorizations

6.   Contract with Gibson Transportation Consulting, Inc. to Study the Effects of Converting a Portion of the City's M2-Zoned Land to Office Space

PUBLIC HEARING

7.   Ordinance Amending Commerce Municipal Code Chapter 5.61 - Control Over Cultivation, Delivery and Processing of Medical Marijuana Within the City-First Reading

City Planner Jimenez provided an overview of the staff report.

Mayor Leon opened Public Hearing.

Captain Biagini spoke in support of adoption of this ordinance.

Richard Hernandez, Commerce resident, spoke in support of allowing dispensaries in Commerce.

Mayor Leon closed Public Hearing.

Councilmember Rebollo stepped out from the Council Chambers.

Councilmember Argumedo moved, seconded by Mayor Pro Tem Baca Del Rio, to approve the ordinance for first reading and read the Ordinance by title only. City Attorney Olivo read the title of the ordinance of the City of Commerce amending Commerce Municipal Code Chapter 5.61 in order for the City to maintain local control over cultivation, delivery and processing of medical marijuana within the City limits in light of recently enacted legislation under the California's Medical Marijuana Regulation and Safety Act. The motion carried by the following vote:

Ayes: 4 - Councilmember Altamirano, Councilmember Argumedo, Mayor Pro Tem Baca Del Rio, and Mayor Leon

Absent: 1 - Councilmember Rebollo

SCHEDULED MATTERS

8.   <u>Memorandum of Understanding with the Los Angeles Homeless Services Authority to Participate in the Opt-In Program for the 2016 Greater Los Angeles Homeless Count</u>

Kimberly Barnett, SPA 7 Regional Coordinator of Los Angeles Homeless Authority, provided a presentation regarding homeless count in the City of Commerce scheduled for January 26, 2016.

Discussion took place on how the areas where homeless live are identified and what assistance could be provided to homeless based on that outreach effort that is going to be conducted in the City of Commerce. Ms. Barnett explained that numbers from homeless count are submitted to Housing and Urban Development Department and funding allocated based on that count. Further discussion took place on how volunteers are selected and what role and how the City is going to assist with the count.

Mayor Pro Tem Baca Del Rio moved, seconded by Councilmember Rebollo, to adopt Resolution approving a Memorandum of Understanding with the Los Angeles Homeless Services Authority to participate in the Opt-In Program for the 2016 Greater Los Angeles Homeless Count. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
Baca Del Rio, and Mayor Leon

9.   Presentation of the 2014 Part 1 FBI Uniform Crime Reports Related to the
City of Commerce

Community Services Director Rodriguez provided an overview of the staff report. According to Director Rodriguez, the City of Commerce came as number one with the least violent crime in the area based on FBI Uniform Crime Reports.   In addition, theft, burglary and vehicle theft is higher in neighboring cities.   Director Rodriguez stated that the City of Commerce is a very safe community.

Councilmember Altamirano moved, seconded by Mayor Pro Tem Baca Del Rio, to receive and file the presentation of the 2014 Part 1 Uniform Crime Reports related to the City of Commerce. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
Baca Del Rio, and Mayor Leon

10.   Agreement with the Commerce Refuse to Energy Authority for Right of First
Refusal to Purchase Real Estate Located At 5926 South Sheila Street,
Commerce

City Administrator Rifa provided an overview of the staff report.   CREA may cease operations at the end of 2016 or sometime thereafter; and   CREA may elect to sell the facility to a private entity to continue current operations.   According to City Administrator Rifa,   City should consider purchasing the property and if and when they become available for sale.   CREA staff has also agreed to support the grant to the City of a right of first refusal.

Mayor Pro Tem Baca Del Rio moved, seconded by Councilmember Argumedo, to adopt Resolution approving an agreement with the Commerce Refuse to Energy Authority for the City's Right of First Refusal to Purchase Real Estate located at 5926 South Sheila Street, in the City of Commerce. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
Baca Del Rio, and Mayor Leon

11.   ADA Self-Evaluation and Transition Plan Public Announcement of a Survey

Director Babaki provided an overview of the staff report.   Councilmember Rebollo suggested looking at other venues for survey distribution through libraries, schools, parks, etc. in order to obtain more responses.

Councilmember Altamirano moved, seconded by Councilmember Rebollo, to receive and file the   Report, announce the availability of an ADA Self-Evaluation and Transition Plan Survey and take appropriate action as

determined necessary. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
               Baca Del Rio, and Mayor Leon

12.   Agreement with Key Government Finance, Inc., for the Lease of Two 2016
          MCI Buses

Greg Guzman, Fleet Maintenance Supervisor, provided an overview of the staff report. According to Mr. Guzman, leasing is a better option for the City with minimal impact to the budget. According to Director McFerguson leasing versus buying is a better option. The cost of purchasing a bus is about 1.4 million plus tax, and funding for bus lease would be covered through Measure AA. Discussion ensued about bus specifications.

Mayor Pro Tem Baca Del Rio moved, seconded by Councilmember Rebollo, to adopt Resolution approving the Agreement with Key Government Finance, Inc., for the Lease of Two 2016 MCI buses. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
               Baca Del Rio, and Mayor Leon

13.   Amendment to Camp Commerce Sessions for Civic Organizations Policy

Parks and Recreation Director Lipton provided an overview of the staff report. According to Director Lipton in prior years four Civic Organizations were approved to go to Camp Commerce. Two civic organizations, Girl Scouts and United Family of Bristow, asked whether non-members could go to Camp Commerce as well. It was a consensus among the City Council to allow Girl Scouts and United Family of Bristow non-resident members to visit Camp Commerce by paying non-resident fee. Council also complimented Parks and Recreation staff on increasing visitation and use of Camp Commerce by bringing new entertainment programs, which draws more youth participation.

Councilmember Rebollo moved, seconded by Mayor Pro Tem Baca Del Rio, to amending Camp Commerce Sessions for Civic Organizations Policy to allow for members of Girl Scouts and United Family of Bristow civic organizations who are non-residents, to attend Camp Commerce during their respective session at the non-resident rate consistent with the Camp Commerce private party rental fees. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
               Baca Del Rio, and Mayor Leon

14.   Professional Service Agreements for Various On-Call Professional Services
          and Eligibility List

Public Works and Development Services Director Babaki provided an overview of the staff report. Discussion ensued. Mayor Leon left Council Chambers.

Councilmember Rebollo moved, seconded by Councilmember Altamirano, to adopt Resolution approving professional service agreements with qualified consultants for various development and CIP programs and establishing an eligibility list for various on-call professional services. The motion carried by the following vote:

Ayes: 4 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, and Mayor Pro
               Tem Baca Del Rio

Absent: 1 -   Mayor Leon

15.   Agreement with Letner Roofing for Emergency Roof Repair at the Bristow Park Building

Public Works and Development Services Director Babaki provided an overview of the staff report. Mayor Leon returned to Council Chambers. Discussion ensued. It was a consensus among the City Council to reject the bids and seek other alternatives. City Attorney Olivo stated that the Council declared emergency for the roof repair project and alternatives will be under the umbrella of that Council action.

Councilmember Altamirano moved, seconded by Mayor Pro Tem Baca Del Rio, to reject bids received for emergency roof repair at the Bristow Park building. The motion carried by the following vote:

Ayes: 5 -   Councilmember Altamirano, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem
               Baca Del Rio, and Mayor Leon

16.   Preserving Commerce History

Library Director Sarmiento provided an overview of the Library renovation project, which brought about improvements to the flyer. According to Director Sarmiento, staff is planning to display Commerce history in the designated Commerce History Room located inside the renovated Main Library. In 2016, the Library Department will use donated funds to purchase a touch screen video wall that will display digital, historical photos of the City. This includes photos of former Mayors and Miss Commerce winners, all in addition to photographs that show the evolution of the City's landscape, community leaders and residents.

Director Sarmiento stated that the photo digitization project will begin in 2016. Discussion took place on possibly having photos places in larger frames, which would save on the wall space or potential display photos in the Council Chambers. It was a consensus among the City Council that actual photos of Councilmembers was a great display of Commerce history. It was a consensus among the City Council to bring this item back for discussion with more options.

17. Rescheduling of Community Vigil Related to Exide Technologies

Mayor Pro Tem Baca Del Rio requested to continue this item due to the current weather conditions.

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

City Council thanked Parks and Recreation Department for excellent New Year event for Seniors. Council wished everyone Happy New Year!
Mayor Leon reported that the Snow Day was a fantastic event as well as Children's Holiday Fair.

ADJOURNMENT

Meting adjourned at 9:01 p.m. in memory of Tony Huante, Larry Sealander, Livia Garcia, and Manuel Vargas.

Appendix B
Found in Volume 2

Appendices C, D, E and F
Found in Volume 3

Appendix G

Policies and Procedures

Appendix G

Part 1

Grievance Policies and Procedures

CITY OF COMMERCE

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT - ADA

In accordance with the requirements of Title Two of the Americans with Disabilities Act of 1990 (ADA), The City of Commerce will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

DISABILITY SERVICES

The City of Commerce will seek to provide, upon request, appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Commerce programs, services, and programs.

The City of Commerce will make reasonable modifications to policies and programs, o ensure that people with disabilities have equal opportunities to enjoy its services, programs and activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Commerce, should contact Michael A. Casalou, ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event.

Anyone who requires a disability related modification or accommodation in order to participate in a City Council or Commission meeting, including auxiliary aids or services, should contact the City Clerk's Office at (323) 772- 4805 Ext. 2252 as soon as possible but no later than 48 hours before the scheduled meeting. The City Clerk is Lena Shumway.

Complaints that a program, service or activity of the City of Commerce is not accessible to persons with disabilities should be directed to Michael A. Casalou, ADA Coordinator.

ADA COORDINATOR

The ADA Coordinator is responsible for coordinating the efforts of the City of Commerce to comply with Title Two of the Americans with Disabilities Act (ADA) and investigating any concerns or complaints regarding access to City programs, services, or activities. Michael A. Casalou, Director of Human Resources has been designated as the ADA Coordinator.

Michael A. Casalou may be reached at:
2535 Commerce Way
Commerce, California 90040
Email: mikec@ci.commerce.ca.us
Phone: (323) 722-4805 Ext.2227
Fax: (323) 887-4412

CITY OF COMMERCE

ACCESSIBILITY POLICY

The City of Commerce is committed to providing electronic information in a format that is accessible by the largest number of users possible. We do this by attempting to:

- Comply wherever possible with the accessibility standards in Section 508 of the Rehabilitation Act as amended by Congress in 1998.
- Ensure compliance with WCAG 1.0 (Web Content Accessibility Guidelines) and complete enhancements to be WCAG 2.0 compliant in fiscal year 2016-17.
- Use web site design standards that emphasize consistent and easy to understand navigation and presentation information.
- Adhere to HTML standards to ensure compatibility with the widest possible number of web browsing programs and platforms.
- Minimize web page loading time to accommodate slower connections.

In some cases, we present information in the form of a Portable Document Format (PDF) files. This is a standard web format which can be read with free software available for most computers.

When presenting information as a PDF file we will attempt to:

- Clearly identify the document as a PDF file and provide a link to the software needed to open the file.
- Create text-based, searchable PDF documents. This is not always possible when presenting graphics or alternate language documents.

Adobe makes accessible information and tools available on their web site that allow conversion or PDF files to HTML or text.

Please contact the City's ADA Coordinator Michael Casalou with any questions or feedback, or call (323) – 722 – 4805 Ext. 2227.

CITY OF COMMERCE

AMERICANS WITH DISABILITIES ACT (ADA)

GRIEVANCE POLICY & PROCEDURES

ADA Grievance Policy:

In meeting the Americans with Disabilities Act (ADA) requirements, the City of Commerce, California has adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title Two of the ADA. In compliance with the ADA, the City adheres to the following statement: " that no otherwise qualified disabled individual shall, solely by reason of such a disability, be excluded from the participation in, be denied the benefits of, or subject to discrimination in programs, services or activities" provided or sponsored by the City of Commerce, California.

ADA Grievance Procedures:

Purpose:

The purpose of these procedures is to provide clear and concise instructions to any aggrieved person or persons who meet the Americans with Disabilities Act recognized definition of disability and believe he or she or they have been discriminated against by the City of Commerce, California or any of its affiliated agencies including the Library, or the Department of Parks and Recreation in the provision of its programs, services or activities.

Grounds:

Any qualified person with a disability or qualified persons with disabilities or his or her or their authorized representatives may file an ADA grievance complaint with the City for any of the following reasons:

(a) The City is not in compliance with the physical access requirements of the ADA related to its public facilities, and/or public right-of-way;

(b) The City has denied you or a specific class of qualified persons with disabilities access to participate in any City programs, services or activities on the basis of any ADA recognized disability;

(c) The City has subjected you as a qualified person with a disability or a specific class of qualified persons with disabilities to discrimination on the basis of any ADA recognized disability; or

(d) The City has violated the ADA in other matters.

ADA Grievance Complaint Filing Procedure:

(a) An ADA Grievance Complaint must be filed via mail, personal delivery, facsimile, electronic mail, telephone, or in person with the City's designated ADA Coordinator.

The City of Commerce designated ADA Coordinator is the Director of Human Resources

(b) An ADA Grievance Complaint should be submitted as soon as possible but no later than 60 calendar days after the alleged violation.

(c) An ADA Grievance Complaint should be in writing (with exceptions such as photographs) And provide the following Information:

Complainant:
Name
Mailing Address (if any)
E-Mail Address (if any)
Phone number
Facsimile number (if any)

Complainant's Representative:
Name
Mailing Address
E-Mail Address (if any)
Phone number
Facsimile (if any)

Incident Violation:
Description
Location
Date or dates of occurrence
Time or times of occurrence
Name and contact information of witnesses
Name of City employee involved

ADA Grievance Complaints shall be processed as follows:

(a) Within 15 calendar days after receipt of the ADA Grievance Complaint by the ADA Coordinator, Complainant(s) will be notified that the ADA grievance Complaint has been received and is being investigated. The ADA Coordinator or his or her designee will then investigate the complaint and meet with the complainant(s) to discuss the complaint and possible solutions.

(b) The investigation may include interviews with: the Complainant(s); the person(s) if any who allegedly discriminated against the Complainant(s); and any other person the ADA Coordinator or his or her designee believes to have relevant knowledge concerning the subject ADA grievance.

(c) The ADA Coordinator or his or her designee will prepare a written report ("Complaint Determination") that will include: the results of the investigation, a determination as to whether any ADA discrimination occurred or ADA access requirements have been violated, and any appropriate remedy which the City will provide. The response will also include an explanation of the City's position and offer options for substantive resolution of the complaint.

(d) A copy of the Complaint Determination will be sent to the Complainant(s) within 60 days of receipt of the ADA Grievance Complaint.

<u>Appeal Process:</u>

(a) If the response by the ADA Coordinator or his or her designee does not satisfactorily resolve the issue, the Complainant and his or her designee may appeal the decision within 15 calendar days after receipt of the City's response to the City Administrator or his or her designee.

(b) Within 15 calendar days after the receipt of the appeal, the City Administrator or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Administrator or his or her designee will respond in writing and where appropriate, or in a format accessible to the complainant, with a final resolution to the complaint.

Appeal Process – Option # 2:

If the response of the ADA Coordinator or his or her designee does not satisfactorily resolve the issue, Complainant(s) may appeal the decision within 15 calendar days after receipt of the Complaint Determination to an Administrative Hearing Officer pursuant to the following:

(a) **Duties of the Administrative Hearing Officer:** The Administrative Hearing Officer ("Hearing Officer") shall conduct all Administrative Appeal Hearings of any timely filed appeal from a Complaint Determination pursuant to the procedures set forth in this resolution. The Hearing Officer shall review all evidence, documents, and written testimony and hear all oral testimony submitted by the parties and render all decisions and findings in writing to the appellant with a duplicate copy to the ADA Coordinator. The Hearing Officer may decide to uphold the Complaint Determination or rescind the Complaint Determination in part or in its entirety.

(b) **Limitations of Authority of Administrative Hearing Officer:** The Hearing Officer's authority to hear and consider appeals shall be limited to passing on only those appeals pertaining to matters within his or her subject matter jurisdiction. The Hearing Officer shall consider at the hearing on the appeal only those matters which are specifically raised by the appellant in his or her appeal and which are relevant to the hearing. The Hearing Officer shall not have the authority to waive any requirements of the Municipal Code and /or any applicable statutes, rules, codes or regulations, except as otherwise provided in this resolution.

(c) **Obtaining an Administrative Hearing Officer:**

   (1) Within five (5) business days after it has been determined that a timely and complete appeal of a Complaint Determination has been filed, the ADA Coordinator or his or her designee shall provide written notice by first class mail or facsimile to the person requesting a Hearing Officer.

   (2) As soon as practicable, the Complaint will provide to the ADA Coordinator and the person or entity who filed the appeal, a notice listing three randomly selected names of Hearing Officers who are practicing and retired attorneys and judges who have agreed to join a panel from which Hearing Officers are selected by the Los Angeles County Bar Association.

   (3) Each party shall have the opportunity to reject one of the three proposed Hearing Officers provided by the Los Angeles County Bar Association. In the event that two out of the three listed Hearing Officers are rejected by the parties to the hearing by the deadline stated in this notice, the remaining Hearing Officer shall become the selected Hearing Officer for purposes of presiding over that particular hearing. In the event that only one or none of the three listed Hearing Officers are rejected by the parties to the hearing by the deadline stated in the notice, the first Hearing Officer on the top of the list who has not been rejected shall become the selected hearing Officer for purposes of residing over that particular hearing.

(d) Scheduling the Administrative Appeal Hearing: Once the Hearing Officer is selected, the ADA Coordinator or his or her designee shall contact the Hearing Officer to schedule a date, time and location for the Administrative Appeal Hearing. The Administrative Appeal Hearing shall be scheduled as soon as practicable but allowing sufficient time for providing a notice of the hearing.

(e) Preparation and form of Notice of Administrative Appeal Hearing: Once the date, time and location for the Administrative Appeal Hearing is determined, The ADA Coordinator or his or her designee shall prepare a notice of Administrative Appeal Hearing ("Hearing Notice") which shall be the same or substantially similar as follows:

"You are hereby notified that a hearing will be held before the Administrative Hearing Officer at _____ on the _____ day of _____, _____, at the hour of _____ to hear your appeal of the Complaint Determination. You may be present at the hearing. You may be, but not need be, represented by an attorney. You may present any relevant evidence at the hearing and you will be given a full opportunity to cross-examine all witnesses testifying against you."

(f) Time for and method of service of Notice of Administrative Appeal Hearing: The ADA Coordinator or his or her designee shall provide the appellant a copy of the Hearing Notice by either delivering it personally to the appellant, or delivering it by certified mail, postage prepaid, return receipt requested, and addressed to the appellant at the address shown on the appeal.

(g) Proof of service of Notice of Administrative Hearing: Proof of service of the Hearing Notice shall be certified at the time of service by written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration shall be affixed to a copy of the Hearing Notice and retained by the citing officer or his or her designee.

(h) Report and Recommendation: The ADA Coordinator shall prepare an administrative hearing packet for the Hearing Officer to review prior to the hearing. The packet shall include a copy of the Complaint Determination, a staff report, and any evidence of the violation(s).

(i) Admissibility of evidence at Administrative Appeal Hearing: At the Administrative Appeal Hearing, the Hearing Officer shall review all evidence, documents, and written testimony and hear all oral testimony offered either in support of the Complaint Determination, provided such evidence and testimony is relevant to the issues of the hearing. The Hearing Officer has the authority to determine the relevance of any evidence to the issues of the hearing. The Hearing Officer also has the authority to exclude unduly repetitious and cumulative evidence, regardless of its relevancy.

(j) Rights of parties at Administrative Appeal Hearing: Each party appearing at the hearing shall have the following rights: (a) to call and examine witnesses; (b) to introduce documentary and physical evidence; (c) to cross examine opposing witnesses; (d) to impeach any witness regardless of which party first called the witness to testify; (e) to rebut evidence; and (f) to be represented by anyone who is lawfully permitted to do so.

(k) Failure to attend an Administrative Appeal Hearing: If the appellant or his or her representative fails to participate in the scheduled Administrative Appeal Hearing, the hearing will proceed without appellant and he or she will be deemed to have waived his or her rights at the Appeal Hearing.

(l) Hearing Officers Determination on Appeal: Following the appeal of a Complaint Determination, the Hearing Officer may decide to uphold the Complaint Determination, overturn some or all of the findings of the ADA Coordinator and/or rescind the Complaint Determination in part or its entirety.

(m) Duty to prepare and serve Notice of Decision: The Hearing Officer shall prepare and serve a written Notice of Decision upon the appellant and the ADA Coordinator following the Administrative Appeal Hearing. The decision of the Hearing Officer shall be final, except as otherwise provided by the resolution.

(n) Time in which to serve Notice of Decision: The Hearing Officer shall serve the written Notice of Decision to the appellant within twenty (20) calendar days from the date the hearing is deemed closed. The Hearing Officer shall also provide or cause to be provided a copy of the Notice of Decision to the ADA Coordinator.

(o) Form of Notice of Decision: The Notice of Decision shall state whether the Complaint Determination has been either upheld, in full or in part, or rescinded in full or in part. In addition, the Notice of Decision shall contain a brief summary of the evidence considered, findings of fact, a determination of the issues presented, the effective date of the decision, and an alternative Complaint Determination, if applicable, which specifically describe the actions which shall be required to be taken and completed within a specified time period and by a specified deadline.

(p) Service of Notice of Decision: The Hearing Officer shall ascertain that a copy of the Notice of Decision be provided to the appellant either by delivering it personally, or by delivering it via certified mail, postage prepaid, return receipt requested, and addressed to the appellant at the address shown on the appeal. A copy of the Notice of Decision shall also be provided to the ADA Coordinator.

(q) Effective date of Notice of Decision: The effective date of the Hearing Officer's Notice of Decision shall be stated therein or, if none provided, the actual date of the Notice of Decision.

Alternative Formats:

In lieu of any written document or in addition to ant written document referenced herein above, any qualified person with a disability or qualified persons with disabilities may, upon request, submit or receive any such document(s) in alternative format to reasonably accommodate his or her or their ADA recognized disability without a surcharge being imposed by the City for such reasonable accommodations.

EXAMPLES OF ALTERNATIVE FORMATS:

Audio tape or other recordings

Large print notice

Braille notice

Use of a **qualified sign language interpreter** at meetings

Communication using a word processing format on a computer

HTML format on an accessible website

Records Retention:

All ADA written Grievance Complaints, Complaint Determinations, Written Appeals and Notices of Decisions, shall be retained by the City's ADA Coordinator for at least three years.

ADA GRIEVANCE POLICY AND PROCEDURE
(SAMPLE)

> **Section Summary**
> The following sample ADA Grievance Procedure has been developed in part from material prepared by the U.S. Department of Health and Human Services, Office of Civil Rights, Regional Technical Assistance staff. It is intended as a guide only, to be tailored by the City of Commerce to suit their own circumstances and in consideration of any applicable state or local laws.

SAMPLE ADA GRIEVANCE PROCEDURE

The City of Commerce, California has adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title Two of the Americans with Disabilities Act (ADA). Title Two states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subject to discrimination" in programs or activities sponsored by the City.

Complaints should be addressed to: (Name, Title, Office Address, Telephone Number), who has been designated to coordinate ADA compliance efforts for the City.

1. Complaints shall be filed in writing or verbally, and contain the name and address of the individual filing it, along with a description of the alleged violations of the ADA regulations.

2. A complaint should be filed within (number of days) after the complainant becomes aware of the alleged violation. Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case by case basis.

3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by (Name of City Official) . These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by (Name of City Official) and a copy forwarded to the complainant no later than (number of days) after its filing.

5. The ADA Coordinator shall maintain the files and records of the City of Rancho Mirage relating to ADA complaints filed.

REASONABLE ACCOMMODATION REQUEST FORM
(SAMPLE)

Applicant or Employee Name: _____

Please print – last name, first name, and middle initial if any.

Address:_____

Phone Number:_____

Social Security Number: _____

Job Title: _____

I am an applicant or employee for the position named above and would like to request a **"Reasonable Accommodation"** either in the job testing process or to assist me in performing the essential functions of my current position with the City of Commerce. I would like to discuss this request with a Human Resources Representative at the earliest convenience.

_____

Applicant and /or Employee signature   *Date*

Please describe your accommodation request:

_____

_____

_____

DISABILITY VERIFICATION CONTACT:

Please provide the name of your doctor, agency, licensed or medical professional who may be contacted for additional information to verify your disability in the event it is non-observable.

Contact Name: _____

Title: _____

Agency or Practice Name: _____

Address: _____

Phone Number: _____

Appendix G

Part 2

Assistive Listening Systems

ASSISTIVE LISTENING SYSTEMS

- An assistive listening system must be provided in assembly areas, including conference and meeting rooms.

- Each assembly area required to provide assistive listening systems must provide signs informing patrons of the availability of the assistive listening system.

- The min. number of receivers to be provided must be equal to 4% of the total number of seats, but in no case less than 2.

- 25% min. of receivers provided, but no fewer than 2, must be hearing-aid compatible.

- If the assistive-listening system provided is limited to specific areas or seats, then such areas or seats must be within a 50-foot viewing distance of the stage or playing area and must have a complete view of the stage or playing area.

- Permanently installed assistive-listening systems are required in areas if they accommodate at least 50 persons or if they have audio-amplification systems and they have fixed seating.

- If portable assistive-listening systems are used for conference or meeting rooms, the system may serve more than one room.

- An adequate number of electrical outlets or other supplementary wiring necessary to support a portable assistive-listening system must be provided.

NUMBER AND LOCATION OF ASSISTIVE LISTENING SYSTEMS
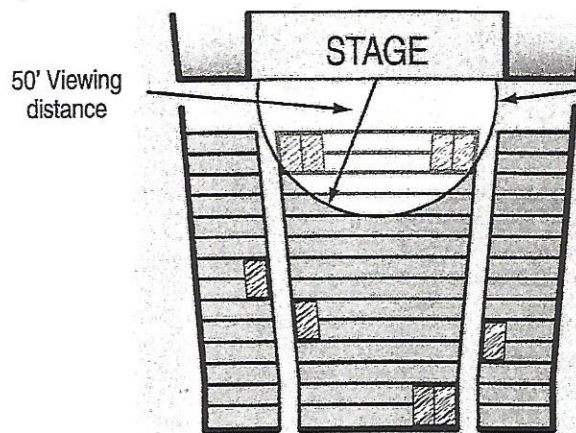
STAGE

50' Viewing distance

If the assistive listening system provided is limited to specific areas or seats, then such areas or seats must be within a 50-foot viewing distance.

- Min. number of receivers: 4% of the total number of seats, but in no case less than 2
- Hearing-aid compatible receivers: 25% min. but no fewer than 2

ASSISTIVE LISTENING SYSTEMS - KEY CONCEPTS

Appendix G

Part 3

Employment Policy

CITY OF COMMERCE

AMERCIANS WITH DISABILITIES ACT (ADA) COMPLIANCE / EMPLOYMENT POLICY

The City of Commerce is committed to adhering to Title 1 of the Americans with Disabilities Act and does not discriminate against qualified individuals with a disability in regard to job application procedures, the hiring or discharge of employees, employee compensation, advancement, job training, job assignment, and other terms, conditions, and privileges of employment. The City is committed to accommodating persons with disabilities to the maximum extent possible and offers a "reasonable accommodation" policy and procedure to meet that commitment.

Further, it is the obligation of the City and its employees to consider people with disabilities as individuals and to avoid prejudging them on the basis of appearance, preconceived judgements, or medical history.

Disability is defined by the ADA as an individual with:

(A) A physical or mental impairment that substantially limits one or more major life activities
   of such an individual;

(B) Has a record (or past history) of such an impairment; or

(C) As being regarded as having such an impairment.

Reasonable accommodation:

The City encourages applications from qualified individuals with disabilities as defined by the Americans with Disabilities Act. Individuals who will require a reasonable accommodation as part of the testing or selection process must indicate their request as part of the application process. Applicants with a disability that affect sensory, manual, or speaking skills may be provided with a test that is in a format that does not require the use of the impaired skill. Persons requesting a reasonable accommodation will be required to provide documentation of such a need.

EMPLOYMENT / HUMAN RESOURCES DEPARTMENT

Overview and ADA Legal Requirements

Section Summary

As of January 26, 1992 Title One of the Americans with Disabilities Act (ADA) prohibits all private and public entities from discriminating in their employment practices against qualified individuals with disabilities. Title One of the ADA is enforced by the Equal Employment Opportunity Commission (EEOC) and applies to all employers with 15 or more employees. In addition, as a means of coordinating overlapping Federal Requirements, State and Local Government employers regardless of size are also covered by the employment nondiscrimination requirements of Title Two of the ADA which is enforced by the U.S. Department of Justice.

Furthermore, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination in employment practices within programs and activities that receive Federal financial assistance. Thus, State and Local government agencies regardless if they receive Federal financial assistance, must ensure that their employment policies and practices do not discriminate on the basis of disability in every aspect of employment.

In general, the heart of the ADA prohibition of employment discrimination is the reasonable accommodation requirement as a means of providing an equal opportunity for individuals with disabilities in all aspects of employment, including the following:

- Hiring and termination
- Discipline
- Demotion
- Promotion
- Compensation and fringe benefits
- Job assignment
- Performance management
- The handling of leave requests
- Job training and
- Other terms, conditions and privileges of employment

REASONABLE ACCOMMODATION POLICY AND PRACTICES

Summary

Many individuals with disabilities are qualified to perform the essential functions of jobs without the need for any accommodation. However, if an individual with a disability who is otherwise qualified cannot perform one or more essential job functions because of his or her disability, the employer, in assessing whether the person is qualified to do the job, must consider whether there are modifications or adjustments that would enable the person to perform these functions. Such modifications or adjustments are called **"reasonable accommodations".**

Reasonable accommodation is a key nondiscrimination requirement under the ADA. An employer must first consider the reasonable accommodation requirement in determining whether an individual with a disability is **qualified** and when making many other employment decisions regarding individuals with disabilities. Reasonable accommodations are provided for **qualified** applicants and employees with disabilities so they can apply for jobs and perform the essential functions of those jobs on the same basis as anyone else. That is the promise of the ADA – to provide a "level playing field" for individuals with disabilities so they may have a fair and equal opportunity for employment.

Employers are **not** required however, to provide accommodations that would cause an undue hardship for their business or to give applicants or workers with disabilities an extra advantage that other workers do not receive. The ADA simply states that an employer cannot deny an employment opportunity to a qualified applicant or employee because of the need to provide a reasonable accommodation.

Reasonable Accommodation Defined:
A reasonable accommodation is a modification or adjustment to a job, the work environment, or the way things are usually done that enables a qualified individual with a disability to enjoy an equal employment opportunity. An equal employment opportunity means an opportunity to attain the same level of performance or equal benefits and privileges of employment as are available to similarly situated employees who are not disabled. **The ADA requires reasonable accommodations in the following three aspects of employment:**

- **To ensure an equal opportunity in the application process;**

- **To enable a qualified individual with a disability the opportunity to perform the essential functions of a job; and**

- **To enable an employee with a disability an opportunity to enjoy equal benefits and privileges of employment.**

REASONABLE ACCOMMODATION POLICY AND PRACTICES (continued):

Examples of Reasonable Accommodations:

There are many types of reasonable accommodations available which are to be determined on an individual case by case basis between the employer and the disabled applicant or employee. However**,** a reasonable accommodation always must take into consideration two unique factors: The specific abilities and functional limitations of a particular applicant or employee with a disability and, the specific functional requirements of a particular job.

When considering an accommodation, the focus shall be on the abilities and limitations of the individual, not on the name of a disability or a particular physical or mental condition. Examples may include:

- Making facilities readily accessible to and usable by an individual with a disability;

- Restructuring a job by reallocating marginal job functions;

- Altering when or how an essential job function is performed;

- Part time or modified work schedules;

- Obtaining or modifying equipment or devices;

- Modifying examinations, training materials or policies;

- Providing qualified readers or interpreters;

- Reassignment to a vacant position;

- Permitting use of accrued paid leave or unpaid leave for necessary treatment;

- Providing reserved parking for an employee with a mobility impairment; and/or

- Allowing an employee to provide equipment or devices that an employer is not required to provide.

NOTE:

It is the responsibility of the applicant or employee with a disability to inform the employer that an accommodation is needed to participate in the application process or to perform the essential functions of the job. If the need for an accommodation is not obvious due to a hidden (non-observable) disability, the employer may request professional documentation of the individual's functional limitations to support the request.

APPLICATION PROCESS FOR A REASONABLE ACCOMMODATION

Summary

The following is a recommended Application Process for requesting a reasonable accommodation by an applicant or employee with a disability. It is the responsibility of the disabled applicant or employee to initiate this process with the Human Resources Department of the City.

General Process:

A manager generally will not ask whether applicants or employees need to be accommodated, unless a disability is so obvious that it would be reasonable to assume an individual would require an accommodation to perform the essential functions of the job. Then the manager may ask what, if any accommodation is needed, but not delve further.

The reasonable accommodation process is overseen by the Human Resources Department. Reasonable accommodations are then identified through a dialogue between City officials and the individual requesting the accommodation. They will have the opportunity to discuss various accommodation possibilities and alternatives regarding the feasibility and effectiveness of accommodation options. Decisions to grant or deny accommodation requests will then be made by the Human Resources Department, which will notify the applicant or employee in a timely manner. If a request is denied, the Human Resources Department may discuss other possible alternatives with the applicant or employee regarding the accommodation request.

 Further, an applicant with a known disability requesting an accommodation in the examination or interview process shall complete and file a **Reasonable Accommodation Request Form** provided by the City Human Resources Department. This shall be done well in advance prior to an exam or interview (72 hours minimum) to allow sufficient time for staff to make any necessary arrangements. The Director of Human Resources may request the assistance of a Department Head, Supervisor, Manager and / or the ADA Coordinator in making arrangements for the requested accommodation.

Also, a request for a reasonable accommodation for pre-employment testing and /or an interview is not automatic. Case by case decisions are made based on the nature of the request, the individual's disability and available resources.

Confidentiality:

The Human Resources Department may ask for medical documentation of a hidden disability and limitations that the disability imposes on the employee's ability to perform the essential functions of the job. **Managers shall not seek to obtain medical information** from applicants or employees.
All medical information will be kept confidential by the Human Resources Department, and disclosed to managers only on a need to know basis. When a manager is privy to medical information about an employee, the manager shall also keep the information confidential.

REASONABLE ACCOMMODATION REQUEST FORM

Please print

Applicant or Employee Name: (please circle which one)

_____
(Last name, first name, and middle initial if any)

Address: _____

Phone Number: _____

Social Security Number: _____

Job Title: _____

Regarding the position named above, I would like to request a "Reasonable Accommodation" either in the job testing process or to assist me in performing the essential functions of my current position with the City. I would like to discuss this request with a Human Resources Representative at the earliest convenience.

Applicant and /or Employee signature: **Date:**

_____   _____

Please describe below your Accommodation Request:

_____

_____

_____

_____

DISABILITY VERIFICATION CONTACT PERSON

Please provide the name of your doctor, agency, or licensed medical professional who may be contacted for additional information to verify your disability in the event it is non-observable.

<u>Please print</u>

Contact Person's Name: _____

Title: _____

Agency or Practice Name: _____

Address: _____

Phone Number: _____

Appendix G

Part 4

Public Notice

NOTICE OF ADA COMPLIANCE
Prepared by Phil Kaplan

Notice to the Public:

A public entity must provide information regarding the ADA and indicate compliance with the ADA provisions against discrimination towards individuals with disabilities. It shall address Title One (Employment) and Title Two requirements pertaining to applicants, participants, and beneficiaries and shall explain the applicability to the public entity's services, programs and activities.

There are various methods of providing public notice of ADA compliance. These methods may include the publication of information on the City's web site, in the Agenda's for Public meetings, as well as in handbooks, manuals, and pamphlets that are distributed to the public which describe the public entity's programs, activities and services. Or, they may include the display of information posters in service centers, lobbies, and other public places; or, the broadcast of information by television or radio. In addition, notice to the public may be published in local newspapers, or announced at public meetings. In providing the Notice, the public entity must comply with the ADA Title Two requirements for effective communication, including the provision of alternate formats, as appropriate to meet the individual's disability needs. A sample Notice form could be worded as follows:

SAMPLE
Policy of Nondiscrimination on the basis of Disability

In accordance with Title Two of the Americans with Disabilities Act of 1990 ("ADA"), the City does not discriminate on the basis of disability in its services, programs or activities. The City also adheres to the ADA requirements pertaining to the provision of Effective Communication and Modifications to Policies and Procedures to ensure that qualified individuals with disabilities have an equal opportunity with City related matters. Anyone who requires an auxiliary aid for effective communication, or a modification of policies or procedures to participate in a program, service or activity should contact the City's ADA Coordinator.

(name, office address, phone number, and e-mail address of employee)   has been designated as the City's ADA Coordinator to coordinate compliance with the non discrimination requirements contained in the Department of Justice regulations implementing Title Two of the ADA.

Notice pertaining to non-discrimination in employment: Recruitment materials or publications published by public entities must contain a statement that the public entity does not discriminate against persons with disabilities in employment or the provision of services.

Equal Employment Opportunity Statement:
The City does not discriminate on the basis of disability in its hiring or employment practices or the provision of services and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title One of the Americans with Disabilities Act.

CITY OF COMMERCE

ADA NOTICE – PUBLIC & SPECIAL EVENTS:

It is the policy of the City of Commerce to comply with the Americans with Disabilities Act (ADA) in all respects. For all meetings and events at City owned or managed properties, every effort will be made to be architecturally and programmatically accessible to persons with disabilities. For example, when City sponsored special events or classes are scheduled, they are required to be located in the most integrated setting appropriate to the needs of individuals with disabilities (28 C.F.R. 35.130 d). Accessible site selection for special events or classes shall take into consideration the needs of persons with mobility, hearing, speech, and vision impairments in an effort to provide an equal opportunity for full participation. The attached Checklist is designed to assure these accommodations are provided.

ACCOMMODATION REQUESTS:

In its effort to ensure that communications with participants and members of the public with disabilities are as effective as communications with others, the City of Commerce will provide appropriate auxiliary aids and services whenever necessary for those individuals who have hearing, sight, or speech impairments, unless to do so would result in a fundamental alteration of its programs or an undue administrative or financial burden. The City will not place a surcharge on an individual with a disability or any group of individuals with disabilities to cover the cost of providing these auxiliary aids, services or reasonable accommodations.

ADA COORDINATOR:

The ADA Coordinator for the City of Commerce is (Michael Casalou, phone 323–722–4805 Ext. 2227) who responsible for ensuring that the attached form is completed and that accessibility is verified at least 72 hours prior to any meeting or event. Upon filling out or reviewing this form, it is determined that additional information is required, or it appears that the meeting or event cannot be made physically or programmatically accessible, please contact the City's ADA Coordinator to discuss possible alternative solutions or locations.

THE CHECKLIST:

The attached Checklist has been developed to assist City departments and / or event vendors in assessing potential sites and to ensure that all meetings and events at City owned or managed properties comply with the Americans with Disabilities Act "programmatic and architectural" accessibility requirements. The purpose is to ensure that events will be accessible not only to persons with physical disabilities, but to people with sensory and cognitive disabilities as well. This Checklist is designed to assist you, the organizer, in ensuring that your meeting and / or event is accessible and in compliance with the ADA.

Appendix G

Part 5

Public Event Policy

ACCESSIBLE PUBLIC EVENT – CONTACT INFORMATION FORM

EVENT NAME / DESCRIPTION:
_____

EVENT LOCATION / ADDRESS:
_____

EVENT ON SITE CONTACT PERSON: _____

PHONE NUMBER: _____ **EMAIL ADDRESS:** _____

DATE & TIME OF THE EVENT: _____ /_____

DEPARTMENT CONTACT: _____

PHONE NUMBER: _____ **EMAIL ADDRESS:** _____

ACCESSIBLE PUBLIC EVENT – CHECKLIST QUESTIONS

NOTE:

**Please discuss the results of the following questions with the City's ADA Coordinator
(Michael A. Casalou, phone 323-722-4805 Ext. 2227) to assure that the meeting or event will be in
compliance with ADA requirements.**

ARCHITECTURAL ACCESSIBILITY

1. Is the meeting, event site, or facility accessible to wheelchair users or those with mobility impairments?

   YES ☐   **NO** ☐

2. If the meeting, event site, or facility is not accessible to wheelchair users, is there an accessible alternate site or facility that is accessible?

   YES ☐   **NO** ☐

3. Does the meeting, event site, or facility provide sufficient disabled parking spaces?

   YES ☐   **NO** ☐

4. Does the meeting, event site, or facility provide ADA accessible public restrooms?

   YES ☐   **NO** ☐

5. Does the meeting, event site, or facility provide ADA accessible pubic water fountains?

   YES ☐   **NO** ☐

6. If the meeting is held in a classroom or conference room setting, are there a sufficient number of wheelchair accessible desks or tables?

   YES ☐   **NO** ☐

ACCESSIBLE PUBLIC EVENT – CHECKLIST QUESTIONS

NOTE:

Please discuss the results of the following questions with the City's ADA Coordinator (Michael A. Casalou, phone 323-722-4805 Ext. 2227) to assure that the meeting or event will be in compliance with ADA requirements.

ARCHITECTURAL ACCESSIBILITY – AMENITIES

1. If a public event has art displays, and /or food or beverages as part of the event, are they located on an accessible route?

   YES ☐   **NO** ☐

2. If a public event has art displays, and /or food or beverages as part of the event, are they located so that a wheelchair user or person of short stature can reach the area of transaction 48 inches maximum above the floor or ground?

   YES ☐   **NO** ☐

3. **Seating –** If the meeting, event site, or facility provides seating, are provisions made for wheelchair users and companion seating? If yes, does it meet the ADA requirement for location and minimum ratio compared to the total seating allocation?

   YES ☐   **NO** ☐

EVENT SET –UP

1. If a stage, raised platform, or dais is provided, is it accessible to a wheelchair user by means of a ramp, wheelchair lift, or portable wheelchair lift?

   YES ☐   **NO** ☐

2. If a stage, raised platform, or dais is provided, and it would be very difficult to make provisions for wheelchair access, describe alternative options for accessibility.

   _____

   _____

   _____

ACCESSIBLE PUBLIC EVENT – CHECKLIST QUESTIONS

NOTE:

**Please discuss the results of the following questions with the City's ADA Coordinator
(Michael A. Casalou, phone 323-722-4805 Ext. 2227) to assure that the meeting or event will be in
compliance with ADA requirements.**

PROGRAMMATIC ACCESSIBILITY

1. Do all Notices and / or announcements for the meeting or event include ADA accessibility compliance information? This includes agendas, brochures, pamphlets, and web site notifications.

   YES ☐   **NO** ☐

2. Do all Notices and / or announcements for the meeting or event include information on whom to contact to request ADA accommodations? Example, the City's ADA Coordinator, the City's Department staff member, or event planner (name & Phone).

   YES ☐   **NO** ☐

COMMUNICATION ACCESSIBILITY

1. If a sound system is provided, are provisions made for people with hearing impairments who need sound amplification devices as an auxiliary aid?

   YES ☐   **NO** ☐

2. If film or video materials are produced by the City, are they closed captioned for the deaf and hearing impaired?

   YES ☐   **NO** ☐

3. If printed materials are provided, are they available in alternative formats? For example, large print copies (18 point font) recommended or electronically.

   YES ☐   **NO** ☐

Appendix G

Part 6

Public Meetings

CITY OF COMMERCE

PUBLIC MEETINGS

Title Two of the ADA requires each service, program or activity conducted by a public entity when viewed in its entirety to be readily accessible to and usable by individuals with disabilities (28 C.F.R. 35.151 a). This applies to all public meetings and includes providing proper notification that the City complies with the ADA in terms of accommodating individuals with disabilities upon request.

Notification of ADA compliance shall be included on all City public meeting notices. A sample notification statement is provided below. Further, all public meetings shall be held in locations that fully comply with ADA requirements in terms of being architecturally accessible to individuals with disabilities.

The following is a sample ADA notification statement that can be used by the City on all public meeting Notices and Agenda's:

ADA NOTICE – PUBLIC MEETINGS:
It is the intention of the City of Commerce to comply with the Americans with Disabilities Act (ADA) in all respects. If as an attendee or participant at this meeting you will need an auxiliary aid or service for effective communication, or a modification to policies or procedures, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk at (323) 722 - 4805 or the City ADA Coordinator at (323) 722- 4805 - Ext. 2227 at least 48 hours prior to the meeting to inform us of your particular needs so that the most appropriate accommodation can be arranged for.

Equally effective communication requirement (28 C.F.R. 35.160-35.164):

A public entity must ensure that its communications with individuals with disabilities are as effective as communications with others. This obligation, however, does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of its services, programs or activities, or would create an undue financial or administrative burden.

In order to provide equal access in public meetings to promote effective communication, a public entity may be required to provide auxiliary aids and services. Examples of auxiliary aids or services for individuals who are deaf or hearing impaired include qualified sign language interpreters, note takers, computer aided transcription services, written materials, sound amplification assistive listening systems, video text displays, and exchange of written notes.

Examples for individuals who are blind or vision impaired include providing qualified readers, taped texts, audio recordings, Braille materials, and large print materials.

Examples for individuals with speech impairments may include the provision of computer terminals, communication boards, video text displays, and exchange of written notes.

Appendix H

Disability Etiquuette

United Spinal Association

DISABILITY ETIQUETTE

Tips On Interacting With People With Disabilities

United Spinal Association

Mission Statement

United Spinal Association's mission is to improve the quality of life of all people living with spinal cord injuries and disorders (SCI/D).

Who We Are

United Spinal Association is the largest non-profit in the United States dedicated to helping people living with SCI/D. We are a 501(c)(3) national disability rights and veterans service organization founded in 1946. United Spinal Association provides active-lifestyle information, peer support and advocacy that empowers people with SCI/D to achieve their highest potential in all facets of life. United Spinal played a significant role in writing the Americans with Disabilities Act, the landmark civil rights law of 1990 that protects people with disabilities from discrimination. It has also made important contributions to the Fair Housing Amendments Act and the Air Carrier Access Act, and was instrumental in getting New York City to create sidewalk curb ramps and accessible public transportation that is currently used as a model for many cities nationwide.

Who We Serve

United Spinal Association's diverse membership includes wheelchair-users, veterans with disabilities and people living with multiple sclerosis, amyotrophic lateral sclerosis (ALS), post-polio, spina bifida and other spinal cord disorders. Each year, United Spinal Association helps thousands of people of all ages overcome the daily challenges of living life with a disability. And we extend our unending support to those most important in their lives— their family members and caregivers.

Publications

To download any of United Spinal Association's informative publications free of charge, visit **www.unitedspinal.org/publications** or call 1-800-444-0120 to order printed copies.

Donations

United Spinal Association receives very little government funding. Its programs and services depend on individuals like you and your tax-deductible gifts. In fact, without your generous support, the organization could not exist. If you would like to make a donation to support United Spinal's mission, please visit **www.unitedspinal.org/giving** or call 1-800-404-2899.

Membership

National Spinal Cord Injury Association is the membership program of United Spinal Association, and welcomes all individuals with a strong interest in our community. Individual membership is free. Visit **www.spinalcord.org** or call 800-962-9629.

Training

United Spinal Association can customize a "Disability Etiquette" training session at a reasonable cost for your company, organization, or institution. Its experienced staff can plan a program based on your needs. For more information, please contact *info@unitedspinal.org*.

United Spinal Association
75-20 Astoria Boulevard, Jackson Heights, NY, 11370-1177
 718•803•3782 • **www.unitedspinal.org**

Contents

Introduction

The National Organization on Disability (NOD) reports that more than 54 million Americans have a disability. This booklet is for anyone—with or without a disability—who wants to interact more effectively with people with disabilities. The Americans with Disabilities Act (ADA) of 1990 was conceived with the goal of integrating people with disabilities into all aspects of life, particularly the workplace and the marketplace. Sensitivity toward people with disabilities is not only in the spirit of the ADA, it makes good business sense. It can help you expand your practice, better serve your customers or develop your audience. When supervisors and co-workers use disability etiquette, employees with disabilities feel more comfortable and work more productively. Practicing disability etiquette is an easy way to make people with disabilities feel welcome.

You don't have to feel awkward when dealing with a person who has a disability. This booklet provides some basic tips for you to follow. And if you are ever unsure how to interact with a person who has a disability, just ask!

The Basics

ASK BEFORE YOU HELP

Just because someone has a disability, don't assume she needs help.* If the setting is accessible, people with disabilities can usually get around fine. Adults with disabilities want to be treated as independent people. Offer assistance only if the person appears to need it. A person with a disability will oftentimes communicate when she needs help. And if she does want help, ask how before you act.

BE SENSITIVE ABOUT PHYSICAL CONTACT

Some people with disabilities depend on their arms for balance. Grabbing them, even if your intention is to assist, could knock them off balance.

Avoid patting a person on the head or touching his wheelchair, scooter or cane. People with disabilities consider their equipment part of their personal space.

* Note: We want you to think of people who have disabilities as individuals—your friends, your co-workers, your neighbors—so rather than use the amorphous group term "they" for people with disabilities, we use the pronouns "he" or "she" throughout this booklet.
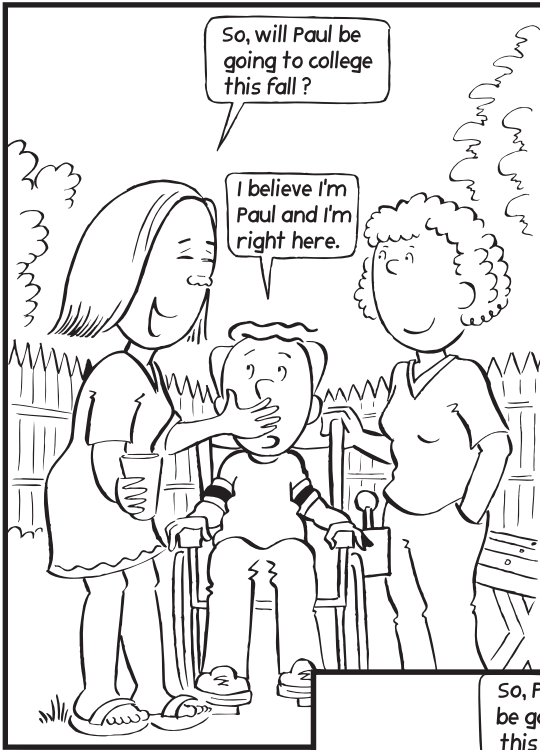
Speak directly to a person with a disability....

....not to his companion or sign language Interpreter.
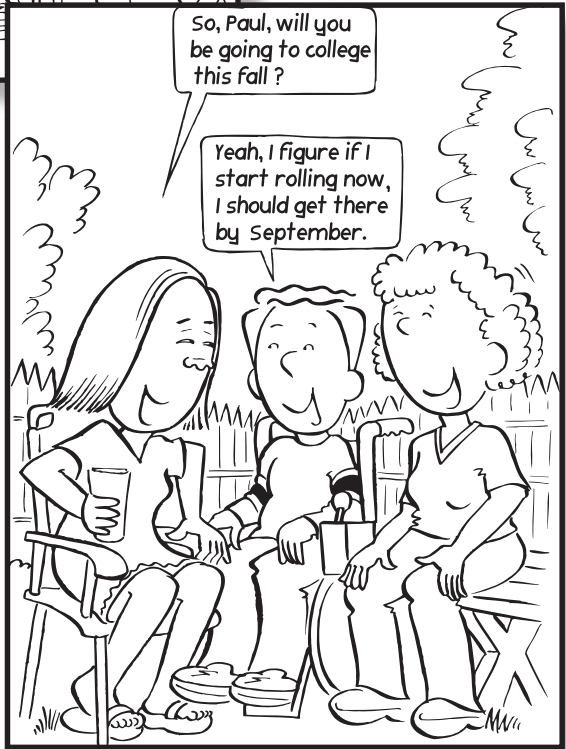
THINK BEFORE YOU SPEAK

Always speak directly to the person with a disability, not to his companion, aide or sign language interpreter. Making small talk with a person who has a disability is great; just talk to him as you would with anyone else. Respect his privacy. If you ask about his disability, he may feel like you are treating him as a disability, not as a human being. However, many people with disabilities are comfortable with questions about their disability after getting to know someone. A simple "I don't feel comfortable sharing that" by the person with a disability can set the tone if it is not something that he/she is willing to share.

DON'T MAKE ASSUMPTIONS

People with disabilities are the best judge of what they can or cannot do.

Don't make decisions for them about participating in any activity. Depending on the situation, it could be a violation of the ADA to exclude people because of a presumption about their limitations.

RESPOND GRACIOUSLY TO REQUESTS

When people who have disabilities ask for an accommodation at your business, it is not a complaint. It shows they feel comfortable enough in your establishment to ask for what they need. And if they get a positive response, they will probably come back again and tell their friends about the good service they received.

Terminology Tips

PUT THE PERSON FIRST. Say "person with a disability" rather than "disabled person." Say "people with disabilities" rather than "the disabled." For specific disabilities, saying "person with Tourette syndrome" or "person who has cerebral palsy" is usually a safe bet. Still, individuals do have their own preferences. If you are not sure what words to use, ask.

Avoid outdated terms like "handicapped", "crippled", or "retarded."Be aware that many people with disabilities dislike jargony, euphemistic terms like "physically challenged" and "differently abled." Say "person who uses a wheelchair" rather than "confined to a wheelchair" or "wheelchair bound." The wheelchair is what enables the person to get around and participate in society; it's liberating, not confining.

With any disability, avoid negative, disempowering words, like "victim" or "sufferer." Say "person with AIDS" instead of "AIDS victim" or "person who suffers from AIDS."

It's okay to use idiomatic expressions when talking to people with disabilities. For example, saying, "It was good to see you," and "See you later," to a person who is blind is completely acceptable; they use these expressions themselves all the time.

Many people who are Deaf communicate with sign language and consider themselves to be members of a cultural and linguistic minority group. They refer to themselves as Deaf with a capital "D," and may be offended by the term "hearing impaired." Others may not object to the term, but in general it is safest to refer to people who have hearing loss but who communicate in spoken language as "hard of hearing" and to people with profound hearing losses as Deaf or deaf.

People Who Use Wheelchairs or Other Mobility Devices

PEOPLE WHO USE WHEELCHAIRS have different disabilities and varying abilities. Some can use their arms and hands. Some can get out of their wheelchairs and even walk for short distances.

People who use wheelchairs are individuals, not equipment. Don't lean over someone who uses a wheelchair to shake another person's hand or ask a wheelchair user to hold coats. Setting your drink on the desktop attached to someone's wheelchair is a definite no-no.

◆ Don't push or touch a person's wheelchair; it's part of her personal space. If you help someone down a curb without waiting for instructions, you may dump her out of the chair. You may detach the chair's parts if you lift it by the handles or the footrest.

◆ Keep the ramps and wheelchair-accessible doors to your building unlocked and unblocked. Under the ADA, displays should not be in front of entrances, wastebaskets should not be in the middle of aisles, and boxes should not be stored on ramps.

Keep accessible
paths of
travel clear.

◆ Be aware of a person's reach limits. Place as many items as possible within their grasp. And make sure that there is a clear path of travel to shelves and display racks. When talking to a person using a wheelchair, grab your own chair and sit at her level. If that's not possible, stand at a slight distance, so that she isn't straining her neck to make eye contact with you.

◆ If the service counter at your place of business is too high for a person using a wheelchair to see over, step around it to provide service. Have a clipboard handy if filling in forms or providing signatures is expected. A business may also want to make sure employees are prepared to angle down or detach a key pad so a person using a wheelchair can sign their electronic signature after making a credit card purchase.

◆ If your building has different routes through it, be sure that signs direct people to the accessible routes around the facility. People who use canes or crutches also need to know the easiest way to get around a place, but stairs may be easier for them than a ramp. Ensure that security guards and receptionists can answer questions about the most accessible way around the building and grounds, including the location of elevators.

◆ People who use canes or crutches need their arms to balance themselves, so never grab them. People who have limited mobility may lean on a door for support as they open it. Pushing the door open from behind or unexpectedly opening the door may cause them to fall. Even pulling out or pushing in a chair may present a problem. Always ask before offering help.

◆ If you offer a seat to a person who has limited mobility, keep in mind that chairs with arms or with higher seats are easier for some people to use.

◆ Falls are a big problem for people who have limited mobility. Be sure to set out adequate warning signs after washing floors. Also put out mats on rainy or snowy days to keep the floors as dry as possible. (Make sure they don't bunch up and make the floor impassable.)

Don't ask a person using a wheelchair to hold things for you.

Respect her personal space.

◆ People who do not have a visible disability may have needs related to their mobility. For example, a person with a respiratory or heart condition may have trouble walking long distances or walking quickly. Be sure that your museum, hotel or department store has ample benches for people to sit and rest on.

◆ Some people have limited use of their hands, wrists or arms. Be prepared to offer assistance with reaching, grasping or lifting objects, opening doors and display cases, and operating vending machines and other equipment.

People Who Are Blind

PEOPLE WHO ARE BLIND know how to orient themselves and get around on the street. They are competent to travel unassisted, though they may use a cane or a guide dog. A person may have a visual disability that is not obvious. Be prepared to offer assistance—for example in reading—when asked.

◆ Identify yourself before you make physical contact with a person who is blind. Tell him your name and your role if it's appropriate, such as security guard, usher, case worker, receptionist or fellow student. And be sure to introduce him to others who are in the group, so that he's not excluded.

◆ If a new customer or employee is blind or has low vision, offer him a tour of your facility.

◆ If you have changed your facility (i.e., rearranged the furniture) notify your customers who are blind of the changes.

◆ People who are blind may need their arms for balance, so offer your arm—don't take his—if he needs to be guided. (It is however appropriate to guide a blind person's hand to a banister or the back of a chair to help direct him to a stairway or a seat.)

◆ If the person has a guide dog, walk on the side opposite the dog. As you are walking, describe the setting, noting any obstacles, such as stairs
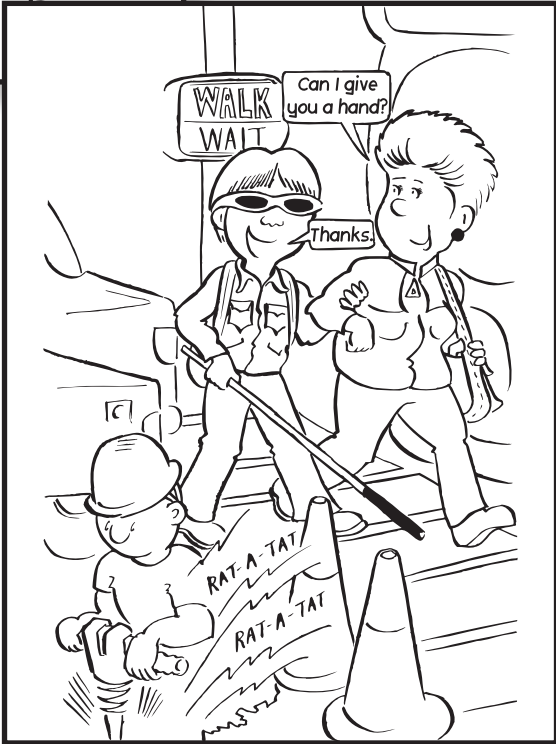
('up' or 'down') or a big crack in the sidewalk. Other hazards include: revolving doors, half-opened filing cabinets or doors, and objects protruding from the wall at head level such as hanging plants or lamps. If you are going to give a warning, be specific. Hollering "Look out!" does not tell the person if he should stop, run, duck or jump.

◆ If you are giving directions, give specific, non-visual information. Rather than say, "Go to your right when you reach the office supplies," which assumes the person knows where the office supplies are, say, "Walk forward to the end of this aisle and make a full right."

◆ If you need to leave a person who is blind, inform him you are leaving and ask if he needs anything before you leave.

◆ Don't touch the person's cane or guide dog. The dog is working and needs to concentrate. The cane is part of the individual's personal space. If the person puts the cane down, don't move it. Let him know if it's in the way.

◆ Offer to read written information—such as the menu, merchandise labels or bank statements—to customers who are blind. Count out change so that they know which bills are which.

◆ If you serve food to a person who is blind, let him know where it is on the plate according to a clock orientation (12 o'clock is furthest from them, 6 o'clock is nearest). Remove garnishes and anything that is not edible from the plate. Some patrons may ask you to cut their food; this can be done in the restaurant's kitchen before the meal is served.

Be specific when giving directions....

...to people who are blind or have low vision.

People With Low Vision

A PERSON WHO HAS LOW VISION may need written material in large print. A clear font with appropriate spacing is just as important as the type size. Labels and signs should be clearly lettered in contrasting colors. It is easiest for most people with low vision to read bold white letters on black background. Avoid using all uppercase letters because it is more difficult for people with low vision to distinguish the end of a sentence.

◆ Good lighting is important, but it shouldn't be too bright. In fact, very shiny paper or walls can produce a glare that disturbs people's eyes.

◆ Keep walkways clear of obstructions. If people with low vision regularly use your facility as customers or employees, inform them about any physical changes, such as rearranged furniture, equipment or other items that have been moved.

People Who Are Deaf or Have a Hearing Loss

AMERICAN SIGN LANGUAGE (ASL) is an entirely different language from English, with a syntax all its own. Speech reading (lip reading) is difficult for people who are Deaf if their first language is ASL because the majority of sounds in English are formed inside the mouth, and it's hard to speech read a second language.

People who have a hearing loss, however, communicate in English. They use some hearing, but may rely on amplification and/or seeing the speaker's lips to communicate effectively.

There is a range of communication preferences and styles among people with hearing loss that cannot be explained in this brief space. It is helpful to note that the majority of people who incurred a hearing loss as adults do not communicate with sign language, do use English, and may be candidates for writing and assistive listening devices to help improve communication. People with cochlear implants, like other people with hearing loss, will usually inform you what works best for them.
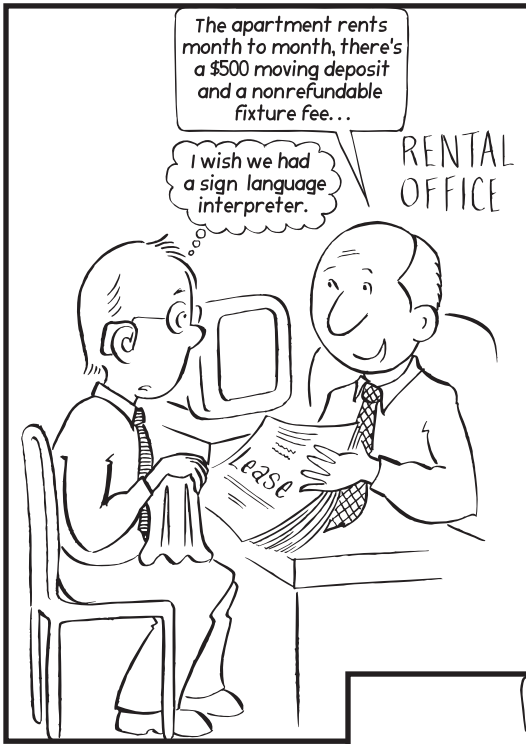
When an exchange of information is complex, the most effective way to communicate with....

....a person who is Deaf is through a qualified sign language interpreter.

◆ When the exchange of information is complex (e.g., during a job interview or doctor's visit or when reporting a crime) the most effective way to communicate with a native signer is through a qualified sign language interpreter. For a simple interaction (e.g., ordering in a restaurant or registering for a hotel room) writing back and forth is usually okay.

◆ Follow the person's cues to find out if she prefers sign language, gesturing, writing or speaking. If you have trouble understanding the speech of a person who is deaf or hard of hearing, let her know.

◆ When using a sign language interpreter, look directly at the person who is deaf, and maintain eye contact to be polite. Talk directly to the person ('What would you like?'), rather than to the interpreter ('Ask her what she'd like.').

◆ People who are deaf need to be included in the decision-making process for issues that affect them; don't decide for them.

◆ Before speaking to a person who is deaf or has a loss of hearing, make sure that you get her attention. Depending on the situation, you can extend your arm and wave your hand, tap her on the shoulder or flicker the lights.

◆ Rephrase, rather than repeat, sentences that the person does not understand.

◆ When talking, face the person. A quiet, well-lit room is most conducive to effective communication. If you are in front of the light source (e.g., a window) with your back to it, the glare may obscure your face and make it difficult for the person who is hard of hearing to speech read.

◆ Speak clearly. Most people who have a hearing loss count on watching people's lips as they speak to help them understand. Avoid chewing gum, smoking or obscuring your mouth with your hand while speaking.

◆ There is no need to shout. If the person uses a hearing aid, it will be calibrated to normal voice levels; your shout will just distort the words.
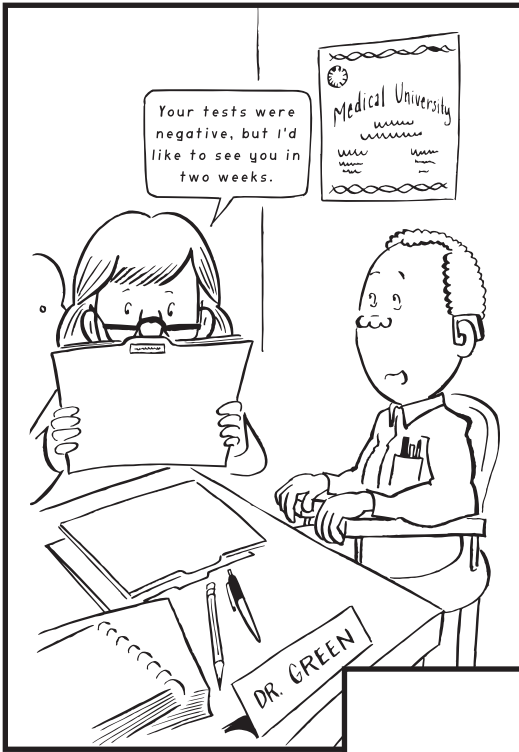
Do not obscure your face when communicating with a person who has a hearing loss.

◆ People who are deaf (and some who have a hearing loss or speech disabilities) make and receive telephone calls with the assistance of various technologies including a TTY (short for teletypewriter) or a Video Relay Service (VRS). VRS enables a person who is deaf or has a hearing loss to make and receive telephone calls through a communications assistant who is a qualified American Sign Language Interpreter. For many people who are deaf or have a hearing loss, VRS is closer to "functionally equivalent" telephone services than any other form of relay service. For American Sign Language users, VRS conversations flow more smoothly, naturally, and faster than communicating by typing.

◆ When a TTY user calls a business that does not have a TTY, she places the call through her state's relay service. Likewise, a business that does not have a TTY can reach a customer who is a TTY user through the relay service. If you receive a relay call, the operator will identify it as such. Please do not hang up; this is the way that people who are deaf are able to place an order at your pizza parlor, call your store to find out what hours you are open, or make a reservation at your restaurant.

People With Speech Disabilities

A PERSON WHO HAS HAD A STROKE, is deaf, uses a voice prosthesis or has a stammer or other type of speech disability may be difficult to understand.

◆ Give the person your full attention. Don't interrupt or finish the person's sentences. If you have trouble understanding, don't nod. Just ask him to repeat. In most cases the person won't mind and will appreciate your effort to hear what he has to say.

◆ If you are not sure whether you have understood, you can repeat for verification.

◆ If, after trying, you still cannot understand the person, ask him to write it down or to suggest another way of facilitating communication.

◆ A quiet environment makes communication easier.
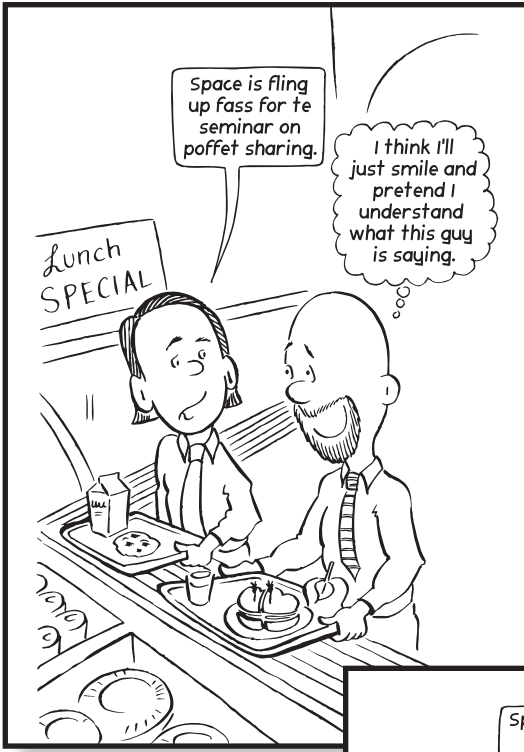
If you have trouble understanding a person with….

…a speech disability ask him to repeat.

◆ Don't tease or laugh at a person with a speech disability. The ability to communicate effectively and to be taken seriously is important to all of us.

Persons of Short Stature

THERE ARE 200 DIAGNOSED TYPES OF GROWTH-RELATED DISORDERS that can cause dwarfism and that result in the person being 4 feet 10 inches or less in height. For an adult, being treated as cute and childlike can be a tough obstacle.

◆ Be aware of having necessary items within the person's reach to the maximum extent possible.

◆ Be aware that persons of short stature count on being able to use equipment that is at their height. Be sensitive about not using lower telephones, bank counters and urinals if they are in limited supply.

◆ As with people who have other disabilities, never pet or kiss a person of short stature on the head.

◆ Communication can be easier when people are at the same level. Persons of short stature have different preferences. You might kneel to be at the person's level; stand back so you can make eye contact without the person straining her neck (this can be hard to do in a crowded room); or sit in a chair. Act natural and follow the person's cues.

People With Cerebral Palsy

AS A RESULT OF INJURY TO THE CENTRAL NERVOUS SYSTEM, people with cerebral palsy (CP) have difficulty controlling their muscles.

◆ Many people with CP have slurred speech and involuntary body movements. Your impulse may be to discount what they have to say, based on their appearance. Monitor your responses and interact with the person as you would with anyone else.

◆ A person who may appear to be drunk, sick or have a medical emergency might in fact have CP or another disability. Get the facts before acting on your first impression, whether the situation is business, social or law enforcement.

People With Tourette Syndrome

PEOPLE WITH TOURETTE SYNDROME may make vocalizations or gestures such as tics that they cannot control. A small percentage of people with Tourette syndrome involuntarily say ethnic slurs or obscene words. An employee or other person with Tourette syndrome will benefit from the understanding and acceptance of co-workers and others.

◆ If a person with Tourette makes vocalizations during a conversation, simply wait for her to finish, and then calmly continue.

◆ The more the person tries to contain these urges, the more the urges build up. It may be helpful for a person with Tourette to have the option to leave the meeting or conversation temporarily to release the build-up in a private place.

People Who Look Different

A DIFFERENT ISSUE confronts people who may not be limited in their life activities, but who are treated as if they have a disability because of their appearance. People with facial differences, such as cleft lip or palate, cranio-facial disfigurement, or a skin condition; people who are above or below the average height or weight; people who may display visible effects of medication, such as a tremor—in short, people who look different—have the frequent experience of finding people staring at them, looking away or looking through them as if they are invisible.

◆ Everyone needs to have a positive self-image to be a fully participating member of society. Be sure that you don't contribute to stigmatizing people who look different.

◆ If the situation is appropriate, strike up a conversation and include the person in whatever is going on.

People With Hidden Disabilities

NOT ALL DISABILITIES ARE APPARENT. A person may make a request or act in a way that seems strange to you. That request or behavior may be disability-related.

For example, you may give seemingly simple verbal directions to someone, but the person asks you to write the information down. He may have a learning disability that makes written communication easier for him. Or a person may ask to sit, rather than stand, in line. This person may be fatigued from a condition such as cancer, or may be feeling the effects of medication.

Even though these disabilities are hidden, they are real. Please respect the person's needs and requests whenever possible.

People With Epilepsy or Seizure Disorders

EPILEPSY IS A NEUROLOGICAL CONDITION characterized by seizures that happen when the electrical system of the brain malfunctions. The seizures may be convulsive, or the person may appear to be in a trance. During complex partial seizures, the person may walk or make other movements while he is, in effect, unconscious.

◆ If a person has a seizure, you cannot do anything to stop it. If he has fallen, be sure his head is protected and wait for the seizure to end.

◆ When a seizure has ended, the person may feel disoriented and embarrassed. Try to ensure that he has privacy to collect himself.

◆ Be aware that beepers and strobe lights can trigger seizures in some people.

Try to avoid using sprays or other fumy products when customers are in your store.

People With Multiple Chemical Sensitivity (MCS) and Respiratory Disabilities

PEOPLE WITH MCS AND RESPIRATORY DISABILITIES such as asthma or emphysema react to toxins in the air. Stale air, fumes from cleaning products, perfume, carpeting, air freshener or even the fumes from magic markers can trigger a severe reaction.

◆ Try to avoid spray-cleaning tables, windows or other surfaces while people are in your place of business. If you must use a spray product, spray or pour it closely into the cloth, not into the air. Use less-toxic products when possible. Request that staff that have contact with the public go easy on fragranced body-care products like cologne, hair spray, hand lotion, and after-shave.

◆ Maintaining good ventilation and indoor air quality will not only benefit your customers who have MCS and respiratory disabilities, it will also help you and all of your employees stay healthier and more alert.

◆ Second-hand smoke can be particularly harmful to people with MCS or respiratory disabilities. Follow and enforce no-smoking regulations, including in restrooms and stairwells. Discourage smokers from congregating at the entrance to your business. If appropriate, designate a separate smoking area where the door is kept closed and the air ventilates to the outside.

People With HIV & AIDS

PEOPLE WITH HUMAN IMMUNODEFICIENCY VIRUS (HIV) or Autoimmune Deficiency Syndrome (AIDS) have impaired immune systems, so their bodies have trouble fighting off infections.

◆ You can't catch HIV from casual contact such as shaking hands, so don't be afraid of touching or being touched by a person with AIDS.

◆ A person with HIV or AIDS, however, is at significant risk of picking up an airborne infection. Be conscious of not putting someone else at risk. If you have a respiratory infection or any other easily transmittable illness, be considerate of all your customers and employees and stay home, if possible.

◆ Many people with AIDS feel stigmatized. By simply greeting or shaking the person's hand, you are letting him know that he is accepted. It will mean a lot to him.

A WORD ABOUT CONFIDENTIALITY:
You may really care or you may just be curious about a person with a disability who is in crisis, suddenly ill, or misses work for unexplained reasons. In spite of your concern, please respect the privacy of a person with a disability. Allow him to discuss his situation if and when he feels comfortable doing so.

People with Psychiatric Disabilities or Mental Illness

PEOPLE WITH PSYCHIATRIC DISABILITIES may at times have difficulty coping with the tasks and interactions of daily life. Their disorder may interfere with their ability to feel, think or relate to others. Most people with psychiatric disabilities are not violent. One of the main obstacles they face is the attitudes that people have about them. Because it is a hidden disability, chances are you will not even realize that the person has a mental health condition.

◆ Stress can affect the person's ability to function. Try to keep the pressure of the situation to a minimum.

◆ People who have psychiatric disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make him most comfortable and respect his needs to the maximum extent possible.

◆ In a crisis, stay calm and be supportive as you would with anyone. Ask how you can help, and find out if there is a support person who can be sent for. If appropriate, you might ask if the person has medication that he needs to take.

Always
ask before
you help.

People With Developmental Disabilities

PEOPLE WITH DEVELOPMENTAL DISABILITIES LEARN SLOWLY. They have a hard time using what they have learned and applying it from one setting or situation to another.

◆ Speak to the person in clear sentences, using simple words and concrete—rather than abstract—concepts. Help her understand a complex idea by breaking it down into smaller parts.

◆ Don't use baby talk or talk down to people who have developmental disabilities. Gauge the pace, complexity, and vocabulary of your speech according to theirs.

◆ Remember that the person is an adult and, unless you are informed otherwise, can make her own decisions.

◆ People with developmental disabilities may be anxious to please. During an interview, the person may tell you what she thinks you want to hear. In certain situations, such as law enforcement or a doctor's examination, it can have grave consequences if your interview technique is not effective. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.

◆ It can be difficult for people with developmental disabilities to make quick decisions. Be patient and allow the person to take their time.

◆ Clear signage with pictograms can help a person who has developmental disabilities to find her way around a facility.

◆ People with developmental disabilities often rely on routine and on the familiar to manage work and daily living. Be aware that a change in the environment or in a routine may require some attention and a period of adjustment.

People with Learning Disabilities

LEARNING DISABILITIES ARE LIFELONG DISORDERS that interfere with a person's ability to receive, express or process information. Although they have certain limitations, most people with learning disabilities have average or above-average intelligence. You may not realize that the person has a learning disability because he functions so well. Or you may be confused about why such a high-functioning person has problems in one aspect of his work.

◆ People with dyslexia or other reading disabilities have trouble reading written information. Give them verbal explanations and allow extra time for reading.

◆ Don't be surprised if you tell someone very simple instructions and he requests that you write them down. Because spoken information gets "scrambled" as he listens, a person who has a learning disability such as auditory processing disorder may need information demonstrated or in writing.

◆ Ask the person how you can best relay information. Be direct in your communication. A person with a learning disability may have trouble grasping subtleties.

◆ It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.

People with Traumatic (or Acquired) Brain Injury

PEOPLE WITH TRAUMATIC BRAIN INJURY have had damage to the brain usually as the result of trauma, such as an accident or stroke.

◆ Some of the factors that affect people with learning disabilities also apply to people with traumatic brain injury. People with brain injury may have a loss of muscle control or mobility that is not obvious. For example, a person may not be able to sign her name, even though she can move her hand.

◆ A person with a brain injury may have poor impulse control. The person may make inappropriate comments and may not understand social cues or "get" indications that she has offended someone. In her frustration to understand, or to get her own ideas across, she may seem pushy. All of these behaviors arise as a result of the injury.

◆ A person with a brain injury may be unable to follow directions due to poor short-term memory or poor directional orientation. She may ask to be accompanied, or she may use a guide dog for orientation, although she does not appear to be mobility impaired.

◆ If you are not sure that the person understands you, ask if she would like you to write down what you were saying.

◆ The person may have trouble concentrating or organizing her thoughts, especially in an over-stimulating environment, like a crowded movie theater or transportation terminal. Be patient. You might suggest going somewhere with fewer distractions.

People Who Use Service Animals

SOME PEOPLE WHO are Deaf, blind or have low vision, or who have traumatic brain injury, seizure disorder, or a range of other disabilities may use a service animal to assist them with daily living.

◆ While you may inquire whether an animal is a service animal, the person may not have information identifying it as such. This means that in general, you will need to modify a "no animals" policy to allow the person to enter with her service animal. Barring a direct threat to health and safety, this requirement of the ADA is generally thought to take precedence over any health codes, such as those for restaurants, and personal preferences, such as those of taxi drivers, prohibiting pets.

◆ Service animals are generally highly trained and well behaved. You may ask the person to remove the animal if she does not have the animal under her control. Do not touch the service animal without permission. The animal may be adorable, but it is on the job.
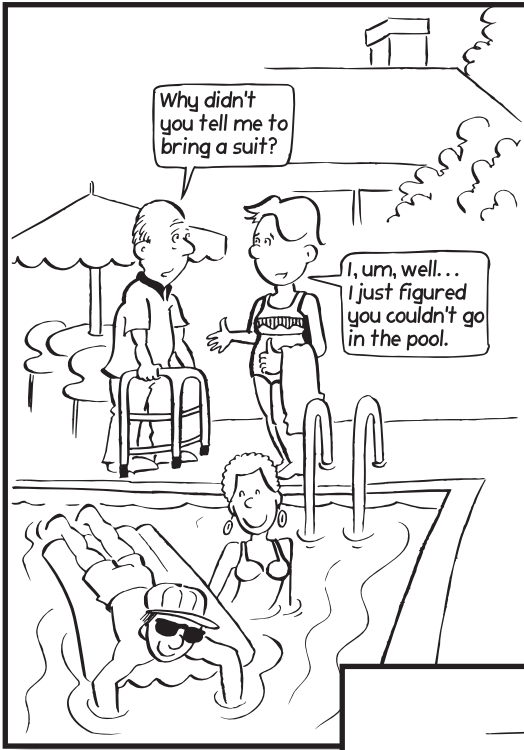
Don't make decisions for people with disabilities....

.... about what they can or can't do.

Emergency Evacuation Procedures for People With Disabilities

PEOPLE WITH DISABILITIES MUST BE CONSIDERED IN ANY FACILITY'S EVACUATION PLAN.

◆ Compile a voluntary list of people with disabilities who are regulars at your facility, such as employees, students or residents. While you are compiling this list, let people know that even though they may not consider themselves of having a disability, they should be included if they may need help during an emergency. For example, this might apply to someone whose asthma may be triggered by stress or smoke. Keep the list updated to include people who are living with temporary disabilities, such as a pregnant woman or someone with a broken leg.

◆ Interview each individual on the list to plan the most effective way to assist them in case of an emergency. For example, a person with a cognitive disability may get confused and need assistance in following directions.

◆ Also develop a plan, including a voluntary sign-in, for an emergency that may affect people who are not attached to the facility, such as customers, theatergoers, patients or other members of the public.

◆ Practice the evacuation procedures and keep your plans up to date.

Conflict Management

SOMETIMES CONFLICTS ARISE between people with disabilities and the places they visit for work, recreation, health care or education. These conflicts are usually the result of misunderstanding or a lack of information. Sometimes conflicts develop between people with disabilities who have conflicting needs. For example, a person who has a hearing loss cannot hear the proceedings with the window open, but a person with Multiple Chemical Sensitivity needs the window open for fresh air; someone who uses a service dog may run into a conflict with a person who has an anxiety disorder and an extreme fear of dogs.

All of these situations call for flexibility, patience, creativity, and open communication—a willingness to listen to the other guy's perspective and to learn.

Sometimes good faith efforts are not enough, and parties have difficulty working out their differences. In these cases, consider using the services of a skilled mediator.

A Final Word

PEOPLE WITH DISABILITIES are individuals with families, jobs, hobbies, likes and dislikes, and problems and joys. While the disability is an integral part of who they are, it alone does not define them. Don't make them into disability heroes or victims. Treat them as individuals.

Signage

Note accessibility of your business or program by using the symbols below in advertising, on flyers, and as signage at the location of the service. Be sure to use the verbal description, along with the symbol. As signage, enlarge the symbol and place it where it will be most visible.

WHEELCHAIR ACCESS

ASSISTIVE LISTENING FOR PEOPLE WHO HAVE A HEARING LOSS

SIGN-LANGUAGE INTERPRETER

TTY/TDD

DISABILITY ETIQUETTE

A publication of

United Spinal Association

75-20 Astoria Boulevard,
Jackson Heights, NY, 11370-1177
718•803•3782   **www.unitedspinal.org**

Illustrations by Yvette Silver

Appendix I

Web Accessibility

Appendix I

Part 1

City of Commerce
Website Accessibility

Website Accessibility (28 CFR §35.149 and 28 CFR §35.163(a))

The internet is an important tool used by the City of Commerce to do business. The City of Commerce routinely makes information about their programs, activities, and services available to the public by posting it on their website. As a result, many people can easily access this information. The website also allows the public to participate in at any time of day and without the assistance of government personnel.

The ADA Title II and the Rehabilitation Act of 1973 generally require that state and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities. One way to help meet these requirements is to ensure that government websites have accessible features for people with disabilities.

Findings: A preliminary review of the City's website was performed using the W3C Web Accessibility initiative, "Easy Checks – A First Review of Web Accessibility." This purpose of this check helps assess the accessibility of the web page, and covers only a few accessibility issues and is not comprehensive; a web page could seem to pass these checks, yet still have accessibility barriers. More robust evaluation is needed to evaluate all issues comprehensively. The detailed results of the website review are presented in this section.

Recommendations: The City should perform a thorough web accessibility evaluation. The checks performed of the website are not definitive and only covers a few issues. A robust evaluation is needed to evaluate all issues comprehensively.

An agency with an inaccessible website may also meet its legal obligations by providing an alternative accessible way for citizens to use the programs or services, such as a staffed telephone information line. These alternatives, however, are unlikely to provide an equal degree of access in terms of hours of operation and the range of options and programs available.

Page Title Checks (Pg 6-9 of W3C Web Accessibility Initiative Guidelines):

The City's page titles are not "front-loaded" with the important unique identifying information. They all begin with "Commerce, CA – Official Website;" therefore, it is considered to have poor titles.

Image Text Alternatives "Alt Text" (Pg 9-14 of W3C Web Accessibility Initiative Guidelines):

From random checks from different web pages, most all of the images appear to have "alt text" and the text conveys the information appropriate for the image

Headings (Pg 18-24 of W3C Web Accessibility Initiative Guidelines):

Headings do not follow what is on the webpage. This is the document outline for the Home Page. Every page on the website seems to have the exact same structure.
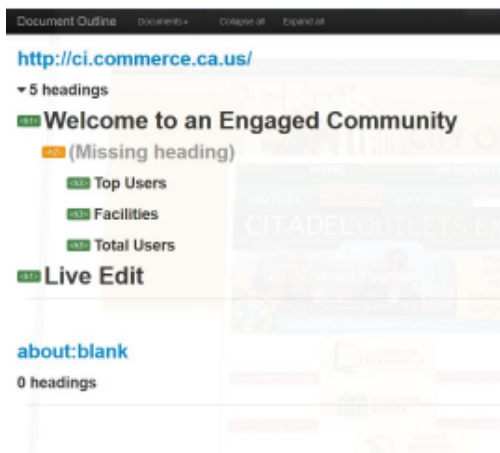
Contrast Ratio (Pg 24-29 of W3C Web Accessibility Initiative Guidelines):

From random checks of up to 10 pages on the website:

Table and contrast ratio: The contrast ratios passed at the AAA level.

Resize text (Pg 25-29 of W3C Web Accessibility Initiative Guidelines):

For Internet Explorer the text size does not change at all. For Firefox the text zoom generally checks as described in the guidelines. Some text overlaps.

Keyboard Access and Visual Focus (Pg 34-38 of W3C Web Accessibility Initiative Guidelines):

- Tab to all and Tab away: This functionality worked and was able to tab to elements and able to tab away from elements.
- There were no media play controls to test.
- The Tab order appeared to be logical
- The keyboard only functionality was not very good. The mouse worked but not the keyboard.
- Drop-down lists did not seem to work very well.
- Most image links appear to work.

Forms, labels, and errors (Pg 32-39 of W3C Web Accessibility Initiative Guidelines):

There were no forms on the website checked.

Appendix I

Part 1

Website Accessibility Evaluation

☑ Skip to Content | Change text size or colors

W3C® Web Accessibility initiative

WAI: Strategies, guidelines, resources to make the Web accessible to people with disabilities

W3C Home

Web Accessibility Initiative (WAI) Home
Getting Started
Designing for Inclusion
Guidelines & Techniques
Planning & Implementing

Evaluating Accessibility

>> ▪ **Easy Checks First**
- ▪ Conformance WCAG-EM
- ▪ Involving Users in Evaluation
- ▪ Specific Contexts
- ▪ Selecting Tools

Easy Checks - A First Review of Web Accessibility

(previously titled Preliminary Review)

This page helps you assess the accessibility of a web page. With these simple steps, you can get an idea whether or not accessibility is addressed in even the most basic way.

These checks cover just a few accessibility issues and are designed to be quick and easy, rather than definitive. A web page could seem to pass these checks, yet still have accessibility barriers. More robust evaluation is needed to evaluate all issues comprehensively. Additional evaluation guidance is available from:

- WCAG-EM Website Accessibility Conformance Evaluation Methodology
- Selecting Web Accessibility Evaluation Tools
- Involving Users in Evaluating Web Accessibility

This page provides checks for the following specific aspects of a web page. It also provides guidance on **Next Steps**.

- ▪ **Page title**
- ▪ **Image text alternatives ("alt text")** (pictures, illustrations, charts, etc.)

- Tools Search
- Combined Expertise
- Reporting Template

Presentations & Tutorials

Getting Involved with WAI

Discover new resources for people with disabilities, policy makers, managers, and you!

áβ६本卡घ6
Translations

Text:
- **Headings**
- **Contrast ratio ("color contrast")**
- **Resize Text**

Interaction:
- **Keyboard access and visual focus**
- **Forms, labels, and errors** (including Search fields)

General:
- **Multimedia (video, audio) alternatives**
- **Basic Structure Check**

[+] expand all sections   [−] collapse all sections

Using these Easy Checks

Click headings with [+] buttons to get hidden information

Some sections of this page might not apply to your situation, for example, they are for a browser you don't have, or you only need to read them once. These sections are hidden by default so they don't clutter the page. You can expand them to see the information. The headings of hidden sections have a plus button [+] before them. Screen readers will say something like: "graphic, expand this section". To get the hidden information, click the button or click anywhere on the heading.

The sections below all have hidden information under expandable headings. The first time you read this page, **we recommend that you expand the headings of these four sections and read them.**

Tools: FF Toolbar and IE WAT *(optional)*

⊟

You can do most of these checks with any browser, that is, you do *not* need to download special tools.

However, some checks are easier if you can download tools. To keep it simple, we've included instructions for just two tools - the Web Developer Toolbar for Firefox ("FF Toolbar") and the Web Accessibility Toolbar for IE ("IE WAT"). Both are free extensions/add-ons available in different languages.

- FF Toolbar - To do the checks that are indicated "with FF Toolbar", you'll need the Firefox browser and the Web Developer extension/add-on.
- IE WAT - To do the checks that are indicated "with IE WAT", you'll need the Internet Explorer (IE) browser version 9 or later and the Web Accessibility Toolbar version 19 July 2013 or later.

Note that we're not endorsing these tools over others. There are many other useful tools to help with evaluation.

(If you can't download these tools, that's OK; you can still do the checks indicated "with any browser".)

⊟ ## WCAG links

These checks are based on the Web Content Accessibility Guidelines (WCAG) 2.0. The main points in WCAG are called "Success Criteria". In the "Learn more from" sections of this page, there

are links to pages that explain the relevant success criteria in the "Understanding WCAG 2.0" document.

Please see the WCAG Overview for an introduction to WCAG.

⊟ Practicing with BAD, the Before-After Demo

The Before and After Demonstration (BAD) from W3C WAI shows an inaccessible website and a retrofitted version of this same website with the accessibility barriers fixed. You can use the BAD pages to learn how to do these checks. For example, first, do the check on an accessible version of a page to see what it should look like. Then, do the check on the corresponding inaccessible page to see what it looks like when there are accessibility barriers.

The BAD pages have annotations that are notes on what is accessible and not accessible in the demo pages. To turn on annotations, click "Show Annotations" in the yellow box near the top, middle of the page; then click a number and a box title Note... will open with the explanation.

⊟ Background

These checks are designed for anyone who can use the web. You don't need much knowledge or skill. To check a couple details, you need to see the visual page or hear audio. However, there are lots of things that anyone can check.

Here are some things to know that will help you understand the brief explanations throughout this page:

- *markup* refers to web page code, called HTML. You can see the markup of a web page in most browsers by selecting from the menu: View > Source. You do not need to look at the markup to do these checks; however, it does help to understand what "markup" and "marked up" means.
- *assistive technologies* (AT) are software or hardware that people with disabilities use to improve interaction with the web.
- *screen readers* are software that reads aloud the information in web pages and enables keyboard navigation. They are used by people who are blind.
- *voice input* is using speech instead of a keyboard and mouse.

To learn more, see:

- Accessibility Principles
- Introduction to Accessibility
- Other WAI resources

Keyboard instructions: Ctrl for Windows, ⊟ cmd for Mac

Some of the keyboard instructions are different for Windows and Mac; for example, "Ctrl" verses "cmd" in:

- For Windows: With the keyboard: Ctrl+Alt+6, then down arrow key to "Heading structure".
- For Mac: With the keyboard: cmd+Alt+6, then down arrow key to "Heading structure".

To reduce clutter, these are listed as:

- With the keyboard: Ctrl/cmd+Alt+6, then down arrow key to "Heading structure".

For such instructions, Windows users press the Ctrl key, and Mac users press the cmd key.

◣ back to page contents

Page title

Page titles are:
- shown in the window title bar in some browsers
- shown in browsers' tabs when there are multiple web pages open
- shown in search engine results
- used for browser bookmarks/favorites
- read by screen readers

(In the web page markup they are the <title> within the <head>.)

The image below shows the page title "Easy Checks - A First Review of Web Accessibility" in the title bar, and the titles of 4 pages in the tabs. Note that in the tabs, only the first part of the page title is shown.

Figure: Firefox browser with full title in the title bar and partial titles in the tabs.
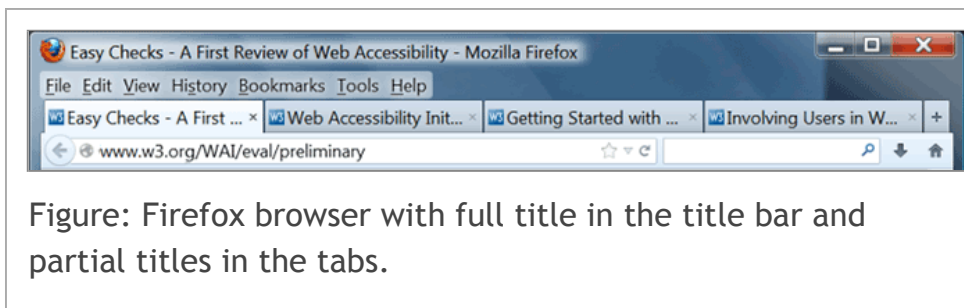
Good page titles are particularly important for orientation — to help people know where they are

and move between pages open in their browser. The first thing screen readers say when the user goes to a different web page is the page title.

What to do:

- Look at the page's title (or with a screen reader, listen to it).
- Look at titles of other pages within the website.

What to check for:

- Check that there is a title that adequately and briefly describes the content of the page.
- Check that the title is different from other pages on the website, and adequately distinguishes the page from other web pages.

⊟ Tips

- There is flexibility on what makes a good page title.
- Best practice is for titles to be "front-loaded" with the important and unique identifying information first.
  For example:
    - Poor titles:
        - Welcome to home page of Acme Web Solutions, Inc.
        - Acme Web Solutions, Inc. | About Us
        - Acme Web Solutions, Inc. | Contact Us
        - Acme Web Solutions, Inc. | History
    - Better page titles:
        - Acme Web Solutions home page
        - About Acme Web Solutions

- Contact Acme Web Solutions
- History of Acme Web Solutions

Page title checks

To check page title *with different browsers*

- If you have a browser that displays the page title in the window title bar by default, use that browser. Some versions Firefox, Safari, Opera, and older versions of IE show the title by default.
  - Firefox: If the title bar isn't displayed you might be able to display it by pressing: Alt+V, T, M (or right-mouse click in the empty area after the tab and select Menu Bar).

- If your browser doesn't have a title bar, you can do try one of these:
  - With your mouse, hover over the browser tab to see the full page title, like this:
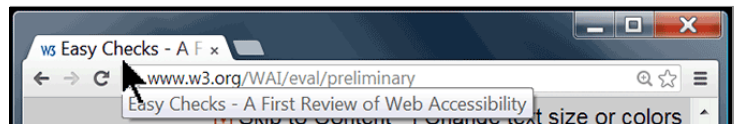
Figure: Page title in popup, displayed with mouse hover over tab.

  - Display the Add Bookmark dialog box, which includes the title. In some Windows browsers, press Ctrl+D. In some Mac browsers, press cmd+D to get the Add Bookmark dialog box.

⊟ To check page title *with IE WAT*

(Some versions of IE have the title bar so you can just look there, you don't need to do the steps below.)

1. Open the web page you are checking.

2. In the toolbar, select "Structure", then "Heading structure". Or, with the keyboard: Ctrl/cmd+Alt+6, then down arrow key to "Heading structure".
   A new page opens.
   The page title is shown after "Title:".

⊟ Learn more about page titles

- [Page Titled](#) - Understanding Success Criterion 2.4.2 for WCAG 2.0 (Level A)

⊞ [back to page contents](#)

Image text alternatives ("alt text")

Text alternatives ("alt text") convey the purpose of an image, including pictures, illustrations, charts, etc. Text alternatives are used by people who cannot see the image. (For example, people who are blind and use screen readers can hear the alt text read out; and people who have turned off images to speed download or save bandwidth can see the alt text.)

The text should be functional and provide an equivalent user experience, not necessarily describe the image. (For example, appropriate text

alternative for a search button 🔍 would be "search", not "magnifying glass".)

You don't usually see the alt text on a web page, it is in the web page markup (like this:
`<img src="pointer_to_image.png" alt="here's where the alternative text goes">`).
Every image should include `alt` in the markup.

- If an image conveys information useful for interacting with or understanding the web page content, then it needs alternative text.
- If an image is just decorative and people don't need to know about the image, then it should have null alt (`alt=""`).

Automated tests can tell you if `alt` is missing. To determine if the alternative text is appropriate, you need to see the image and judge it in context.

What to check for:

- Every image has `alt` with appropriate alternative text.

Tips

Appropriate alternative text is not an exact science. Some people prefer most images to have more detailed description; and others prefer much less description.

⊟ Appropriate alt text:

- The text needs to convey the same meaning as the image. That is, if someone cannot see

the image, they get the important information from the image in the alternative text.

- Alternative text depends on context. For example, for an image of a dog on a kennel club website, the alt text might include the breed of the dog; however, the same image on a dog park website may be there just to make the page more attractive, and the image might not need any alt text (and should have null alt). One way to help think about appropriate alt text is: if you were helping someone read and interact with the web page and they cannot see it, what would you say about the image?

- Images that are functional — for example, images that initiate actions (like submit buttons) and linked images (like in navigation) — need alt text that is the functional equivalent.

- If there is text in the image — for example, in a logo — that text needs to be included in the alt text.

- If the image has complex information — such as charts or graphs — the image should have a short alt text to identify the image, and then the detailed description of the information should be provided elsewhere (for example, in a data table).

⊟ What is not needed in the alt text:

- If the image is not important for understanding the content — for example, it is just decoration or "eye candy" — it should have null alt (`alt=""`). One way to help determine if an image should have null alt is to ask yourself: *If the image was removed, would the user still get all the information from the page?*

- The alternative text does not need to include the words "button", "link", or "image of". (Screen readers automatically provide that information.)

- If the image is sufficiently described in the text — for example, a simple diagram illustrating what's written in the web page text — it can have brief alt text such as "Diagram of work flow as describe above."

`alt` attribute in HTML (not "alt tag")

In HTML (which is web page code, called markup), alt is an attribute of the image element, and other elements. (So "alt tag" is technically incorrect; the correct terminology is "alt attribute", or you can say "alt text".) It looks like this in markup: `<img alt="WAI logo" src="/wai/logo.png">`

Alt text checks

There are three options to check alt text listed below. The first one is the easiest, if you have the IE WAT toolbar. If you don't have any toolbars, there is a check at the end for any browser.

⊟ To check alt text *with IE WAT*

1. Open the web page you are checking.

2. In the toolbar, select "Images", then "Show Images". Or, with the keyboard: Ctrl/cmd+Alt+4, then arrow down to "Show Images"
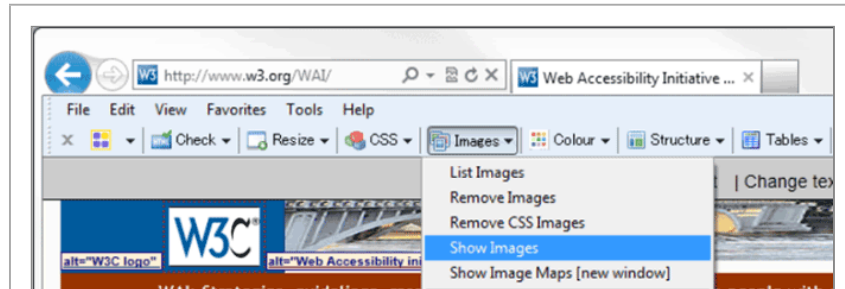
Figure: IE WAT toolbar with 'Images' drop down and 'Show Images' highlighted.

If there are any images missing alt, a dialog box appears with the number of images without alt attributes.
The alt text will be displayed before the images in quotes on a light background.

3. To check for missing alt: Look for the text "NoAlt!" (visually, or with find-in-page). If you find it, that means the following image is missing alt.

4. To check if alt text is appropriate: For each image, see if the alt text adequately conveys the information in the image it is next to, per the Tips above.

⊟ To check alt text *with FF toolbar*

1. Open the web page you are checking.

2. In the toolbar, select "Images", then "Outline Images", then "Outline Images Without Alt Attributes". Or, with the keyboard: Alt+T, W (to Web Developer Extension), I, O, A
   Red boxes appear around any images missing alt.
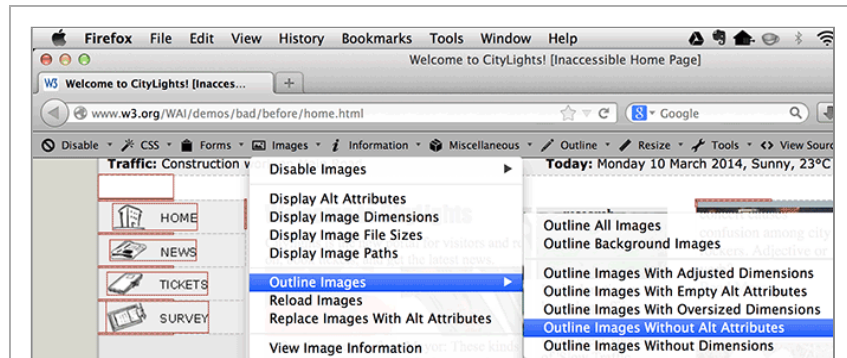
Figure: FF toolbar menu, and red boxes around images.

3. Note images without any alt text.

4. In the toolbar, select "Images", then "Display Alt Attributes". Or, with the keyboard: Alt+T, W (to Web Developer Extension), I, A
   The alt text will be displayed before the images as white letters on a red background.
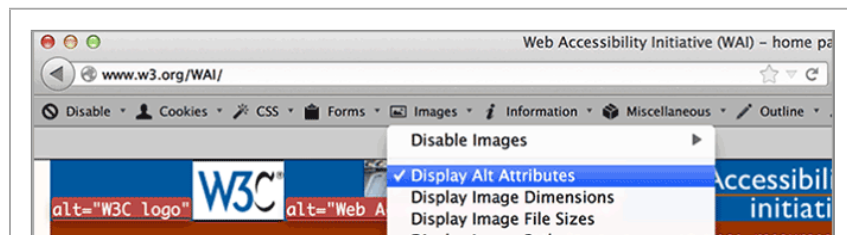
Figure: FF toolbar menu, and alt text displayed.

5. For each image, see if the alt text adequately conveys the information in the image it is next to, per the Tips above.

⊟ To check alt text *with any browser*

1. Open WAVE web accessibility evaluation tool web page.

2. Type the website address in the box after "Enter the URL of the web site you want to evaluate:"

3. Click the "WAVE this page!" button.
   Your web page will show up in the browser with lots of little icons on it.

4. To check for missing alt: Look for the red alt icon (⬛), or search for the alt text "ERROR: Missing alt text". If you find it, that means the following image is missing alt.

5. To check if alt text is appropriate:
   Look for the green alt icon (alt). Next to it is text on a light blue background; the alt text is in between the asterisks (*). See if that text adequately conveys the information in the image it is next to, per the Tips above.

Figure: WAVE showing alt text.

⊟ To practice checking alt text in BAD

With one of the checks above, use the inaccessible home page
www.w3.org/WAI/demos/bad/before/home
Notice:

- Missing alt:
  - There are lots of images without alt text. (Many of these are just decorative and should have null alt text, per the Tips above.)
  - The weather image of the cloud and sun is missing alt.
- Inappropriate alt text:
  - Near the top, left, see the long alt text starting with "Red dot with...". That description is way too detailed and includes unimportant information. The appropriate alt text in the accessible page is: "Citylights: your access to the city."
  - Near the bottom in the middle, see the image of text: "(1)269C-H-O-K-E". The alt is 123456789, which is not equivalent.

- Appropriate alt text:
  - Near the top, see the W3C image; the alt text is: "W3C logo".

⊟ **Learn more about alt text**

- [Text alternatives for non-text content](#) is an easy introduction with links to more details
- [Non-text Content](#) - Understanding Success Criterion 1.1.1 for WCAG 2.0 (Level A)
- [when published, [A simple alt text decision tree](#)]

▲ [back to page contents](#)

Headings

Web pages often have sections of information separated by visual headings, for example, heading text is bigger and bold (like "Headings" right above this sentence :-). To make these work for everyone, the headings need to be marked up. That way people can navigate to the headings — including people who cannot use a mouse and use only the keyboard, and people who use a screen reader.

Heading levels should have a meaningful hierarchy, e.g.:
- Heading Level 1 <h1>
  - Heading Level 2 <h2>
    - Heading Level 3 <h3>
    - Heading Level 3 <h3>
  - Heading Level 2 <h2>
    - Heading Level 3 <h3>
      - Heading Level 4 <h4>
      - Heading Level 4 <h4>

    ◦ Heading Level 2 <h2>

What to check for:

- The page has a heading. In almost all pages there should be at least one heading.
- All text that looks like a heading is marked up as a heading.
- All text that is marked up as a heading is really a conceptual section heading.
- The heading hierarchy is meaningful. Ideally the page starts with an "h1" — which is usually similar to the page title — and does not skip levels; however, these are not absolute requirements.

Headings checks

The checks below provide instructions with different browsers for how to get:

- Headings outline: an outline of the headings that are marked up on page, for example:

Figure: Outline of headings.

- Headings markup in page: a view of the page with the heading markup shown, for example:

Figure: Heading markup in page.

⊟ To check headings *with FF toolbar*

Headings outline:

1. Open the web page you are checking.

2. In the toolbar, select "Information", then "View Document Outline".Or, with the keyboard: Alt+T, W (to Web Developer Extension), I, M
   A new page opens with the outline.

3. Non-visual checks:
   - Are headings listed. If there are no headings marked up, it will say "0 headings".
   - Does the outline start with [H1] and follow a meaningful hierarchy? (That's not required, but strongly suggested.)

4. Visual checks: Compare the Document Outline to the visual rendering of the page.
   - Are the things that look like headings on the page listed in the Document Outline?
   - Are there things in the Document Outline that aren't really headings?

Heading markup in the page:

1. Open the web page you are checking.

2. In the toolbar, select "Outline", then "Show Element Tags Names When Outlining". Or, with the keyboard: Alt+T, W (to Web Developer Extension), O, S

3. In the toolbar, select "Outline", then "Outline Headings". Or, with the keyboard: Alt+T, W (to Web Developer Extension), O, H
   The headings will be outlined and <h1>, <h2>, etc. icons will be before the headings.

4. Anything that is a functional heading should have a heading icon before it.

5. Anything that is a **not** functional heading should **not** have a heading icon before it.

⊟ To check headings *with IE WAT*

Headings outline:

1. Open the web page you are checking.

2. In the toolbar, select "Structure", then "Heading Structure". Or, with the keyboard: Ctrl/cmd+Alt+6, then down arrow to "Heading structure".
   A new page opens with the outline.

3. Non-visual checks:
   - Are headings listed? If there are no headings marked up, it will say "0 headings".
   - Does the outline start with [H1] and follow a meaningful hierarchy? (That's not required, but strongly suggested.)

4. Visual checks: Compare the Document Outline to the visual rendering of the page.
     ◦ Are the things that look like headings on the page listed in the Document Outline?
     ◦ Are there things in the Document Outline that aren't really headings?

Heading markup in the page:

1. Open the web page you are checking.

2. In the toolbar, select "Structure", then "Headings". Or, with the keyboard: Ctrl/cmd+Alt+6, then down arrow to "Headings".
   Headings will be surrounded with <h1>, <h2>, etc. icons in purple text on a light background.

3. Anything that is a functional heading should have a heading icon before it.

4. Anything that is a **not** functional heading should **not** have a heading icon before it.

⊟ To check headings *in any browser*
Headings outline:

1. In any browser, open the W3C HTML Validator (The W3C Markup Validation Service).

2. In the Address field, type the URI (e.g., www.w3.org).

3. Click the More Options link.

4. Select the Outline checkbox.

5. Click the Check button.
   The results page appears (with title starting either [Valid] or [Invalid]).

6. In the results page, near the top, at the end of the "Jump to:" line, click the Outline text link.

7. Non-visual checks:
   - Is there anything there? If there is no text between "Below is an outline for this document, automatically generated from the heading tags (<h1> through <h6>.)" and "If this does not look like a real outline..." it means there are no headings marked up on the page.
   - Does the outline start with [H1] and follow a meaningful hierarchy? (That's not required, but strongly suggested.)

8. Visual checks: Compare the Document Outline to the visual rendering of the page.
   - Are the things that look like headings on the page listed in the Document Outline?
   - Are there things in the Document Outline that aren't really headings?

Heading markup in the page:

1. Open WAVE web accessibility evaluation tool.

2. Type the website address in the box after "Enter the URL of the web site you want to evaluate:"

3. Click the "WAVE this page!" button.
Your web page will show up in the browser with lots of little icons on it.

4. Anything that is a functional heading should have a heading icon (`h1`, `h2`, `h3`, etc.) before it.

5. Anything that is a **not** functional heading should **not** have a heading icon before it.

⊟ To practice checking headings in BAD:

Headings outline:

- Follow one of the instructions under "Headings outline" above and use the accessible News page: **www.w3.org/WAI/demos/bad/after/news**. Notice there is a nice hierarchical outline.

- Next, use the inaccessible News page: **www.w3.org/WAI/demos/bad/before/news**. (In HTML Validator, the "Check" button might now say "Revalidate".) Notice there is just one heading.

Heading markup in the page:

- Start by visually looking at the inaccessible BAD news page: **www.w3.org/WAI/demos/bad/before/news**. What looks like headings? *(Citylights News, Heat wave linked to temperatures, Man Gets Nine Months in Violin Case, ...)*

- Next, see how it should look. Follow one of the instructions for "Heading markup in the

page" above on the accessible News page: **`www.w3.org/WAI/demos/bad/after/home`**. Notice the headings have icons next to them.

- Next, see what it looks like when headings are not marked up. Use the inaccessible News page: **`www.w3.org/WAI/demos/bad/before/home`**. Notice there is text that visually looks like headings, but does not have headings icons next to it. (With WAVE, there are yellow icons with "h?" because it thinks these might be headings.)

⊟ Learn more about headings

- [Info and Relationships](#) - Understanding Success Criterion 1.3.1 for WCAG 2.0 (Level A)
- [Headings and Labels](#) - Understanding Success Criterion 2.4.6 for WCAG 2.0 (Level AA)
- [Section Headings](#) - Understanding Success Criterion 2.4.10 for WCAG 2.0 (Level AAA)

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Contrast ratio ("color contrast")

Some people cannot read text if there is not sufficient contrast between the text and background, for example, light gray text on a light background.
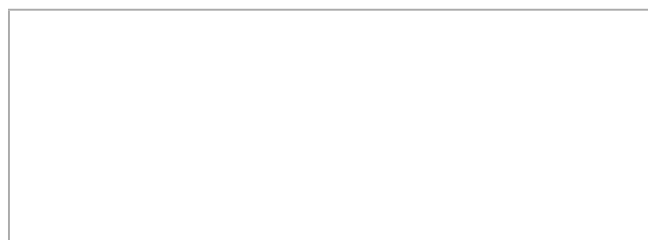
Some people cannot read text if there is not sufficient contrast between the text and background. For others, bright colors (high luminance) are not readable; they need low luminance.

Figure: Gray text on light background.
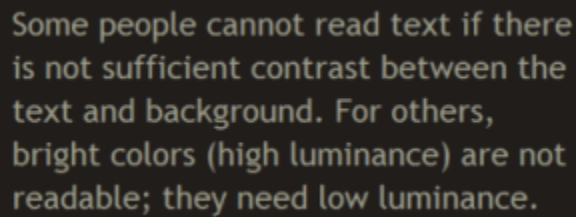
High contrast (for example, dark text on light background or bright text on dark background) is required by some people with visual impairments, including many older people who lose contrast sensitivity from ageing.

Some people cannot read text if there is not sufficient contrast between the text and background. For others, bright colors (high luminance) are not readable; they need low luminance.
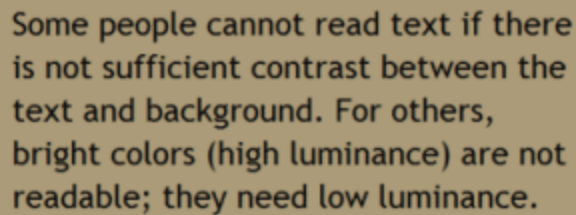
Some people cannot read text if there is not sufficient contrast between the text and background. For others, bright colors (high luminance) are not readable; they need low luminance.

Figure: Dark text on light background, and yellow text on black background.

While some people need high contrast, for others — including some people with reading disabilities such as dyslexia — bright colors (high luminance) are not readable. They need low luminance.

Figure: Brown text on dark background, and dark text on medium brown background.

Web browsers should allow people to change the color of text and background, and web pages need to work when people change colors.

(This accessibility requirement is sometimes called sufficient "color contrast"; however, that is incorrect — technically it's "luminance contrast". On this page we use "contrast ratio" as short for "luminance contrast ratio" because it's less jargony.) There is much more to know about contrast; we've just introduced the basics here.

What to check for:

Web pages should also have a minimum contrast by default: a contrast ratio of at least 4.5:1 for normal-size text.

There are basically three ways to check contrast, each with strengths and weaknesses.

1. **Table with contrast ratio** - The tool displays a table with all the possible contrast ratios in the

web page. With some tools, you can click in the table and it will show where that color combination is in the web page.

- *Pro:* Comprehensive.
- *Con:* Can be inaccurate, specifically, it can show some color combinations that are not really in the displayed page.

2. **Eye-dropper to select colors** - The tool lets you select a text color and a background color, then it shows you the contrast ratio.
   - *Pro:* Accurate.
   - *Con:* Can only test one item at a time. Need to be able to see and use a mouse.

3. **Turn off color.** The tool shows the page in grayscale.
   - *Pro:* Gives you direct experience.
   - *Con:* Imprecise, does not provide contrast ratio value.

Contrast checks

Below are instructions for checking contrast with IE WAT; a list of other contrast analyzer tools is in the Related Resources section of Understanding Success Criterion 1.4.3.

⊟ To check contrast *with IE WAT*

Here's how to do the three checks for sufficient contrast described above.

1. **Table with contrast ratio**:
   - In the toolbar, select Color > Juicy Studio Luminosity Analyser. Or, with the keyboard: Ctrl/cmd+Alt+5, then down

arrow to "Juicy Studio Luminosity Analyser".
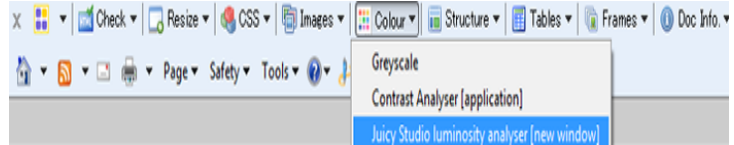
A new window opens titled Colour Contrast Analyser with the table of results. The last column is Luminosity Contrast Ratio.

2. **Eye-dropper to select colors**:
   - In the toolbar, select: Color > Contrast Analyser [application]. Or, with the keyboard: Ctrl+Alt+5, then down arrow to "Contrast Analyser [application]". *The Color Contrast Analyser application window opens.*
   - Using the first eye-dropper icon from the foreground color section, pick the foreground color (usually the text) you want to analyze.
   - Using the second eye-dropper icon from the background color section, pick the corresponding background color.
   - *In the bottom of the Color Contrast Analyser window, the resulting luminosity Contrast ratio will show (for example: 7.5:1), along with "Pass" or "Fail" and a visual example of the colors.*

3. **Turn off color:**
   - In the toolbar, select Color > Grey Scale. Or, with the keyboard: Ctrl+Alt+5, then down arrow to "Gray Scale".

- ◦ Check if any information is lost or hard to see when all colors are converted to grayscale.

Checking contrast *with FF*

There is not an easy way to check contrast with the FF toolbar. There is a Juicy Studio Accessibility Toolbar add-on that provides the same information as IE WAT above and works with Firefox.

To practice checking contrast with BAD

Open the inaccessible Tickets page: **www.w3.org/WAI/demos/bad/before/tickets** Use one of the checks above. Notice:
- The text in some rows is dark gray on light gray with a contrast ratio of 3.76:1.

To learn more about contrast ratio

- Contrast (Minimum) - Understanding Success Criterion 1.4.3 for WCAG 2.0 (Level AA)
- Contrast (Enhanced) - Understanding Success Criterion 1.4.6 for WCAG 2.0 (Level AAA)

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Resize text

Some people need to enlarge web content in order to read it. Some need to change other aspects of text display: font, space between lines, and more.

Most browsers allow users to change text size through:

- text size settings (usually through Options or Preferences)
- text-only zoom
- page zoom (which also zooms images, buttons, etc.)

When pages are not designed properly, they can be unusable when the text size is changed, especially when it is changed through text-only zoom or text settings. Sometimes columns and sections overlap, the space between lines disappears, lines of text become too long, or text disappears.
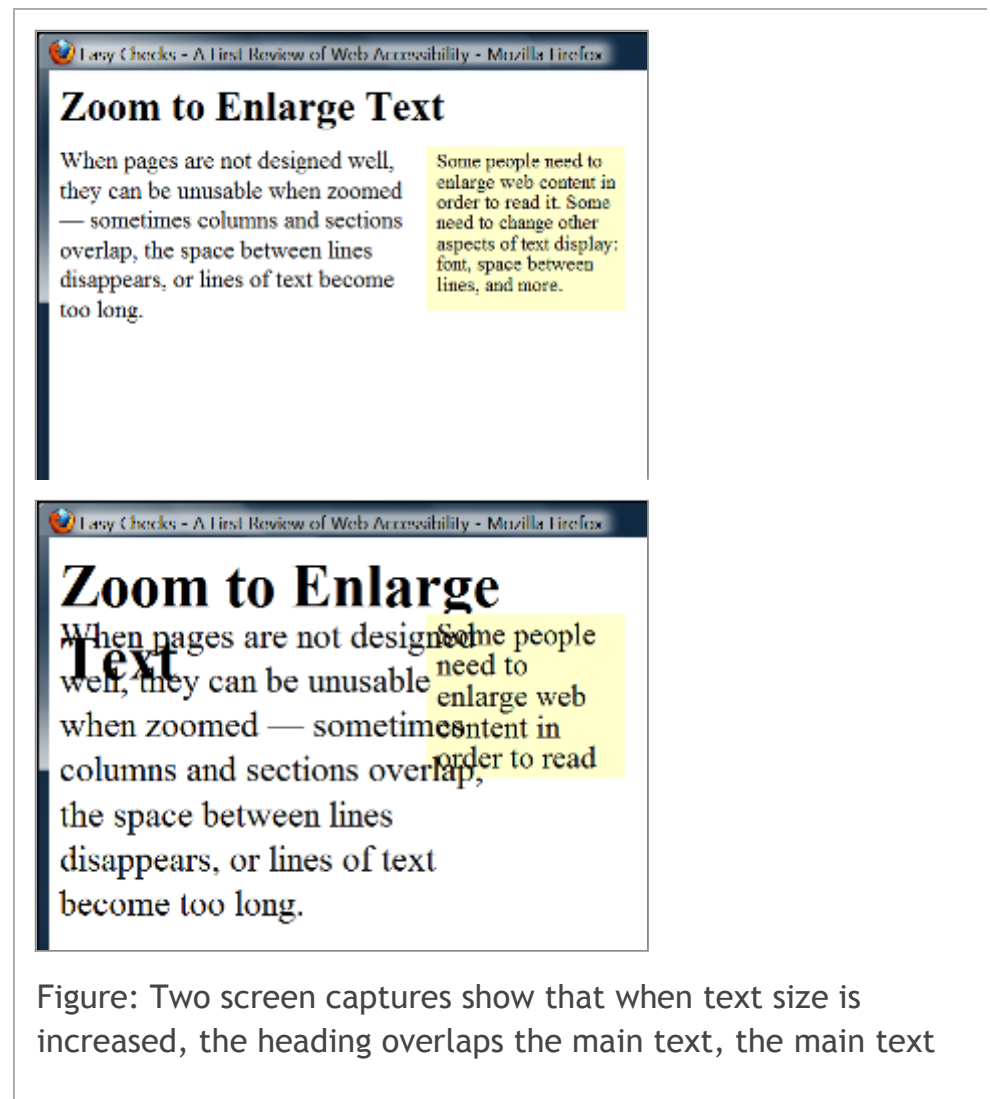

Figure: Two screen captures show that when text size is increased, the heading overlaps the main text, the main text

overlaps the sidebar text; and the sidebar text is cut off at the bottom.

When text size is increased, sometimes part of the sentences are not visible and users have to scroll horizontally to read a sentence, as shown in the third example below. Most people cannot effectively read text that requires horizontal scrolling, and some disabilities make this impossible.

Some people need to enlarge web content in order to read it. Some need to change other aspects of text display: font, space between lines, and more.

Some people need to enlarge web content in order to read it. Some need to change other aspects of text display: font, space between lines, and more.

Some people need to Some need to change between lines, and m

Figure: The first image shows normal-size text. In the second image, the larger text "wraps" to fit the width. In the third image, some of the larger text is not visible without scrolling horizontally.

What to do:

- Increase the text size.

What to check for:

- All text gets larger. (A common problem is that text is not provided as actual text format but instead the text is in an image. Text in images does not get larger when users increase text size.)
- Text doesn't disappear or get cut off.
- Text, images, and other content do not overlap.
- All buttons, form fields, and other controls are visible and usable.
- Horizontal scrolling is not required to read sentences or "blocks of text". It is best practice that when text size is increased, all the text in a sentence is visible. It is acceptable to have to scroll horizontally to get to different sections of a page. *(For top-to-bottom languages, change "horizontal scrolling" to "vertical scrolling".)*

Resize text checks

The instructions below are for text-only zoom. You can also change the text size settings, for example, through Tools > Options or Preferences. To keep this simple, we don't include instructions for changing those settings. We also don't include instructions for page zoom because it does not usually reveal the accessibility barriers described above.

To check text-only zoom in Firefox, Safari, and some other browsers

1. From the menubar, do one of the following *(depending on your browser)*
   - *select* View > Zoom > Zoom Text Only. Or, with the keyboard in Firefox: Alt+V, Z, T
   - select View > Zoom Text Only. Or, with the keyboard in Safari: control+F2, V, return, ZZ

2. Incrementally increase text-only zoom:
   - In Windows, press Ctrl+[+] *(the control key and the + key at the same time)* 4 times
   - On Mac, press command+[+] *(the Command key and the + key at the same time)* 4 times

   (To confirm that you have text-only zoom set per step 1, make sure that only the text is getting larger, not the images.)

⊟ To check text resize in IE

1. From the menubar, select View > Text Size > Largest. Or, with the keyboard: Alt+V, X, G.

If you don't have a menubar, one of these may work to display it, depending on your version:

- In the search box, type Internet Explorer, then in the list of results, click Internet Explorer.
  To display the menus temporarily: Press the Alt key.
  To display the menus permanently: Click the Tools button, point to Toolbars, and then click Menu Bar.

- In the blank space at the top of the browser where menu bars usually are, right-click with the mouse.
  A pop-up menu appears.
  Select Menu bar.

⊟ To learn more about resize text

- [Resize text](#) - Understanding Success Criterion 1.4.4 for WCAG 2.0 (Level AA)
- [Images of Text](#) - Understanding Success Criterion 1.4.5 for WCAG 2.0 (Level AA)

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Keyboard access and visual focus

Many people cannot use a mouse and rely on the keyboard to interact with the Web. People who are blind and some sighted people with mobility impairments rely on the keyboard or on assistive technologies and strategies that rely on keyboard commands, such as voice input. Websites need to enable people to access all content and functionality — links, forms, media controls, etc. — through a keyboard.

Keyboard focus should be visible and should follow a logical order through the page elements. Visible keyboard focus could be a border or highlight, as shown below, that moves as you tab through the web page.
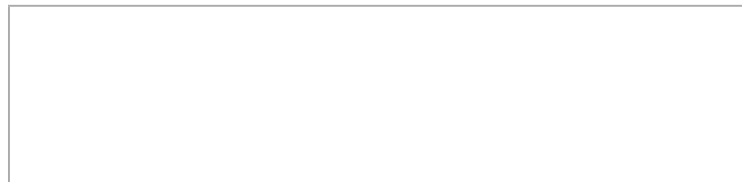
To learn more, see:

- Accessibility Principles
- Introduction to Accessibility
- Other WAI resources

Figure: Dotted border on middle link.

Free Newsletter (optional)

To receive our free newsletter fill in the following details:

Mr. ⚪ Mrs. ⚪ Name: |

eMail Address:

Retype eMail:

Figure: Name field is highlighted red.

What to do:

In a browser that supports keyboard navigation with the Tab key (for example, Firefox, IE, Chrome, and Safari; *not* Opera):

- In Mac browsers, enable keyboard navigation to all controls.
  - In newer browsers: Select System Preferences > Keyboard > Shortcuts. Select the "All controls" option button.
  - In older browsers: Select System Preferences > Keyboard > Keyboard Shortcuts. In the "Full Keyboard Access" section, check "All Controls".
- Click in the address bar, then put your mouse aside and **do not use it**.
- Press the 'Tab' key to move through the elements on the page. You can press 'Shift-Tab' to go backwards.

- To move within elements such as drop-down lists and menu bars, press the arrow keys.
- To select a specific item within a drop-down list:
  - Tab to the list box,
  - use the arrow keys to move the focus to items,
  - when an item has focus, press the Enter key or Space bar to select that item.

What to check for:

- **Tab to all:** Check that you can tab to all the elements, including links, form fields, buttons, and media player controls. (A common problem is that you cannot tab to media player controls.)

- **Tab away:** Check that you can tab **away** from all elements that you can tab into. (A common problem is the keyboard focus gets caught in media controls and you cannot get out; it's called the "keyboard trap".)

- **Tab order:** Check that the tab order follows the logical reading order (e.g., for left-to-right languages: top to bottom, left to right) in sequence.

- **Visual focus:** Check that the focus is clearly visible as you tab through the elements, that is, you can tell which element has focus, e.g., links have a gray outline around them or are highlighted.

- **All functionality by keyboard:** Check that you can do everything with the keyboard; that is, you don't need the mouse to activate actions, options, visible changes, and other functionality.

(A common problem is that some functionality is available only with mouse hover, and is not available with keyboard focus.)

- **Drop-down lists:** Check that after you tab into a drop-down list, you can use the arrow keys to move through all the options without triggering an action. (A common problem for drop-downs used for navigation is that as soon as you arrow down, it automatically selects the first item in the list and goes to a new page — you cannot get to other items in the list.)

- **Image links:** Check that when images are links, they have clear visual focus and can be activated using the keyboard (usually by pressing the Enter key).

To see visual focus with BAD

Open the accessible Survey page:
www.w3.org/WAI/demos/bad/after/survey
Tab through the page. Notice:
- Most things get a red background when they get focus.
- The other Survey pages get a dotted border and arrows.
- The radio buttons get a dotted border.

To learn more about keyboard access

- [Functionality is available from a keyboard](#) section in Accessibility Principles
- [Browsing the Web by Keyboard](#) section in Better Web Browsing: Tips for Customizing Your Computer

- Guideline 2.1: Make all functionality available from a keyboard.
  - Keyboard - Understanding Success Criterion 2.1.1 for WCAG 2.0 (Level A)
  - No Keyboard Trap - Understanding Success Criterion 2.1.2 for WCAG 2.0 (Level A)
- Focus Order - Understanding Success Criterion 2.4.3 for WCAG 2.0 (Level A)
- Focus Visible - Understanding Success Criterion 2.4.7 for WCAG 2.0 (Level AA)

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Forms, labels, and errors

Note: This section is more complex than the others. If it's too complicated, consider skipping it for now and doing the next checks for multimedia and structure.

Labels, keyboard access, clear instructions, and effective error handling are important for forms accessibility.

Form fields and other form controls usually have visible labels, such as "E-mail Address:" as the label for a text field.

E-mail address:

When these labels are marked up correctly, people can interact with them using only the keyboard, using voice input, and using screen readers. Also, the label itself becomes clickable, which enables a person who has difficulty clicking on small radio buttons or checkboxes to click anywhere on the label text.

What to do:

Find any forms on the page. A form could be a single text box, such as Search, or could be a complex form with text fields, radio buttons, checkboxes, drop-down lists, and buttons.

What to check for:

Keyboard access

- Check that all form controls are keyboard accessible by following the keyboard access checks above, including checking that you can get to all items in any drop-down lists.
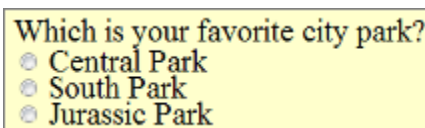
Labels

- Check that every form control has a label associated with it using 'label', 'for', and 'id', as shown in the labels checks below. (This is best practice in most cases, though not a requirement because a form control label can be associated in other ways.)
- Check that the labels are positioned correctly. For left-to-right languages, labels should usually be:
  - Left of text boxes and drop-down lists.

    E-mail address: [   ]

  - Right of radio buttons and checkboxes.

    Which is your favorite city park?
    ○ Central Park
    ○ South Park
    ○ Jurassic Park

Required fields and other instructions

- Check that any fields that are required/mandatory are clearly indicated.
  - Check that the indicator does not rely on color alone, for example, if required fields were only indicated by red colored labels, they would not be accessible to people who do not see the different colors.
  - Check that the indicator (such as asterisks (*)) is included in the marked up field label for text boxes and drop-down lists, or legend for radio buttons and checkboxes, as shown in the labels checks below.
- Check that any instructions for completing the form are before they are needed, for example,
  - General instructions should usually be at the top of the form or the section they relate to.
  - Check that required formats, such as dates (year-month-date in the format 0000-00-00), are included in the marked up label, using the labels checks below.

Error handling

Some simple forms, such as a single search field, might not have any errors. If you think the form(s) on the page you are checking might have error messages, try leaving required fields blank or entering incorrectly-formatted information (such as telephone number or e-mail address), then submitting the form. If you get errors:

- Check that clear and specific guidance is provided to help people understand and fix the error. If the error concerns a format such as

date, time, or address, check that the correct format is clearly explained.

- Check that the errors are easily findable. Generally it is best if the error messages are before the form, rather than after the form.
- Check that the fields without errors are still populated with the data you entered. (This is best practice, though not a requirement.) People should not have to re-enter all the information in the form, except for some sensitive data such as credit card numbers.

Labels checks

Note: These instructions help you check if labels are marked up with 'label', 'for', and 'id'; they do **not** check if form controls are identified in other ways. Therefore, even if a form does not pass these checks, it might still meet WCAG 2.0.

⊟ To check labels *with IE WAT*

1. Open the web page you are checking.

2. In the toolbar, select "Structure", then "FieldSet / Labels". Or, with the keyboard: Ctrl+Alt+6, then down arrow key to "FieldSet / Labels", and select.
   - *A dialog box appears with the number of errors and controls.*
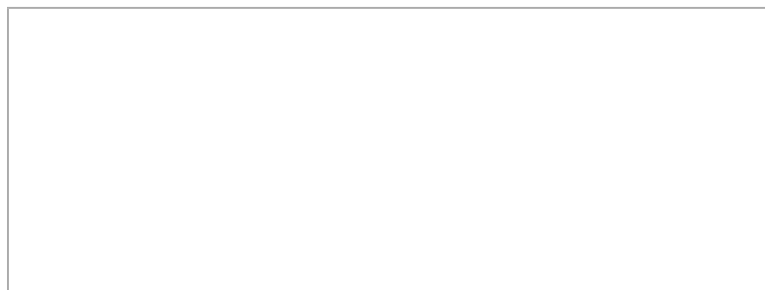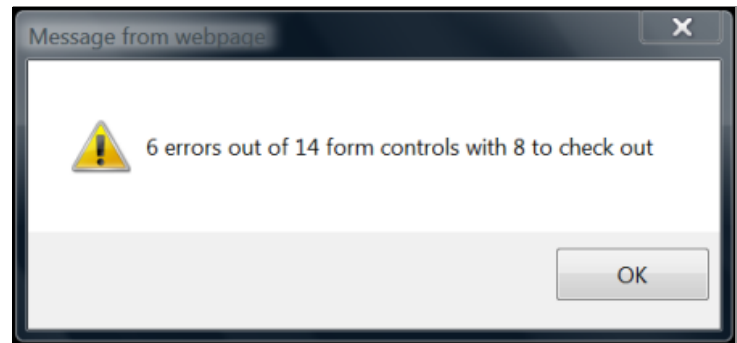
Figure: IE WAT dialog box.

The dialog box tells you the number of identified errors, the total number of form controls, and the number of controls that you need to check manually. For the rest of the steps you need to look at the text around the labels. If this is difficult, you could skip the next steps.

○ *The form elements (labels and controls) are outlined in a red box, the markup is shown, and potential errors are indicated.*
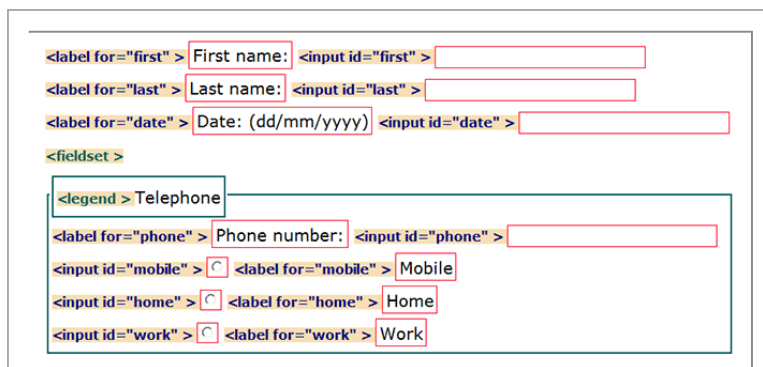*Example with no errors:*

Figure: Form markup shown. Date label includes format.

Example with potential errors:
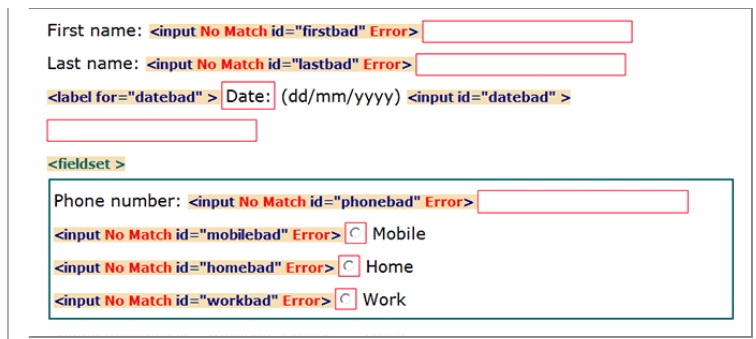
Figure: Form markup shown. Date label does not include format. Fieldset missing legend.

3. Check that every field label has `label for="x"` before it and `id="x"` in the box with it, and that the text in quotes matches. *("x" can be anything; for example,* `for="park", id="park")`
   - If the label is missing, it will indicate "Label no for".
   - If the `for` and `id` do not match, it will indicate "input No Match id="x" Error".

4. Check that the required field indicator is in the field label, or for radio button and check boxes, it is in the "legend". For example:
   - Correct: The asterisk (*) is included in the box around the label:
     [image coming slh]
   - Incorrect: The asterisk (*) is outside of the box around the label:
     [image coming slh]
   - Correct: "(required)" is in the legend.
     [image coming slh]
   - Incorrect: "(required)" is not in the legend.
     [image coming slh]

⊟ Checking labels *with FF*

There is not an easy way to check form control labels with the FF toolbar. There is a [Form Labels favelet](#) that provides the same information as [IE WAT above](#) and works with Firefox. It requires installation.

⊟ To check labels if you're comfortable looking at the HTML markup

1. Open the source HTML and find the form markup.

2. Check that:
   - Each form control has a `label` element with a `for` attribute that matches the value of the `id` attribute in the related control. For example:
     ```
     <label for="firstname">First
     name: </label>
     <input type="text"
     name="firstname"
     id="firstname" />
     ```
   - Each `id` is unique within the web page.

⊟ To practice checking form labels and errors with BAD

Labels:

1. Open the Accessible Survey Page: www.w3.org/WAI/demos/bad/after/survey that has several forms. Do the label checks above. Notice the '`label`'s, '`for`'s, and '`id`'s.

2. Open the Inaccessible Survey Page:
   www.w3.org/WAI/demos/bad/before/survey
   and do the label checks above.
   In IE WAT, you get the dialog box saying there
   are errors and the errors are marked in the
   page with "<input Error>".

Errors:

- Open the Accessible Survey Page:
  www.w3.org/WAI/demos/bad/after/survey.
  Leave the fields blank and Submit the form.
  Notice the error messages at the top and the
  asterisks to indicate required fields. Also, the
  page title includes "Submission Failed".

- Open the Inaccessible Survey Page:
  www.w3.org/WAI/demos/bad/before/survey.
  Leave the fields blank and Submit the form.
  Notice errors are only indicated by the label
  being red, and there is no explanation of the
  errors.

⊟ To learn more about forms

- Labels or Instructions - Understanding Success
  Criterion 3.3.2 for WCAG 2.0 (Level A)
- Info and Relationships - Understanding
  Success Criterion 1.3.1 for WCAG 2.0 (Level
  A)
- Error Identification - Understanding Success
  Criterion 3.3.1 for WCAG 2.0 (Level A)
- Error Suggestion - Understanding Success
  Criterion 3.3.3 for WCAG 2.0 (Level AA)

- [Error Prevention (Legal, Financial, Data)](#) - Understanding Success Criterion 3.3.4 for WCAG 2.0 (Level AA)

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Multimedia (video, audio) alternatives

Information in podcasts or other audio is not available to people who are deaf or some people who are hard of hearing, unless it is provided in an alternative format such as captions and text transcripts. Visual information in videos is not available to people who are blind or some people what have low vision, unless it is provided in an alternative format such as audio or text. (Text can be read by a screen reader or Braille display, or enlarged and reformatted for people with low vision.)

(Remember these easy checks are not comprehensive or definitive.)

What to check for:

Keyboard access

Follow the steps above for [keyboard access](#) to ensure that the media player controls are labeled and keyboard accessible.

Auto-start control

It is best if audio (including background noise and video with sound) does not start automatically when a web page opens. If it does start automatically, it should either:

- Stop after 3 seconds.
- Include controls to pause or stop the audio.
- Include controls to turn down the volume.

Captions

(Captions are known as "subtitles" in some areas.)

Most video on the web that provides captions has "closed captions" that can be turned on and off. ("Open captions" are always shown.) For example, in YouTube, you turn on captions with the CC button (no known keyboard access). If there is not a CC button, there are no captions available for that video.

Automatic captions are not sufficient for accessibility because they are not accurate enough. For example, in YouTube, if only "automatic captions" are listed (as in the image above), there are no sufficient captions and the video is not accessible. Captions in the specific language need to be listed. [@@ say more ?]
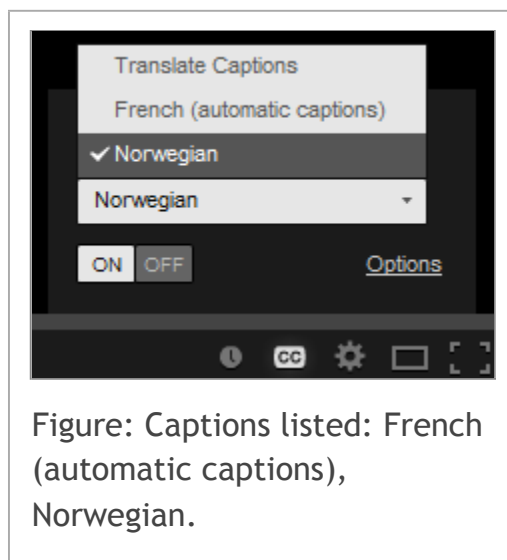
Figure: Captions listed: French (automatic captions), Norwegian.

If there are captions, you can check that:

- The captions seem in sync with the spoken content.
- The people who are speaking are identified when they speak.
- Important sound other than dialogue — e.g., footsteps approaching, doors closing, glass breaking — is included.

Transcript

It is best practice to provide both captions and transcripts, although not always required; providing transcripts has many benefits — both to people with disabilities and to website owners.

Transcripts should be easy to find near the audio/video itself and any links to the audio/video.

Check that transcripts include all audio information, including dialogue with the speakers identified, and all important sound — e.g., footsteps approaching, doors closing, glass breaking.

A transcript for a video could provide all the audio and all the visual information, so that a person can get all the content of the video by reading the text.

Audio description

Audio description (sometimes known as described video, video description, or visual interpretation) is description of important visual information in a video, in order to make it accessible to people who cannot see. For example, some videos start out with a title in text, have speaker names in text, and have illustrations. That visual information needs to be

provided to people who cannot see the video. It can be provided through:

- Audio description - where the audio track includes someone describing the important visuals. Audio description can be included in the main video, or it can be provided in a separate video.
- Text transcript - that includes description of meaningful visual information (so it's kind of like a screenplay).

Learn more about multimedia ⊟ alternatives

- W3C Multimedia Accessibility FAQ
- Captions - Understanding Success Criterion 1.2.2 for WCAG 2.0 (Level A)
- Audio Description or Media Alternative - Understanding Success Criterion 1.2.3 for WCAG 2.0 (Level A)
- Audio Control - Understanding Success Criterion 1.4.2 for WCAG 2.0 (Level A)
- Media Alternative - Understanding Success Criterion 1.2.8 for WCAG 2.0 (Level AAA)

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Basic structure check

While the other checks on this page focus on specific success criteria in WCAG 2.0, this check is more broad. It helps you understand how some people "see" the web page differently. For this basic structure check, you look at the web page without images, styles, and layout.

Web pages are often designed with multiple columns, sections, colors, and other visual aspects that help organize information for people who see the page in its default display. However, some people do not see the page this way. People who are blind listen to the page with a screen reader or read it from a Braille display. Some people with low vision and others change the way the page is displayed so they can read it; for example, change from multiple columns to one column, change the text size, and more.

An important issue is how the web page works when it is "linearized" into one column and the presentation is changed, as shown in the images below.

Images showing linearized and changed display ⊟ *(click to show images)*

The images below illustrate how a web page is displayed in 3 columns by default and how it can be changed.

Figure A shows the default display of three columns, with the navigation at the left.

Figure A.

Figure B shows the page linearized into one column, with the navigation at the top. Figure C shows the page linearized, with the navigation at

the bottom. The order of the sections (e.g., navigation at top or bottom or elsewhere) depends on how the web page is developed — the user usually cannot control the order.
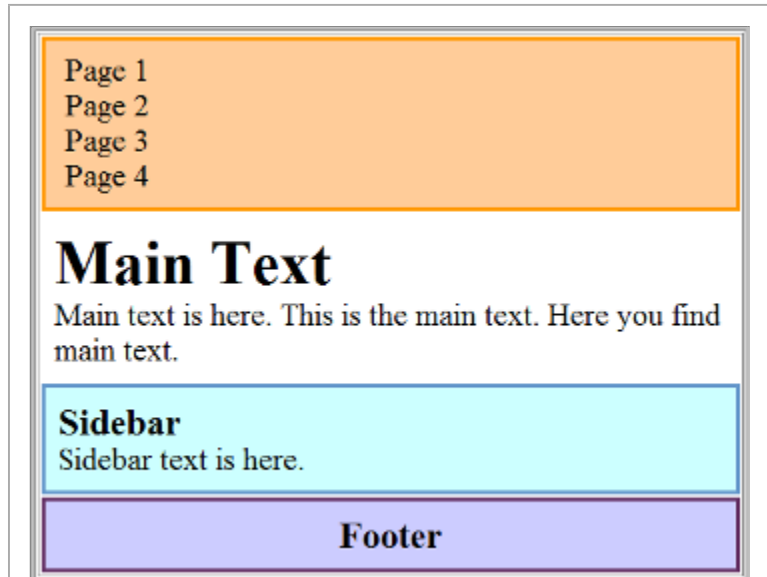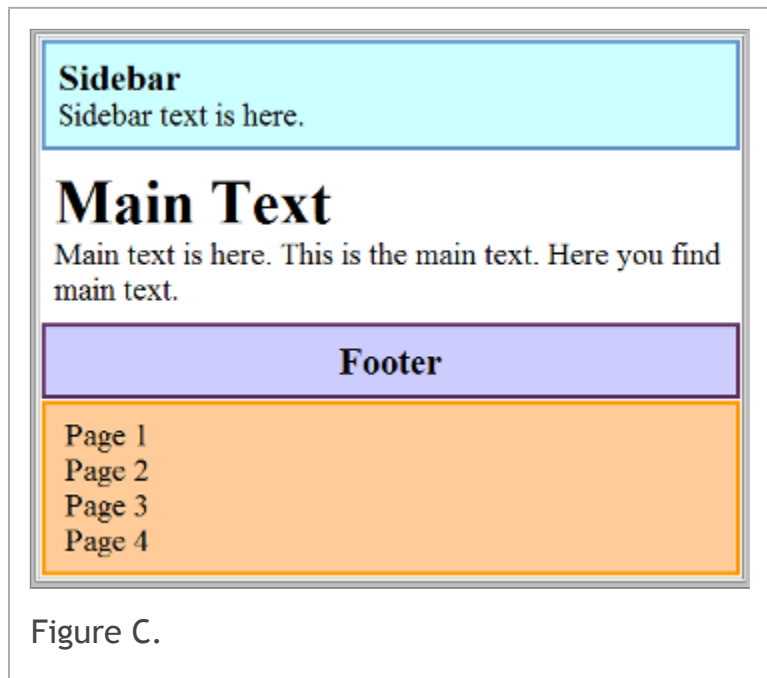

Figure B.

Figure C.

Figure D shows the page linearized and with styles turned off. When you follow the Basic structure

[checks steps below](), your page will look like something like this:

- Page 1
- Page 2
- Page 3
- Page 4

Main Text

Main text is here. This is the main text. Here you find main text.

Sidebar
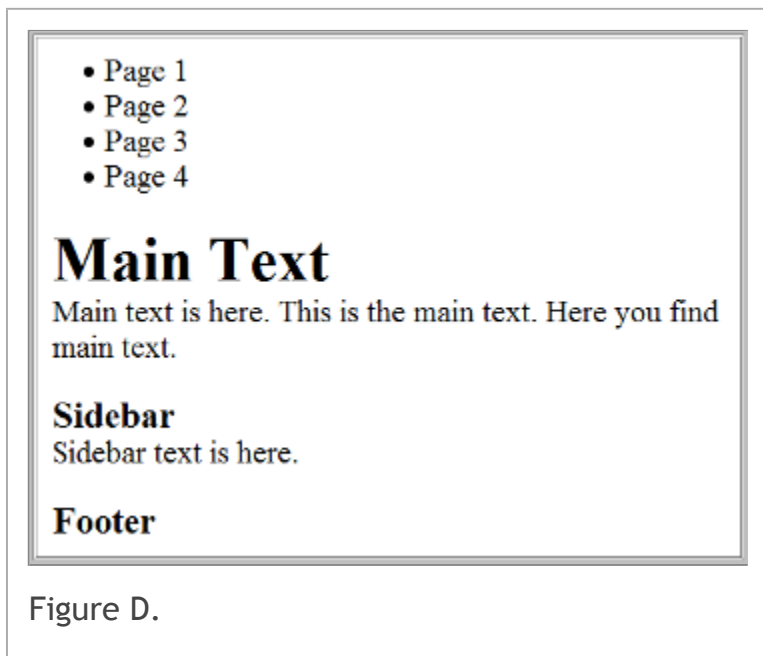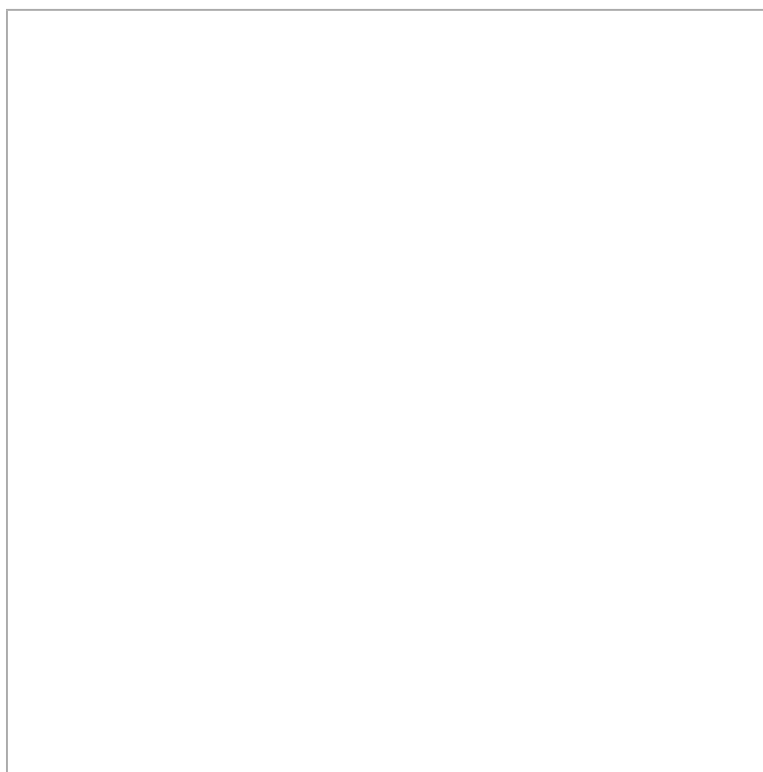Sidebar text is here.

Footer

Figure D.

Figure E shows the page changed by a person with low vision to make it more readable, for example, the main text is big, the footer text is very small, and the headings are a different color.
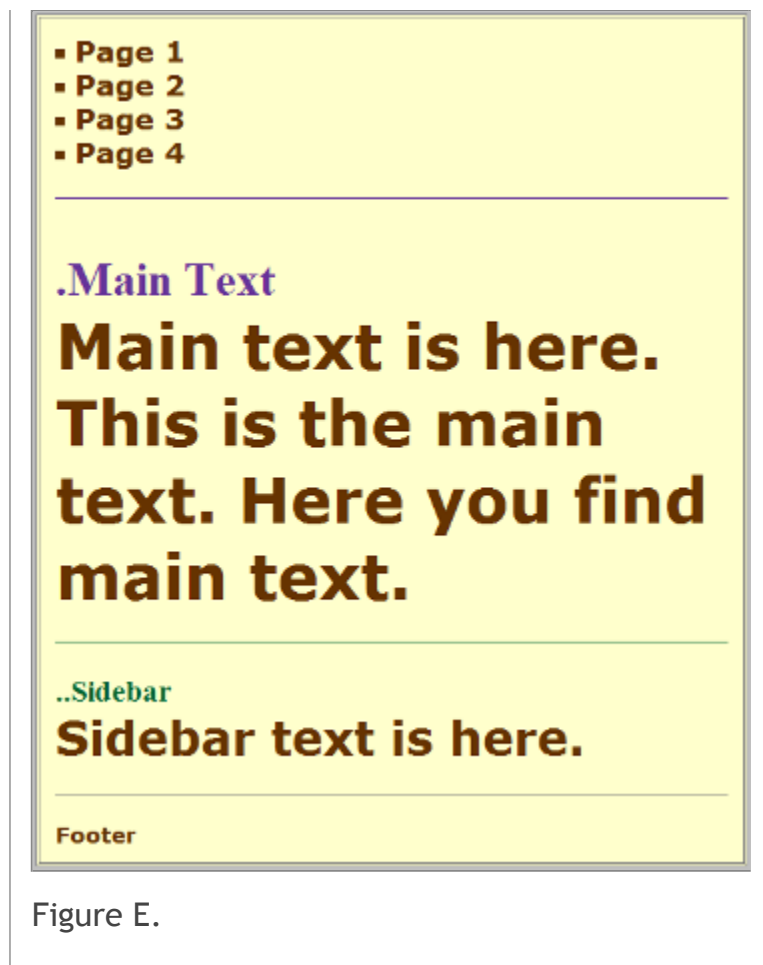
Figure E.

While it is useful to have an experienced screen reader user check web pages, anyone can get an initial idea of potential accessibility barriers for screen reader users and others who change the way the page is presented. The steps below show you how to disable images, disable styles for how the page is usually displayed, and linearize the page to check the page structure.

Notes:
- Data tables will not make sense when linearized — that's OK because screen readers have functionality to make data tables usable (when they are marked up correctly).
- BAD provides a clear example of how the basic structure check reveals accessibility barriers.

(It's also a bit funny, and we suggest you check it out, by following the BAD instructions below.)

What to do:

Get a basic structure view of the page by following the instructions under Basic structure checks below to:

- Turn off images and show the text alternatives.
- Turn off style sheets (CSS), which specifies how the page is displayed with layout, colors, etc.
- Linearize the page or the tables (depending on the toolbar).

What to check for:

- Check that the information makes sense when read in the order it is shown; for example, headings are right above the information they apply to.
  (Data tables do not need to make sense linearized, per the note above.)
- Check that the alternative text provides adequate information for the missing images (per the Image text alternatives section above).
- Check that blocks of information have clear headings (see also the Headings section above). When navigation, main content, and other sections have good headings, it's easier for people to find their way around the information.

Basic structure checks

⊟ To check basic structure *with IE WAT*

1. Open the web page you are checking.

2. In the toolbar, select "Images", then "Remove Images".
   Or, with the keyboard: Ctrl+Alt+4, then arrow down to "Remove Images".

3. In the toolbar, select "CSS", then "Disable CSS".
   Or, with the keyboard: Ctrl+Alt+3, then arrow down to "Disable CSS".

4. In the toolbar, select "Tables", then "Linearize".
   Or, with the keyboard: Ctrl+Alt+7, then arrow down to "Linearize".

⊟ To check basic structure *with FF toolbar*

1. Open the web page you are checking.

2. In the toolbar, select "Images", then "Disable Images", then "Disable All Images".
   Or, with the keyboard: Alt+T, W (to Web Developer Extension), I, D, D.

3. In the toolbar, select "CSS", then "Disable Styles", then "Disable All Styles".
   Or, with the keyboard: Alt+T, W (to Web Developer Extension), S, D, D.

4. In the toolbar, select "Miscellaneous", then "Linearize Page".
   Or, with the keyboard: Alt+T, W (to Web Developer Extension), M, I.

To check basic structure *with any browser* ⊟

Most browsers provide the option to turn off images and disable CSS from the menus. For example:

- In Opera:
    - View > Images > Show Images
      or, Alt+V, I, S
    - View > Style > User Mode
      or, Alt+V, S, U
- In Safari:
    - If the Develop menu is not shown in the menu bar, turn it on:
        - In Safari preferences, click Advanced.
        - Select the "Show Develop menu in menu bar" checkbox.
    - Develop > Disable Images
      or, Ctrl+F2, D, down arrow to Disable Images
    - Develop > Disable Styles
      or, Ctrl+F2, D, down arrow to Disable Styles

To practice checking basic structure with ⊟ BAD

1. First use the Accessible Home Page
   www.w3.org/WAI/demos/bad/after/home
   with one of the checks above to turn off images, disable CSS, and linearize.
   Skim down and notice that under "Welcome to CityLights" there are 3 article headlines with summary text under each headline.

2. Next use the Inaccessible Home Page
   `www.w3.org/WAI/demos/bad/before/home`
   with one of the checks above to turn off
   images, disable CSS, and linearize.
   - Skim down to find "Welcome to
     CityLights". Notice that it's much harder
     to find. That's because it's not marked up
     as a heading, per above.
   - Notice that the 3 article headings are
     together and the article text is together.
     (For fun, read the article text together.)

3. To check a form, use the Inaccessible Survey
   Page
   `www.w3.org/WAI/demos/bad/before/survey`
   (This example is easier to see with IE WAT.)
   Look at how the radio buttons are laid out.
   Then linearize.
   Notice that that radio button labels are not
   with the buttons. (This is because the page
   uses layout tables incorrectly.)

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Next steps

Now that you have an idea of the accessibility issues
on a web page, two things you can do:
1. Share your findings with someone who can fix
   accessibility barriers.
2. Encourage thorough accessibility evaluation.

Share your findings

Contacting Organizations about Inaccessible Websites
has guidance on reporting accessibility problems. It is

focused for people who do not work for the organization that owns the website, yet also has some useful information if you do work for the organization — particularly the Introduction, Consider Your Approach, and Sources for More Information sections.

Encourage thorough accessibility evaluation

The checks on this page are not definitive; a web page could seem to pass these checks, yet still have accessibility barriers.

This page covers just a few accessibility issues. There are other accessibility issues not covered in these easy checks, for example: links, data table markup, reliance on color, content that causes seizures, and much more.

More robust evaluation is needed to evaluate all issues comprehensively. Guidance is available from:

- WCAG-EM Website Accessibility Conformance Evaluation Methodology
- Selecting Web Accessibility Evaluation Tools
- Involving Users in Evaluating Web Accessibility

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⊞ expand all sections   ⊟ collapse all sections

Status: Working Draft

This document is mostly complete; there are just a few minor edits that we will post in 2016.

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