ADA and Section 504
Self – Evaluation Plan

9/27/2011
Northwest Louisiana Council of Governments
Northwest Louisiana Council of Governments

Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973
Self – Evaluation Plan

Table of Contents

About NLCOG

Introduction and Statement of Commitment

Methodology for Self – Evaluation

Evaluation of NLCOG Policies and Practices

  ADA / 504 Coordinator
  Public Participation
  Public meetings & opportunities for public comment
  Publications
  Grievance procedures

Evaluation of NLCOG Premises

  Access to building
  Doorways and hardware
  Reception area
  Kitchen
  Supply room
  Offices and conference room
  Training room
  Windows
  Internal navigation
  Communications

Conclusions

Appendix
About NLCOG

The Northwest Louisiana Council of Governments (NLCOG) is Northwest Louisiana’s Metropolitan Planning Organization (MPO), as designated by the Governor and local governments. Every metropolitan area with a population of more than 50,000 persons has a designated MPO in order to qualify for federal highway and transit funding. Members of NLCOG include Bossier, Caddo, DeSoto and Webster parishes, which also includes the Shreveport / Bossier City Urbanized Area.

MPO membership represents locally elected and appointed officials of the cities and parishes within the urban area of Northwest Louisiana. Other appointed officials include the District 04 Administrator for the Louisiana Department of Transportation and Development (LaDOTD) and representatives of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

As the MPO, NLCOG must adopt both a long-range transportation plan (LRP), covering at least 20 years, and a short-range plan, the Transportation Improvement Program (TIP), which selects projects from the LRP to fund for construction. These plans are to be developed in a “comprehensive, cooperative, and continuous” fashion and cover federal aid surface transportation projects in the MPO area. No federal transportation funds may be spent on a road project in the area unless that project is included in the LRP and the TIP.

NLCOG is also designated a Transportation Management Area (TMA) by the US Secretary of Transportation. This occurs when an urbanized area has a population of over 200,000 persons, by special request of the Governor and MPO, or under special circumstances designated for the area. NLCOG, within its TMA capacity, is responsible for developing congestion management systems, transportation improvements program project selection, and undergoing joint federal certification review of the planning process at least every four years. As a TMA, NLCOG has the authority to prioritize the projects in the TIP.

For reference, Figure A shows the MPO boundary within Northwest Louisiana, along with the Urbanized Area.
Self – Evaluation Plan

Figure A – Northwest Louisiana’s MPO and Urbanized Area Boundaries
Introduction and Statement of Commitment

As a recipient of federal funding, NLCOG must comply with a variety of federal and state legislative regulations. Regarding matters of non-discrimination on the basis of disability, NLCOG falls under two federal laws: the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504).

The ADA prohibits discrimination on the basis of disability. Title II of the ADA applies to specifically to all activities of state and local governments, including MPOs such as NLCOG. This act also requires that government entities give people with disabilities equal opportunity to benefit from all of the programs, services and activities that may be offered.

As the federally-designated MPO, NLCOG must adhere to the standards set forth in Title II, which includes both physical accommodations, such as accessibility to buildings and meetings, and in policies, procedures and practices. Under Title II, NLCOG is required to make reasonable accommodations in order to provide access and to communicate effectively with people who have hearing, vision or speech impairments. Likewise, NLCOG is required to make reasonable modifications to policies, practices and procedures where necessary to avoid discrimination.

Section 504 prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment and in the employment practices of federal contractors. The standards for determining employment discrimination under Section 504 are the same as those used in Title I of the ADA.

Section 504 states that “no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subject to discrimination under” any program or activity that receives federal financial assistance. Requirements common to the regulations set forth in Section 504 include reasonable accommodation for employees with disabilities, program accessibility and effective communication with people who have hearing or vision disabilities.

As an MPO, NLCOG is required to perform the following tasks:

- Apply ADA law
- Apply Section 504 law
- Appoint an ADA / Section 504 Coordinator
- Provide and agency non-discrimination statement
- Perform an agency self-evaluation
- Make auxiliary aids available for use
- Provide assurance of compliance

NLCOG is committed to complying with both the letter and spirit of the requirements set forth in both
the ADA and Section 504.

**Methodology for Self – Evaluation**

This document was developed by NLCOG’s ADA / 504 Coordinator. It is expected that updates to this document will occur in consultation with a compliance team, who will assist in the physical evaluation of NLCOG’s premises and in the evaluation of NLCOG’s policies and practices. Team members will review the Self – Evaluation document and recommend corrections to noted deficiencies.

The Self – Evaluation occurred in two parts:

1. An evaluation of NLCOG’s policies, practices and procedures
2. An evolution of NLCOG’s premises, including those used for public outreach and involvement

This document describes the policies and procedures that NCLOG uses to comply with ADA and Section 504. Steps that will be undertaken to correct any deficiencies are detailed in the Appendix.

**Public Comment**

In accordance with NLCOG’s own policies and procedures, and in compliance with the requirements of the ADA and Section 504 legislation, the public was given a 30-day opportunity for review and comment. Notice was placed in area newspapers and on the NLCOG website on [DATE]. The draft Self – Evaluation was made available through distribution to member agencies and area public libraries.

For reference, Figure B is the newspaper advertisement and website notice.
<table>
<thead>
<tr>
<th>Figure B – Public Review and Comment notice</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Northwest Louisiana Council of Governments</strong></td>
</tr>
<tr>
<td>Self – Evaluation and Transition Plan</td>
</tr>
<tr>
<td><em>Public Review and Comment Period</em></td>
</tr>
<tr>
<td>[DATES]</td>
</tr>
</tbody>
</table>

The public is invited to review and comment on the Northwest Louisiana Council of Governments (NLCOG) Self – Evaluation and Transition Plan. NLCOG is the metropolitan planning organization for Northwest Louisiana.

In order to meet the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), NLCOG conducted a self-evaluation of its programs and facility accessibility, and prepared a Transition Plan that describes any deficiencies, remedies, recommendations. This plan also includes a time-frame for carrying out remedies, as well as approximate costs for the recommendations.

NLCOG’s Executive Committee is scheduled to adopt the Self – Evaluation and Transition Plan, pending public comment, at its scheduled meeting on [DATE]. The public comment period is from [DATE] until 4:30 p.m. on [DATE].

All interested citizens are encouraged to access the Draft Self – Evaluation and Transition Plan at [www.nlcog.org](http://www.nlcog.org) or by requesting a printed copy from the office of NLCOG at (318) 841-5950. Copies may also be viewed at all local public libraries. Upon request, other versions may be made available.

Comments may be e-mailed to public_comments@nlcog.org or mailed to:

NLCOG  
Attn: Lisa M. Frazier – Self Evaluation Comment  
401 Market Street, Suite 460  
Shreveport, Louisiana 71101

All written comments relative to this draft document should be postmarked no later than [DATE].
Evaluation of NLCOG Policies and Practices

The following is a description of NLCOG’s policies and practices that may affect people with disabilities.

**ADA / 504 Coordinator**

NLCOG’s ADA / 504 Coordinator is charged with the following tasks:

- Collaborate and coordinate ADA / 504 compliance efforts with the program liaisons. NLCOG is a small office with 10 employees composing an administrative team, planning team and geographic information systems (GIS) team. The ADA / 504 Coordinator works closely with all of the teams.
- Serve as a point of contact and liaison to the public on ADA / Section 504 compliance issues. Contact information is provided on the NLCOG website and in all NLCOG publications.
- Establish and maintain collaborative relationships with critical external stakeholders, such as disability advocacy groups and government agencies.
- Monitor the MPO’s policies, procedures, practices, and processes with respect to ADA / 504 compliance; identify shortcoming in compliance and develop remedies.
- Investigate and resolve complaints filed under the MPO’s ADA / 504 grievance procedures. Grievance procedures are described on [page #].
- Monitor and update the implementation of the MPO’s ADA / 504 Self – Evaluation and Transition Plan, as needed.
- Provide or coordinate the provision of requested auxiliary aids and reasonable accommodations to individuals with disabilities.
- Perform ADA / 504 program, process or compliance reviews; insect facilities for accessibility.

**Public Participation**

NLCOG’s Public Involvement Plan (PIP) was developed and adopted April 9, 2009 under the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) transportation legislation. The policies and strategies detailed in the PIP reference accessibility, but do not specifically address the requirements of ADA and 504 legislations. Additionally, the PIP is lacking a detailed procedure for dealing with complaints relating to discrimination due to a disability.

**Public Meetings and Opportunity for Comment**

All meetings held by NLCOG, and / or its consultants, are open to the public. Most committee meetings are held in the NLCOG conference room which is fully accessible.

When meetings are conducted in other venues, NLCOG strives to assure that the facility is accessible, both externally and internally. When possible, meeting locations are selected along public transit routes. Consultant meetings are held in public libraries or the police jury meeting rooms when available, both of
which are accessible.

Various accommodations, such as sign language interpreters and large – print versions of meeting materials, are made available if requested in advance of the meeting. NLCOG requests a minimum of five days notice for accommodations and will, if feasible, provide an alternate opportunity to participate if accommodations cannot be made in a timely manner. Information regarding this is included in the PIP and in public meeting notices printed in area newspapers and posted on the NLCOG website.

**Publications**

A Notice of Non-Discrimination is required to be placed in all plans, studies and processes undertaken by NLCOG. Documents produced since [DATE], include the statement as shown in Figure C.

**Figure C – Notice of Non-Discrimination**

The Northwest Louisiana Council of Governments (NLCOG) complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and other federal equal opportunity laws and, therefore, does not discriminate on the basis of race, sex, color, age, national origin, religion or disability; in admission to, access to, treatment in or operations of its programs, services, or activities. NLCOG does not discriminate in its hiring or employment practices.

Questions, concerns, complaints, or requests for additional information regarding the non-discrimination policies may be directed to the designated Title VI, ADA and Section 504 Compliance Coordinator:

Lisa M. Frazier  
Public Involvement Coordinator  
(318) 841-5950 (voice)  
Lisa.frazier@nlcog.org  
401 Market Street, Suite 460  
Shreveport, LA 71101

Two documents that directly address the needs of people with disabilities are the PIP and the NLCOG Handbook of Personnel Rules and Regulations (updated July 10, 2009). The PIP is discussed on [page] and the Handbook is discussed under grievance procedures, below.

**Grievance Procedures**

It is the intent of NLCOG to ensure that no qualified individual, because of a disability, is discriminated against with regard to any term or condition of employment, provided that such individual can perform the essential functions of the job with or without reasonable accommodations.
A disability is defined as:

1. A physical or mental impairment that renders the individual unable to perform, or significantly limits the individual’s ability to perform one or more major life activities as compared to an average person in the general population; or
2. A record of such an impairment; or
3. Being regarded as having such an impairment.

Qualified individual is defined as an individual with a disability who satisfied the requisite skill, experience, education, and other job-related requirements of the employment such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

Reasonable accommodation is defined as modification or adjustment to the job, the work environment, or the way things usually are done that enable a qualified person with a disability to enjoy an equal employment opportunity. NLCOG is not required to take such actions to accommodate that would result in undue financial and administrative burdens.

NLCOG, upon request, will provide reasonable accommodation to employee(s) in compliance with the ADA. Any employee who believes he needs an accommodation in order to perform the essential functions of the job should notify his immediate supervisor. Requests will be handled on a case-by-case basis.

An employee who believes he has been or is being discriminated against because of, or as a result of, a disability should first contact his immediate supervisor, as outlined in NLCOG’s employee manual. If the employee is not satisfied with the conclusion of that interview, then he may file a grievance with the ADA / 504 Coordinator. Upon receipt of the formal grievance, the ADA / 504 Coordinator will collect information and investigate the complaint, and make a recommendation to the Executive Director within ten business days. The complainant will be kept fully informed throughout the process, and will be notified in writing of the resolution.

**Complaint Procedures for the General Public**

NLCOG has established a process for investigating and resolving complaints alleging disability discrimination related to MPO services, programs and its office. Regulations implementing provision of Section 504 and Title II of the ADA can be found at 49 CFR Parts 27 and 37, and 28 CFR Part 35.

NLCOG’s ADA / 504 Coordinator is responsible for overseeing investigations and responses to complaints of discrimination based on disability. Required complaint information includes:

- Complainant’s name, mailing address and daytime phone number, with area code
- Specific information relating to the incident in question:
Self – Evaluation Plan

- Date, time and location
- How the person was discriminated against based upon disability
- Any other pertinent details

Complaints with incomplete information may result in a delayed investigation and response. NLCOG will not respond to complaints without the complainant’s name and mailing address.

Complaints may be submitted to NLCOG as follows:

- By telephone to NLCOG, (318) 841-5950. The ADA / 504 Coordinator will talk to the complainant and obtain detailed information relating to the complaint. Information obtained from the telephone interview will be recorded in writing and read to the complainant.

- In writing to the NLCOG ADA / 504 Coordinator, Lisa M. Frazier, 401 Market Street, Suite 460, Shreveport, Louisiana 71101. Complaints may also be faxed to (318) 841-5952 or e-mailed to lisa.frazier@nlcog.org.

- In person at NLCOG’s office located at 401 Market Street, Suite 460, Shreveport, Louisiana 71101. Normal office hours are from 8:00 a.m. until 4:30 p.m., Monday through Friday. It is advisable to call the ADA / 504 Coordinator in advance to schedule an appointment.

Within three business days upon receipt of a complaint, a letter or card will be mailed to the complainant with the following information:

- Acknowledgement that the complaint was received and is pending investigation, and
- Estimated dated by which a response will be sent to the complainant.

The ADA / 504 Coordinator will investigate the complaint and respond in writing within a reasonable time, not to exceed 30 days from receipt of the complaint. The response will provide information concerning the resolution of the complaint.

A record of all ADA / 504 complaints will be maintained by NLCOG for a minimum of five years. Each record will include the name and address of the complainant, nature of the complaint, problems identified, resolution of the complaint and resulting modifications made to an NLCOG program, service or its office facility.
**Evaluation of NLCOG Premises**

NLCOG leases 4,694 square feet in the American Towers, 401 Market Street, Suite 460, Shreveport, Louisiana. The building is located on the corner of Market Street and Travis Street, and the main entrance to the premises is on the Market Street side with a second entrance in the circular parking lot off of Travis Street.

Figure D – Floor Plan
Access to the building

The external Market Street entrance to the building is not wheelchair accessible as there are brick steps that must be navigated to enter. The large glass doors also are not automatic or equipped with push buttons to automatically open them. The second external entrance off of Travis Street has external automatic doors and is wheelchair accessible. The building lobby is wheelchair accessible, as are the elevators.

Doorways and hardware

All internal and external doorways are wheelchair accessible. The hardware located throughout NLCOG’s office is compliant and in good working order.

Reception Area

NLCOG’s reception area is accessible by both visitors and employees. The accessible route leading into the offices is 36 inches. The reception desk is 31 inches high which is within the acceptable limits.

Kitchen

The entrance to the kitchen is accessible. The refrigerator, microwave, coffee maker and sink are all accessible, as is the toaster oven. Access to eating utensils and cleaning supplies is also acceptable. NLCOG subscribes to a bottled water service, so used and unused bottles stay in the corner of the kitchen, though they do not restrict access to amenities within the kitchen.

Supply room

The supply room is accessible, as are most supplies contained therein. The movable work table accommodates wheelchair users and is 29 inches high. Temporary obstacles, consisting of boxes and supplies, are deposited in the room prior to putting them away.

Offices and conference room

All offices and the conference room are constructed to permit access and use.

Training room

The training room is furnished with five computer stations, each accommodating two computers. There is an approximately 40 inch aisle between the sets of stations. Each station allows for 32 inches of space for seating. These dimensions create limited accessibility by wheelchair users.
Windows

All employees’ offices and the conference room have windows. The blinds are accessible for opening/closing as the tilter wand is 43 inches above the floor and the cords are 50 inches high; both are within the acceptable heights for both forward and side reach accessibility.

Internal navigation

Office hallways are accessible and generally free of obstacles, except on an occasional basis.

Communications

Office telephones are located within easy access, or can be readily put within access. NLCOG does not currently use either TDD/TTY technology to accommodate people with hearing impairments. NLCOG’s website is not accessible by people with vision impairments. Printed materials are not accessible to people with vision impairments, though large print will be made available as needed.

Conclusions

Deficiencies noted within this Self-Evaluation are recorded in the Transition Plan, along with recommendations for creating an accessible environment and a timeframe for implementing recommended improvements. NLCOG reviews its public documents, including this one, on an annual basis. Any changes to programs, policies or procedures are noted and the document is revised as needed, with appropriate public notice and involvement.
Appendix

Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973
Transition Plan

Introduction

As a recipient of federal funding, the Northwest Louisiana Council of Governments (NLCOG) must comply with a variety of federal and state legislative regulations. Regarding matters of non-discrimination on the basis of disability, NLCOG falls under two federal laws: the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973.

Transportation legislation (SAFETEA-LU) requires that MPOs conduct a self-evaluation of its programs and facility accessibility, and to prepare a Transition Plan that describes any deficiencies, recommendations, time-frame for carrying out recommendations and approximate costs. In October of 2010, NLCOG conducted a Self-Evaluation of both its policies and procedures and physical premises.

This Transition Plan was developed as a result of the Self-Evaluation.

Deficiencies identified in evaluation of NCLOG policies and procedures

<table>
<thead>
<tr>
<th>Deficiency</th>
<th>Recommendation</th>
<th>Approximate Cost</th>
<th>Time Frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>NLCOG’s Employee Handbook of Personnel Rules and Regulations does not include the grievance procedures detailed in the Self – Examination.</td>
<td>Amend the Employee Handbook of Personnel Rules and Regulations to include the grievance procedures detailed in the Self – Evaluation.</td>
<td>Minimal (cost of administrative time and publication of legal notice)</td>
<td>December 2010 (to allow for Executive Committee review and public comment period)</td>
</tr>
<tr>
<td>The Public Involvement Plan (PIP) does not directly address ADA and Section 504 requirements.</td>
<td>Amend the PIP to include specific language that reflects NLCOG’s actual and intended policies and procedures.</td>
<td>Minimal (cost of administrative time and publication of legal notice)</td>
<td>December 2010 (to allow for Executive Committee review and public comment period)</td>
</tr>
<tr>
<td>Deficiency</td>
<td>Recommendation</td>
<td>Approximate Cost</td>
<td>Time Frame</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>Internal navigation is occasionally impeded for people with disabilities by the presence of temporary obstacles.</td>
<td>Remove any obstacles that interfere with the free flow of pedestrian traffic.</td>
<td>None</td>
<td>On-going and as needed</td>
</tr>
<tr>
<td>Telephone is not equipped with TDD/TTY.</td>
<td>Acquire TDD/TTY service.</td>
<td></td>
<td>December 2010</td>
</tr>
<tr>
<td>Website is not accessible to visually-impaired persons.</td>
<td>Work with website developer(s) to update the website for accessibility.</td>
<td>None</td>
<td>December 2010</td>
</tr>
<tr>
<td>Training room layout creates limited accessibility for wheelchair users.</td>
<td>Reconfigure layout of the computer tables in the training room to accommodate and provide at least the minimum clearances for accessibility.</td>
<td>None</td>
<td>December 2010</td>
</tr>
</tbody>
</table>