

TOWN OF FRANCISCO

ADA TRANSITION PLAN

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Prepared By:

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INTRODUCTION

The purpose of this ADA Transition Plan is to designate an ADA Coordinator, the Grievance Procedure, and complete a self-evaluation and implementation.

AMERICAN DISABILITIES ACT

The American with Disabilities Act (ADA), enacted on July 26, 1990, and later amended effective January 1, 2009, is a comprehensive civil rights law that provides protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunications. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person is perceived by others as having such impairment. The ADA, however, does not specifically name all the impairments that are covered. The ADA is divided into five sections covering the following topics:

Title I: Employment

Title II: Public Services (and Transportation)

Title III: Public Accommodations (and Commercial Facilities)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title II of the American Disabilities Act (ADA) prohibits state and local governments from discrimination against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities. It is under this title this transition plan has been prepared.

ADA COORDINATOR

As part of the ADA Transition Plan an ADA Coordinator is required.

The ADA Coordinator is critical in the effort to address all the complaints and concerns of individuals. To maintain the lines of communication and ensure effective communication between all parties, the Town of Francisco has designated the Town Council President as Francisco's ADA Coordinator.

The ADA Coordinator shall oversee the Town's efforts to comply with and carry out its responsibilities under Title II of the ADA, including investigation of any grievance communicated to the ADA Coordinator. Grievances may take the form of alleging non-compliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The Town shall make available to all interested individuals the name, office address, and telephone number of the person so designated and shall adopt and publish procedures for the prompt resolution of grievances. Grievances must be directed in writing to the ADA Coordinator.

The ADA Coordinator shall also oversee any requests for accommodations or barrier removal. The forms to make a grievance, request an accommodation or barrier removal are included as the Appendix.

Town of Francisco ADA Coordinator
Town Council President
PO Box 66
203 W. Main St.
Francisco, IN 47649
812-782-3573
clerktreasurer@townoffrancisco.com

GRIEVANCE PROCEDURE

The Grievance Procedure is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities programs or benefits provided by the Town of Francisco.

The complainant must in writing using the Grievance Form provided in the Appendix. Alternate means of filing complaints, such as personal interviews or recording of the complaint will be made available to persons with disabilities upon request. The complaint should be submitted by the grievant and/or designee as soon as possible, but no later than 60 calendar days, after the alleged violation to the ADA Coordinator. Within 15 calendar days after the receipt of the complaint, the ADA Coordinator will be made available to meet with the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting, the ADA Coordinator will respond in writing and where appropriate, in a format accessible to the complainant. The response will explain the position of the Town of Francisco and offer options for substantive resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant and/or designee may appeal the decision within 15 calendar days after receipt of the response to the Town Council President. Within 15 calendar days after receipt of the appeal, the Town Council President will be made available to meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Council President will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator, appeals to the ADA Coordinator, and responses will be retained by the Town of Francisco for at least three (3) years.

SELF EVALUATION

In preparing an ADA Transition Plan a self-evaluation and an inventory of sidewalks, curbs, and ramps was completed. The information developed through the inventory process will be presented as a baseline so that progress can be monitored and measured. Once the self-evaluation is complete, the Town will need to commit to actively reconstructing and updating infrastructure that is not ADA compliant; setting aside available financial resources to do so annually. For the Transition Plan to be effective it will need to be utilized in yearly planning of projects and funding decisions and periodically reviewed for compliance and validity. The Transition Plan should be viewed as a “living document” and updated regularly to reflect changes in real world conditions and to address any possible new areas of noncompliance. Francisco is committed to allowing all pedestrians including those with disabilities access to all sidewalk, side path, trail, and curb ramp areas. This will be accomplished by the following programs:

- All new construction, reconstruction, roadwork construction or alterations will be in compliance with the ADA
- Update the ADA Transition Plan on a three-year basis.
- If funds are available, funding annual sidewalk/curb reconstruction.

In addition, the Town owned facilities were evaluated for ADA compliance. The Town of Francisco has gone to great lengths since 2014 to bring their facilities into ADA compliance. Upon evaluation the Town Hall is in compliance with ADA standards. They do need to replace a railing along Main Street between Fifth and Fourth Street. This will be done as soon as the SR 64 INDOT project is completed.

ADA STANDARDS FOR ROADS AND SIDEWALKS

The ADA standards are intended to apply to all construction undertaken within the town Right of Way. Indiana Department of Transportation guidelines and drawings will serve as the standards for this plan. Other standards will be applied at the discretion of the ADA Coordinator.

IMPLEMENTATION

The Town plans to implement this Transition Plan effective the date of the Resolution adopting the ADA Transition Plan and establishing an ADA Coordinator. The Town of Francisco commits to the guidelines of this Transition Plan as well as amending this document as new relevant information becomes available. A copy of this document will be placed on the Town's website, www.townoffrancisco.com and at the Town Hall.

Appendix

Grievance Form

Request of Accommodation or Barrier Removal Form

REQUEST FOR ACCOMMODATION OR BARRIER REMOVAL

Name of person submitting request: _____

Date of Request: _____

Address: _____

City, State, Zip Code: _____

Phone Number: _____

Email Address: _____

If the person needing accommodation is not the individual completing this form, please provide:

Name: _____

Phone Number: _____

Email Address: _____

Check one: Accommodation: _____ Barrier Removal: _____

Accommodation needed or location of barrier:

Brief statement of why the accommodation is needed or the barrier removed:

Date Accommodation needed: _____

Printed name: _____

Signature: _____

Date: _____

Please return the completed form to the ADA Coordinator at the Town Hall.

Please contact the ADA Coordinator if you should need an alternative format to complete this form. Reasonable requests will be accommodated.

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