

# Great Plains Center

A member of the ADA National Network

University of Missouri  
College of Human Environmental Sciences  
Architectural Studies Department

[www.gpadacenter.org](http://www.gpadacenter.org)

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Serving Iowa, Kansas, Missouri, & Nebraska

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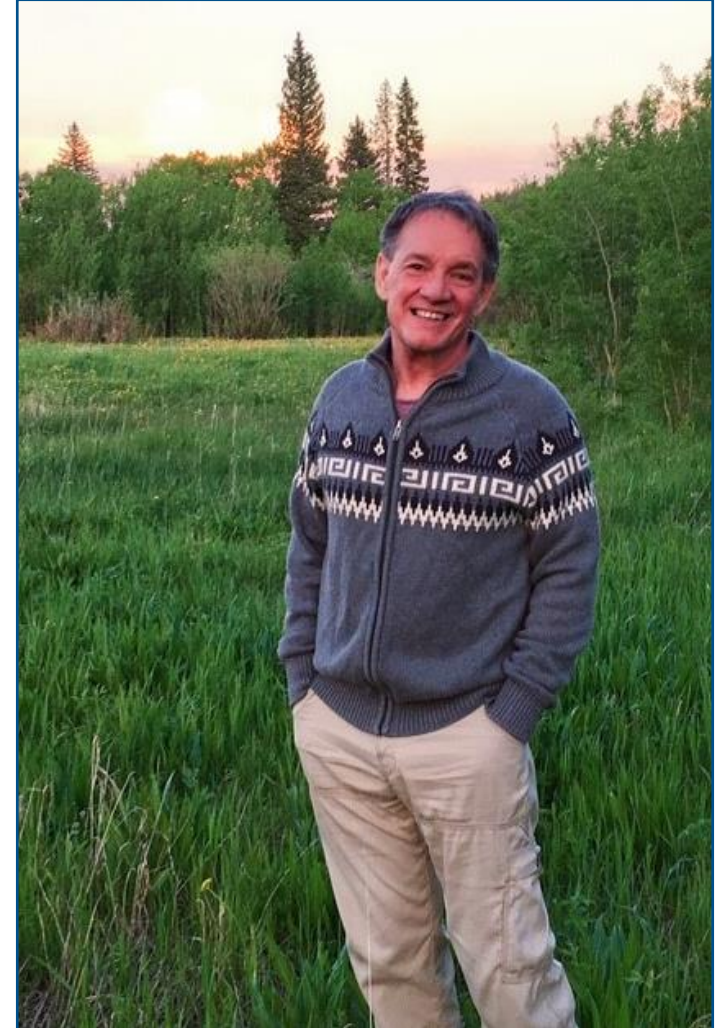
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# The Status of ADA in Local Governments for Persons with Disabilities

Missouri Municipal League, 2020 Annual Conference

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

University of Missouri Columbia

Department of Architectural Studies

Great Plains ADA Center



Santa Claus

ADA

“Grandfather  
Clause”

University of Missouri, Dept. of  
Architectural Studies

Great Plains ADA Center Regions VII

**800. 949. 4232**

**[www.adaproject.org](http://www.adaproject.org)**

# ADA CENTER REGION VII - About Us



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

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

# The Ten National ADA Centers

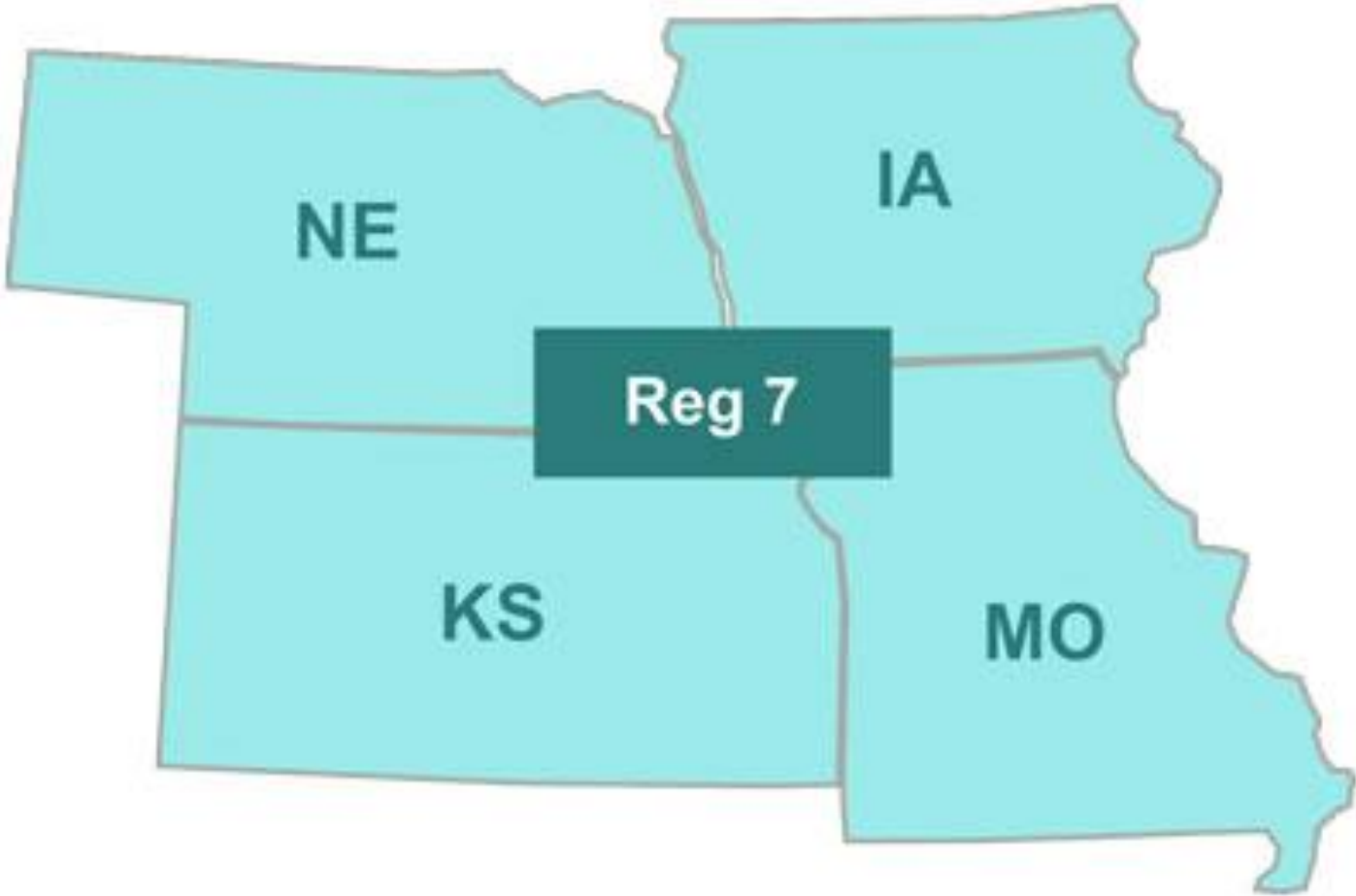
1-800-949-4232

[www.adata.org](http://www.adata.org)





# Great Plains ADA Center Region VII



# Region VII ADA Center, University of Missouri Columbia



# Technical Assistance, Guidance, Training...

The ADA Info Line.

Or submit questions  
on-line at

[www.adaproject.org](http://www.adaproject.org).



1-800-949-4232

People with disabilities = 19% or 1 in 5 of your citizens

People with Disabilities & Families

Cities & Counties

ADA Coordinators

Building Code Officials

Architects

Community Organizations

Small Businesses

Employers

Service Providers

Educators



Who is protected by the ADA? You, your family, friends, colleagues. One-in-five or about 19.7% of Americans. The largest minority in the USA

The ADA Protects Qualified Individuals with Disabilities From Discrimination

How do we define a qualified individual?

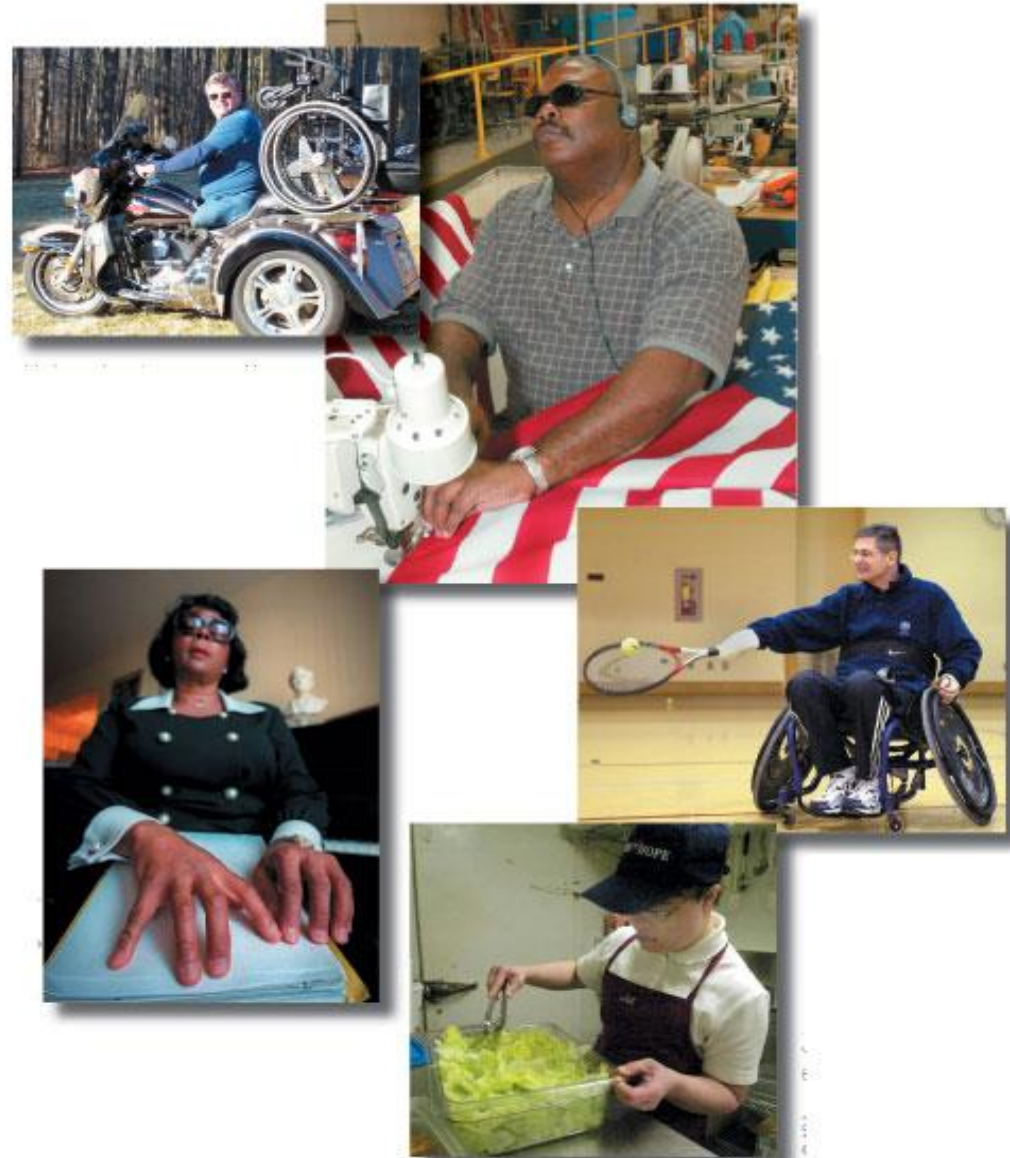


# Qualified with a disability: Three-part definition

## It's not just wheelchairs.

- 1) Has a physical or mental impairment that "substantially limits" one or more major life activities .
- 2) Has a record of such an impairment
- 3) Is regarded as having such an impairment.

Any one of the above is qualifying.





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Department of Architectural Studies

Great Plains ADA Center

This study was developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR) grant number 90DP0093-02-00. NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (DHHS)



# The Goals of the Study

- 1. How can the ADA Center network improve delivery of our services?**
- 2. What are the differences among rural and urban demographics regarding local government endorsement and application of ADA?**
- 3. How does ADA responsiveness of a government impact the “livability” of the community?**
- 4. How can the findings inform the direction, topics, and content of our trainings, technical assistance and capacity building services?**

## Modest beginnings

- **Teaching Building Code and Americans with Disabilities Act (ADA) at 2013 Conference of the Nebraska Intergovernmental Risk Management Association (NIRMA)**
- **80 Nebraska County governments participated**
- **About 170 County Government representatives attending**
- **About 10% knew of their Dept. of Justice requirements for Self-Evaluations and Transition Plans**
- **About 3% were in compliance**
- **I wanted to know why, and what that means to people with disabilities**
- **Inform our ADA center strategies and curriculum across the state and in our entire region**
- **That informal survey led to the current 5 year grant-funded study in four states**

# The Community Capital Framework

Flora, Flora, Fey

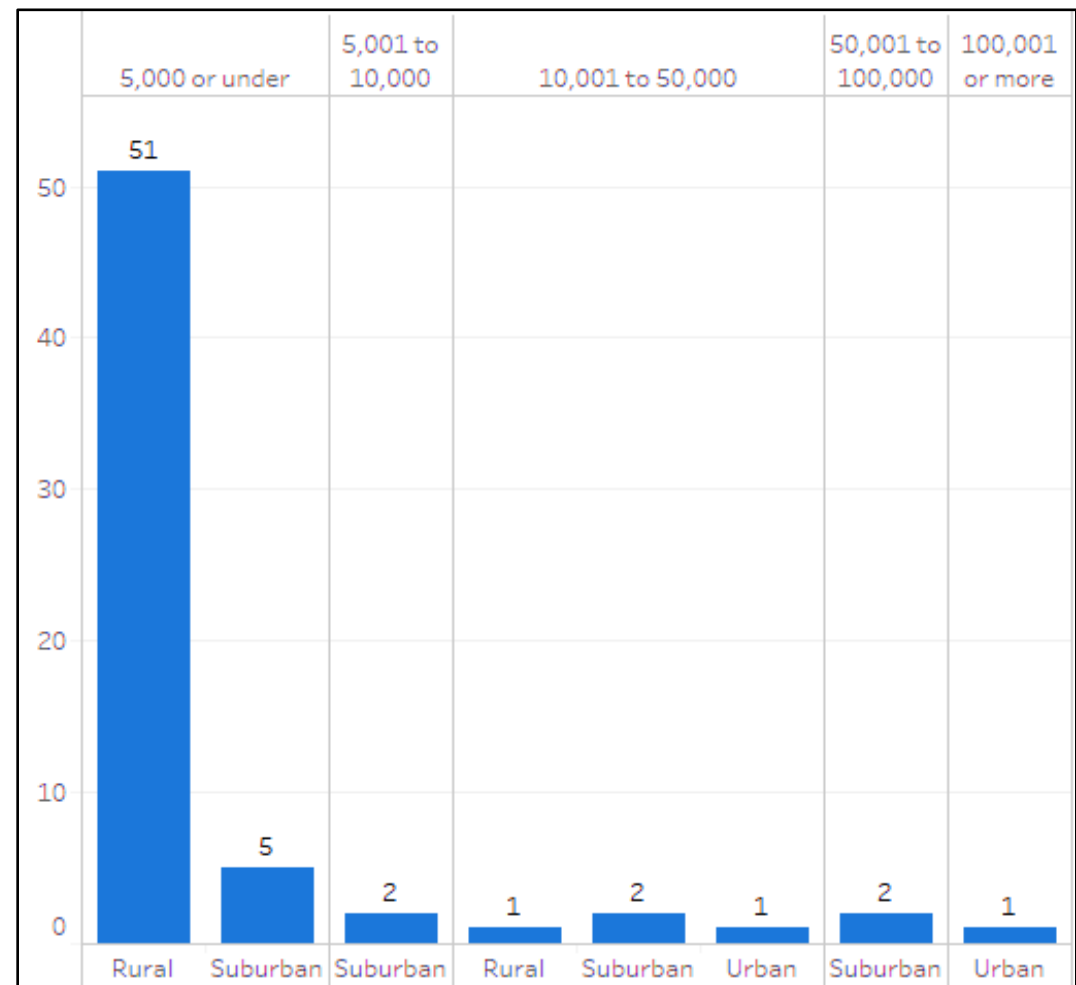
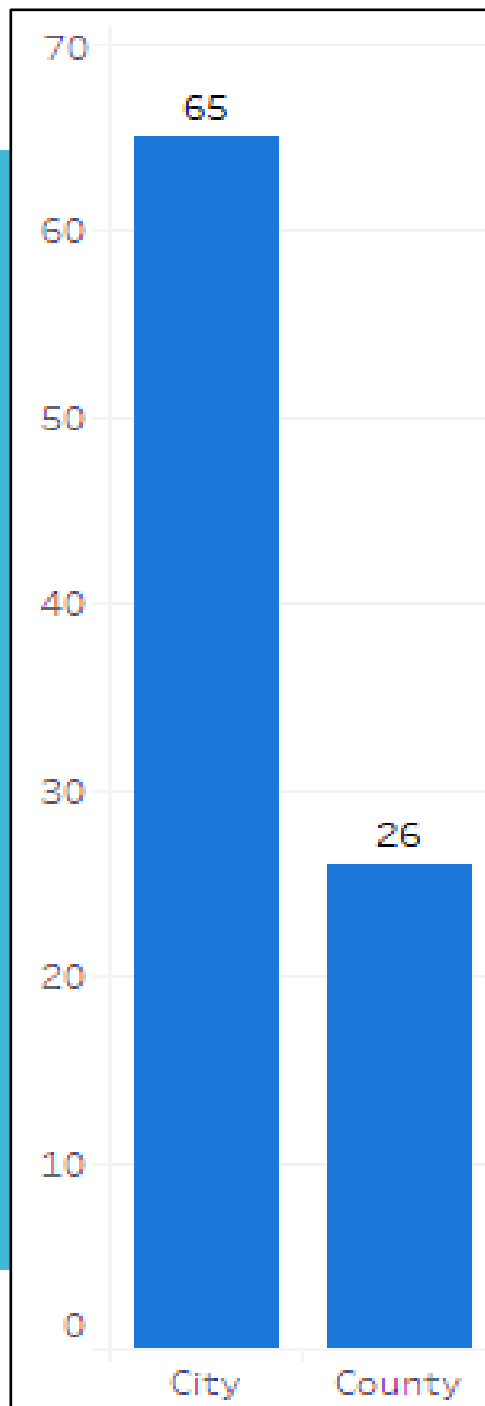
1. **“Built Capital” - Buildings /sidewalks/streets**
2. **“Human Capital”** Some communities are “accessing outside resources and knowledge to increase understanding and to identify promising practices” in building construction of accessible places.
3. **“Social Capital”** Some communities work with the disability community advocates as a valued resource.
4. **“Financial Capital”** The infrastructure, personnel, training for accessibility
5. **“Political Capital”** Involve disability advocates in decision making
6. **“Cultural Capital”** How integrated are persons with disabilities in the community?
7. **“Natural Capital”** Some geography is flat and other communities have challenging geography. Some have natural spaces, rivers, etc.

Community Development Framework	Possible examples explained	Question to measure	Question to measure	Question to measure	Question to measure
Built Capital	Assessment of buildings/sidewalks accessibility	Local and state governments are expected to have a “self-evaluation” of their services, activities, program and facilities. A self evaluation is a procedure documenting barriers to accessibility within the jurisdiction.	Does your jurisdiction issue building permits for new and altered commercial construction?	Prior to permit issuance, does your jurisdiction require a review of building plans, blueprints or document for new or altered commercial construction?	
Human Capital	Access outside resources of knowledge to identify promising practices	The ADA center provides training, support, technical assistance and guidance on the ADA. Has your jurisdiction participated in or benefitted by the trainings and assistance from the ADA center?	How has the great plains ADA center assisted your government jurisdiction?	Has your local government contacted or used the services of any of the agencies listed regarding the ADA?	What top 3 accessibility needs the ADA center can assist with in your jurisdiction?
Social Capital	Work with disability community advocates	In what division or department of your jurisdiction is the ADA coordinator housed?	Does jurisdiction employ a designated individual to oversee ADA policies, grievances, implementation, and employment issues?	What is the approximate percentage of time the person acting as the ADA coordinator is expected to commit to accessibility duties?	
Financial Capital	Invest in accessible infrastructure	In your opinion, what is the level of fiscal commitment of your local government for ADA improvements in programs, services or facilities of the community?			
Political Capital	Involve disability advocates in decision making	In your opinion, how influential is the disability community in the policy making of your government?	How influential is your transition plan on the policy making in your	For new and altered construction within jurisdictional, does your	

# Missouri Cities and Counties

- **91 Respondents:**
  - 65 cities – 11.9% of total cities
  - 26 Counties out of 105 – 23% of total counties
- **Population**
  - 51% less than 5000 but within 25 miles of Major urban center
  - 14% population above 100,000
- **80% Consider themselves as rural**
- **Rural communities underutilizing of available ADA resources**
- **24 never heard of the University of Missouri Great Plains ADA center**

# Who participated



City Population Identification	Number of City Respondents	Percent of City Respondents
Rural	52	80%
Suburban	11	16.9%
Urban	2	3.1%

# Location of Counties Represented By Zip Codes for both Cities and Counties

10 jurisdictions did not reveal their designated county.

Distribution buffering larger cities/highways

Kansas City

St. Louis

Springfield; Rolla; Lebanon

Columbia; Moberly; Macon

Jefferson City

I-70 Concentration

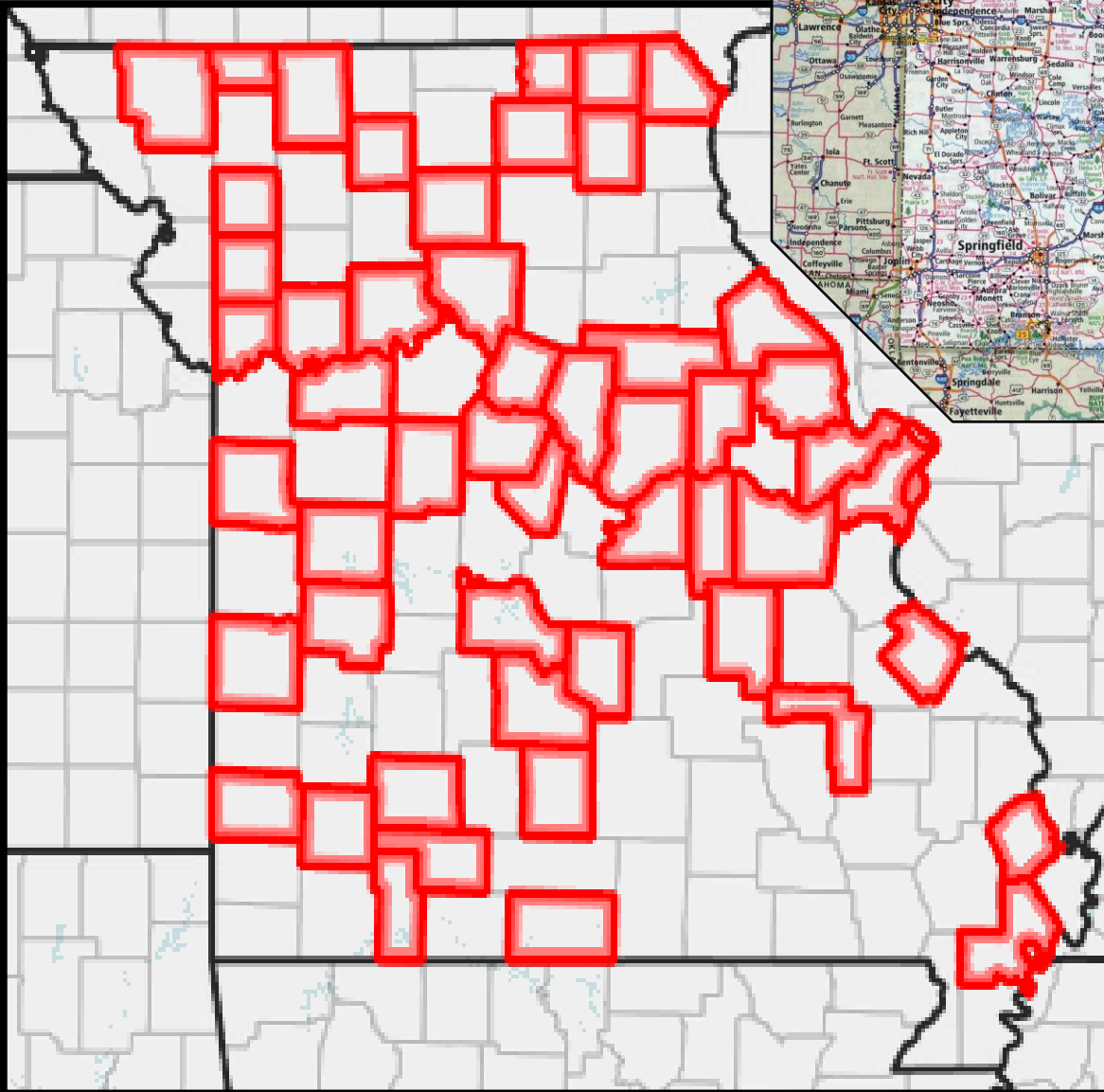
I-55 Concentration

I-44 Concentration

I-35 Concentration

I-29 Concentration

I-63 Concentration



# Maslow's 'Hierarchy of Needs'

The ADA is not a priority for survival of governments.

Tax dollars must be allocated for the greatest needs of the general community.

The hierarchy still applies today for all governments, with Covid, now more than ever.

But the ADA is a national law and the Federal enforcing agencies are not concerned with the hierarchy or community priorities.



Department of Justice

'Project Civic Access'

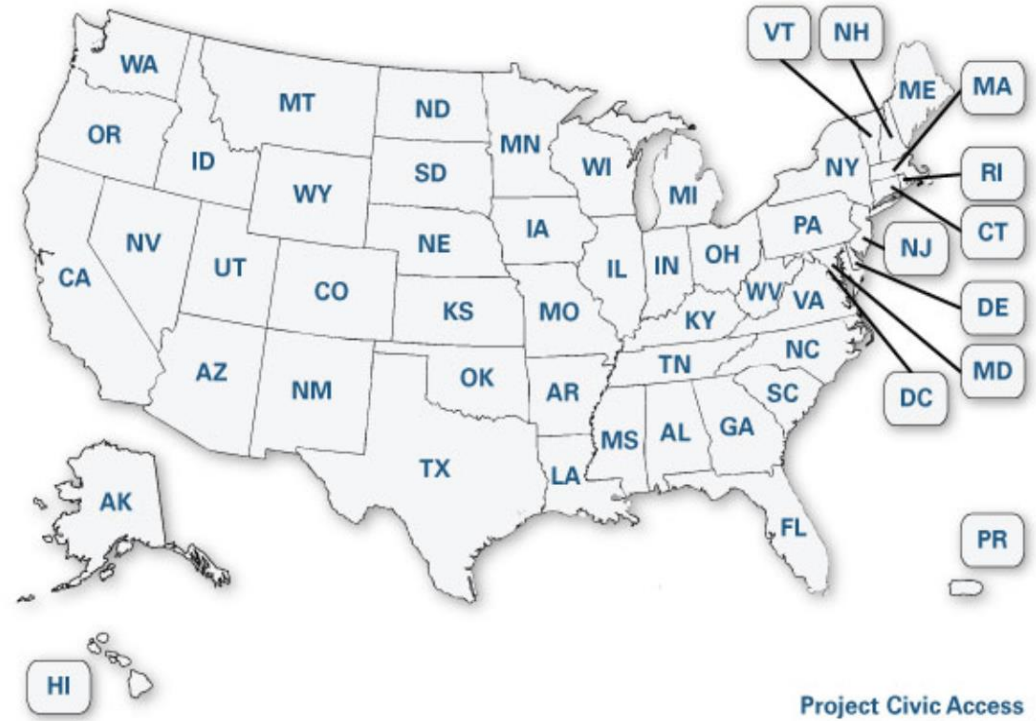
More than 250 cities and counties that have settlements with the DOJ

Interactive map allows access to every detail of any case in the country

Tool Kit For State and Local Governments

PCA Agreements in Chronological Order

settlement date



AK | AL | AR | AZ | CA | CO | CT | DC | DE | FL | GA | HI | IA | ID | IL | IN | KS | KY | LA | MA | MD | ME | MI | MN | MO | MS | MT | NC | NE | NH | NJ | NM | NV | NY | OH | OK | OR | PA | PR | RI | SC | SD | TN | TX | UT | VA | VT | WA | WI | WV

*Mount Vernon,  
Washington*

*2010 Census  
Pop. 31, 710*

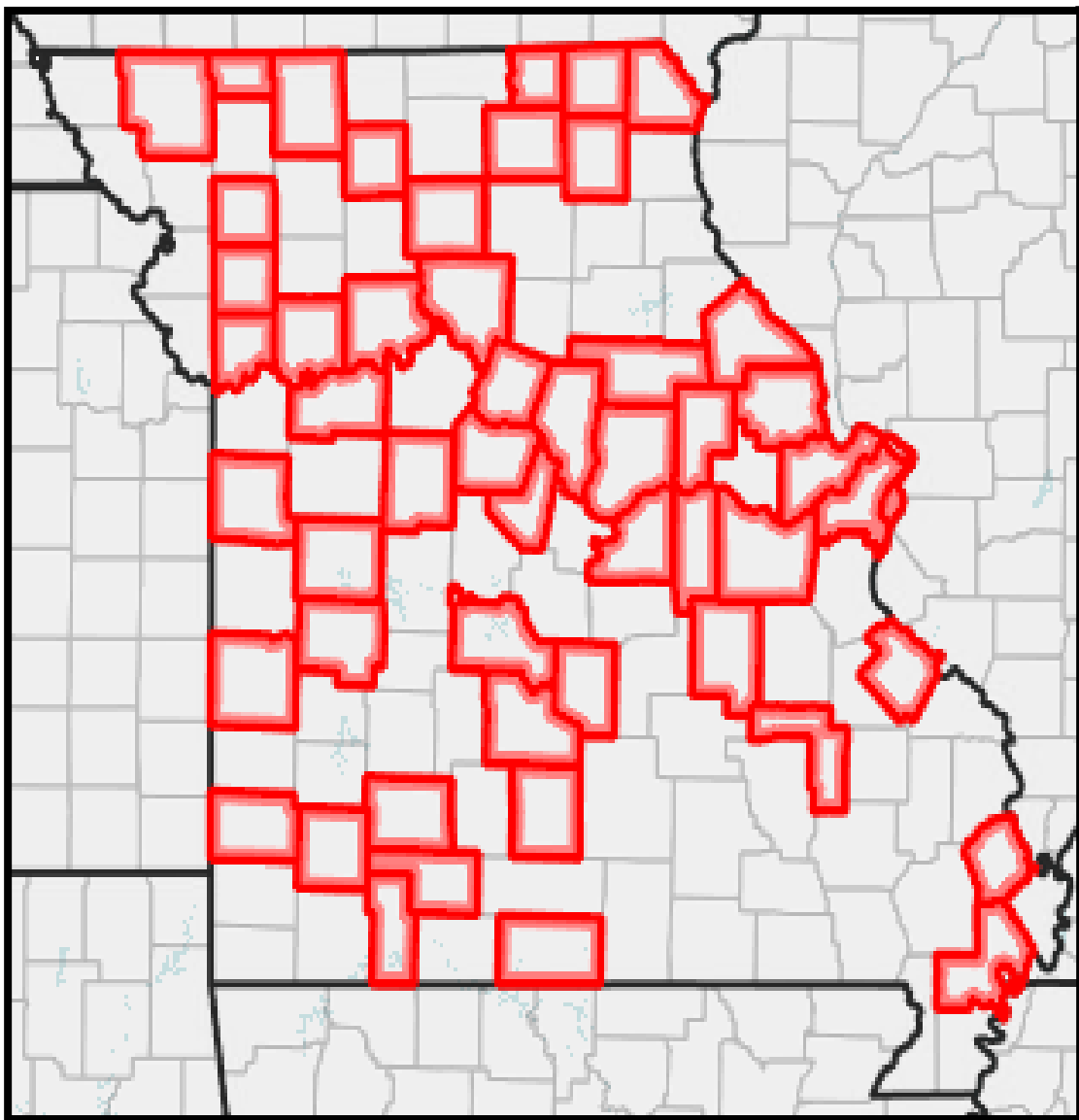
*DOJ complaint  
and settlement.*



**DOJ SETTLEMENT  
AGREEMENT BETWEEN  
THE UNITED STATES OF  
AMERICA  
AND  
THE CITY OF MOUNT  
VERNON,  
WASHINGTON**

**DEPARTMENT OF JUSTICE COMPLAINT NUMBER  
204-82-210**

- to conduct a self-evaluation of its services, policies, and practices
  - to notify applicants, participants, beneficiaries, and other interested persons of their rights and the City's obligations Department's regulations
- to designate a responsible employee to coordinate its efforts to comply and carry out the City's ADA responsibilities (ADA Coordinator)
- to establish a grievance procedure for resolving complaints of violations
  - to operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities,
  - physical changes to buildings (required to be made by January 26, 1995), in accordance with the Department's title II regulation, 28 C.F.R. § 35.151, and the ADA Standards for Accessible Design ("Standards") or the Uniform Federal Accessibility Standards ("UFAS");
- to ensure that facilities for which construction or alteration was begun after January 26, 1992, are readily accessible to and usable by people with disabilities,
- to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others



[Butler County, Missouri](#) 8/05/04

[City Utilities of Springfield, Missouri](#) 7/19/00

[Kansas City, Missouri](#) 7/25/12

[Pleasant Valley, Missouri](#) 11/03/03

[Springfield-Greene County Library District, Missouri](#) 7/19/00

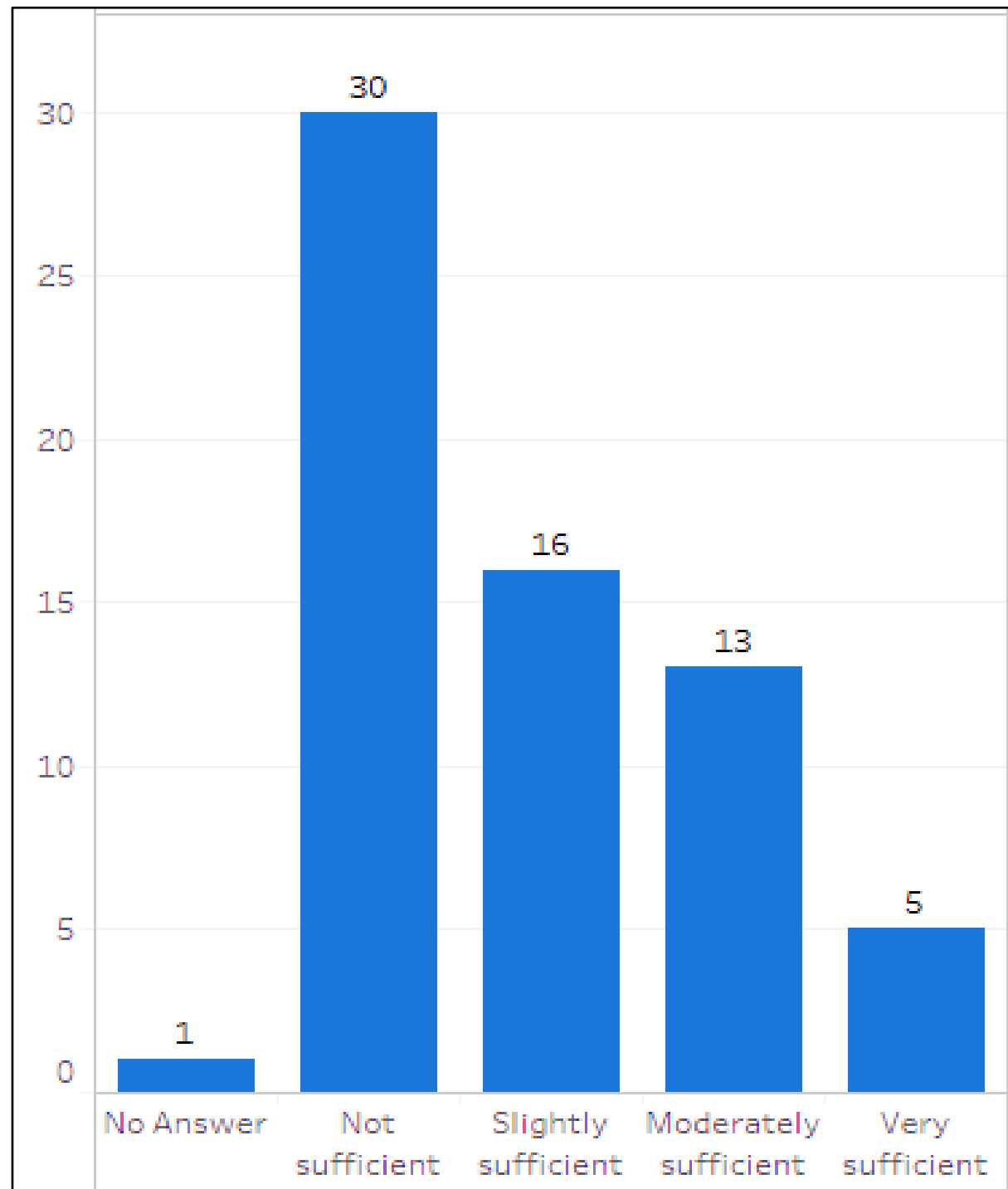
[Springfield, Missouri](#) 9/19/01

[Washington County, Missouri](#) 2/18/15

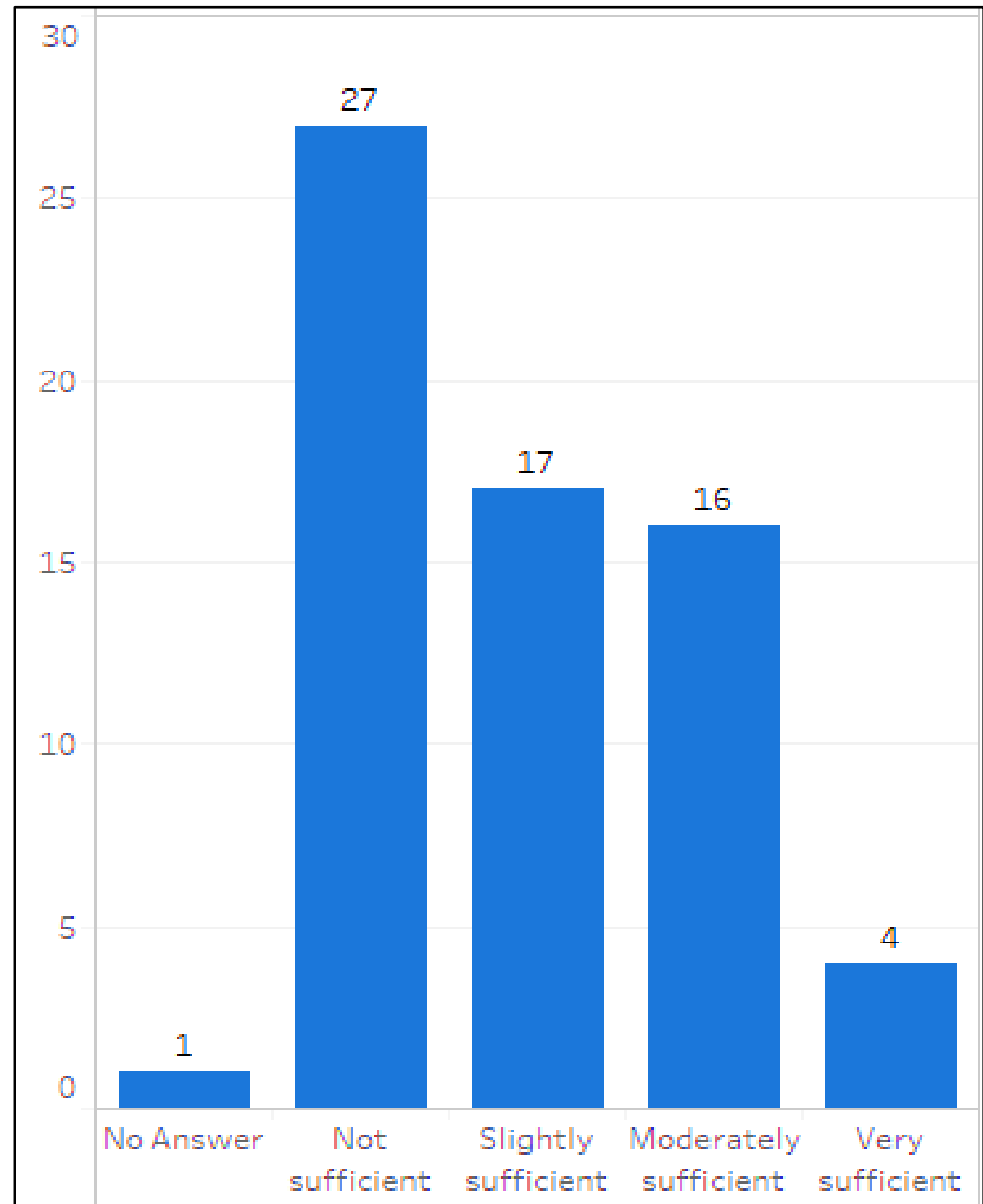
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- 4. How can the findings inform the direction, topics, and content of our trainings, technical assistance and capacity building services?**

# Sufficiency of financial resources for ADA regulations in Missouri cities



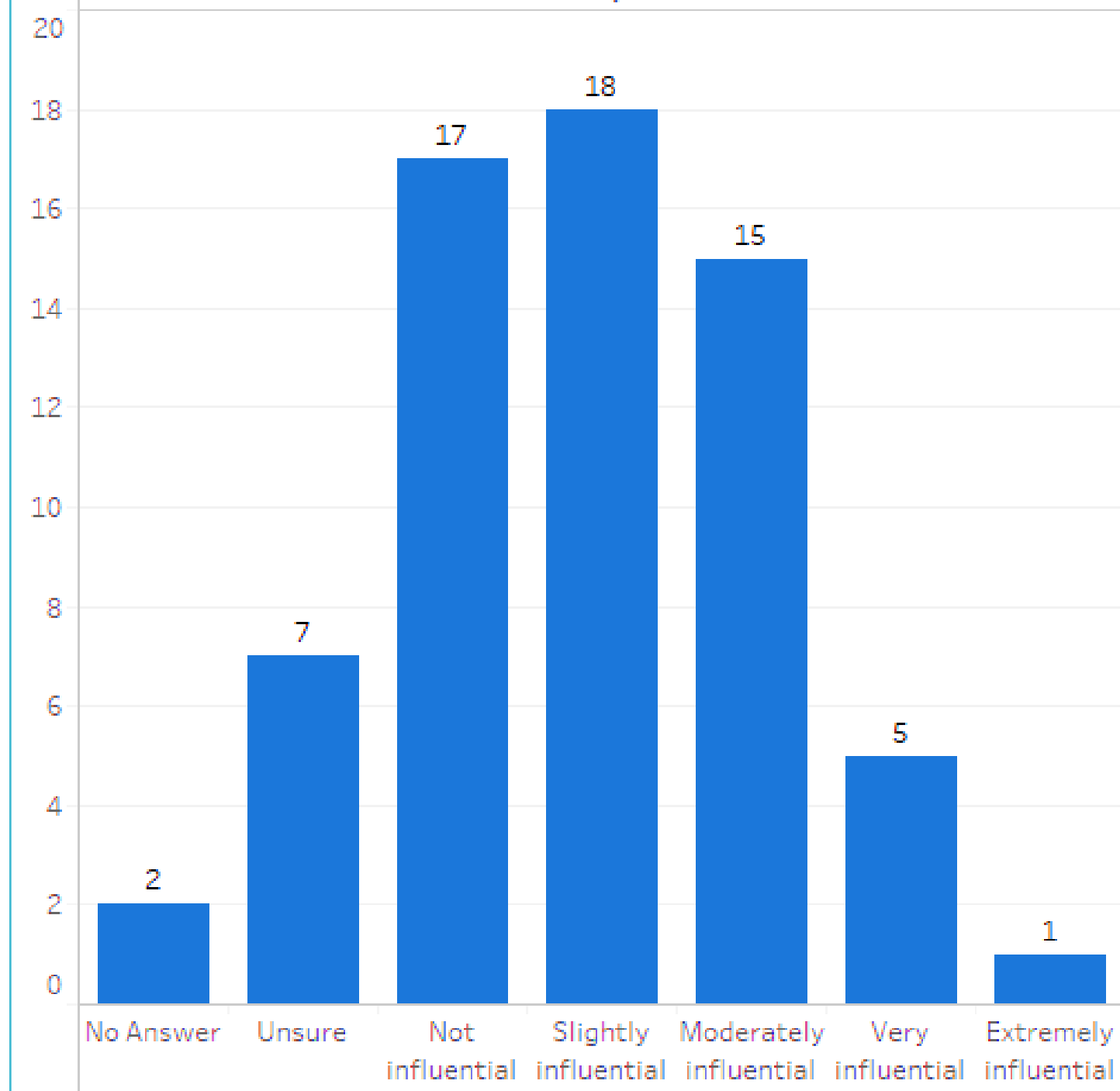
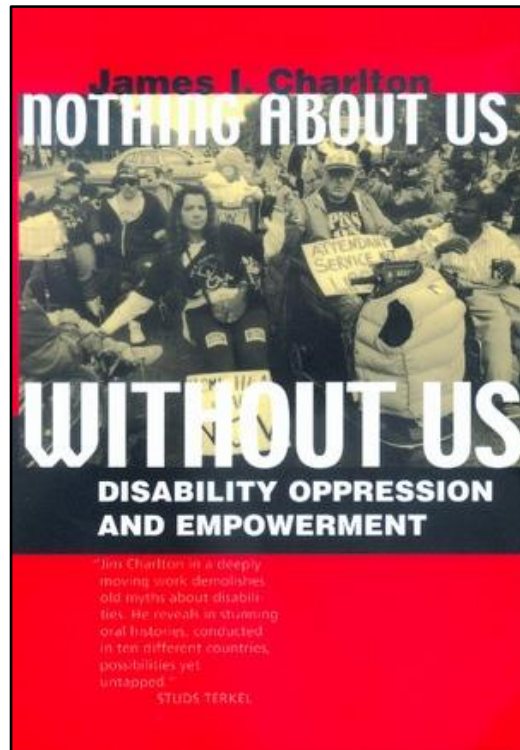
# Sufficiency of personnel resources to implement ADA regulations



How influential is the disability community on policy making of the jurisdiction?

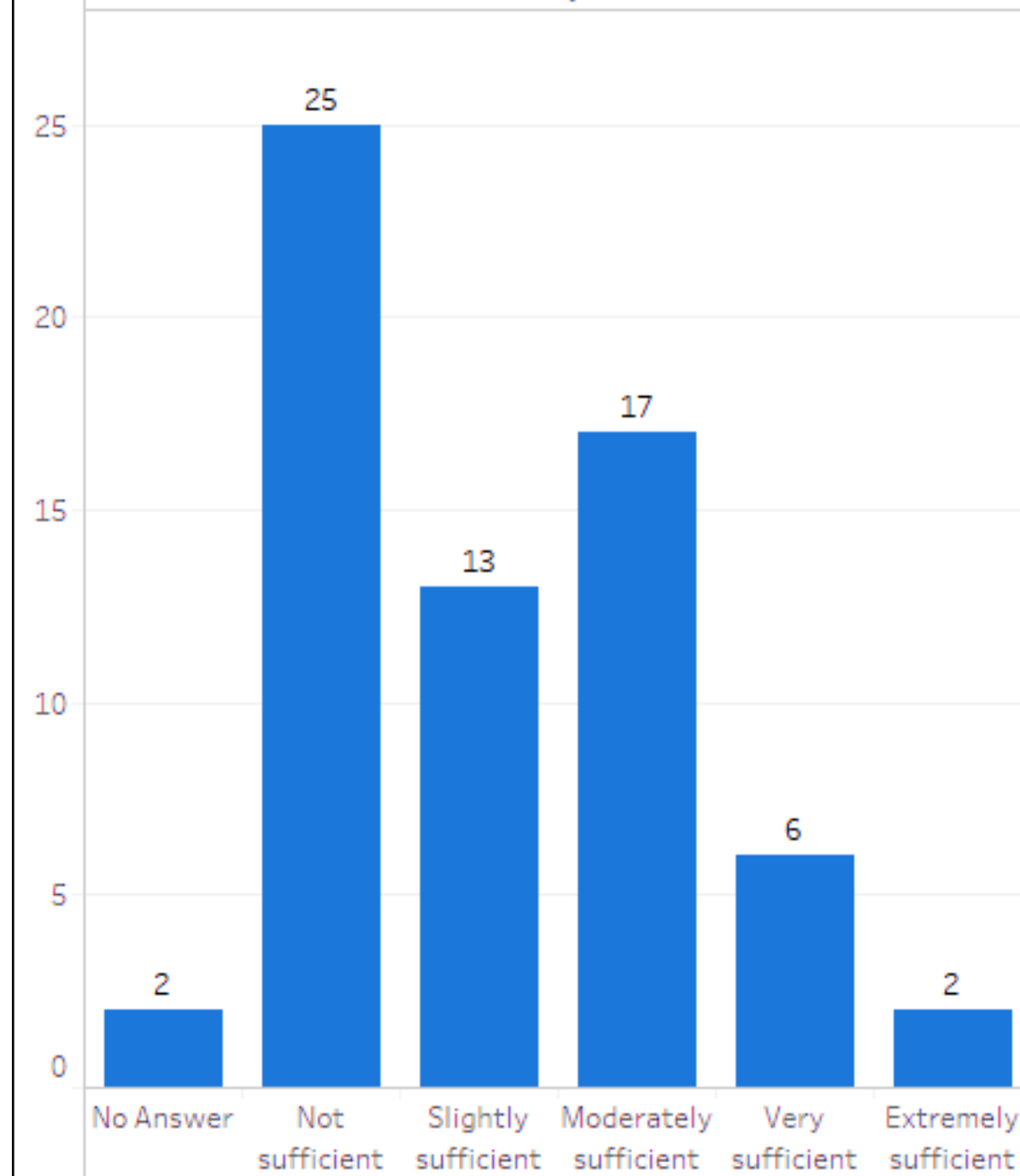
The DOJ anticipates a collaborative effort in the community.

‘Nothing About US Without Us’





Sufficiency of collaboration with persons with disabilities and/or disability advocates and/or agencies that serve disabled populations



# What an ADA Coordinator is About

## DOJ SETTLEMENT AGREEMENT:

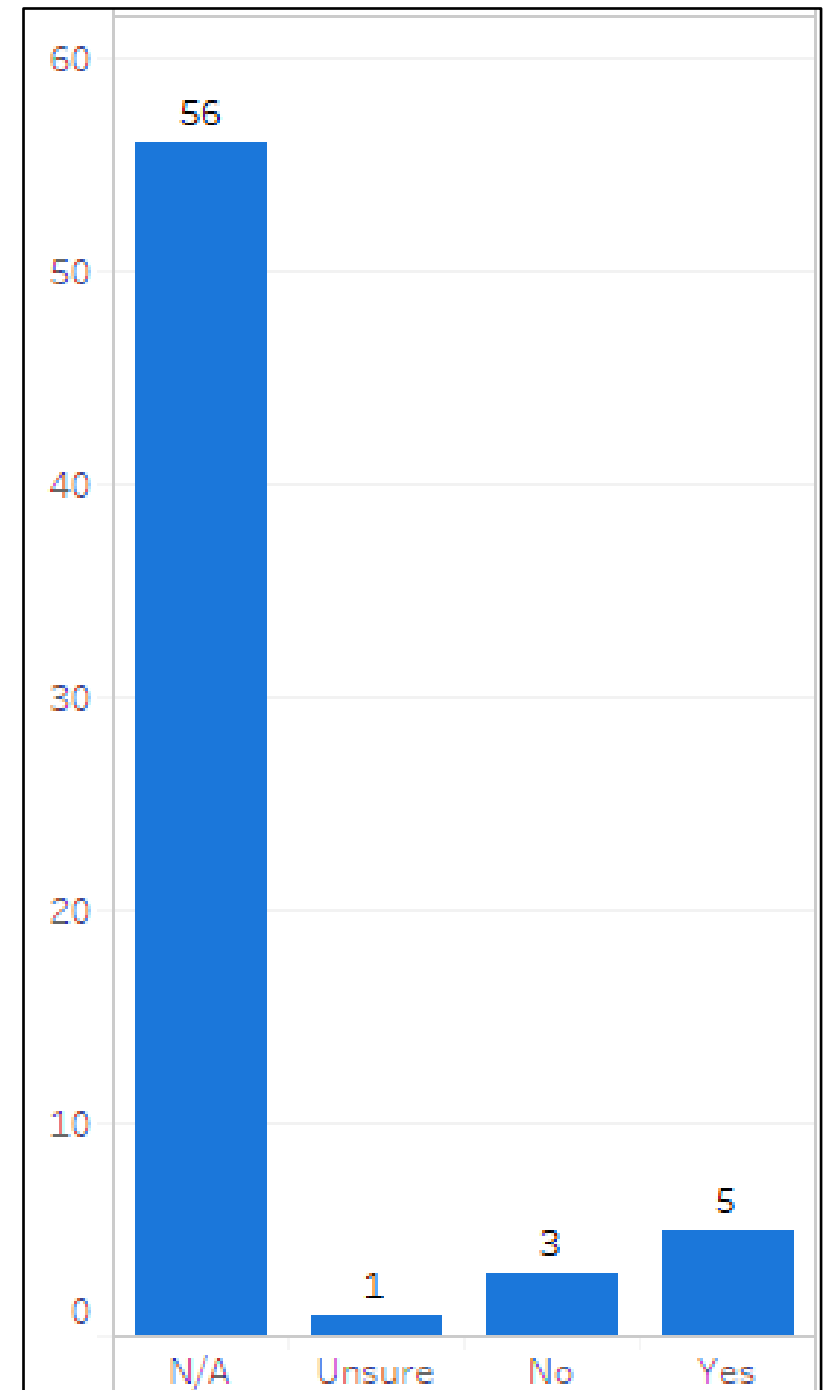
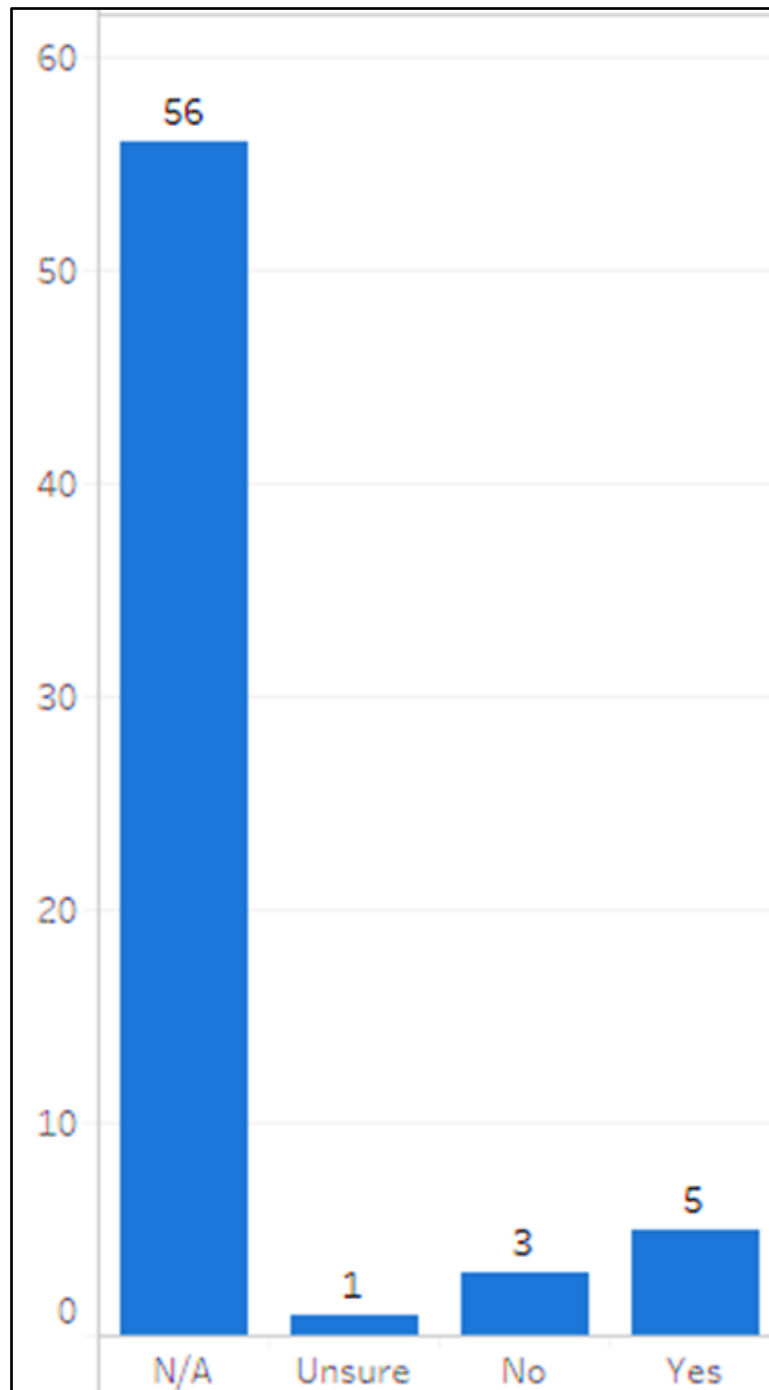
### THE UNITED STATES OF AMERICA AND THE CITY OF MOUNT VERNON, WASHINGTON

- to conduct a **self-evaluation** of its services, policies, and practices
- to **notify applicants, participants, beneficiaries**, and other interested persons of their **rights and the City's obligations** Department's regulations
  - to **designate a responsible employee** to coordinate its efforts to comply and carry out the **City's ADA responsibilities** (ADA Coordinator)
- to **establish a grievance procedure** for resolving complaints of violations
- to **operate each program, service, or activity** so that, when viewed in its entirety, it is readily **accessible to and usable by individuals with disabilities**,
- **physical changes to buildings** in accordance with the Department's title II regulation, ADA Standards for Accessible Design ("Standards") or the Uniform Federal Accessibility Standards ("UFAS");
  - to ensure that **facilities** for which construction or alteration was begun after January 26, 1992, **are readily accessible to and usable by people with disabilities**,
- to **ensure that communications** with applicants, participants, and members of the public **with disabilities are as effective** as communications with others

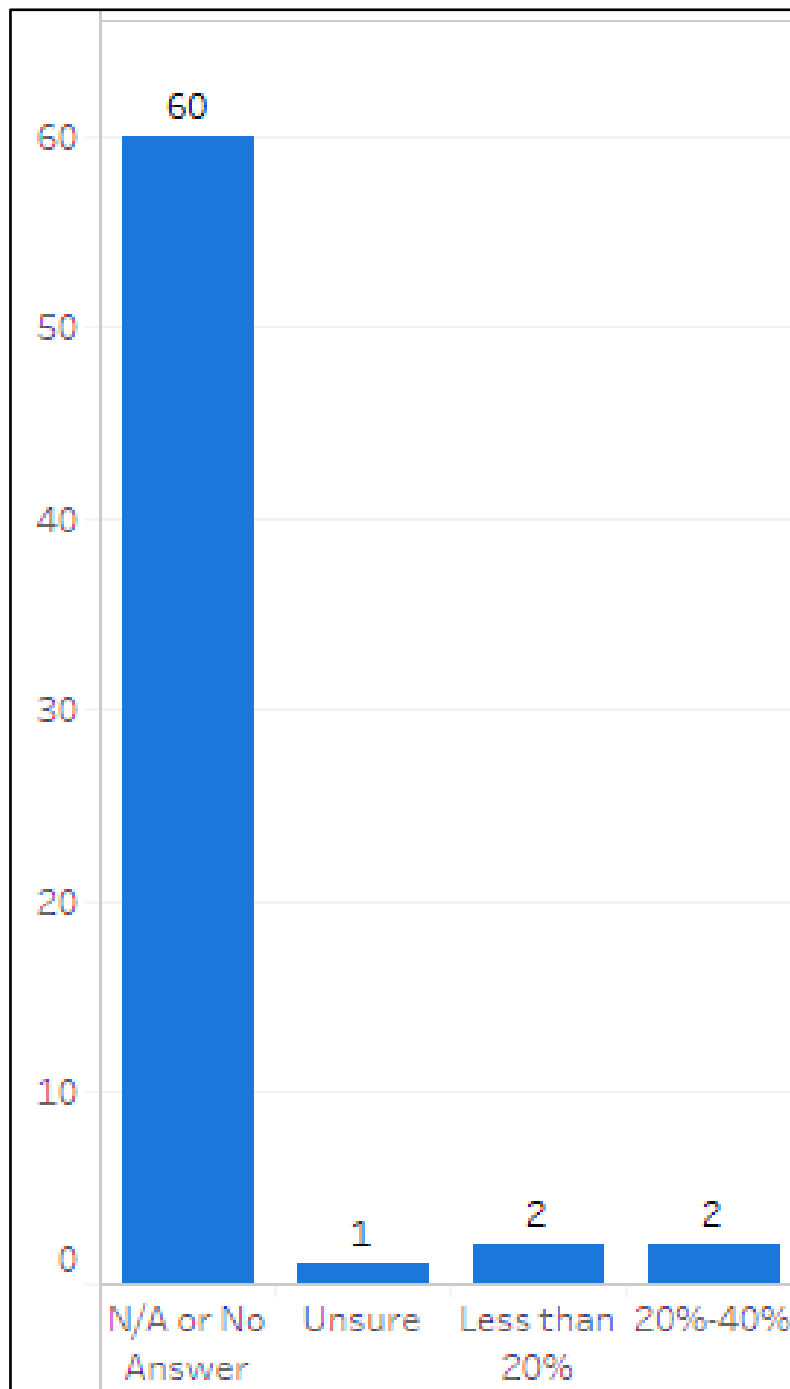
*Does your jurisdiction have 50 or more full and/or part-time employees?*

*Does your jurisdiction employ and ADA Coordinator?*

*About half (56%) of those that should have an ADA Coordinator had one.*

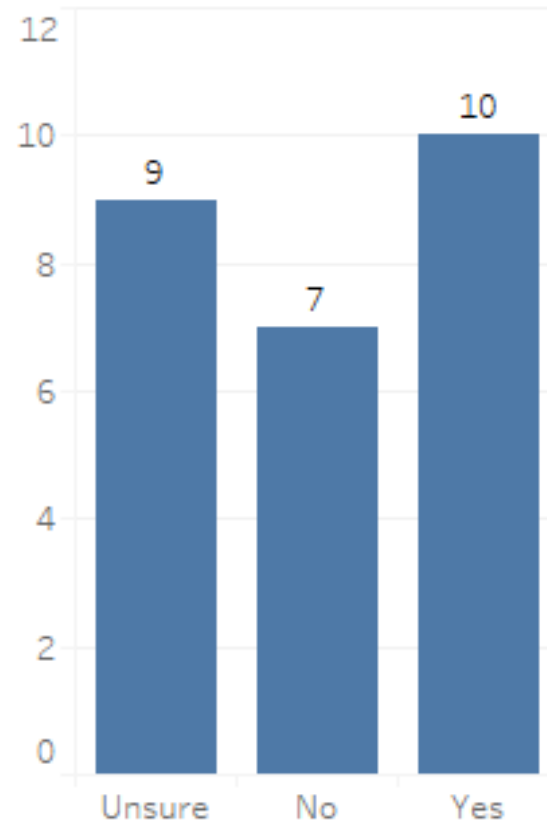


*What is the approximate percentage of time the person acting as the ADA Coordinator is expected to commit to accessibility duties?*

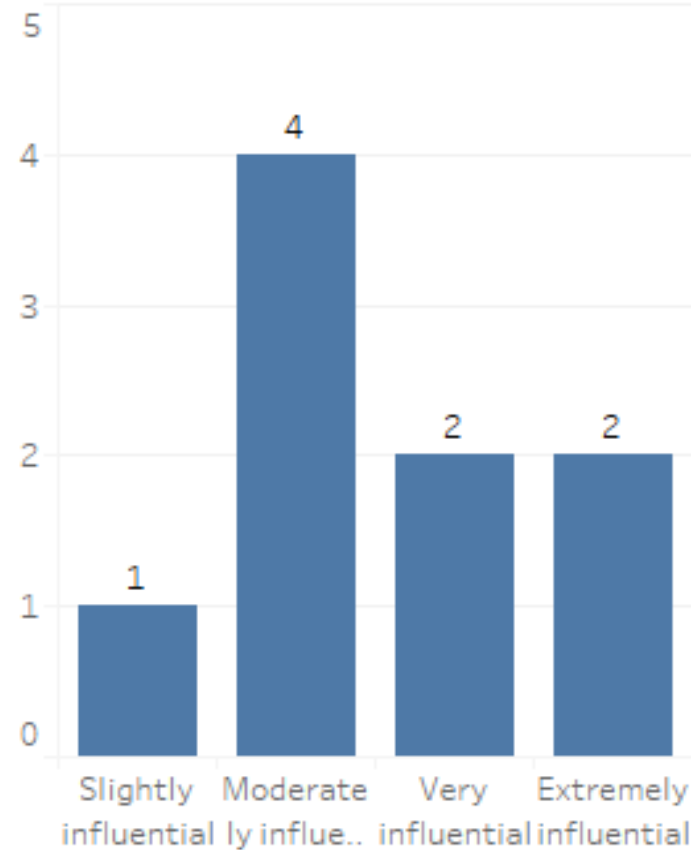


Every jurisdiction must have a 'Self-Evaluation'

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



***How influential is your Self-Evaluation on the policy or decision making on your jurisdiction?***



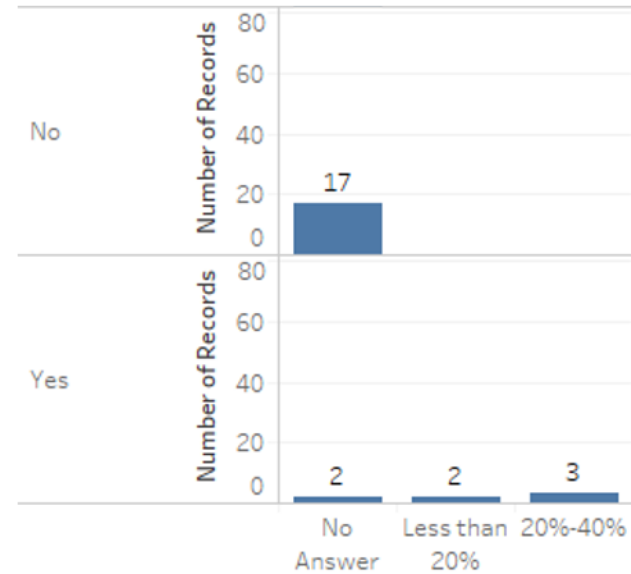
# Cities and Counties

Does your jurisdiction have 50 or more full and/or part-time employees?	
50 or more employees	Response number
No	65 (71.4%)
Yes	26 (28.6%)

Although 26 (28.6%) jurisdictions responded that they had 50 or more employees, only 7 (26.9%) jurisdictions responded “yes” that they did have an ADA coordinator.

**Does your jurisdiction employ a designated individual – sometimes called an ADA Coordinator – to oversee Americans with Disabilities Act (ADA) policies, grievances, implementation, and employment issues?**

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



Using the resources already available to you and your citizens with disabilities

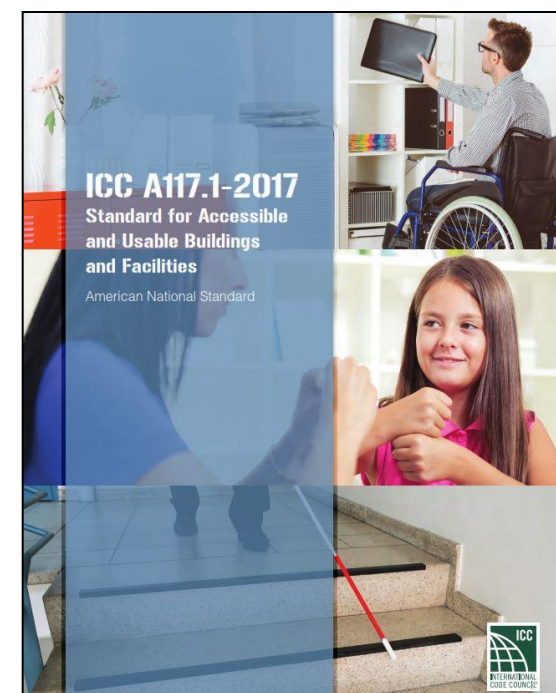
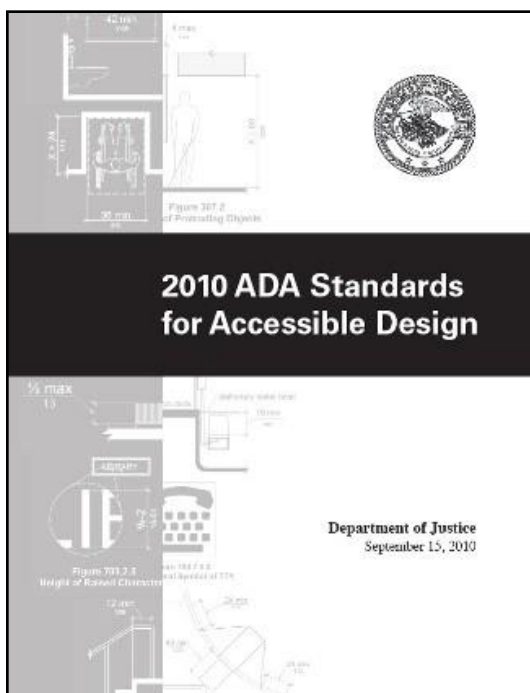
Has your jurisdiction contacted or used the services of any of the agencies listed regarding the ADA?

U.S. Access Board	3
Department of Education	7
Independent Living Centers	10
Equal Employment Opportunity Commission	9
Office of Civil Rights	2
Department of Justice	7
Great Plains ADA Center	6
Missouri Human Rights Commission	7
Missouri Governors Council on Disabilities	1
Missouri Assistive Technology Council	1
ADA Consultant	11
Other: Regional Planning Agency	

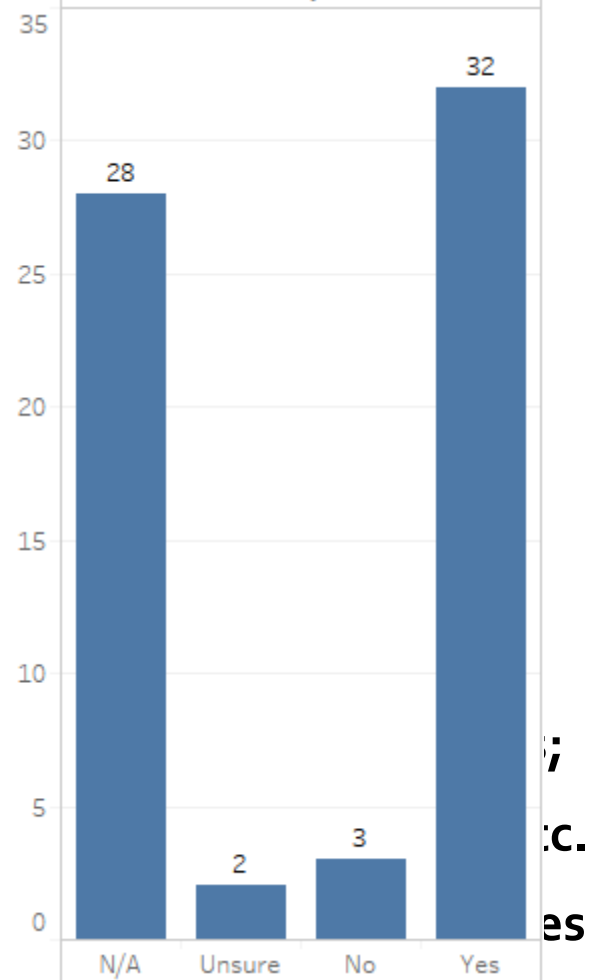
## *Building Permits, Plans, and Inspections*

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

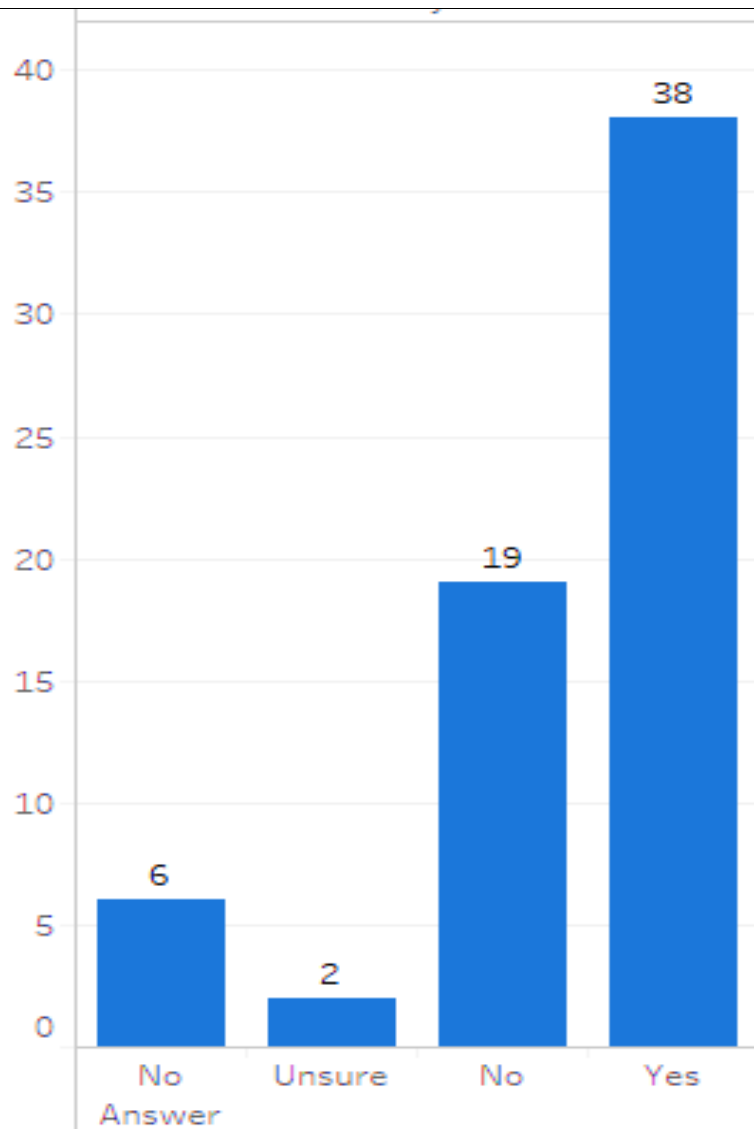
For those jurisdictions that issued building permits, 86.5% responded that their jurisdiction required a review of building plans, blueprints, and other documents prior to permit issuance.



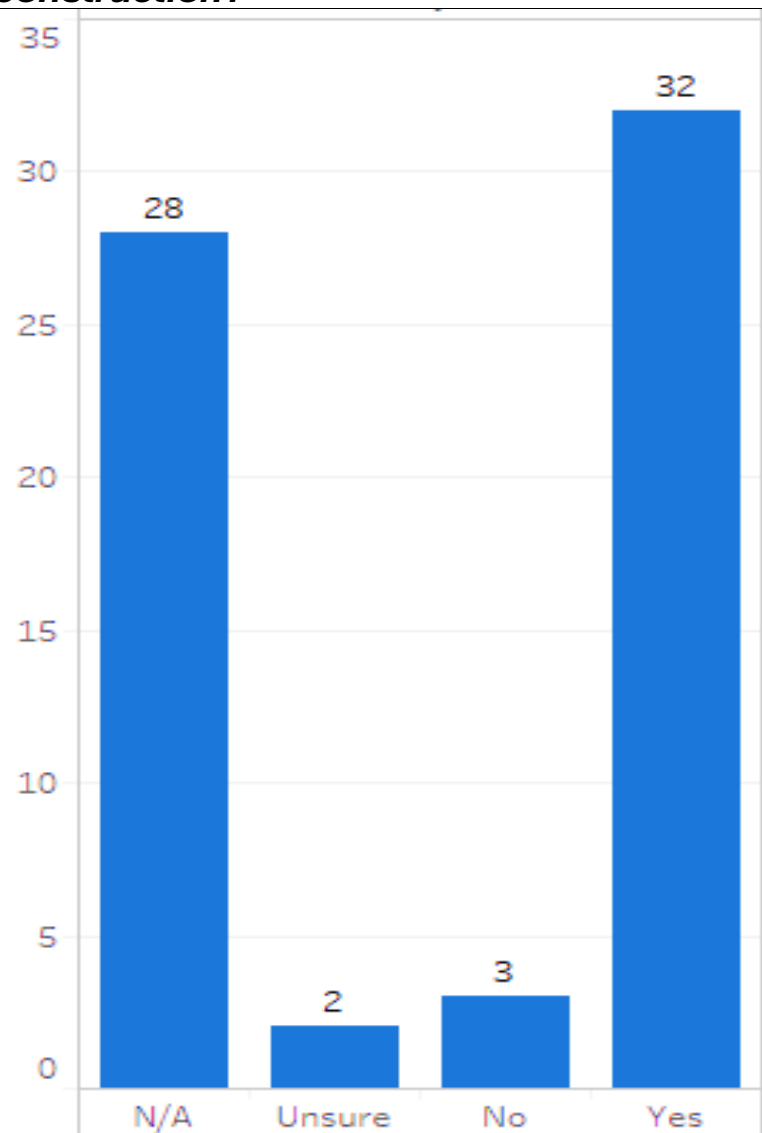


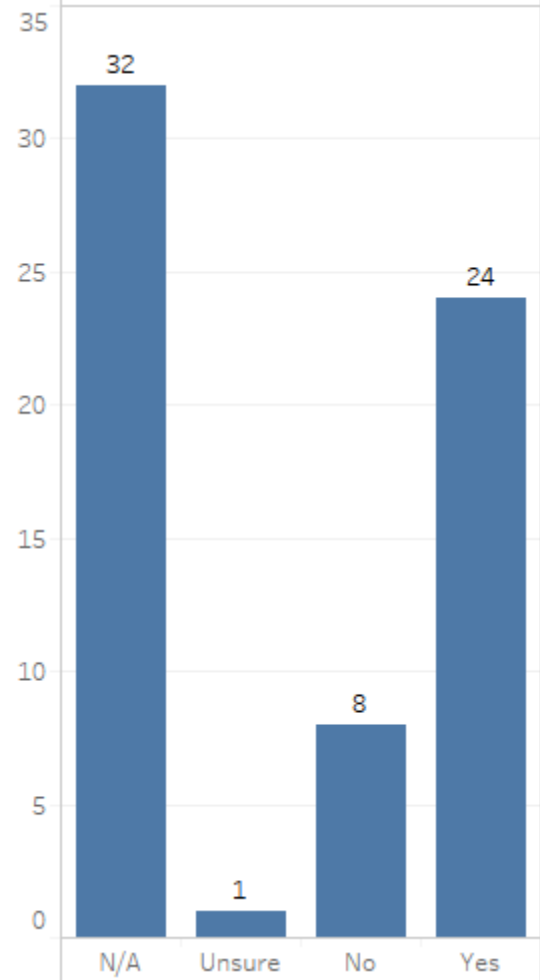


***Does your jurisdiction issue building permits for new and altered commercial or multi-family construction?***

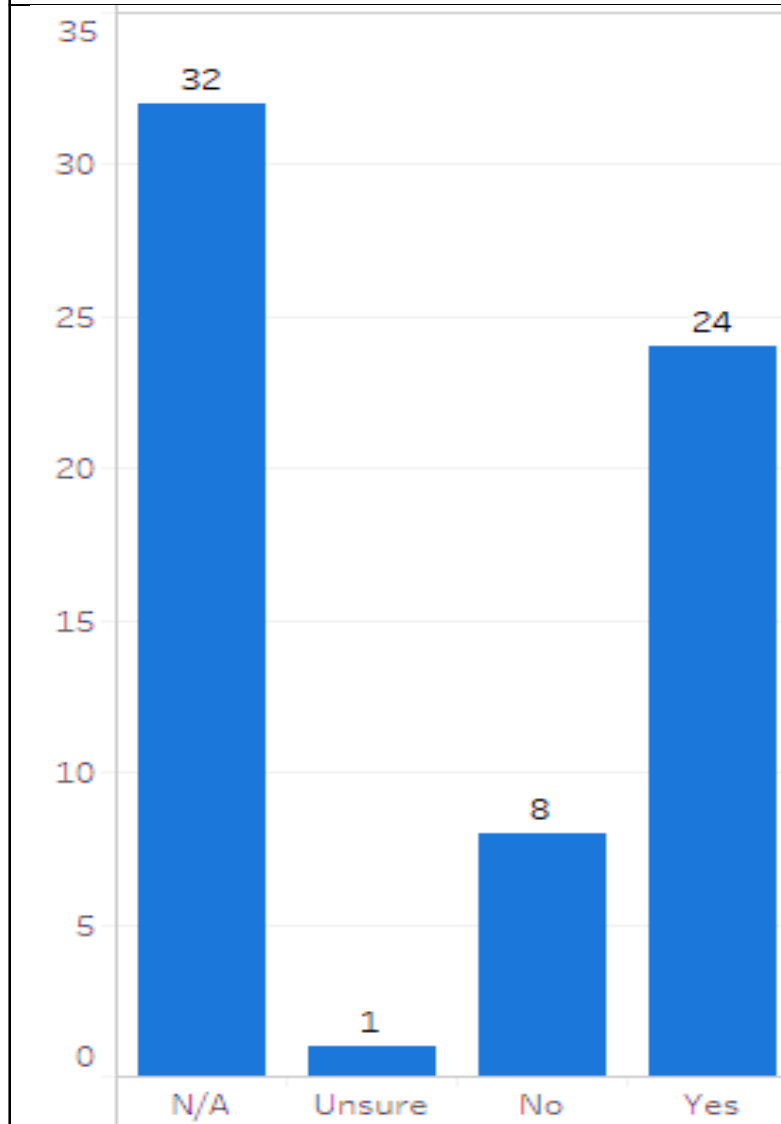


***Prior to permit issuance, does your jurisdiction require a review of building plans, blueprints or similar documents for new or altered commercial or multi-family construction?***



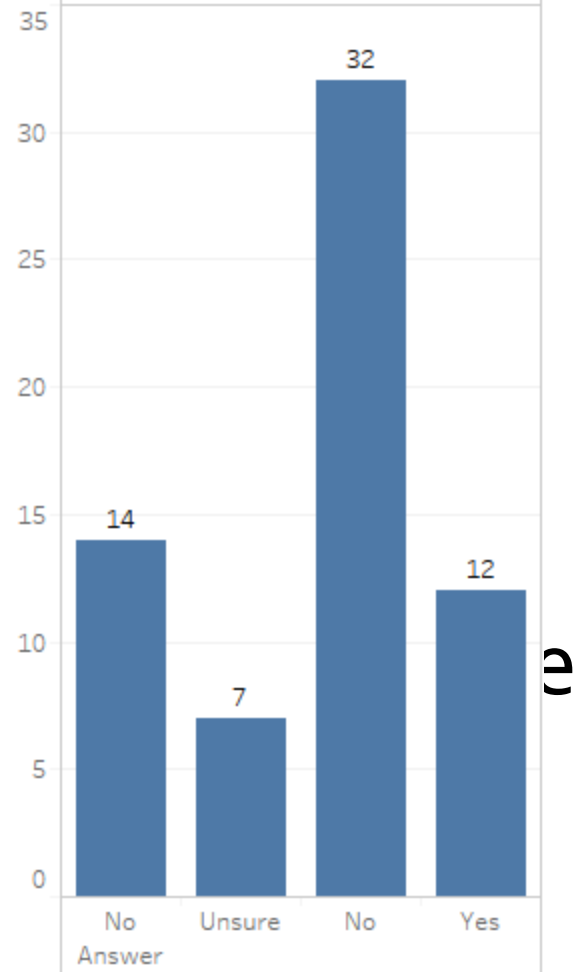


**After permit issuance, and prior to occupancy, does your jurisdiction require on-site, physical building inspections for new or altered commercial or multi-family construction?**

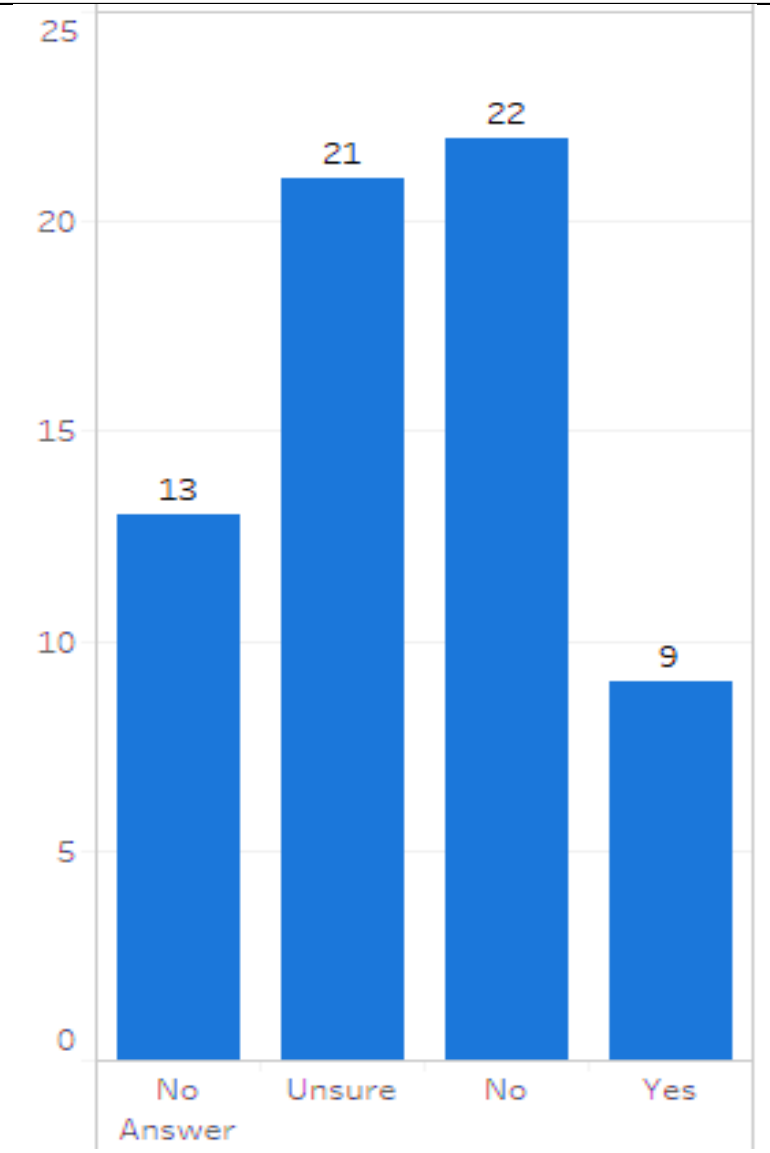


**For new and altered commercial or multi-family construction within your geographical limits, does your jurisdiction itself enforce, or have an agreement with another jurisdiction to enforce:**

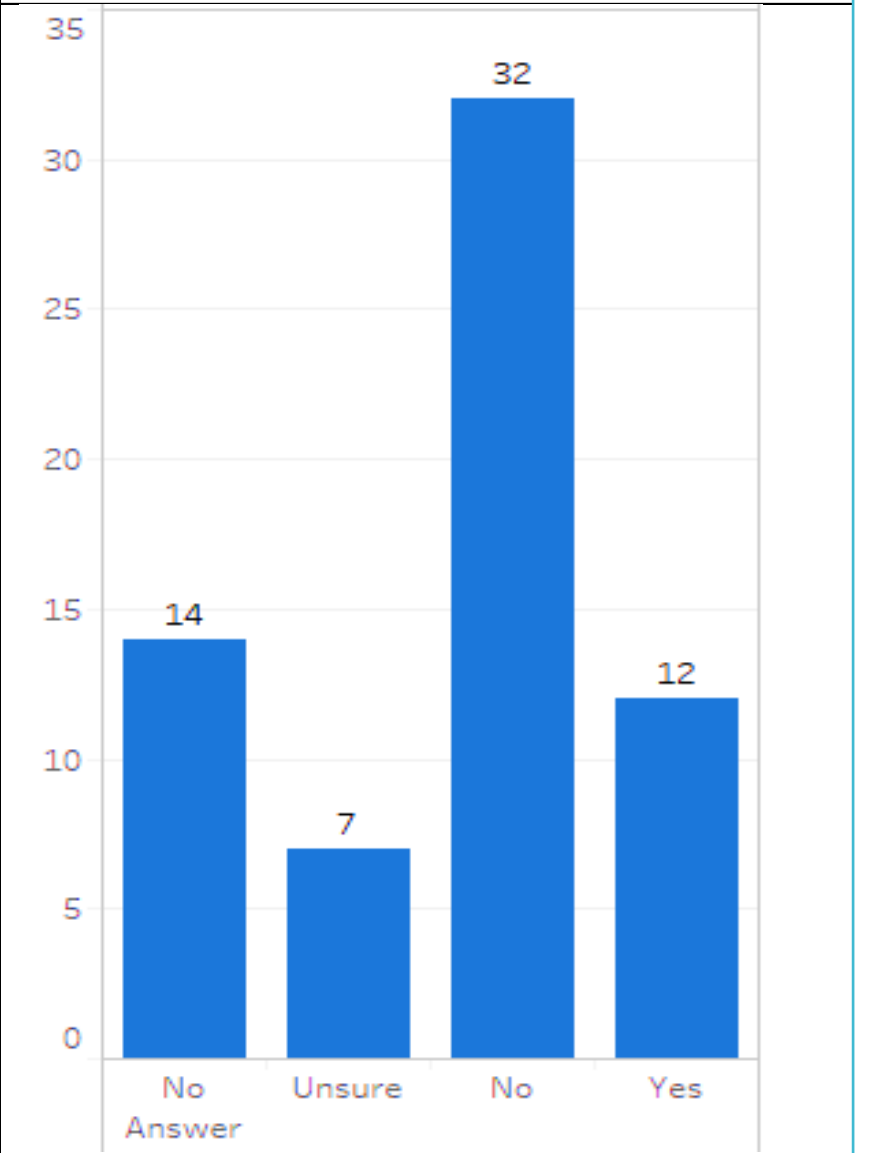
The International Building Code	29
The Americans with Disabilities Act	12
The National Fire Prevention Code	8
Enforced by inter-local agreement with another jurisdiction	5
No Enforcement	18
Another Design Document:	3
<p>*Our city is zoned R1. There is no commercial buildings other than the city hall/clubhouse &amp; it is ADA compliant</p> <p>*International Fire Code</p> <p>*We rely on state guidelines, and have no building codes of our own.</p>	



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



***Has your jurisdiction retained the services of an in-house or third-party website contractor or web master who has reviewed all the content of your jurisdiction's internet websites and webpages to ensure your internet websites are accessible to and usable by a wide range of users with disabilities?***



# Critical need for effective digital communication during COVID-19

Color

Contrast

Font

Banners

Graphics

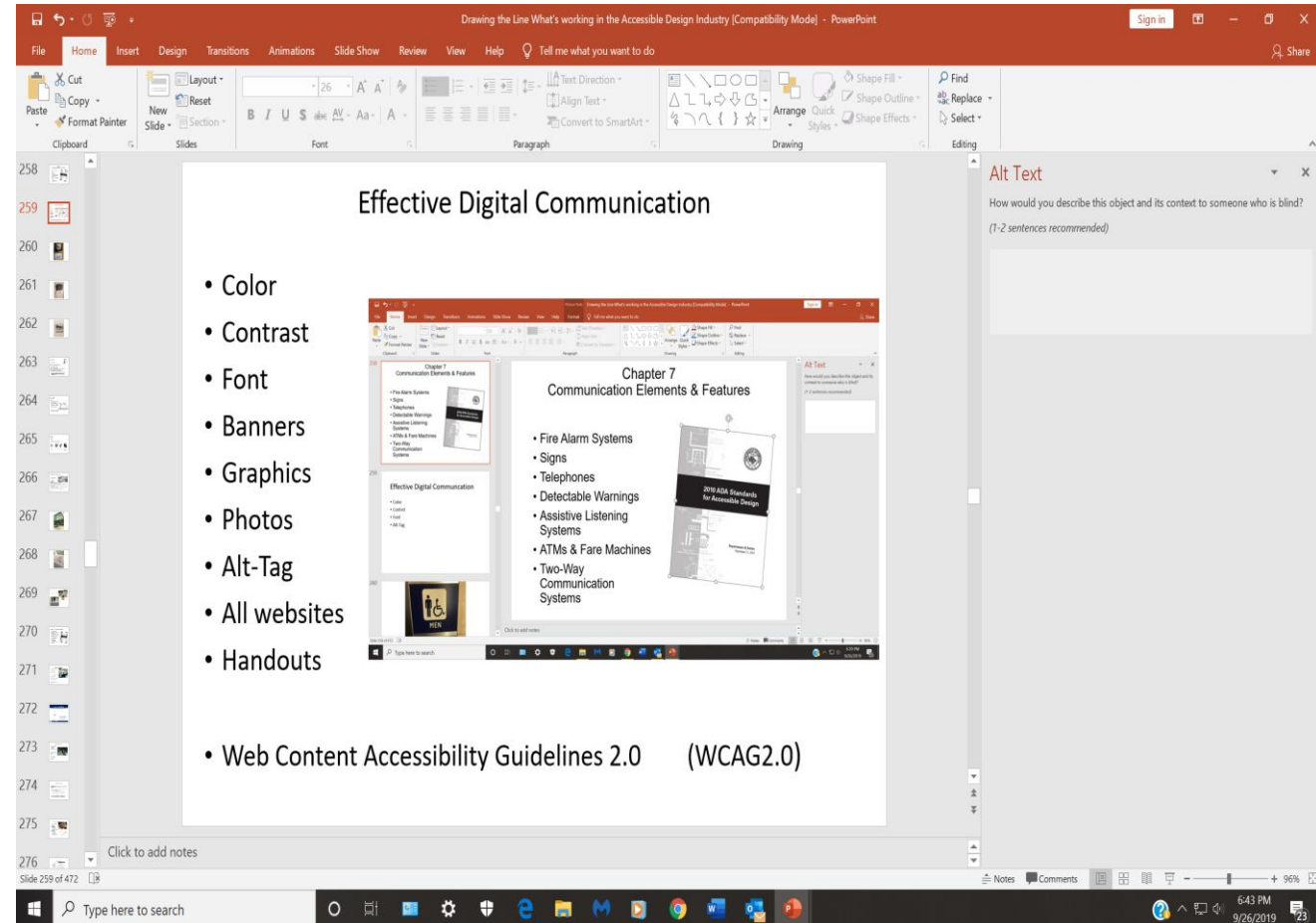
Photos

Alt-Tag

All websites

Handouts

This Presentation

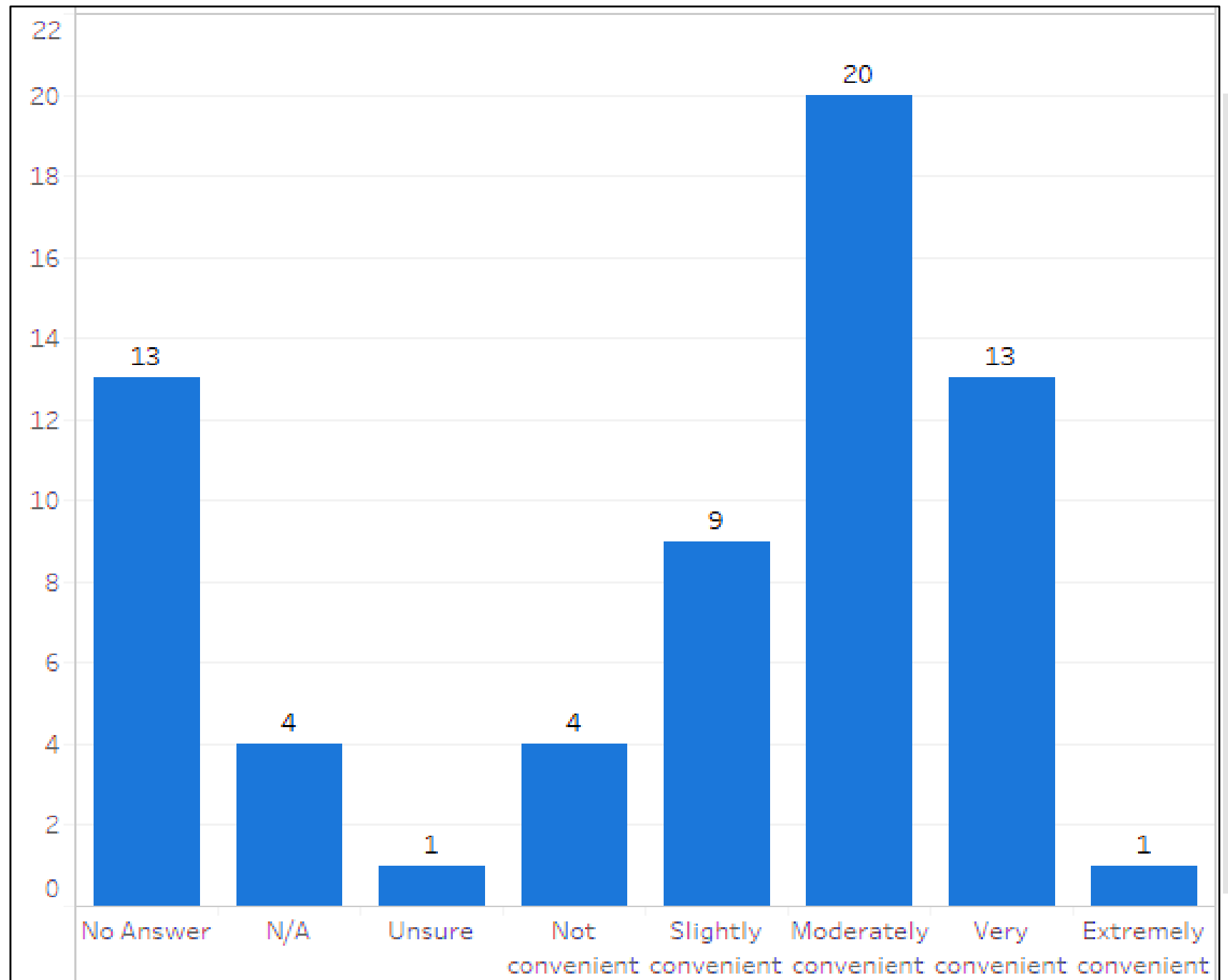


• **Web Content Accessibility Guidelines 2.1 (WCAG 2.1)**

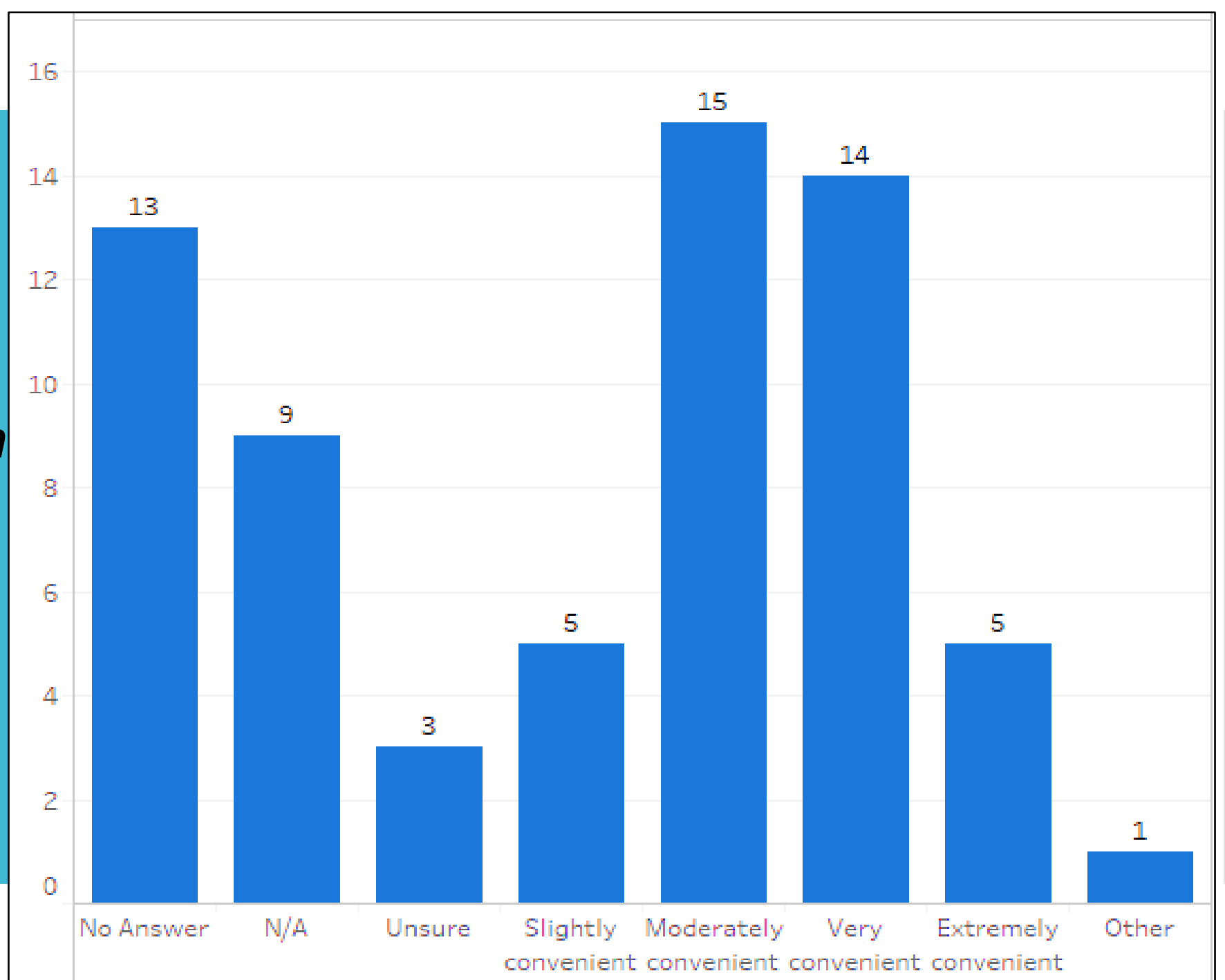
• **Dominoes Pizza v. Robles**

• **The most safe and equitable form of social distancing for pwd**

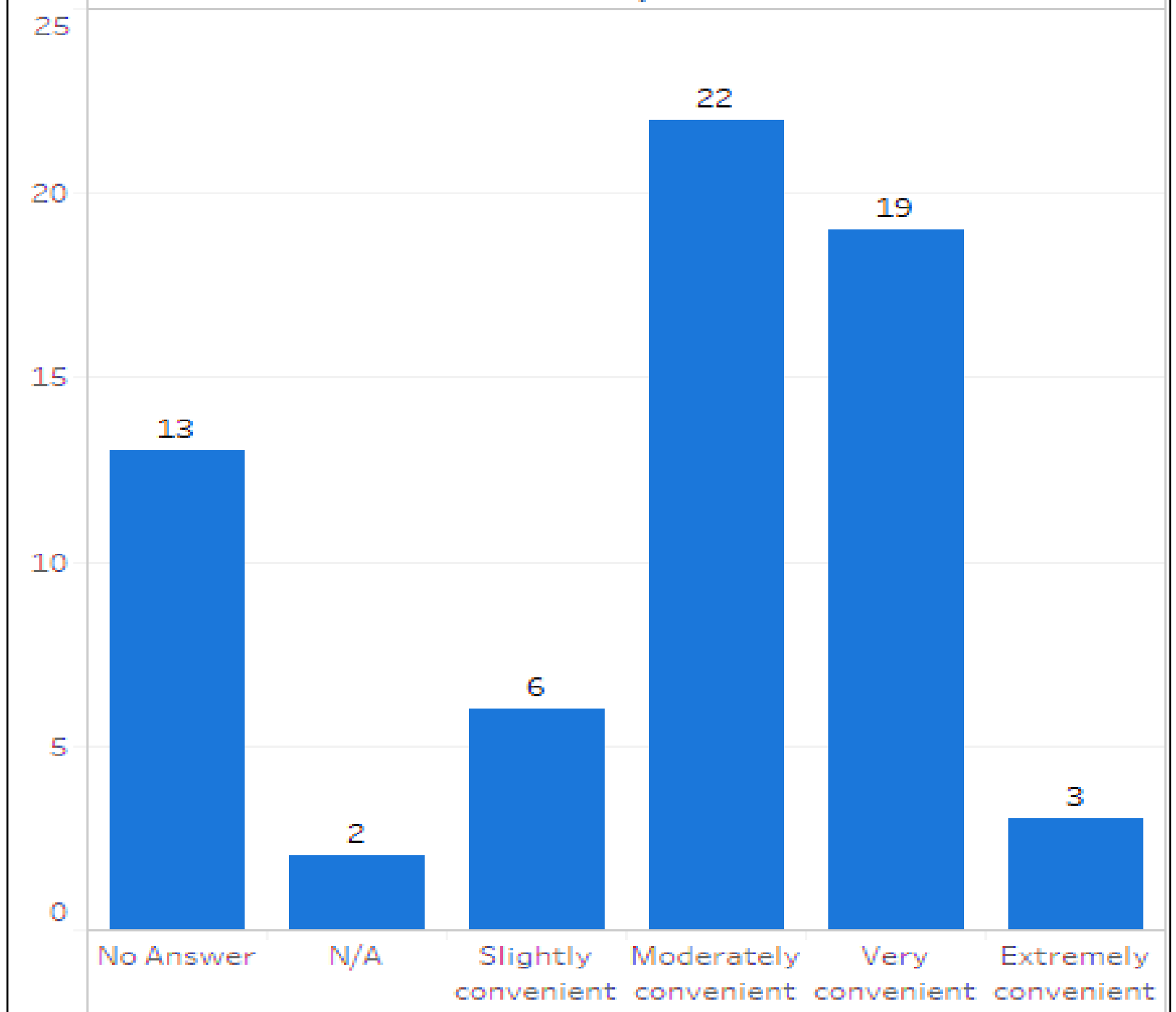
*Access to businesses or personal services such as restaurants, grocery stores, banks, hairdressers, childcare, healthcare, etc.*



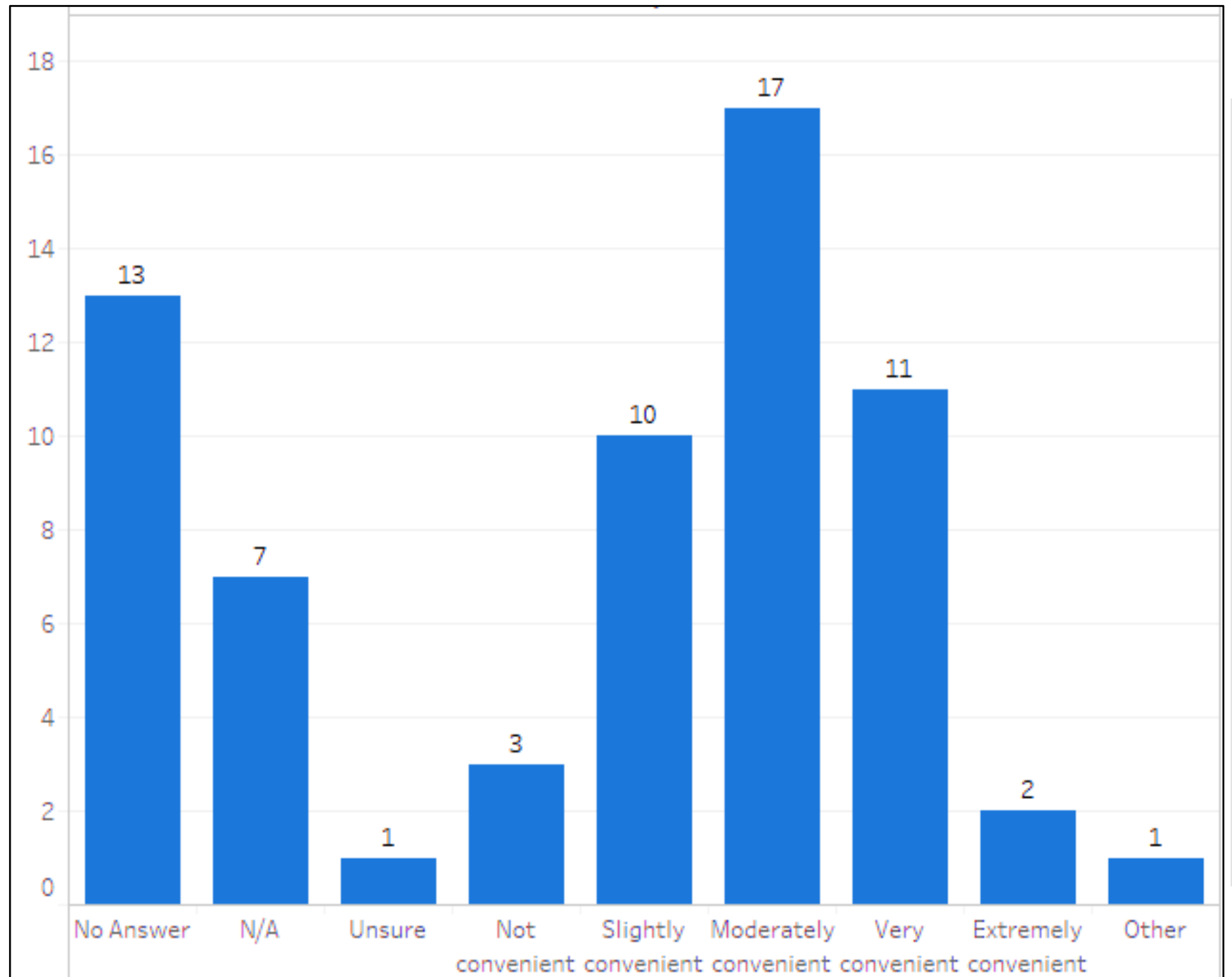
***Access to education  
libraries, schools,  
etc.***



***Access to  
government  
buildings,  
sites,  
facilities, etc.***



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





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

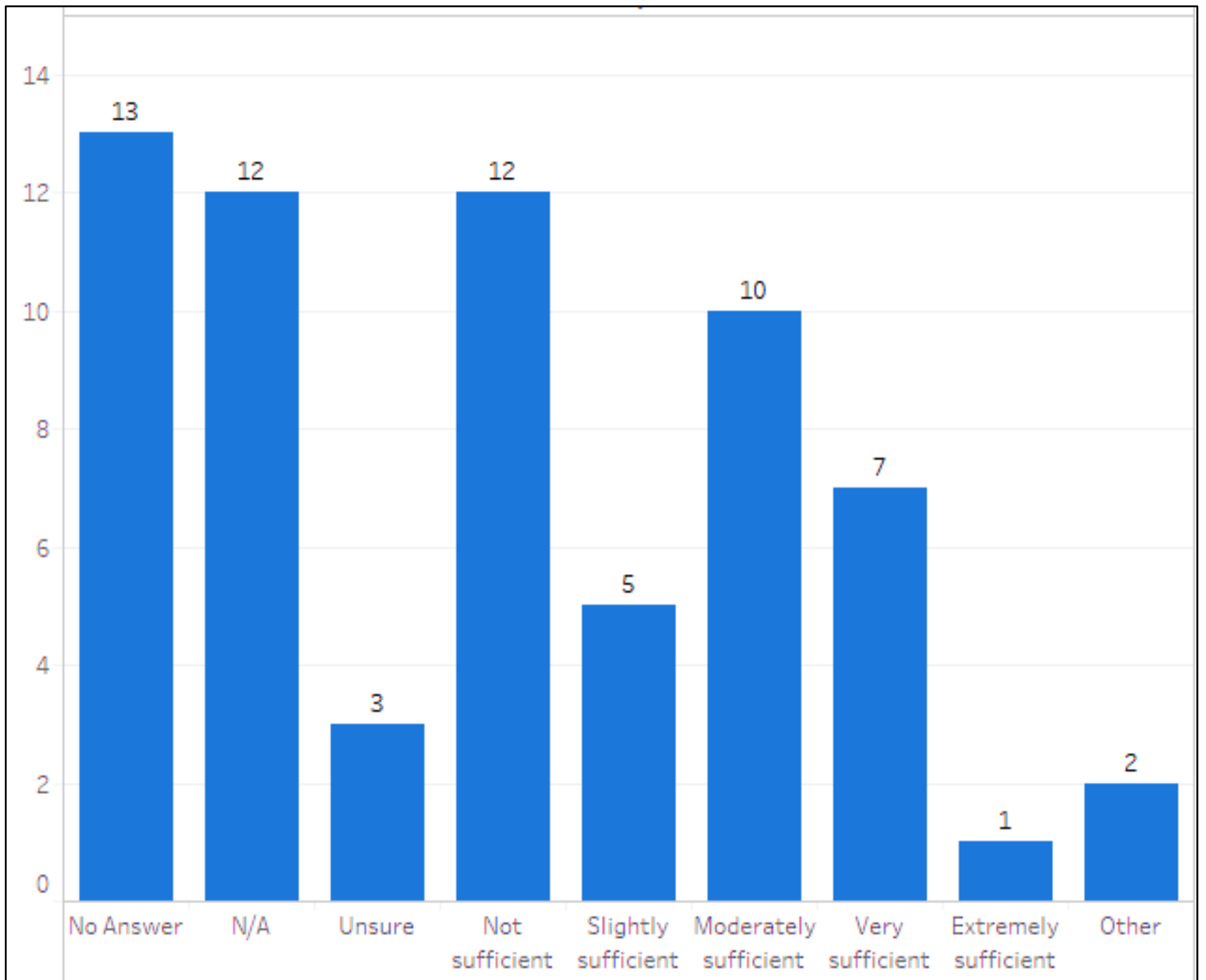


## Access regulations apply to all existing pools now

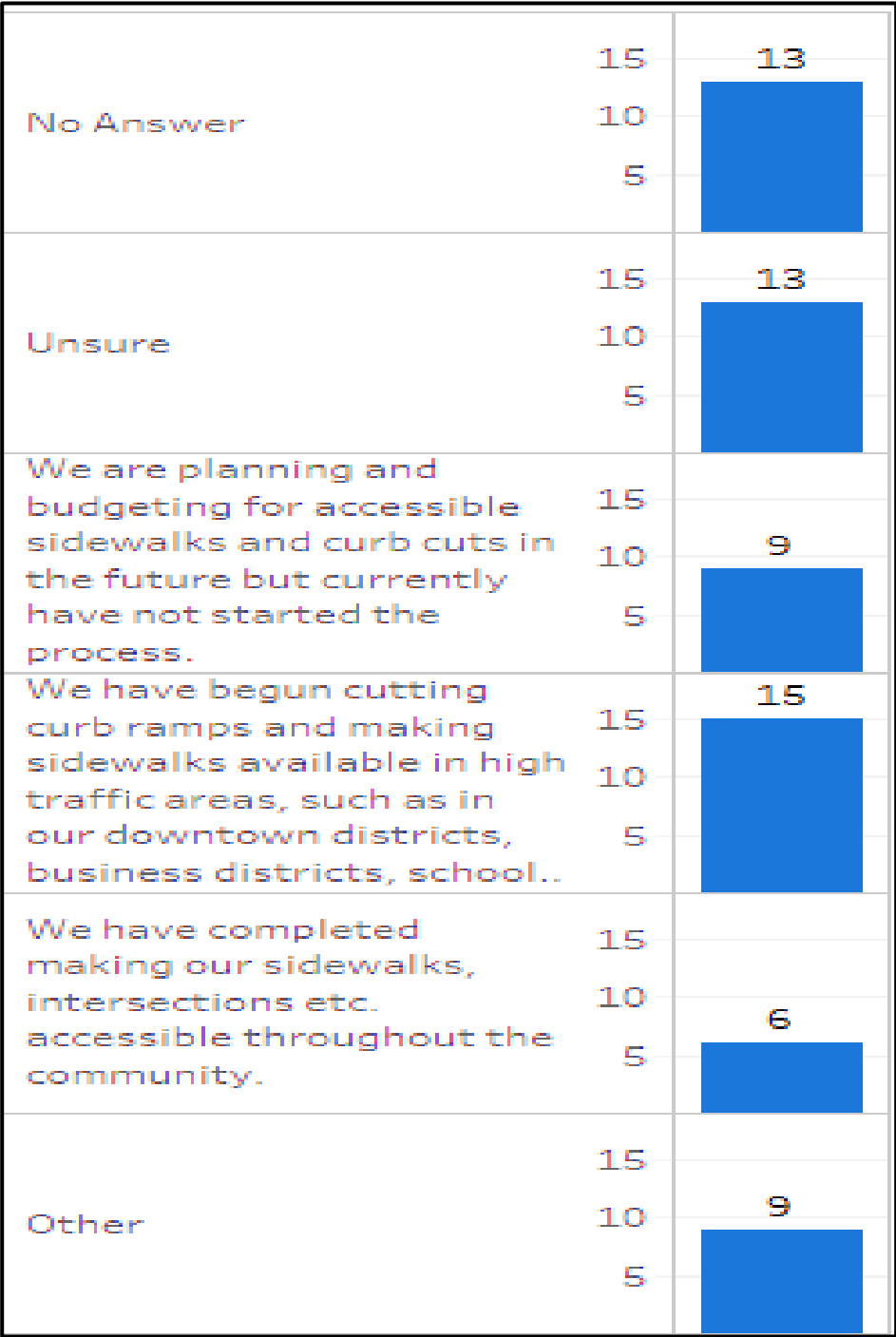
- Reduced gravity and freedom from the wheelchair.
- Extended lifespan, not just recreation
- Socialization and learning.
- Livability of a community



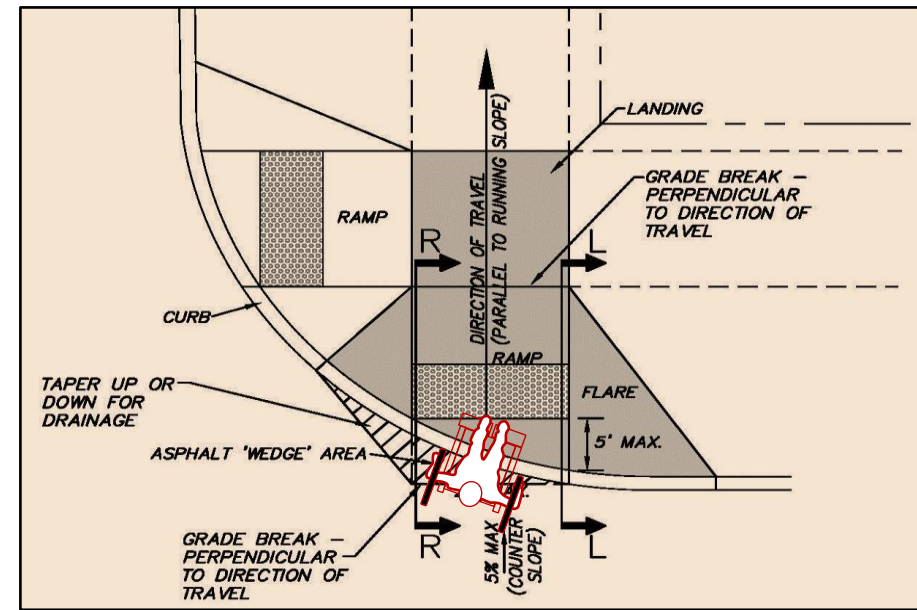
Replacement of children's play structures, such as swings, slides, or composite play structures, with accessible play equipment



Sidewalks crosswalks street intersections curb cuts, ramps and other elements rights-of-way. What stage is your jurisdiction currently in regarding public access?



# Pedestrians with Disabilities and public rights of way access.



# What an ADA Coordinator is About

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### THE UNITED STATES OF AMERICA AND THE CITY OF MOUNT VERNON, WASHINGTON

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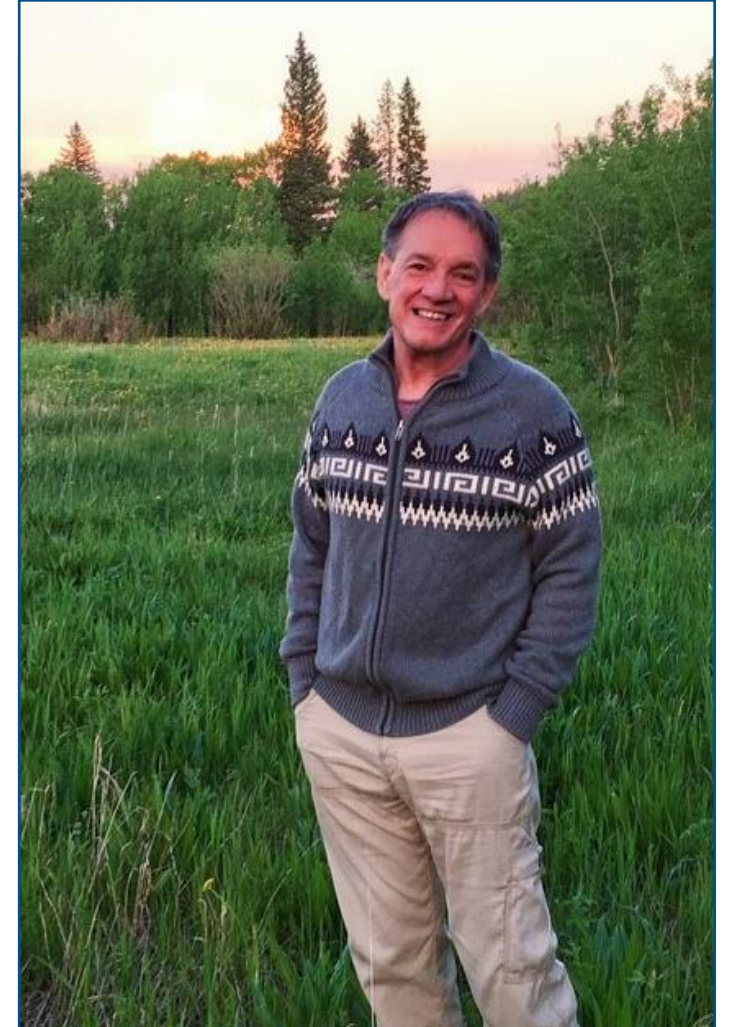
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[Sternadorir@Missouri.edu](mailto:Sternadorir@Missouri.edu)



# Great Plains Center

Serving Iowa, Kansas, Missouri, & Nebraska

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A member of the ADA National Network

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

Learn more about our services at [www.gpadacenter.org](http://www.gpadacenter.org)