

# Rush County ADA Transition Plan

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# Rush County ADA Transition Plan

Rush County Court House, 101 East 2nd Street, Rushville, IN 46173

## **Introduction**

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation and telecommunications. There are many requirements, regulations, & guidelines under the ADA law. Rush County is a Title II entity. Under Title II and Title III of the ADA regulations, law prohibits public entities, such as any Rush County facility, from discriminating against or excluding a person access to programs, services, or activities on the basis of disability. The ADA is companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity. The Act also protects employees with disabilities, with certain protections and requires employers to make reasonable accommodation for applicants and employees with disabilities.

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We must ensure that:

- All services and programs offered by the entity
- All aspects of the employment relationship
- Government services carried out by contractors/partners/grant recipients
- Activities of state and local legislative and judicial branches

are compliant with ADA Title II and accessible to people with disabilities. No qualified individual with a disability can be excluded from participation in or denied benefit from services, programs or activities of a public entity.

## **Five Titles of the ADA**

### **Title I**

#### ***Equal Employment Opportunity for individuals with disabilities***

This title is designed to remove barriers that would deny qualified individuals with disabilities access to the same employment opportunities and benefits available to others without disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.

## **Title II**

### ***Nondiscrimination on the basis of disability in State and Local Government Services***

This title prohibits discrimination on the basis of disability by public entities. The public entity is required to provide access to programs, services and activities provided by the state or local government, when viewed in their entirety.

## **Title III**

### ***Nondiscrimination on the basis of disability by Public Accommodations and in Commercial Facilities***

This title prohibits discrimination on the basis of disability by private entities in places of public accommodation. Examples include hotels, restaurants, golf courses, private schools, day care centers, health clubs, etc.

## **Title IV**

### ***Telecommunications***

This title requires telephone companies to have developed interstate and intrastate telephone relay services in every state.

## **Title V**

### ***Miscellaneous Provisions***

The final title contains a variety of provisions relating to the ADA as a whole, including its relationship to other laws and its impact on insurance providers and benefits.

## **Application of the ADA to Rush County**

Rush County is covered under ADA, Title I Employment, and Title II, programs, services and activities. The ADA requires the County to making all its programs, services and activities readily accessible to and useable by qualified persons with disabilities when the programs, services and activities are viewed in their entirety. The Self Evaluation and Transition Plan are cornerstones to ensuring and documenting the County's effort to create and maintain inclusion as mandated by the ADA.

This document will guide the planning and implementation of necessary programs and facility modifications over the next several years. The ADA self-evaluation and Transition Plan update is significant in that it establishes the County's ongoing commitment to the development and maintenance of policies, programs and facilities that includes all of citizens. The final product is a working document to be modified when all barriers are removed and/or alterations are made.

ADA Consultants of Indiana, LLC was hired in to assist the County with a comprehensive evaluation for their compliance with the 2010 ADA Requirements & Guidelines of the facilities, programs and services.

Each action item was outlined by the group and they offered recommendations to remedy each compliance issue and assisted the Rush County ADA Coordinator with the composition of a transition plan.

This information is outlined in the following report, with a summary of the general recommendations provided by ADA Consultants of Indiana.

Any comments, additions or suggestions about this plan may be directed to the ADA coordinator.

## **Program Location & Staffing:**

### **ADA Coordinator**

*Jerry Sitton*

*Rush County ADA Coordinator*

*Rush County Highway Superintendent*

*1352 E. State Road 44*

*Rushville, IN 46173*

*(765) 932-2926*

*[highway@rushcounty.in.gov](mailto:highway@rushcounty.in.gov)*

### **ADA Committee:**

Rush County has appointed the individuals below as the ADA implementation Committee. The ADA requires state and local governments to make their goods, services, and/or facilities accessible to clients, customers and employees with disabilities. The Committee seeks to make this a reality in Rush County.

Ken Masters – County Commissioner

Gerald Mohr – County Council Jerry

Sitton – County Highway Katherine

Meyer – Area Plan Commission

Additional Rush County Staff Directory available @ [www.rushcounty.in.gov](http://www.rushcounty.in.gov) located within each department under the County Offices tab.

# **Rush County's Notice of Non-Discrimination Policy & Grievance Procedure**

## **Rush County Code Requirements and Engineering Plan Review Procedures:**

Rush County will adopt ADAAG (Americans with Disabilities Act Accessibility Guidelines) and PROWAG (Pedestrian Rights of Way Accessibility Guidelines) when they adopt the transition plan itself regarding new construction or alterations.

Also any future construction would require outside contractors to sign a statement saying that their project complies with ADAAG, PROWAG, and the ADA.

(A complete review of Rush County's Code of Ordinances and any other county issued policies/procedures has begun and will be completed by March 31<sup>st</sup>, 2013.)

## **Rush County Communications:**

An Effective Communication Policy does not currently exist. A new Effective Communication Policy in conjunction with an Auxiliary Aids and Services Policy has been developed for the County. This policy will need to be implemented and shared with all staff in each department. Additional important information regarding effective communication is outlined in a handbook, *Disability Guidelines and Etiquette Handbook*, that will be given to all County staff when the policy has been implemented.

Indiana Relay will be the service used by Rush County for persons using TTY/TDD and/or are deaf or hard of hearing. Staff will receive information and training regarding this service. This will be addressed in a staff training session in April 2013.

(To be completed by April 30, 2013)

## **Rush County Website:**

Rush County maintains its website to allow general accessibility to all users including those who listen to the content of the site by using a screen reader. Major reports and other special publications are made available in alternative formats.

If you use assistive technology and the format of any material on our website interferes with your ability to access the information please contact the ADA Coordinator at (765)-932-3090.

Rush County is committed to making our Website accessible to any and all users and we welcome comments on how to improve the site's accessibility for users with disabilities. (This is an ongoing commitment)

# **Rush County Public Involvement:**

## **Public Outreach/Advocacy Groups**

The following groups have been invited to participate in Rush County's Transition Plan Process

- Audiology Associates  
119 E. 3<sup>rd</sup> St.  
Rushville, IN 46173
  
- Mental Health Association  
102 N. Main St.  
Rushville, IN 46173
  
- Indiana Alliance of Boys & Girls Clubs, INC  
1590 N. Sexton St.  
Rushville, IN 46173
  
- Rush County Special Needs Parent Support Group  
328 West 5<sup>th</sup> St.  
Rushville, IN 46173
  
- Patient & Family Advisory Council  
Rush Memorial Hospital  
1300 N. Main St.  
P.O. Box 608  
Rushville, IN 46173
  
- ARC  
P.O. Box 44  
Rushville, IN 46173  
Cindy Sickbert –President  
765-932-4563
  
- Ms. Victoria A Harris / Clinical Social Work Therapist  
ER Counseling  
54 W. Broadway St. Suite 11  
Shelbyville, IN 46176
  
- Rush County Community General Public



## Public Meetings:

- The first public meeting was held August 21, 2012 @ 7:00 p.m. A power point presentation along with verbal explanation of the Transition Plan and Rush County's progress was given by ADA Consultants of Indiana, LLC. A brief question and answer period followed. Areas of Concern forms were made available to the public at the meeting, online, and in the office of the ADA Coordinator. Public comment period was open for 30 days, No further comments were received. Minutes of the August 21<sup>st</sup>, 2012 meeting are available in the office of the ADA Coordinator.  
(The minutes will be available online under the ADA Tab on the County's website by June 30, 2013.)
- A Public Hearing was held November 8, 2012 @ 7:00 p.m. The hearing was conducted to take questions and comments from the public regarding the County's Transition Plan.  
Minutes of the November 8<sup>th</sup>, 2012 Public Hearing are available in the office of the ADA Coordinator.  
(The minutes will be available online under the ADA Tab on the County's website by June 30, 2013.)
- A Public Hearing regarding Rush County's Sidewalk and Curb Ramp Inventory was held November 29, 2012 @ 5:30p.m. A power point presentation along with a verbal explanation of the Sidewalk and Curb Ramp Inventory was given by ADA Consultants of Indiana, LLC. Comments and questions were accepted by the attendees. The Comment period will be open for 30 days from the date of the meeting.  
Minutes of the November 29<sup>th</sup>, 2012 meeting are available in the office of the ADA Coordinator.  
(The minutes will be available online under the ADA Tab on the County's website by June 30, 2013.)

## **ADA Compliance Self Evaluation:**

### **Sidewalk and Curb Ramp Inventory:**

- Sidewalk & Curb Ramp Inventory

(Completed)

### **Policies & Procedures / Programs, Services, and Activities Evaluations**

Each County Department will be evaluated for ADA compliance and the findings will be compiled into a report document with suggested corrections. The corrections within the report will then need to be prioritized and time –lined.

- Polling Places Evaluation Report

(Complete)

- Policies & Procedures / Programs, Services, and Activities Evaluations

(The evaluation is currently in progress and will be completed by March 31<sup>st</sup>, 2013.)

### **Access Compliance Assessments of Facilities:**

The following appendixes are available upon request in alternative formats. Facility assessments will be available to the public for 3 years:

(Appendixes will be available on Rush County’s website under the ADA tab by June 30, 2013.)

#### **Rush County Facilities:**

#### **To be completed by:**

- |                                 |                 |
|---------------------------------|-----------------|
| ▪ Rush County Courthouse        | <b>Complete</b> |
| ▪ Rush County Jail              | <b>Complete</b> |
| ▪ Rush County Jail Storage      | <b>Complete</b> |
| ▪ Rush County Highway Buildings | <b>Complete</b> |
| ▪ Elevator Lot                  | <b>Complete</b> |
| ▪ Old Elevator Building         | <b>Complete</b> |