



**City of Winfield
Americans with Disabilities Act
Section 504
Self-Evaluation**

March 1, 2007

Prepared by
The City of Winfield, Kansas, in conjunction with;
Disability Management Consulting Group L.L.C., e.g.
Disability Civil Rights Consulting;
Great Plains ADA & IT Center; and
Winfield Access Advisory Board

BILL NO. 0769

RESOLUTION NO. 4807

A RESOLUTION

ACCEPTING a Self-Evaluation/Transition Plan and declaring the City of Winfield's commitment to nondiscrimination based on disability and compliance with the spirit of Title II of the Americans with Disabilities Act.

WHEREAS, a Self-Evaluation/Transition Plan was developed by the City of Winfield in consultation with the City's 504/ADA Coordinator; the Disability Management Consulting Group, e.g. Disability Civil Rights Consulting; and the Great Plains ADA and IT Center; and

WHEREAS, the Winfield Access Advisory Board examined the entirety of this document, including attachments, provided recommendations pertaining to its language, and agreed with its contents.

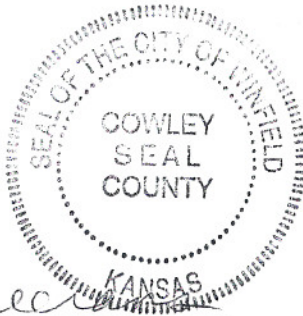
BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. The Governing Body of the City of Winfield does hereby accept a Self-Evaluation/Transition Plan and declares the City's commitment to nondiscrimination based on disability and compliance with the spirit of Title II of the Americans with Disabilities Act.; a copy of which is attached hereto and made a part hereof.

Section 2. This resolution shall be in full force and effect from and after is adoption.

ADOPTED this 6th day of August 2007.

(SEAL)



G. Thomas McNeish
G. Thomas McNeish, Mayor

ATTEST:

Diane Rosecrans
Diane Rosecrans, City Clerk

Approved as to form: *W. E. Muret*
William E. Muret, City Attorney

Approved for Commission action: *Warren Porter*
Warren Porter, City Manager

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

Introduction

The City of Winfield is dedicated to public programs, activities and services, which are free of discrimination based on disability. Further more, the City of Winfield applies this same dedication to all employees, including all aspects of the employment process, such as the pre-employment process, post employment policies, and the benefits pertaining to employment. The City of Winfield has developed this document, including all attachments, to establish in written policy its commitment to nondiscrimination based on disability and to comply fully with the letter and spirit of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

This Document was developed by the City of Winfield in consultation with the City's 504/ADA Coordinator; the Disability Management Consulting Group, e.g. Disability Civil Rights Consulting; and the Great Plains ADA and IT Center. The Winfield Access Advisory Board has examined the entirety of this document, including attachments, and provided recommendations pertaining to its language and contents. All Access Advisory Board recommendations provided are identified in *Italic* font.

This document and attachments are made public to those interested and serves as the Self-Evaluation for the City of Winfield as defined by Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and meets disability nondiscrimination requirements for recipients of CDBG funds, including federal funds provided by other federal, state or local funding agencies. A copy of this Self-Evaluation is available for viewing at the ADA Coordinator's Office, City of Winfield, 200 E. 9th, Winfield, KS 67156.

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Part I Detail of the Self-Evaluation Procedures and Outcomes

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1. **Brief description of programs and services provided by the City of Winfield to the general public.**
 - a. Public Works: Administration, Street maintenance, Storm Water, Flood Control, Inspection, Engineering, Sanitation and Recycling.
 - b. Water and Electric Utilities: Administration, Operations, and Communications for the Electric and Water Utilities.
 - c. Wastewater Utility: Sanitary Sewer Service and Wastewater Treatment.
 - d. Police Department: Administration, Operations, Investigations, Patrol and Communications.
 - e. Parks and Public Land: Parks, Lake, Cemeteries, Recreation, and Public Facilities.
 - f. Operational Services/ADA Coordination: Administration, Operations, Customer Service, and Communications.
 - g. Human Resources: Employment Services, Human Relations, Commission Meetings, and Activities.
 - h. Natural Gas Utility: Natural Gas distribution system, customer service, administration and education.
 - i. Fire Department: Administration, Operations, and Fire Prevention.
 - j. City Clerk: Utility billing and collection, utility connects and disconnects, customer service, municipal court dockets, notices, conduct weekly court, fines and collections, cemetery space sales, burial setups, genealogy research, city licensing and permitting, voter registration, public information, open records through Freedom of Information Act, customer service e-mail contact, accounting/finance operations, payroll, information technology, City Commission secretary and agenda preparation, and information.
2. **Brief description of City policies that direct the operation of all programs and services:**
 - a. **General City-wide Notice of Nondiscrimination**



City of Winfield **Notice of Nondiscrimination**



The City of Winfield *is committed to providing* accessible facilities and/or programs for individuals with disabilities. For accommodations, grievances, or other disability-related issues, please contact the City ADA Coordinator:

City of Winfield
ADA Coordinator
200 E. 9th-PO Box 646
Winfield, KS 67156
620-221-5525
or TDD (Kansas Relay 800-735-2966)
adacoordinator@winfieldks.org

b. City Statement of Accessibility

Statement of Accessibility

The City shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. In the provision of auxiliary aids or services, including modifications in policies, practices, or procedures. The City of Winfield will not place surcharges on individuals with disabilities to cover the costs involved in making programs accessible.

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C. Departmental Detail Statements and Action Plans

Winfield Access Advisory Board
Americans with Disabilities Act Internal Compliance Team Report
October 2006

Department/Division: **City Clerks Office**

ADA Contact: Diane Rosecrans, Director of Finance/City Clerk, *ICT Member*
City of Winfield
200 E. 9th, Winfield, Kansas 67156
Phone: (620)-221-5500
Email: drosecrans@winfieldks.org

General Programs, Services or Activities Provided to the Public: Utility billing & collection, utility connects & disconnects, customer service, municipal court dockets, notices, conduct weekly court, fines & collections, cemetery space sales, burial setups, genealogy research, city licensing and permitting, voter registration, public information, open records through Freedom of Information Act, customer service e-mail contact, accounting/finance operations, payroll, Information Technology, City Commission secretary and agenda preparation and information.

Facilities where Programs and Services are Provided:

1. *Winfield City Hall, 200 E. 9th, Winfield KS 67156*
2. *Apple Mart, 1906 E. 9th, Winfield KS 67156*
3. *Dillon Stores, 2310 Main, Winfield KS 67156*
4. *Customer’s home, business, or industrial site within City Limits and Utility Jurisdictional Areas*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
<i>Utility billing/collection, connects/disconnects, customer service</i>	<i>High</i>	<i>Printed, verbal, computer, fax, telephone</i>	<i>web site, billings & notices, pamphlets, telephone calls</i>	<i>None</i>	<i>Telephone, writing materials, computer, fax, web site</i>
<i>Municipal Court</i>	<i>High</i>	<i>Printed, verbal computer, fax, telephone, court appearances</i>	<i>web site, written mailings & notices, telephone calls</i>	<i>None</i>	<i>Telephone, writing materials, computer, fax, web site</i>
<i>Cemetery space sales, burial setups, genealogy research</i>	<i>High</i>	<i>Printed, verbal, fax, web site, telephone,</i>	<i>Telephone, web site, fax, funeral</i>	<i>None</i>	<i>Telephone, writing materials,</i>

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		<i>computer</i>	<i>directors, monument setting co.</i>		<i>computer, fax, web site</i>
<i>Licensing and permitting, voter Registration</i>	<i>High</i>	<i>Printed, verbal, fax, web site, telephone, computer, media</i>	<i>Telephone, verbal, media, web site, pamphlets, City Comm. agendas</i>	<i>None</i>	<i>Telephone, writing materials, computer, fax, web site</i>
<i>Public information, open records, customer service e- mail, finance, payroll & Information Technology Dept.</i>	<i>Occasional</i>	<i>Printed, verbal, fax, web site, telephone, computer</i>	<i>Telephone, verbal, web site, pamphlets</i>	<i>None</i>	<i>Telephone, writing materials, fax, computer, web site</i>
<i>City Commission Agendas and meeting information</i>	<i>Occasional</i>	<i>Printed, verbal, fax, web site, telephone, computer, media, city TV channel</i>	<i>Telephone, verbal, media, web site, city TV channel</i>	<i>None</i>	<i>Telephone, writing materials, computer fax, web site, city TV channel</i>

Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The City Clerk’s Office will also provide the following statement, “Auxiliary aids or other services will be provided to Persons with disabilities with advance notice” when communications are made via print, telephone, media, city website, e-mail or other means.

The City Clerk and Finance Offices will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out forms, applications or other materials and in understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the existing City TDD/TTY or Kansas Relay Services, as defined by the City’s Self Evaluation.

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Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The City Clerk and Finance Offices will use the City's Information Technology Department to help ensure the accessibility of public computers. The City's Information Technology Department and/or all trained website personnel will also be utilized to help ensure that all public information be made available to the public on the City's Web Site and that it is fully accessible and complies with Section 508 of the Rehabilitation Act.

The City Clerk and Finance Offices will be made fully accessible according to the City's ADA Transition Plan. Their services will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the City Clerk and Finance Offices will utilize the Grievance Procedure outlined in the City's Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the City Clerk and Finance Offices comply with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City's Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the City Clerk and Finance Offices have requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board Americans with Disabilities Act Internal Compliance Team Report October 2006

Department/Division: Fire Department

ADA Contact: Curtis Wilson, Fire Chief, ICT Member
City of Winfield Fire Department
817 Fuller, Winfield, Kansas 67156
Phone: (620)-221-5560
Email: cwilson@winfieldks.org

General Programs, Services or Activities Provided to the Public: Administration, Operations, Fire Prevention

Facilities where Programs and Services are Provided:

5. Fire Station, 817 Fuller, Winfield, Kansas 67156
6. USD 465 Elementary Schools and other districts by request

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- 7. *Mobile Fire Safety Trailer*
- 8. *Anywhere within the Winfield City Limits and Rural Fire Districts #6 & #7*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
Administration- <i>Public information</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Operations- Emergency response for fire suppression, EMT/Basic Life Support, Lt/Med/Hvy Rescue, Technical Rescue, Hazardous Mtl Response	<i>High</i>	<i>Printed, Verbal Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Fire Prevention- Fire Investigation, Fire Prevention/Fire Code Inspection, Plans Review, Fire Education Presentations, Fire Safety Trailer, Smoke Alarm Program, Juvenile Fire Counseling, FireStoppers Program, Adopt a School Program	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Telephone, Internet, Media, City Web Site, citizens, business</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>

Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The

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Winfield Fire Department will also provide the following statement, “Auxiliary aids or other services will be provided to Persons with disabilities with advance notice” when communications are made via Print, Telephone, Internet, Media, City Web Site or other means.

The Winfield Fire Department will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the existing City TDD/TTY or Kansas Relay Services, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Winfield Fire Department will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Fire Department information be made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Winfield Fire Department facility will be made fully accessible according to the City’s ADA Transition Plan. Winfield Fire Department services will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Winfield Fire Department will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Winfield Fire Department complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City’s Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Winfield Fire Department has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board
Americans with Disabilities Act Internal Compliance Team Report
October 2006

Department/Division: *Natural Gas Utility*

ADA Contact: *George Bronson, Director, ICT Member*
Winfield Gas Utility

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PO Box 646
 Winfield, KS 67156
 Phone: 620-221-5600
 Email: gbronson@winfieldks.org

General Programs, Services or Activities Provided to the Public: *Natural Gas distribution system, customer service, administration, education*

Facilities where Programs and Services are Provided:

- 9. *City of Winfield Operations Center, 2701 E. 9th, Winfield KS 67156*
- 10. *Winfield corporate city limits*
- 11. *Jurisdictional customers in rural Cowley County*
- 12. *USD 465 Elementary Schools*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
<i>Distribution- Install/replace natural gas lines (construction)</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, City TV Channel 7</i>	<i>Media, City website, door to door, door hangers, City TV Channel 7</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
<i>Customer Service- Emergency response for leak calls, blowing gas</i>	<i>High</i>	<i>Printed, telephone, 2 way radio</i>	<i>Media, telephone, City website</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
<i>Meter set/remove/service</i>	<i>High</i>	<i>Printed, verbal, telephone</i>	<i>On Site Visits</i>	<i>None</i>	
<i>Locate and mark underground gas lines</i>	<i>High</i>	<i>Verbal, Phone, 2-way radio</i>	<i>Telephone, On Site Visits</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet</i>
<i>Response to customer complaints</i>	<i>High</i>	<i>Verbal, occasional written, printed material</i>	<i>Telephone, On Site Visits</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet</i>
<i>Administration-</i>					
<i>Education-</i>		<i>Printed, Verbal,</i>			

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		Computer / Internet, Telephone, City TV Channel 7			
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Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas at the Operations Center to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Winfield Natural Gas Utility will also provide the following statement, “Auxiliary aids or other services will be provided to persons with disabilities with advance notice” when natural gas emergencies are publicized via the local media, telephone, and the City’s Web Site.

The Winfield Natural Gas Utility will utilize volunteer services or approved agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the Kansas Relay Service, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Winfield Natural Gas Utility will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Natural Gas Utility information made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Winfield Natural Gas Utility's main office will be made fully accessible to individuals with disabilities according to the City’s ADA Transition Plan. Gas Utility services provided to the public will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City, the Winfield Natural Gas Utility will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Gas Utility complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City’s Grievance Procedure upon request.

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To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Natural Gas Utility has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board Americans with Disabilities Act Departmental Report

Department/Division: *Human Resources*

ADA Contact: *Terry Gray, HR ADA Compliance*
City of Winfield Human Resources Department
200 E. Ninth, Winfield, Kansas 67156
Phone: (316) 221-5509
Email: tgray@winfieldks.org

General Programs, Services or Activities Provided to the Public: *Employment Services, Human Relations*

Commission Meetings & Activities

Facilities where Programs and Services are Provided:

- 13. *City Hall, City of Winfield Human Resources, 200 E. Ninth, Winfield, Kansas 67156*
- 14. *Southwestern College Professional Studies Center, 123 E. Ninth, Winfield, KS 67156*
- 15. *Winfield Public Library, 605 College, Winfield, KS 67156*
- 16. *Island Park, Main Pavilion, Winfield, KS 67156*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
<i>Employment Applications and Related Printed Materials</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone</i>	<i>Local News Media, City Web Site</i>	<i>None</i>	<i>Writing Materials, Computer, Internet, City Web Site</i>
<i>Employment Interviews</i>	<i>Low</i>	<i>Printed, Verbal</i>	<i>Telephone, Internet</i>	<i>Based on Job Description</i>	<i>Based on Job Description</i>
<i>Employment Testing</i>	<i>Low</i>	<i>Printed, Verbal, Computer</i>	<i>Telephone, Internet</i>	<i>Based on Job Description</i>	<i>Based on Job Description</i>
<i>Employment</i>	<i>Low</i>	<i>Verbal</i>	<i>N/A</i>	<i>Based on Job Description</i>	<i>Based on Job Description</i>
<i>Human Relations Commission Meetings & Activities</i>	<i>Low</i>	<i>Printed, Verbal, Computer, Internet, Telephone</i>	<i>Local News Media, City Web Site</i>	<i>None</i>	<i>Writing Materials, Computer, Internet, City Web Site</i>

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Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City's Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Human Resource Department will also provide the following statement, "Auxiliary aids or other services will be provided to applicants with disabilities with advance notice" when job notices are publicized via the local media and the City's Web Site.

The Human Resource Department will utilize The Winfield Access Advisory Board to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the Kansas Relay Service, as defined by the City's Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Human Resource Department will use the City's Information Technology Department to help ensure the accessibility of public computers. The City's Information Technology Department will also be utilized to help ensure that all HR information made available to the public on the City's Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Human Resource Department facility is either currently fully structurally accessible to individuals with disabilities or will be made fully accessible according to the City's ADA Transition Plan. Should Human Resource facilities not currently be fully accessible, all services provided to the public will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Human Resource Department will utilize the Grievance Procedure outlined in the City's Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Human Resource Department complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City's Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Human Resource Department has requested input and recommendations for modifications to this information and procedures from The Winfield Access Advisory Board.

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Department/Division: **Operational Services**

ADA Contact: *Gary Mangus, Asst. to the City Manager, ADA Coordinator, ICT Member*
City of Winfield
200 E. 9th, Winfield, Kansas 67156
Phone: (620)-221-5525
Email: gmangus@winfieldks.org

General Programs, Services or Activities Provided to the Public: Administration, Operations, Customer Service, and Communications.

Facilities where Programs and Services are Provided:

- 17. Anywhere within the Winfield City Limits and Utility Jurisdictional Areas
- 18. Winfield City Hall, 200 E. 9th, Winfield KS 67156
- 19. City Operations Center, 2701 E. 9th, Winfield KS 67156

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
Administration- <i>Public information, grants, NRP, EDX, City Web design,</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Operations- <i>Purchasing, Central Stores, DOC Work Release, Fleet Maintenance, Emergency Mgmt (county)</i>	<i>High</i>	<i>Printed, Verbal Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Customer Services- <i>Utility, Public Works, Purchasing, Fleet</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Telephone, Internet, Media, City Web Site,</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer,</i>

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<i>Service contact point</i>			<i>citizens, business, courts</i>		<i>Internet, City Web Site</i>
Communications- City Utility & Electric Dispatch,	<i>High</i>	<i>Printed, Verbal, Computer / Internet, TDD/TTY Telephone, radio</i>	<i>Telephone, Internet, Media, City Web Site, citizens, business, courts</i>	<i>None Description</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site Description</i>

Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Operational Services Department will also provide the following statement, “Auxiliary aids or other services will be provided to Persons with disabilities with advance notice” when communications are made via Print, Telephone, Internet, Media, City Web Site or other means.

The Operational Services Department will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the existing City TDD/TTY or Kansas Relay Services, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Operational Services Department will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Operational Services Department information be made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Operational Services Department facility will be made fully accessible according to the City’s ADA Transition Plan. Winfield Operational Services Department services will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Operational Services Department will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Operational Services Department complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City's Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Operational Services Department has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board Americans with Disabilities Act Internal Compliance Team Report October 2006

Department/Division: *Parks & Public Land*

ADA Contact: *Mark Olney, Director, ICT Member*
City of Winfield Parks & Public Land Department
2205 Broadway, Winfield, Kansas 67156
Phone: (620) 221-5637
Email: molney@winfieldks.org

General Programs, Services or Activities Provided to the Public: *Parks, Lake, Cemeteries, Recreation, and Public Facilities*

Facilities where Programs and Services are Provided:

20. *Parks Department Shop, 2205 Broadway, Winfield KS 67156*
21. *Winfield Fairgrounds, 1105 W. 9th, Winfield KS 67156*
22. *Broadway Recreation Complex, 2000 Broadway, Winfield KS 67156*
23. *Baden Square, 8th & College, Winfield KS 67156*
24. *Winfield City Lake, 10348 141st Rd., Winfield KS 67156*
25. *Cemeteries: Highland Cemetery, 702 Amos Becker Rd., Winfield KS 67156*
St. Mary's Cemetery, 1938 E. 12th, Winfield KS 67156
Union-Graham Cemetery, 443 N. Michigan St., Winfield KS 67156
26. *Quail Ridge Golf Course, 3805 Quail Ridge Dr. , Winfield KS 67156*
27. *Winfield Aquatic Center, 300 Main, Winfield KS 67156*
28. *Parks: Albright Park, 15th & John*
Black Creek Park, 19th & Wheat Road
Cherry St. Park, 15th & Cherry
Cochran Park, 16th & Manning
Hiatt Hills Park, Grand & Crestline

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*Island Park, N. Main
 Jaycee Park, Simpson & Houston
 Lion’s Club Park, 13th & Bliss
 Memorial Park, 9th & Fuller
 Tunnel Mill Park, W. 19th & Walnut River*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
<i>Park Shop-Park Advisory Board, Administrative contact</i>	<i>Low</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Writing Materials, Computer, Internet, City Web Site, maintenance operations,</i>
<i>Fairgrounds-Camping, restrooms, Facility rental</i>	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Camping utility connections, restrooms, parking</i>
<i>Broadway Complex-Facility rental/ management/ concessions by another agency</i>	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Parking, restrooms, concessions, trail, seating, batting cages</i>
<i>Baden Sq-Facility rental/ management by other agencies</i>	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Gymnasium, parking, fitness center, library, theater, community center, other agency opportunities</i>
<i>City Lake-Camping, outdoor recreational activities, hunting, marina management by another agency, bath house, restrooms, trails,</i>	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Camping utility connections, concessions, parking, docks & piers, boat ramps, trails, permit office, maintenance</i>

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<i>playground equipment</i>					<i>office,</i>
Cemeteries-Burial sites, mausoleum, tree program	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Maintenance operations, parking areas,</i>
Golf Course-18-hole golf facility with driving range, clubhouse, concessions, restrooms, parking	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Parking, Clubhouse, Golf Course, Driving Range, Cart rental, restrooms, trails</i>
Aquatic Center-Concessions, swimming facilities, parking, playground equipment	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Concessions, restrooms, changing rooms, swimming area, playground, slides, parking,</i>
Parks-Outdoor recreation, passive & active activities, restrooms, trails, pavilions, playground equipment, picnicking areas,	<i>High</i>	<i>Printed, Verbal, Computer,/ Internet, Telephone</i>	<i>Printed, Media, City Web Site</i>	<i>None</i>	<i>Trails, restrooms, playground equipment, pavilions, picnicking areas, drinking fountains, tennis courts, basketball courts, softball fields, parking, skate park,</i>

Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Parks & Public Land Department will also provide the following statement, “Auxiliary aids or other

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

services will be provided to applicants with disabilities with advance notice” when job notices are publicized via the local media and the City’s Web Site.

The Parks & Public Land Department will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the Kansas Relay Service, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Parks & Public Land Department will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Parks & Public Land information made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Parks & Public Land Department facilities will be made fully accessible according to the City’s ADA Transition Plan. Should Parks & Public Land facilities not currently be fully accessible, all services provided to the public will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Parks & Public Land Department will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Parks & Public Land Department complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City’s Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Parks & Public Land Department has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board
Americans with Disabilities Act Internal Compliance Team Report
October 2006

Department/Division: **Police Department**

ADA Contact: *Jerry DeVore, Chief of Police, ICT Member*
 City of Winfield Police Department

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812 Millington, Winfield, Kansas 67156
 Phone: (620)-221-5555
 Email: jedevore@winfieldks.org

General Programs, Services or Activities Provided to the Public: Administration, Operations, Investigations,

Patrol and Communications.

Facilities where Programs and Services are Provided:

- 29. Police Department, 812 Millington, Winfield, Kansas 67156
- 30. Winfield Middle School, 300 Viking Blvd. Winfield, Ks. 67156
- 31. Anywhere within the Winfield Corporate City Limits

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
Administration- <i>Public information</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Operations- <i>Case management and information systems</i>	<i>High</i>	<i>Printed, Verbal Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Investigations- <i>Criminal investigations, interviews, interrogations, crime stoppers, drug task force</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Telephone, Internet, Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Patrol- <i>School resource officer, Animal control, Parking control, Reserve program, Bike patrol, Routine patrol</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Telephone, Internet, Internet, Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Communications- <i>E911 Public safety Answering Point</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet,</i>	<i>Telephone, Internet, Media, City</i>	<i>None Description</i>	<i>Verbal, Writing Materials,</i>

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		<i>TDD/TTY Telephone, radio</i>	<i>Web Site, citizens, business, courts</i>		<i>Computer, Internet, City Web Site Description</i>
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Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Winfield Police Department will also provide the following statement, “Auxiliary aids or other services will be provided to Persons with disabilities with advance notice” when communications are made via Print, Telephone, Internet, Media, City Web Site or other means.

The Winfield Police Department will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the existing City TDD/TTY or Kansas Relay Services, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Winfield Police Department will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Police Department information be made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Winfield Police Department facility will be made fully accessible according to the City’s ADA Transition Plan. Winfield Police Department services will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Winfield Police Department will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Winfield Police Department complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City’s Grievance Procedure upon request.

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To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Winfield Police Department has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board
Americans with Disabilities Act Internal Compliance Team Report
October 2006

Department/Division: **City of Winfield Public Works / Engineering**

ADA Contact: *Russ Tomevi, Director, ICT Member*
City of Winfield Public Works Department
200 E. Ninth Ave., Winfield, Kansas 67156
Phone: (620)-221-5520
Email: rtomevi@winfieldks.org

General Programs, Services or Activities Provided to the Public: Administration, Street Maintenance, Storm Water, Flood Control, Inspection, Engineering, Sanitation and Recycling.

Facilities where Programs and Services are Provided:

- 32. City Hall, 200 E. Ninth Ave., Winfield, Kansas 67156
- 33. Winfield Operation Center, 2701 E. Ninth Ave... Winfield, Ks. 67156
- 34. Anywhere within the Winfield Corporate City Limits

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
Public Works- <i>Street Maintenance, Storm Water, Flood Control, Parking</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Engineering- <i>GIS, Building & Nuisance Inspection, Permits, Project Inspection, Planning Commission, BOZA</i>	<i>High</i>	<i>Printed, Verbal Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, consultants</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>

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Sanitation / Recycling- Education, Tours, Open House	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Telephone, Internet, Media, City Web Site, citizens, business</i>	<i>None</i>	<i>Verbal ,Writing Materials, Computer, Internet, City Web Site</i>
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Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Winfield Public Works Department will also provide the following statement, “Auxiliary aids or other services will be provided to Persons with disabilities with advance notice” when communications are made via Print, Telephone, Internet, Media, City Web Site or other means.

The Winfield Public Works Department will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the existing City TDD/TTY or Kansas Relay Services, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Winfield Public Works Department will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Public Works Department information be made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Winfield Public Works Department facility will be made fully accessible according to the City’s ADA Transition Plan. Winfield Public Works Department services will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Winfield Public Works Department will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Winfield Public Works Department complies with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal

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enforcement agencies is made available to the public as part of the City’s Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Winfield Public Works Department has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board
Americans with Disabilities Act Internal Compliance Team Report
October 2006

Department/Division: **Wastewater Utility**

ADA Contact: *George Bronson, Director, ICT Member*
City of Winfield Wastewater Utility
PO Box 646
Winfield, KS 67156
Phone: 620-221-5600
Email: gbronson@winfieldks.org

General Programs, Services or Activities Provided to the Public: Sanitary Sewer Service and Wastewater Treatment

Facilities where Programs and Services are Provided: *City Wide*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
<i>Install, repair, replace sewer lines and related appurtenances</i>	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Local News Media, City Web Site, door to door, door hangers</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
<i>Emergency response to sewer back-ups and blockages</i>	<i>High</i>	<i>Printed, Verbal, phone, 2-way radio</i>	<i>Telephone, newspaper, website</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
<i>Clean sewer mains with high pressure</i>	<i>High</i>	<i>Printed, Verbal, phone, 2-way</i>	<i>Telephone, verbal, door to</i>	<i>None</i>	<i>Verbal, Writing</i>

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<i>water jet truck</i>		<i>radio</i>	<i>door</i>		<i>Materials, Computer, Internet, City Web Site</i>
<i>Response to customer complaints</i>	<i>High</i>	<i>Verbal, Occasional Printed, Written</i>	<i>Telephone, On Site Visits</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>

Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas at the Operations Center to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Winfield Wastewater Utility will also provide the following statement, “Auxiliary aids or other services will be provided to persons with disabilities with advance notice” when emergencies are publicized via the local media, telephone, and the City’s website.

The Winfield Wastewater Utility will utilize volunteer services or approved agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in understanding the services our department provides. Telephone communications will be made accessible to individuals who are deaf or hard of hearing via the Kansas Relay Services, as defined by the City’s Self Evaluation. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Winfield Wastewater Utility will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Wastewater Utility information made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Winfield Wastewater Utility’s main office will be made fully accessible according to the City’s ADA Transition Plan. Winfield Wastewater Utility services provided to the public will be provided at another fully accessible location upon request.

In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City, the Winfield Wastewater Utility will utilize the Grievance Procedure outlined in the City’s Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Winfield Wastewater Utility complies with all aspects of the Americans with Disabilities Act and so

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City’s Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Winfield Wastewater Utility has requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

Winfield Access Advisory Board
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October 2006

Department/Division: **Water & Electric Utilities**

ADA Contact: **Colin Whitley**, *Director, ICT member*
City of Winfield Electric and Water Departments
P.O. Box 646, Winfield, Kansas 67156
Phone: (620)-221-5600
Email: cwhitley@winfieldks.org

General Programs, Services or Activities Provided to the Public: Administration, Operations, &
 Communications for the
 Electric and Water Utilities

Facilities where Programs and Services are Provided:

- 35. *Operation Center, 2701 E 9th, Winfield, Kansas 67156*
- 36. *Water Treatment Plant,*
- 37. *E. 12th Power Plant,*
- 38. *W. 14th Power Plant,*
- 39. *USD 465 Schools, other Districts as requested*
- 40. *Anywhere within the Winfield City Limits and jurisdictional territory*

Detailed Programs, Services, or Activities Provided to the Public

Service/Activity	Frequency of Public Use	Communication	Notices of Service	Entrance / Admissions Requirements	Public Tools / Equipment Used
Administration-Public information/educational	<i>High</i>	<i>Printed, Verbal, Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

Operations- Supply and maintenance of electric and water service	<i>High</i>	<i>Printed, Verbal Computer / Internet, Telephone, radio</i>	<i>Media, City Web Site, citizens, business, courts</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site</i>
Communications- Outage/Emergency Response	<i>High</i>	<i>Verbal, Telephone, radio</i>	<i>Telephone, Internet, Media, City Web Site, citizens, business,</i>	<i>None</i>	<i>Verbal, Writing Materials, Computer, Internet, City Web Site Description</i>

Action Plan to Ensure Programs, Services, or Activities are Accessible to Individuals with Disabilities

A Public Notice (as defined by the City’s Self Evaluation) will be posted in public areas of the facility to inform individuals of the availability of auxiliary aids, or other services to make our services fully accessible, including the provision of printed materials in alternate formats. Printed materials, which are used frequently by the general public, will be readily available in Braille, large print (16 font) and audio disc or tape. Other printed information and the provision of auxiliary aids or services, such as sign language interpreters, will be provided on request with a minimum of three days advance notice. The Winfield Electric and Water Departments will also provide the following statement, “Auxiliary aids or other services will be provided to Persons with disabilities with advance notice” when communications are made via Print, Telephone, Internet, Media, City Web Site or other means.

The Winfield Electric and Water Departments will utilize approved volunteer services or the services of outside agencies to ensure that such auxiliary aids, services, or alternate format materials will be made available in a timely manner. Assistance will be provided upon request to assist individuals with disabilities in filling out applications and understanding the services our department provides. Public use computers will be made accessible to individuals who are blind or who otherwise cannot use a computer keyboard due to their disability by making available screen readers, voice activated software, and other accessibility features with seven days advance notice. The Winfield Electric and Water Departments will use the City’s Information Technology Department to help ensure the accessibility of public computers. The City’s Information Technology Department will also be utilized to help ensure that all Electric and Water Department information be made available to the public on the City’s Web Site is fully accessible and complies with Section 508 of the Rehabilitation Act.

The Winfield Electric and Water Department facility will be made fully accessible according to the City’s ADA Transition Plan. Winfield Electric and Water Department services will be provided at another fully accessible location upon request.

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In the event that a person with a disability feels they have been treated unfairly, discriminated against due to their disability, or otherwise wishes to file a complaint with the City; the Winfield Electric and Water Departments will utilize the Grievance Procedure outlined in the City's Self Evaluation in order to reach a fair and equitable resolution of such grievance. This Grievance Procedure is made available to help ensure that the Winfield Electric and Water Departments comply with all aspects of the Americans with Disabilities Act and so that all steps possible have been taken to ensure non-discrimination based on disability. However, individuals who feel they have been discriminated against can also contact state and federal enforcement agencies to file a complaint. Contact information for such state and federal enforcement agencies is made available to the public as part of the City's Grievance Procedure upon request.

To help ensure this Action Plan is appropriate and complies with the Americans with Disabilities Act, the Winfield Electric and Water Department have requested input and recommendations for modifications to this information and procedures from the Winfield Access Advisory Board.

3. Identification or any program qualifications, eligibility requirements, admission requirements, or licensing standards that an individual must meet that might negatively affect individuals with disabilities.

- a. Due to the City of Winfield's recent (*March 2007*) ADA/504 Self-Evaluation and Transition Plan, all existing programs, services, and activities, including qualifying factors, eligibility and admission requirements, or licensing standards; are currently or will immediately be made fully accessible to citizens, employees or otherwise patrons with disabilities and, therefore, individuals with disabilities are not negatively affected in the provision of programs, services or activities. Note: Where the City of Winfield buildings and facilities are not currently accessible and usable by individuals with disabilities, the services or programs provided at these buildings or facilities will be immediately made accessible upon request.
- b. All qualified individuals with disabilities are provided an equal opportunity, as is provided to the population at large, to participate in and benefit from any aids, benefits, or services provided by the City of Winfield. In addition, the City of Winfield will make reasonable modifications to policies, practices or procedures, as defined by the attached [Reasonable Modification Policy \(Attachment J\)](#), to avoid discrimination based on an individual participant's disability.
- c. The City of Winfield, as evidenced by the attached [ADA/504 Transition Plan \(Attachment A\)](#), avoids providing different or separate aids, benefits, or services to qualified individuals with disabilities, unless doing so has been proven necessary to help ensure benefits and services provided to individuals with disabilities are as effective as those provided to the population at large.

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- d. The City of Winfield also avoids assisting or contracting with any persons or entities that are known to discriminate, based on disability, by requiring all contracting entities whose activities pertain to City structures, to read and sign the attached the City of Winfield [ADA/504 Contractor Assurance of Compliance Form \(Attachment B\)](#) and participate in the annual ADAAG training provided by the City (or the City’s contractor) to potential contractors (as designated in [Attachment K – ADA Action Steps](#)).
 - e. The City of Winfield allows and encourages qualified disabled individuals to fully participate in all local, policy, planning, or advisory boards and councils. The City’s commitment to this effort is evidenced by the newly created Access Advisory Board, which is made up of individuals with disabilities, organizations which represent individuals with disabilities and pertinent City personnel. This Board provides advisory input pertaining to citizens or employees with disabilities and/or appropriate policy or practice creation, including feedback and advice pertaining to the creation of this Self-Evaluation and Transition Plan. See the attached [Winfield Access Advisory Board Mission Statement \(Attachment C\)](#) for more information.
 - f. To help ensure that The City of Winfield fully complies with the letter and spirit of the Americans with Disabilities Act, the City will take actions as defined by [Attachment K – ADA Action Steps](#), which has been created as a time-line guide for implementing the contents of this Self Evaluation and Transition Plan.
- 4. In the area of employment, the information below describes the City of Winfield’s policies, practices, or procedures which are followed to help ensure non-discrimination based on disability in:**
- a. Public advertising of vacant positions and other job opportunities**
 - i. All employment advertisements are based on existing job descriptions.
 - ii. All advertisements include the statement “an equal opportunity employer.”
 - iii. The City’s ADA Coordinator, to help ensure non-discrimination based on disability, reviews all advertisement statements regarding job opportunities.
 - iv. All job applications include the following statement “Those applicants requiring reasonable accommodation to the application and/or interview process should notify a representative of the Human Resources Department or the City’s ADA Coordinator.”
 - v. Job openings are advertised using various mediums including, but not limited to: newspapers, bulletin board postings at all designated City facilities, by word of mouth and listed at local disability-related organizations as defined by the Winfield Access Advisory Board.
 - vi. All job posting are posted in locations, which are physically accessible to persons with disabilities.
 - b. Processing and review of applications**
 - i. It is the City of Winfield’s practice to process and review all applications without regard to race, color, religion, national origin, citizenship, sex, sexual orientation, age, disability, veteran status or any other similarly protected status.
 - ii. Selection criteria are designed to help ensure that individuals with disabilities are not screened out and are based solely on the essential functions of the job.

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- c. Testing and minimum requirements as a condition of employment**
- i. Applicants are made aware that reasonable accommodation is available where necessary during any pre-employment testing.
 - ii. Tests are not provided in formats which require the use of an individual's impaired skill unless it is a job-related skill that the test is intended to measure.
 - iii. Any test time limits are relaxed where necessary for applicants whose disability causes them to need more time to take a test, unless the test is specifically designed to test speed and is job related.
 - iv. Medical tests will not be required unless a legitimate job offer has been provided to an individual applicant.
 - v. Any City employee who provides testing during the pre-employment process must become familiar with the attached publication titled "[Pre-employment Testing and the ADA](#)" (**Attachment D**); and who has participated in the employment training provided by the City's ADA Compliance Consultant, Kent Johnson; or have participated in employment training provided the *Winfield Access Advisory Board*; to help ensure that disability-related questions are not asked during the interview process.
- d. Interviewing, including responding to requests for accommodation and use of nondiscriminatory questions**
- i. During interviews, all applicants are made aware that reasonable accommodations are available.
 - ii. All employees who provide interviews have received training by the City's ADA Compliance Consultant, Kent Johnson; or have participated in employment training provided by the *Winfield Access Advisory Board*; to help ensure that disability-related questions are not asked during the interview process.
 - iii. All individuals being interviewed are provided a written job description, which includes a listing of essential functions, and applicants are asked if they can perform the functions with or without reasonable accommodation.
 - iv. Interviews for all job categories are held in a structurally accessible location to help ensure access to this process by an applicant with a disability.
- e. Promotion/demotion, layoff/reinstatement, or transfer, including changes in compensation resulting from these actions**
- i. All policies and practices pertaining to current employees, including promotion/demotion, disciplinary actions, layoff/reinstatement, transfer, and/or changes in compensation are based solely on productivity and adherence to existing employee conduct and related expectations. All supervisors have participated in employment training provided by the *Winfield Access Advisory Board*; where the employment provisions of the ADA are detailed to help ensure that supervisory decisions are not based on disability.
- f. Job assignments/classifications and nondiscriminatory treatment by supervisory personnel**

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

where necessary, due to an individual’s disability, when doing so is not an undue financial or administrative burden to the City and/or when doing so does not fundamentally alter the nature of the service or program being provided:

- i. Audio Tape: Audio tape recordings of printed materials will be provided upon request by The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA coordinator, with one week advance notice.
- ii. Braille: Five of the most utilized existing City public pamphlets/brochures have been reproduced in Braille by the Kansas Rehabilitation Services for the Blind and are available via The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator, upon request. Other pamphlets and printed information, which are not pamphlets or brochures, will be provided in Braille by The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator, with two weeks advance notice.
- iii. Reader: A reader will be provided, when necessary by The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator, upon request with one week notice.
- iv. Aide: An aide will be provided upon request to eligible City employees or eligible citizens with disabilities from the general public, by The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator, to help ensure that printed materials are readily accessible to individuals with disabilities with a two-day advance notice. Example: Such aide may provide assistance an individual in filling out an application.
- v. Home Mailings: All printed information provided by The City of Winfield, which is typically available to the general public who visit City facilities, will also be mailed to individuals, where the individual’s disability prevents or circumvents the individual’s ability obtain the materials on-site at City facilities. Printed information will be mailed upon request by The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator with a one-week advance notice.
- vi. Large Print Format: Five of the City’s most frequently requested public pamphlets/brochures have been reproduced in large print and are available upon request to The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator. All other printed information that is available to the general public will be provided, when necessary, by The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator, in large print with two week advance notice.
- vii. Interpreter: It is the policy of The City of Winfield to provide an effective and licensed sign language interpreter in situations where the communication taking place is lengthy or complex; and/or other situations where a sign language interpreter may be necessary to effectuate communication with individuals who are deaf or hard of hearing. A sign language interpreter will be provided upon request with one week notice to The City of Winfield’s ADA Coordinator, in conjunction with the particular departmental ADA Coordinator.
- viii. Other Assistance: The City of Winfield will help ensure that all services, programs and activities are fully accessible to individuals with communication disabilities by

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providing auxiliary aides or services, where necessary, due to an eligible individual's disability as defined by the Americans with Disabilities Act.

Note: The City of Winfield will make every attempt to provide the specific type of alternate format requested, however a different type of alternative format may be provided, if and when, such different type of alternative format provides equally effective communication.

- b. **The City of Winfield will help ensure auxiliary aides and services (interpreters, large print, aides, etc.) are readily available to individuals with disabilities by posting a [Notice of Non-Discrimination Based on Disability \(Attachment G\)](#), at pertinent City facilities in public places. Such Notice (or an equivalent) will also be provided in The City of Winfield's Personnel Manual, which supplements the newly adopted [Reasonable Accommodation Policy \(Attachment E\)](#). In addition, the following statement will be publicized a minimum of two times per year for the next two years, in the local newspapers published in The City of Winfield, Kansas. The publicized statement will read as follows:**

The City of Winfield makes every effort to provide accessible facilities and/or programs for individuals with disabilities. For accommodations, grievances, or other disability-related issues, please contact:

City of Winfield ADA Coordinator
200 East Ninth Avenue
Winfield, KS 67156
(316) 221-5525 or TDD (Kansas Relay at 800-735-2966)

adacoordinator@winfieldks.org

The City shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. In the provision of auxiliary aids or services, including modifications in policies, practices, or procedures; The City of Winfield will not place surcharges on individuals with disabilities to cover the costs involved in making programs accessible

- c. **The City of Winfield will help to ensure that all public meetings, hearings, and conferences are accessible for individuals with communication disabilities by providing the following:**
 - i. The City of Winfield's ADA Coordinator will help ensure accessible communication at the request of an eligible individual with a disability with one-week notice, during public meetings, hearings, conferences, etc; including courtroom proceedings.
- d. **The City of Winfield makes every effort to provide accessible telephone communications with the general public, including individuals with disabilities, via the existing **911 integrated TDD**, and the posting/advertisement of the Kansas Relay number as part of the City's [Notice of Nondiscrimination](#).**

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- e. The City of Winfield will implement the ADA Compliance Consultant's recommendations/actions, which are defined in [Attachment H – City ADA Compliance Consultant's Website/Public Computer Recommended Modifications](#), on or before *June 1, 2007* that apply to the City's web site, public computer stations, and other electronic information or devices used by the general public.
6. **Curb Cut Transition Plan**
 - a. City of Winfield employees will develop an implement a curb cut Transition Plan pertaining to City-wide curb cuts at all public pedestrian street crossings. The curb cut Transition Plan will contain at a minimum the following: 1) The locations of all pedestrian crossings where curb cuts currently do not exist and/or where curb cuts do exist, but the curb cuts do not comply with ADAAG specifications; 2) The measures (structural modifications) that will be taken by the City to correct structural barriers at the identified locations; 3) Cost estimates to correct the structural barriers; and 4) A time-line for the correction of all structural barriers at pedestrian cross walks over a twenty year period; where structural barriers are removed first at curbs/curb cuts with high pedestrian traffic, at the request of individuals with disabilities, and where existing structures are hazardous.

Part II Statement of Compliance with CDBG/ADA/504 Regulations

1. The City of Winfield's Notice of Nondiscrimination is currently being publicized as delineated in the above information in full compliance with all CDBG/ADA/504 requirements.
2. A Copy of this Self-Evaluation and all related documents are maintained on file in the City ADA Coordinator, at:

The City of Winfield – 200 East Ninth Avenue – Winfield, KS 67156

Phone: (316) 221-5525 or TDD (Kansas Relay at 800-735-2966)

Email: adacoordinator@winfieldks.org

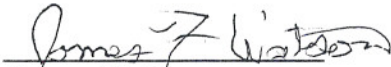
3. The above identified Notice of Nondiscrimination Includes, at a minimum, the following information:
 - a. Contact information for the City's ADA/504 Coordinator.
 - b. A means of requesting auxiliary aids or other services specifically for individuals with disabilities.
 - c. The availability of printed materials in alternate formats.
 - d. A statement that a grievance procedure exists including contact information for the purpose of filing a grievance.
4. The ADA Coordinator maintains a copy of the [Grievance Procedure \(Attachment I\)](#) as part of the Self-Evaluation.

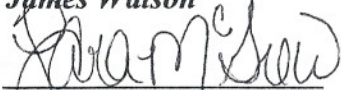
The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

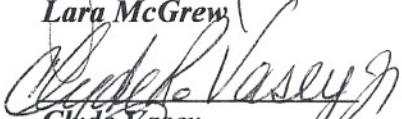
- 5. The City of Winfield’s Grievance Procedure includes, at a minimum, the following information:**
- a. A statement informing individuals that the procedure is available in alternate format and can be submitted in alternate format.
 - b. A time line for submitting a grievance claim, both internally and externally.
 - c. Information on how to also file a complaint through appropriate State or Federal agencies.


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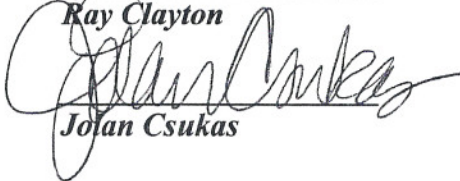
We of the Winfield Access Advisory Board agree with the above contents of this Self-Evaluation as evidenced by the following signatures:


James Watson

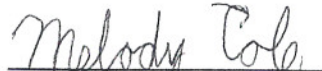

Lara McGrew

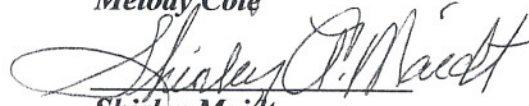

Clyde Vasey

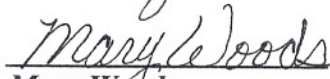

Ray Clayton


Joan Csukas


Linda Misasi


Melody Cole


Shirley Majdt


Mary Woods

The City of Winfield, Kansas agrees with the above contents of this ADA Self-Evaluation and intends to implement all recommendations/actions, as defined throughout the document, as evidenced by the following signatures on this 6th day of August 2007.


Phillip R. Jarvis, Commissioner


Michael D. Ledy, Commissioner


G. Thomas McNeish, Mayor

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Attachment A - **ADA/504 Transition Plan**

See separate attached Transition Plan

Attachment B- City of The City of Winfield ADA/504 Contractor Assurance of Compliance Form.



City of Winfield Assurance of Compliance Form



All individuals or organizations that contract with the City of Winfield, or otherwise those who are the recipients of funds for the purpose of constructing, altering, or adding to City of Winfield buildings or facilities, must complete, sign and return this form with your contract. If you have questions regarding this form, or if you require this material in an alternate format, please contact:

City of Winfield, KS
ADA Coordinator
200 East Ninth Avenue
Winfield, KS 67156
Phone: (316) 221-5525
or TDD/TTY (Kansas Relay Center at 1-800-735-2966)
Email: adacoordinator@winfieldks.org

ADA/504 General Information

Federal and state laws prohibit discrimination based on disability. Section 504 of the Rehabilitation Act of 1973, as amended (504), and the Americans with Disabilities Act of 1990 (ADA) require that the City of Winfield and all organizations or firms contracting with the City of Winfield, except those providing tangible goods, comply with ADA/504 accessibility requirements.

Contractor Assurance of Compliance

As a contractor or funding recipient from the City of Winfield, I understand that federal and state laws prohibit discrimination in public entities and employment based solely on disability. In addition, I recognize that Section 504 requires recipients of federal funds (either directly or through contracting with a local governmental entity receiving federal funds) to make their programs, services, and activities, when viewed in their entirety, accessible to qualified and/or eligible people with disabilities. I agree to comply with, and to require that all subcontractors comply with, ADA/504 requirements. I understand that reasonable accommodation is required in both program services and employment, except where to do so would cause an undue hardship or undue burden. I also agree that all new construction, alterations, or additions to the City of Winfield buildings or facilities, performed by my organization, or subcontractors, must comply with all City, state, and federal laws, including related building guidelines/codes, and specifically the Americans with Disabilities Accessibility Guidelines (ADAAG).

I agree that any violation of the specific provisions of the ADA or 504, which are applicable to my organization or work my organization is currently performing or has performed at The City of Winfield buildings or facilities, shall be deemed a breach of the material provision of my Contract between the City of Winfield and my organization. Such a breach shall be grounds for cancellation, termination, or suspension, in whole or in part, of my organization's Contract by the City of Winfield.

ADAAG Understanding

Pertinent individuals from my organization are knowledgeable of all scoping provisions and specifications as defined by the Americans with Disabilities Act Accessibility Guidelines; have easy access to such information when necessary; and have attended the Annual ADAAG Training provided by Winfield Access Advisory Board.

I declare that (company name) _____ is in compliance with the applicable provisions of the ADA and 504 and declare that the foregoing information is true and correct.

Signature of authorized signatory

Date

Type or print name of authorized signatory

Title

Telephone

[Attachment C-The City of Winfield Access Advisory Board – Mission Statement](#)

Winfield Access Advisory Board

Mission Statement

Assist individuals with disabilities integrate into all aspects of community life through accessible programs and services.

Purpose

- Advise the City of Winfield ADA Coordinator
- Assist in resolution of any access issues concerning City facilities and programs regarding persons with disabilities
- Develop recommendations on the future role of the access of persons with disabilities to programs in the City and help determine immediate access priorities
- Advise other public or private entities on access issues where it appears the AAB can make a positive contribution to resolve such problems
- Advise the City on any other matter concerning persons with disabilities as the AAB deems appropriate
- Hold such public hearings as it deems necessary

Developed by the City of Winfield Access Advisory Board

[Attachment D - Pre-employment Testing and the ADA](#)

Pre-Employment Testing and the ADA

This brochure is one of a series on human resources practices and workplace accommodations for persons with disabilities edited by Susanne M. Bruyère, Ph.D., CRC, SPHR, Director, Program on Employment and Disability, School of Industrial and Labor Relations – Extension Division, Cornell University. It was updated in July, 2000, by Mary Anne Nester, Ph.D., U.S. Immigration and Naturalization Service, Washington D.C., from the original, which she wrote in 1997.

Cornell University was funded in the early 1990's by the U.S. Department of Education National Institute on Disability and Rehabilitation Research as a National Materials Development Project on the employment provisions (Title I) of the ADA (Grant #H133D10155). These updates, and the development of new brochures, have been funded by Cornell's Program on Employment and Disability, the Pacific Disability and Business Technical Assistance Center, and other supporters.

Cornell University currently serves as the Northeast Disability and Business Technical Assistance Center. Cornell is also conducting employment policy and practices research, examining private and federal sector employer responses to disability civil rights legislation. This research has been funded by the U.S. Department of Education National Institute on Disability and Rehabilitation Research (Grant #H133A70005) and the Presidential Task Force on Employment of Adults with Disabilities.

The full text of this brochure, and others in this series, can be found at: www.ilr.cornell.edu/ped/ada. Research reports relating to employment practices and policies on disability civil rights legislation, are available at: www.ilr.cornell.edu/ped/surveyresults.html

For further information, contact the Program on Employment and Disability, Cornell University, 102 ILR Extension, Ithaca, New York 14853-3901; 607/255-2906 (Voice), 607/255-2891 (TTY), or 607/255-2763 (Fax).

More information is also available from the ADA Technical Assistance Program and Regional Disability and Business Technical Assistance Centers, (800) 949-4232 (voice/TTY), www.adata.org

The Americans with Disabilities Act (ADA) requires reasonable accommodation in the hiring process, and the language of the ADA includes "appropriate adjustment or modifications of examinations" as a form of accommodation. It is the goal of this article to acquaint employers with the legal requirements and measurement issues that must be considered in using selection tests under the ADA.

There are three types of information that must be considered in using selection tests under the ADA. First, employers must be familiar with the legal requirements of the ADA and the rationale behind these requirements. Second, employers should be aware of the specific role of their tests in helping to select qualified employees (in other words, the validity basis for their tests). Third, employers should be familiar with the types of accommodations that are most likely to be effective in preserving the reliability and validity of the tests for people with various disabilities.

Legal and Regulatory Requirements

Under the ADA, it is discriminatory to use selection criteria that screen out or tend to screen out individuals with disabilities unless the criteria are shown to be job-related for the position in question and are consistent with business necessity. This is to ensure that tests do not act as barriers to the employment of persons with disabilities unless the person is unable to do the job, even with reasonable accommodation.

Employers should design selection criteria for jobs to ensure a close fit between the selection criteria and an individual's ability to do the job. A criterion that tends to screen out an individual with a disability must be shown to be job-related for the position and consistent with business necessity. To be consistent with business necessity a criterion must be related to an essential job function. The obligation to make reasonable accommodation means that an employer must make modifications or adjustments to the application process that would enable a qualified individual with a disability to be considered for the position he or she desires.

Tests should not be given in formats that require use of the impaired skill, unless it is a job-related skill that the test is intended to measure. For example, it is unlawful to give a written test to a person who is unable to read because of dyslexia, unless the ability to read is the job-related skill that the test is designed to measure. If, instead, the test is designed to measure a factor such as verbal comprehension or reasoning, the test should be given orally. Similarly, test time limits should be relaxed for applicants whose disabilities cause them to need more time to take a

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

Pre-Employment Testing and The ADA

test, unless the test is specifically designed to test speed. However, the results of a test of speed could not be used to exclude an individual with a disability unless the skill was necessary to perform an essential function of the position that could not be performed by the individual with or without reasonable accommodation. If speed is necessary to perform an essential job function and there is no reasonable accommodation available to enable the applicant to demonstrate the skill or to perform the job, then the employer is not required to employ the individual.

An employer is obligated to make reasonable accommodation only to the physical or mental limitations that result from the disability of a qualified individual with a disability, that are known to the employer. While an employer may inquire whether an employee is having difficulty performing his or her job, it is generally the responsibility of the employee to inform the employer that accommodation for a disability is needed.

Similarly, an employer is generally required to provide testing accommodations only if it knows in advance that an applicant has a disability that requires such accommodations. Usually, it is the responsibility of the individual with a disability to request any accommodation for a test. The employer can be helpful by informing applicants in advance about any tests to be administered as part of the application process, so that they may request an accommodation, if needed.

Employers may also ask applicants whether they will need an accommodation for the hiring process.

It should be noted that the ADA and the Title I regulations prohibit pre-employment inquiry into a person's disability or the nature of the disability, with one narrow exception. The ADA permits employers to ask individuals with a hidden disability who request accommodations at the application stage to provide reasonable documentation to verify the disability and the need for accommodation. However, the employer may not make further inquiries as to the nature or severity of the disability. For this reason, employers can use psychological tests at the pre-offer state of the hiring process only if these tests are not medical—that is to say, only if the tests do not provide evidence that would lead to identifying a mental disorder.

Test Validity Models

The use of tests for making employment decisions is supported by evidence of the tests' validity under one or more of the following models:

- **Content validity:** the test is a representative sample of performance in some defined area of job-related knowledge, skill, ability, or other characteristic.
- **Construct validity:** the test is demonstrated to be a measure of a job-relevant characteristic (e.g., reasoning ability).
- **Criterion-related validity:** the test is shown to be statistically related to some criterion of successful job performance.

Test accommodations should be made so as to retain the validity of the test for selecting qualified employees.

Types of Testing Accommodations

Testing accommodations will be discussed under three broad categories: testing formats, time limits, and test content.

Testing format. A change in testing format refers to the use of a different medium or method to present the same information. Test information is usually presented in print in the English language. Therefore, Braille, large print, reader, and audiotape are simply different ways of presenting the same information. In most cases, these formats could be interchanged without a change in the question content or the ability being tested. However, several problem areas exist in the use of different formats:

1. Long reading passages may be more difficult when presented orally or in other formats for visually impaired applicants. For oral presentation, the test-taker must try to keep the entire passage in memory. In Braille or large print, scanning through the passage is slower than it is with regular print.
2. Figural material is problematic for people with visual impairments. The embossing of figural material should not be viewed as a simple format change, because the tactile sense is quite different from the visual sense.
3. When readers are used, they should be people who read well and articulate clearly, and they should practice reading the test in advance. They should be warned against inadvertently giving clues to the test-taker when they read.

It should be noted that changing a test from a printed version into a sign language version is a translation into another language, rather than simply a change of format. It must be done with all of the care that would be taken in translating a test from English into, say, Japanese.

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Pre-Employment Testing and The ADA

Time limits. In most cases of accommodated testing it is necessary to change the test's time limits. Often the change in time limits causes a problem in interpreting test results. This problem arises because of the use of "speeded power" tests. In order to understand this problem, it is necessary to learn a bit of testing terminology.

A pure power test is a test in which everyone has an opportunity to attempt to answer every question, and the scores are based on how many questions people can answer rather than on how fast they can work. The pure speed test, on the other hand, contains questions of trivial difficulty given with a very short time limit. Scores are based only on how fast people can work. Many tests that are intended to be power tests are actually somewhat speeded because a considerable number of people are unable to attempt every question. On a speeded power test, a person who had unlimited time would have an advantage over people who took it with the regular time limit. However, since many people with disabilities, e.g., Braille users, need extra time to take tests, there is the difficult problem of determining exactly how much extra time should be allotted so that the test-taker with a disability is at neither an advantage nor a disadvantage.

The ideal solution to this problem would be to eliminate the use of speeded power tests. If a power test has a liberal time limit, with a completion rate of, say, ninety-five percent of all test-takers, then test-takers with disabilities can be given unlimited time without having an undue advantage. The difficult question of how much extra time to allow would no longer need to be answered.

In the case of existing speed power tests in which the regular time limits cannot be changed, unlimited time may be inappropriate. One method of determining appropriate time limits is to conduct empirical studies. The U.S. Office of Personnel Management conducted a study to set time limits for visually impaired and deaf applicants on one of its large volume examinations. It was found that at least double time was needed for visually impaired users of all media to answer questions that consisted of a short reading passage followed by five answer choices. Mathematical questions involving computation required considerably more time than that. Such empirical studies are only possible in large-scale programs in which there are many test-takers.

Pure speed tests are used in the employment context to test such skills as perceptual speed and clerical checking. Such tests are clearly inappropriate for use with visually impaired test-takers because all of the media for transmitting information are slower, and for some physically impaired applicants, because the physical mechanism for

responding (e.g., marking the answer sheet) is slower. The time limit cannot be adjusted on these tests because speed is the factor that is being tested. Therefore, the test user must decide if the speed test should be used with the regular time limit (which is permissible, as noted in the earlier section on legal and regulatory requirements, if the speed factor is necessary to perform an essential job function and the applicant cannot meet the requirement even with reasonable accommodation) or if the test should be deleted from the battery and possibly be replaced with another type of assessment. This would be an instance of the last type of test accommodation—change of test content.

Test content. In the context of competitive testing for persons with disabilities, changes in test content are not made frequently. However, it is clear that this type of change is a form of accommodation that may be required for compliance with the ADA. Any change in test content would need to be consistent with the validity strategy on which the test was based. For example, substituting one test question for another is easily done under a construct validity model, but might be troublesome under a content validity model.

Changes in test content can be divided for convenience into three types: change in individual test questions, change in the question-type, and change or deletion of a knowledge, skill, or ability (KSA) that is being measured. The first type of change, as mentioned above, is easily done in a construct-valid test. The second type of change—using a different type of question to test the same ability—is feasible if another question-type exists and if scoring comparability can be determined.

The interpretive guidance to the EEOC's Title I ADA regulations describes some bold substitutions of methods for measuring the same KSA's, as the following excerpt shows:

"Where it is not possible to test in an alternative format, the employer may be required, as a reasonable accommodation, to evaluate the skill to be tested in another manner (e.g., through an interview, or through education, license, or work experience requirements)."

This excerpt does not reflect a concern for score comparability. In fact, it is difficult to see how this approach could be used if applicants needed to be rank-ordered on the basis of quantitative scores.

If there is no effective way to test a person with a disability for a certain KSA, and if there is reason to believe that this KSA will not be required on the job by the person, the

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Pre-Employment Testing and The ADA

requirement for measuring this KSA should be changed or deleted.

Accommodations for Specific Disabilities

The following is a brief listing of the types of testing accommodations that are appropriate for test-takers with different disabilities.

For test-takers with visual impairments, tests must be presented in appropriate formats, such as braille, large print, and audiotape. Time limits must be extended for all of these media, and speed tests are inappropriate. Within the context of changing test materials into different formats, certain types of test material may be problematic, as noted earlier. In addition, the test-taker will probably need accommodation or assistance in marking answers.

For test-takers who have physical impairments that affect use of the hands, the principal test accommodation is the adjustment of test time limits and the avoidance of speed tests. In addition, accessible test sites, the assistance of a test administrator in turning pages and marking answers, and extra rest breaks may be required.

Among hearing impaired test-takers, only those who are deaf need extensive testing accommodations. For the majority of prelingually deaf persons, that is, persons who lost their hearing before acquiring speech, verbal tests are not good measures of any ability. For most pre-lingual deaf people, English is a second language and the native language is sign language. (Of course, there are exceptions to this rule; some prelingually deaf people have very good English skills.) Therefore, as a general rule, verbal tests cannot be used effectively with most deaf test-takers to test anything except verbal ability. Tests that are completely nonverbal, however, do not pose a problem. Test instructions should be given very carefully, with the use of sign language or demonstration, and time limits should be explained clearly. Extra time should be allowed on power tests that include verbal material.

Individuals with specific learning disabilities now constitute the largest group that requires testing accommodations. The specific tasks that are affected by learning disabilities vary widely, so it is difficult to generalize about testing accommodations. Accommodations will need to be arranged on a case-by-case basis for applicants with specific learning disabilities. The most frequently used accommodations are the allowance of additional time for power tests and reconsideration of speed tests in areas of specific weakness. For example, a test-taker who had a specific learning disability that affected numerical computation might be screened out by a speeded test of computation. Under the ADA, it would be inappropriate to use that test

unless it tested an essential job function that the test-taker could not perform with or without reasonable accommodation.

Resources

ADA Regional Disability and Business Technical Assistance Center Hotline (800) 949-4232 (voice/TTY)

Equal Employment Opportunity Commission, 1801 L Street, NW, Washington, DC 20507, (800) 669-4000 (Voice) to reach EEOC field offices; for publications call (800) 800-3302 or (800) 669-EEOC (voice/TTY).

Disclaimer

This material was produced by the Program on Employment and Disability, School of Industrial and Labor Relations-Extension Division, Cornell University, and funded by a grant from the National Institute on Disability and Rehabilitation and Rehabilitation Research (grant #H133D10155). The U.S. Equal Employment Opportunity Commission has reviewed it for accuracy. However, opinions about the Americans with Disabilities Act (ADA) expressed in this material are those of the author, and do not necessarily reflect the viewpoint of the Equal Employment Opportunity Commission or the publisher. The Commission's interpretations of the ADA are reflected in its ADA regulations (29 CFR Part 1630), Technical Assistance Manual for Title I of the Act, and EEOC Enforcement Guidance.

Cornell University is authorized by the National Institute on Disability and Rehabilitation Research (NIDRR) to provide information, materials, and technical assistance to individuals and entities that are covered by the Americans with Disabilities Act (ADA). However, you should be aware that NIDRR is not responsible for enforcement of the ADA. The information, materials, and/or technical assistance are intended solely as informal guidance, and are neither a determination of your legal rights or responsibilities under the Act, nor binding on any agency with enforcement responsibility under the ADA.

The Equal Employment Opportunity Commission has issued enforcement guidance which provides additional clarification of various elements of the Title I provisions under the ADA. Copies of the guidance documents are available for viewing and downloading from the EEOC web site at: <http://www.eeoc.gov>.

[Attachment E – Recommendations for Modifications to Employment Policies](#)



City of Winfield

Reasonable Accommodation

Policies and Procedures



Policy

The City of Winfield is committed to providing equal access to employment and City programs or services for persons with disabilities. The City of Winfield recognizes that individuals with disabilities may need reasonable accommodations or modifications to policies and procedures to have equally effective opportunities to participate in or benefit from City programs, services and activities, and to have equal employment opportunities. The City of Winfield shall adhere to all applicable federal and state laws, regulations and guidelines with respect to providing reasonable accommodations as necessary to afford equal employment opportunity and equal access to programs for qualified persons with disabilities. Questions regarding reasonable accommodations and/or discrimination on the basis of disability should be directed to:

**City of Winfield, KS
ADA Coordinator
200 E. 9th-PO Box 646
Winfield, KS 67156
(620) 221-5525
or TDD (Kansas Relay at 800-735-2966)
adacoordinator@winfieldks.org**

The City of Winfield provides an equal opportunity to qualified persons with disabilities in all terms and conditions of employment. The City of Winfield shall provide reasonable accommodations upon request to qualified persons with disabilities who are employees or applicants. Reasonable accommodations shall be provided in a timely manner.

Definitions

Disability means with respect to an individual:

- a physical or mental impairment that substantially limits one or more major life activities;
- a record of having such an impairment;
- being regarded as having such an impairment.

In addition, an individual may not be discriminated against due to association with a person who has, has a record of, or is regarded as having a disability.

A Qualified Person with a Disability is a person who satisfies the requisite skills, experience and other job-related requirements of the position and who, with or without reasonable accommodations, can perform the essential functions of the

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job.

Essential Functions are job duties that are fundamental to the position, not marginal. Duties are WHAT must be accomplished, NOT HOW it is accomplished.

Reasonable Accommodation means modifications or adjustments to a job application process that enable a qualified person with a disability to be considered for a position the person desires OR modifications or adjustments to the job, work environment, or the way in which work is customarily performed that permit a qualified employee with a disability to perform the essential functions of the job or enjoy the benefits and privileges of employment equal to those of employees without disabilities.

Summary Procedures: Applicants For Employment

1. All application materials shall be made available in alternative formats upon request according to the needs of a qualified person with a disability and applicants shall be notified that they can request reasonable accommodations for the application and interview processes.
 2. Requests for accommodations shall be made to Human Resources Department ADA Coordinator.
 3. Upon receiving a request for reasonable accommodation, the designated person shall contact the City's ADA Coordinator for assistance.
 4. The ADA Coordinator will evaluate the request and determine what, if any, accommodation is appropriate. The ADA Coordinator may request medical documentation of the applicant's disability.
 5. If an accommodation is appropriate, the ADA Coordinator will arrange the accommodation or assist the department in arranging the accommodation.
 6. If the ADA Coordinator determines that no accommodation is necessary, or the individual desires an alternative accommodation, s/he may contact the ADA Coordinator to appeal the accommodation decision. The ADA Coordinator shall consider the appeal and issue a decision along with the opportunity for the individual to utilize the Grievance Procedure as outlined in Section 7 of the Personnel Manual.
 8. Applicants who have received job offers may make accommodation requests following the procedure outlined below.
-

Procedure: Applicants

1. All application materials shall be made available in alternative formats upon request by a qualified individual with a disability and all position announcements shall include the following statement or its equivalent:

"Application materials are available in alternative formats upon request to Human Resource Department ADA Coordinator."

The Kansas Relay telephone number shall be included in the statement.
2. All applicants invited for interviews shall be notified that they can request accommodations for a disability for the interview process and informed of the

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procedure for making an accommodation request.

3. The following paragraph or its equivalent shall be added to **any** correspondence scheduling an interview:

"It is the policy of The City of Winfield to provide reasonable accommodations for qualified persons with disabilities who are employees or applicants for employment. If you need assistance or accommodations to fully participate in the interview process, please contact The Human Resource Department ADA Coordinator, (620) 221-5510. Employment opportunities will not be denied to anyone because of the need to make reasonable accommodations for a person's disability."

NOTE: The contact person for the accommodation request will NOT be a member of the search committee or in a decision-making position in the search process.

4. If interviews are scheduled by telephone, all applicants shall be informed about the availability of reasonable accommodations in the interview process. The scheduler shall ask:

"Do you need any special accommodations to participate in the interview?"

5. When a request for accommodation is received from an applicant, the contact person for the accommodation request shall contact the City's ADA Coordinator for assistance. If necessary, the ADA Coordinator will be told how to reach the applicant so that the needed accommodation/alternatives may be discussed.
6. The ADA Coordinator may request documentation of the applicant's disability in accordance with the procedures for current employees outlined below.
7. The ADA Coordinator shall make a decision regarding the request, and if approved, take the necessary steps to help ensure that the accommodation is provided. If the request is not approved, The ADA Coordinator shall inform the applicant of the reason for denial of the requested accommodation, in writing, within three (3) working days of the decision and inform the applicant of the availability of the Grievance Procedure as outlined in Section 7 of the Personnel Manual.

NOTE: Information about an applicant's disability is CONFIDENTIAL and may not be shared with search committee members or decision-makers in the hiring process.

Summary Procedures: Current Employees

1. An employee who believes s/he needs a reasonable accommodation to enable her/him to perform the essential functions of her/his job shall inform her/his supervisor or manager of the need for an accommodation

OR

If a supervisor or manager becomes aware of an employee's disability and it

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appears to be related to a performance issue, the supervisor/manager shall contact The Human Resource Department ADA Coordinator for assistance.

2. When an employee requests an accommodation, the supervisor shall contact the Human Resource Department ADA Coordinator for assistance.
 3. The employee will meet with the Human Resource Department ADA Coordinator who will explain the reasonable accommodation process and may request appropriate medical documentation.
 4. The Human Resource Department ADA Coordinator, **in consultation with the employee, supervisor, and the City's ADA Coordinator**, shall:
 - a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary;
 - b. Determine the job-related limitation(s) created by the employee's disability, which may include requesting and evaluating documentation from the employee's medical professional;
 - c. Identify the potential accommodations and assess the effectiveness of each in enabling the employee to perform the essential functions of the job; and,
 - d. Recommend the accommodation that is most appropriate for both the individual and the employer. While the individual's preference will be given consideration, The City of Winfield is free to choose among effective accommodations.
 5. The employee, supervisor/manager, Human Resource Department ADA Coordinator, and the City's ADA Coordinator shall complete and sign a reasonable accommodation agreement detailing the accommodation to be provided. The employing department shall implement the agreed upon accommodation.
 6. If the employee who requested an accommodation disagrees with the recommended accommodation, s/he may request that the City's ADA Coordinator reconsider his/her request. If the employee disagrees with the Coordinator's final decision, s/he may file a grievance as outlined in Section 7 or the Personnel Manual.
 7. After accommodations are provided, the employee and his/her supervisor must evaluate the effectiveness of the accommodation within the timeline established by the City's ADA Coordinator. The City's ADA Coordinator and the Human Resource Department ADA Coordinator will be involved in this process.
 8. If at any time there is a question about the continuing nature of an employee's reasonable accommodation, the employee or the supervisor shall contact the City's ADA Coordinator.
-

Detailed Procedure: Employees

1. Each Department ADA Coordinator shall inform its employees of The City of Winfield's reasonable accommodation policy and procedure.
3. An employee who believes s/he needs a reasonable accommodation to

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enable her/him to perform the essential functions of her/his job shall inform her/his supervisor or manager of the need for an accommodation.

NOTE: An employee does not need to use the phrase “reasonable accommodation.” If an employee discloses a disability and requests assistance/adjustments of any kind, the supervisor or manager shall consider this a request for a reasonable accommodation and begin the accommodation process.

4. If a supervisor or manager becomes aware of an employee’s disability and it appears to be related to a performance issue, the supervisor/manager shall contact the Human Resource Department ADA Coordinator for assistance.
5. When an employee requests an accommodation, the supervisor shall contact Human Resource Department ADA Coordinator and refer the employee to the Human Resource Department ADA Coordinator.
6. The employee will meet with the Human Resource Department ADA Coordinator who will explain the reasonable accommodation process and may request appropriate medical documentation.
7. The Human Resource Department ADA Coordinator, in consultation with the employee, supervisor, and the City’s ADA Coordinator, shall:
 - a. Discuss the purpose and essential functions of the particular job involved, where completion of a step-by-step job analysis may be necessary;
 - b. Determine the job-related limitation(s) created by the employee’s disability, which may include requesting and evaluating documentation from the employee’s medical professional;
 - c. Identify the potential accommodations and assess the effectiveness of each in enabling the employee to perform the essential functions of the job; and,
 - d. Recommend the accommodation that is most appropriate for both the individual and the employer within 20 working days from the date of the employee’s accommodation request. While the individual’s preference will be given consideration, The City of Winfield is free to choose among equally effective accommodations.
8. The employee, supervisor/manager, Human Resource Department ADA Coordinator, and the City’s ADA Coordinator shall complete and sign a reasonable accommodation agreement detailing the accommodation(s) that meet the needs of the employee, the date the accommodation(s) will begin, the responsibilities of the employee and the employee’s supervisor/manager, and a timeline for reviewing the effectiveness of the accommodation.

NOTE: Employing units shall contact the City’s ADA Coordinator about all accommodation requests. Departments shall not make accommodation decisions without the involvement of the City’s ADA Coordinator and the involvement of the employee.

Medical Documentation

1. The Human Resource Department ADA Coordinator or the City’s ADA Coordinator may request medical documentation from the employee and will

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request permission from the employee to contact her/his medical practitioner if such documentation is requested. Information from the employee's medical practitioner may be necessary to document the employee's job-related limitation(s) and to assist in determining an effective reasonable accommodation for the employee. The employee requesting an accommodation is responsible for providing the medical documentation requested. **Note: Supervisors and managers will not be told about the employee's disability or have access to the employee's medical information.** Supervisors and managers may be told about necessary restrictions on the work or duties of the employee and about possible accommodations.

2. If the City's ADA Coordinator finds the documentation insufficient to provide accommodations, (The United States Equal Employment Opportunity Commission defines "insufficient" as follows: "Documentation is insufficient if it does not specify the existence of an ADA disability and explain the need for reasonable accommodation. Documentation also might be insufficient where, for example: (1) the health care professional does not have the expertise to give an opinion about the employee's medical condition and the limitations imposed by it; (2) the information does not specify the functional limitations due to the disability; or (3) other factors indicate that the information provided is not credible or is fraudulent." (U.S. Equal Employment Opportunity Commission, Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under The Americans With Disabilities Act, (2000) the City's ADA Coordinator will explain why the documentation is insufficient and request more complete information from the employee and, if the employee provides a written release, directly from the employee's medical practitioner.
3. If the employee still fails to provide sufficient documentation from his/her health care professional to substantiate that s/he has a disability and needs a reasonable accommodation, The City of Winfield may refuse to provide the accommodation or require the employee to be examined by an appropriate health care professional of the City's choice and at the City's expense.

Decision Making, Appeals and Grievances

The accommodation decision made by the City's ADA Coordinator in consultation with the employee, supervisor and Human Resource Department ADA Coordinator shall be implemented by the employing department.

If the supervisor/manager or the employee requesting an accommodation disagrees with the appropriateness of the accommodation determined, s/he may request reconsideration from the City's ADA Coordinator. The City's ADA Coordinator shall make a determination regarding this appeal within 10 working days of the employee's request and notify the employee, and the Human Resource Department ADA Coordinator of that decision. If the 10-day requirement cannot be met, the employee, Human Resource Department ADA Coordinator and the City's ADA Coordinator shall agree on a reasonable time limit.

If the employee who requested the accommodation disagrees with the final determination, s/he may file a grievance as outlined in Section 7 or the Personnel

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Manual.

The employee may refuse an offered accommodation; s/he cannot be forced to accept a particular accommodation. However, the employee continues to be responsible for performing the essential functions of her/his job with or without an accommodation and maintaining defined performance standards.

Evaluating the Effectiveness of the Accommodation

After accommodations are provided, the employee and Human Resource Department ADA Coordinator must evaluate the effectiveness of the accommodation. The City's ADA Coordinator shall be informed of the process. The Human Resource Department ADA Coordinator shall contact the City's ADA Coordinator within the timeline designated in the reasonable accommodation agreement to discuss the effectiveness of the accommodation. If modifications to the accommodation are needed, requests should be made using the above accommodation procedure.

If, at any time there is a question about the continuing nature of an employee's reasonable accommodation, the employee or the supervisor shall contact the Human Resource Department ADA Coordinator.

Documentation

Copies of correspondence and documentation related to the reasonable accommodation process shall be filed with the City's ADA Coordinator. No correspondence or documentation relating to the accommodation request is to be placed in an individual's personnel file. If a supervisor or manager receives medical or other documentation relating to a disability, that information must be transferred to the City's ADA Coordinator immediately and be kept confidential. **No disability documentation may be maintained in individual departments or personnel files.**

Attachment F – Health Benefit Plans and the Americans with Disabilities Act.

Health Benefit Plans and the Americans with Disabilities Act

Health Benefit Plans and the Americans with Disabilities Act

This brochure is one of a series on human resources practices and workplace accommodations for persons with disabilities edited by Susanne M. Bruyère, Ph.D., CRC, SPHR, Director, Program on Employment and Disability, School of Industrial and Labor Relations – Extension Division, Cornell University. This was written by Gwen Thayer Handelman, Scholar in Residence, Nova Southeastern University, Shepard Broad Law Center, Fort Lauderdale, Florida, in May 1994. She updated the material in July, 2000.

Cornell University was funded in the early 1990's by the U.S. Department of Education National Institute on Disability and Rehabilitation Research as a National Materials Development Project on the employment provisions (Title I) of the ADA (Grant #H133D10155). These updates, and the development of new brochures, have been funded by Cornell's Program on Employment and Disability, the Pacific Disability and Business Technical Assistance Center, and other supporters.

Cornell University currently serves as the Northeast Disability and Business Technical Assistance Center. Cornell is also conducting employment policy and practices research, examining private and federal sector employer responses to disability civil rights legislation. This research has been funded by the U.S. Department of Education National Institute on Disability and Rehabilitation Research (Grant #H133A70005) and the Presidential Task Force on Employment of Adults with Disabilities.

The full text of this brochure, and others in this series, can be found at: www.ilr.cornell.edu/ped/ada. Research reports relating to employment practices and policies on disability civil rights legislation, are available at: www.ilr.cornell.edu/ped/surveyresults.html

For further information, contact the Program on Employment and Disability, Cornell University, 102 ILR Extension, Ithaca, New York 14853-3901; 607/255-2906 (Voice), 607/255-2891 (TTY), or 607/255-2763 (Fax).

More information is also available from the ADA Technical Assistance Program and Regional Disability and Business Technical Assistance Centers, (800) 949-4232 (voice/TTY), www.adata.org

What is the Americans with Disabilities Act?

The Americans with Disabilities Act of 1990 (ADA) is a civil rights law for individuals who currently have a disability, have a record of disability, or are regarded perceived as having a disability. The ADA protects against disability-based discrimination in employment, governmental and commercial activities, transportation, and telecommunications.

What disabilities are covered by the ADA?

For purposes of the ADA, a disability is a physical or mental impairment—such as a visual, hearing or mobility impairment, HIV disease, or mental retardation – that substantially limits one or more major life activities. The Supreme Court has clarified that an impairment substantially limits the major life activity of working if an individual is unable, or is regarded as being unable, to perform a broad class of jobs. The Supreme Court also has found that reproduction is a major life activity under the ADA. HIV infection is a disability from the onset of infection, (before any symptoms appear).

How does the ADA apply to employment?

Employers covered by the ADA may not discriminate against “a qualified individual with a disability,” -- that is, an individual with a disability who meets the necessary prerequisites for a job and can perform the essential job functions with (or without) reasonable accommodation. ADA Title I applies to employers, including employment agencies, labor unions, and joint labor-management committees -- with at least fifteen employees. Title I prohibits both purposeful discrimination in employment and practices with discriminatory impact related to job application procedures, hiring, advancement, discharge, compensation, training, and to other terms, conditions and privileges of employment. Criteria that have the effect of excluding individuals with disabilities from employment opportunities may not be used unless the criteria are job-related and are justified by business

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Health Benefit Plans and the Americans with Disabilities Act

necessity. Title I also establishes the obligation for a covered entity to reasonably accommodate a qualified individual with a disability, except in the case of undue hardship.

May health benefit costs influence employment decisions?

No. Personnel decisions regarding an individual with a disability may not take account of whether, or to what extent, the individual is or would be covered under a health benefit plan. Employers may not fire or refuse to hire a qualified applicant who has a disability, or who has a dependent with a disability, in order to avoid potential increases in health insurance costs.

Does the ADA apply to Health Benefit Plans?

Yes. In its 1993 Interim Enforcement Guidance, the Equal Employment Opportunity Commission (EEOC) described how the ADA applies to health benefit plans.

First, the ADA requires employers to provide all employees --with a disability or without a disability -- the same health insurance benefits. Thus, an employer may not participate in a discriminatory contractual or other arrangement with an organization providing fringe benefits to employees. However, eligibility for health benefits need not be extended to employees with disabilities if such benefits are not extended to nondisabled employees in similar circumstances, e.g., part-time employees

What coverage classifications does the ADA permit?

ADA Title V allows bona fide insured or self-insured employee benefit plans to make some health-related distinctions based on risk classifications based on or not inconsistent with state law. However, this “insurance exemption” may not be used as a “subterfuge” to evade the purposes of the ADA. According to the EEOC, health insurance distinctions that are not disability-based do not violate the ADA,

even if they have a disproportionate impact on individuals with disabilities.

Thus, employers, insurers and unions generally may apply insurance distinctions that are uniformly applied to all employees, such as applicable limitations and exclusions. For example, employers may offer health insurance that does not cover pre-existing conditions for a period of time specified in the plan, even if such a pre-existing condition exclusion adversely affects employees with disabilities.

The ADA also generally permits facially neutral limitations such as lifetime coverage caps applied to all employees. Further, a health plan may exclude or limit coverage for specific procedures or treatments if they are not exclusively or nearly exclusively applicable to a particular disability. For example, a plan may limit the number of blood transfusions or x-rays that the plan will pay for, even though this may have an adverse effect on individuals with certain disabilities such as hemophilia. Likewise, a plan may limit or deny coverage for all “experimental” drugs and/or treatments for all “elective surgery,” and it may exclude or provide lower levels of coverage for broad categories of conditions that are not drawn along lines of disability. For example, a plan may have lower reimbursement rates for treatment of “mental or nervous conditions” or for “eye care.”

However, all such provisions are allowable under the ADA only if they meet the requirements of applicable state law and are not used as a subterfuge. Health plan terms also must meet the requirements of other applicable federal laws, such as the Health Insurance Portability and Accountability Act and the Mental Health Parity Act.

What is a “disability-based distinction?”

The EEOC’s enforcement guidance identifies a plan term or provision as disability-based if it singles out a particular disability, a discrete group of disabilities, disability in general (all conditions that substantially limit a major life activity), or a treatment or procedure

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used exclusively or nearly exclusively to treat a particular disability.

What justifies a disability-based distinction?

The most reliable way to avoid violating the ADA is to not to single out diseases or conditions considered disabilities under the ADA.

However, if the plan does single-out a disability or disabilities, the EEOC 1993 Enforcement Guidance requires the respondent employer (or employer's insurer, if any), to bear the burden of proof that a disability-based distinction is permitted by (1) showing that the health plan either is a bona fide plan that is consistent with state law or is a bona fide self-funded plan, and (2) proving that the disability-based risk classification is not being used as a subterfuge to evade the purposes of the law. Plan sponsors may use accepted principles of insurance risk classification and current and accurate actuarial data, but not data based on myths, fears, stereotypes or false or outdated assumptions about a disability. Disability-based limitations or exclusions will not be considered to violate the ADA if:

- they are based on legitimate actuarial data, or actual or reasonably anticipated experience, and apply equally to conditions with comparable actuarial data and/or experience; or
- they are necessary because no alternative to a disability-based distinction is available to prevent an “unacceptable” change such as:
 - A drastic increase in premiums, co-payments or deductibles;
 - A drastic alteration in the scope of coverage or level of benefits; or
 - Other changes that would make the plan unavailable to a significant number of other employees, or so unattractive that the employer could not compete in recruiting and maintaining qualified workers due to the superiority of health insurance plans offered by other employers in the community, or so

unattractive as to result in significant adverse selection.

What is a “subterfuge?”

The EEOC and some courts define “subterfuge” as any disability-based disparate treatment that is not based on actuarial data or the employer's actual or reasonably anticipated experience relating to the risk involved. This means that any coverage limits or exclusions based on disability must be justified by sound actuarial data or other legitimate business or insurance justification.

For example, a cap on benefits for AIDS-related illnesses that was substantially lower than for other illnesses would be a disability-based distinction. The lower AIDS cap would violate the ADA unless the disability-based distinction can be justified by actuarial data. Studies demonstrating that the cost of AIDS is comparable to the costs of other commonly covered conditions make it unlikely that this type of disparate treatment could be justified.

A plan also may be found to have used the insurance exemption as a subterfuge if it used an AIDS cap to deter people with AIDS from accepting employment or enrolling in the plan.

A few courts have held that plan practices established prior to the ADA's enactment could not be a subterfuge to evade the purposes of the Act. The EEOC, however, disputes that the ADA provides a “safe harbor” for discriminatory practices that were adopted before the ADA.

How does the ADA apply to dependent coverage?

Disability-based distinctions involving dependent coverage will be analyzed in the same fashion as disability-based distinctions in employee coverage. The ADA, however, does not require that the coverage accorded dependents be the same in scope as the coverage accorded employees. For example, a

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\$100,000 benefit cap for employees but only a \$50,000 for dependents, would be permitted.

Resources

EEOC materials are available from the U.S. Equal Employment Opportunity Commission, 1801 L Street, N.W., Washington, D.C. 20507, Technical Assistance --(800) 669-4000 (Voice) and (800) 800-669-6820 (TTY); Publications -- (800) 669-EEOC (Voice) and (800) 669-3302 (TTY). The EEOC also maintains a website (www.eeoc.gov).

ADA Regional Disability and Business Technical Assistance Center Hotline, 800/949-4232 (Voice/TTY).

Disclaimer

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The Equal Employment Opportunity Commission has issued enforcement guidance which provides additional clarification of various elements of the Title I provisions under the ADA. Copies of the guidance documents are available for viewing and downloading from the EEOC web site at: <http://www.eeoc.gov>

**Other brochures on the ADA
produced by the Program on
Employment and Disability
Are available on-line at
www.ilr.cornell.edu/ped/ada**

[Attachment G-Notice of Non-Discrimination Based on Disability](#)



City of Winfield **Notice of Nondiscrimination**



The City of Winfield *is committed* to providing accessible facilities and/or programs for individuals with disabilities. For accommodations, grievances, or other disability-related issues, please contact the City ADA Coordinator:

City of Winfield
ADA Coordinator
200 E. 9th-PO Box 646
Winfield, KS 67156
620-221-5525
or TDD (Kansas Relay 800-735-2966)
adacoordinator@winfieldks.org

Statement of Accessibility

The City shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. In the provision of auxiliary aids or services, including modifications in policies, practices, or procedures. The City of Winfield will not place surcharges on individuals with disabilities to cover the costs involved in making programs accessible.

[Attachment H-City ADA Compliance Consultant's Web/Public Computer Recommended Modifications](#)

The City of Winfield Website Review for Section 508 Compliance
Guidelines for Website Accessibility
City of Winfield Action Plan for Accessible Websites:

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

The following action plan is based upon recommendations made by the U.S. Dept. of Justice for local governments that use the internet to provide information about and access to services. The City of Winfield IT ADA Coordinator will ensure that the existing recommendations will be adopted and existing practices will be adjusted to so that the following recommendations are implemented.

1. Establish a policy that your web pages will be accessible and create a process for implementation.

Recommendations for Policy

Policy should be independent of personnel. In other words, if an experienced webmaster with expertise in accessible design should leave his position, the policy should still remain intact.

Policy should receive full support of key administrative officials and implementation of policy should ultimately be the responsibility of key administrative officials.

Policy should include provisions for training, work-time and resources needed by information technology in order to develop accessible web pages and conduct accessibility checks.

2. Ensure that all new and modified web pages and content are accessible:

Check the HTML of all new web pages. Make sure that accessible elements are used, including alt tags, long descriptions and captions, as needed.

If images are used, include photos, graphics, scanned images, or image maps; make sure to include alt tags and/or long descriptions for each.

If you use online forms and tables, make those elements accessible.

When posting documents on the website, always provide them in HTML or a text-based format (even if you are also providing them in another format, such as Portable Document Format (PDF)).

Recommendations

Accessibility standards should also apply to other code languages used to create web pages such as php or css.

Identify a mechanism to check for accessibility. A list of validity checkers is provided in this report.

If documents cannot be provided in accessible HTML format, text-based format (rich text) may be created from the original document. Information on creating accessible text documents from popular programs such as Microsoft Word is included in this report.

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3. Develop a plan for making your existing web content more accessible.

Describe your plan on an accessible web page. Encourage input on improvements, including which pages should be given high priority for change. Let citizens know about the standards or guidelines that are being used. Consider making the more popular web pages a priority.

Recommendation 1—Identify pages to make accessible.

It is generally not feasible or efficient to retrofit an entire site, especially one as large and complex as the City of Winfield's. For the purposes of this report, 117 web pages were identified as priority pages based upon the following factors.

Page is essential to navigation of the website. The home page and search page are examples of pages necessary to site navigation.

Page provides information about or access to a primary City service such as transportation, recreation, utilities, obtaining a business license, etc.

Page provides a mechanism such as a form or instructions for reporting a problem such as a water leak or stray animal.

Page provides information related to public safety such as locating a fire station and air quality alerts.

A review of the number of page views during a given period would be useful in determining the most visited or popular pages, as recommended by the U.S. Dept. of Justice.

These pages should be prioritized as the first step for improving web accessibility.

This report identifies accessibility errors and provides recommendations to improve accessibility for the listed priority pages.

Recommendation 2—Develop a web page for public viewing that describes the City's commitment to improving web accessibility and encourages input and feedback from citizens.

4. Ensure that in-house staff and contractors responsible for web page and content development are properly trained.

Recommendation-A list of resources that provide information and training about web accessibility and Section 508 guidelines is included in this report. Utilize this information to ensure that existing pertinent personnel are appropriately trained.

5. Provide a way for visitors to request accessible information or services by posting a telephone number or E-mail address on your home page.

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Recommendation –This is a critical point, as it is difficult to anticipate all accessibility needs by a user population that consists of people with varied disabilities. As stated earlier, it is also initially difficult to make all previously existing pages on a large website accessible. Therefore, a mechanism to provide accessible information and services to people with disabilities should be in place.

A designated staff member should be responsible for incoming e-mails or phone requests related to accessibility. The telephone number given should be TTY compatible.

An appropriate response time should be established for alternative services or information to be received. If the designated staff member for accessibility requests needs assistance from another department or personnel to provide information or services, that assistance should be available in a timely fashion.

6. Periodically enlist disability groups to test your pages for ease of use.

Recommendation-Enlist the assistance of a disability organization such as a Center for Independent Living to conduct a periodic review of the high priority pages on the site.

[Attachment H-City ADA Compliance Consultant's Web/Public Computer Recommended Modifications \(Continued\)](#)

Attachment 1 – Supplemental Information

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

Web-based Intranet and Internet Information and Applications (1194.22)

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Web-based Intranet and Internet Information and Applications (1194.22)

[Guide Index](#)

Updated: June 21, 2001

These provisions of the standards provide the requirements that must be followed by Federal agencies when producing web pages. These provisions apply unless doing so would impose an undue burden.

The key to compliance with these provisions is adherence to the provisions. Many agencies have purchased assistive software to test their pages. This will produce a better understanding of how these devices interact with different coding techniques. However, it always should be kept in mind that assistive technologies, such as screen readers, are complex programs and take extensive experience to master. For this reason, a novice user may obtain inaccurate results that can easily lead to frustration and a belief that the page does not comply with the standards. For example, all screen reading programs use special key combinations to read properly coded tables. If the novice user of assistive technology is not aware of these commands, the tables will never read appropriately no matter how well the tables have been formatted. A web site will be in compliance with the 508 standards if it meets paragraphs (a) through (p) of Section 1194.22. Please note that the tips and techniques discussed in the document for complying with particular sections are not necessarily the only ways of providing compliance with 508. In many cases, they are techniques developed by the Board, the Department of Education, and the Department of Justice that have been tested by users with a wide variety of screen reader software. With the evolution of technology, other techniques may become available or even preferable.

[\(a\) Text Tags](#)

[\(c\) Color](#)

[\(e\) Server-Side Image Maps](#)

[\(g\)&\(h\) Data Table](#)

[\(j\) Flicker Rate](#)

[\(l\) Scripts](#)

[\(n\) Electronic Forms](#)

[\(p\) Time Delays](#)

[\(b\) Multimedia Presentations](#)

[\(d\) Readability](#)

[\(f\) Client-Side Image Maps](#)

[\(i\) Frames](#)

[\(k\) Text-Only Alternative](#)

[\(m\) Applets and Plug-Ins](#)

[\(o\) Navigation Links](#)

(a) A text equivalent for every non-text element shall be provided (e.g., via "alt", "longdesc", or in element content).

What is meant by a text equivalent?

A text equivalent means adding words to represent the purpose of a non-text element. This provision requires that when an image indicates a navigational action such as "move to the next screen" or "go back to the top of the page," the image must be accompanied by actual text that states the purpose of the image. This provision also requires that when an image is used to represent page content, the image must have a text description accompanying it that explains the meaning of the image.

HTML Source Code: ``

<http://www.access-board.gov/>



How much information actually needs to be in the text equivalent?

The text information associated with a non-text element should, when possible, communicate the same information as its associated element. For example, when an image indicates an action, the

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action must be described in the text. The types of non-text elements requiring actual text descriptions are limited to those elements that provide information required for comprehension of content or those used to facilitate navigation. Web page authors often utilize transparent graphics for spacing. Adding a text description to these elements will produce unnecessary clutter for users of screen readers. For such graphics, an empty ALT attribute is useful.

Example of source code: ``

What is meant by the term, non-text element?

A non-text element is an image, graphic, audio clip, or other feature that conveys meaning through a picture or sound. Examples include buttons, check boxes, pictures and embedded or streaming audio or video.

HTML Source Code: ``

<http://www.access-board.gov/>

How should audio presentations be treated?

This provision requires that when audio presentations are available on a multimedia web page, the audio portion must be captioned. Audio is a non-textual element, so a text equivalent of the audio must be provided if the audio is part of a multimedia presentation. Multimedia includes both audio and video. If the presentation is audio only, a text transcript would meet this requirement.

What are ways of assigning text to elements?

There are several ways of providing textual information so that it can be recognized by assistive technology devices. For instance, the `` tag can accept an "alt" attribute that will enable a web designer to include text that describes the picture directly in the `` tag.

HTML source code: ``

Link: <http://www.section508.gov/>

Similarly, the `<APPLET>` tag for Java applets also accepts an "alt" attribute, but it only works for browsers that provide support for Java. Often, users with slower internet connections will turn support for Java applets off. A better alternative for providing textual descriptions is to simply include the alternative text between opening and closing `<APPLET>` or `<OBJECT>` tags. For instance, if a web designer wanted to include an applet called MyCoolApplet in a web page, and also include a description that the applet shows a stock ticker displaying the current price of various stocks, the designer would use the following HTML coding for example:

```
<APPLET CODE="MyCoolApplet.class" WIDTH="200", HEIGHT="100">
```

This applet displays current stock prices for many popular stocks.

```
</APPLET>
```

Finally, yet another way of providing a textual description is to include it in the page in the surrounding context:

Below is a picture of me during my great vacation!

```
<p>  
<IMG src="pictureofme.jpg">
```

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(b) Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.

What are considered equivalent alternatives?

Captioning for the audio portion and audio description of visual information of multimedia presentations are considered equivalent alternatives. This provision requires that when an audio portion of a multimedia production is captioned, as required in provision (a), the captioning must be synchronized with the audio. Synchronized captioning would be required so someone reading the captions could also watch the speaker and associate relevant body language with the speech.

If a website offers audio files with no video, do they have to be captioned?

No, because it is not multimedia. However, since audio is a non-text element, a text equivalent, such as a transcript, must be available. Similarly, a (silent) web slide show presentation does not need to have an audio description accompanying it, but does require text alternatives to be associated with the graphics.

If a Federal agency official delivers a live audio and video webcast speech, does it need to be captioned?

Yes, this would qualify as a multimedia presentation and would require the speech to be captioned.

Example:

National Endowment for the Humanities
www.neh.gov/media/scottcaptions.ram

National Center for Accessible Media (NCAM)
<http://main.wgbh.org/wgbh/access/dvs/lion.ram>

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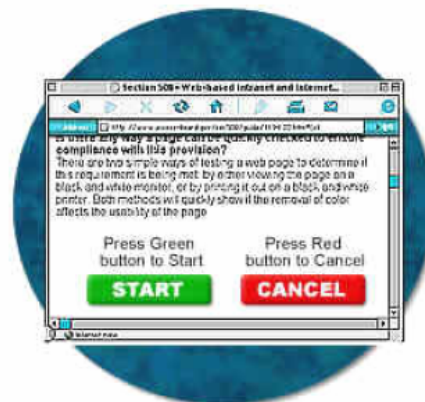
(c) Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.

Why is this provision necessary?

When colors are used as the sole method for identifying screen elements or controls, persons who are color blind as well as those people who are blind or have low vision may find the web page unusable.

Does this mean that all pages have to be displayed in black and white?

No, this provision does not prohibit the use of color to enhance identification of important features. It does, however, require that some other method of identification, such as text labels, must be combined with the use of color. This provision addresses not only the problem of using color to indicate emphasized text, but also the use of color to indicate an action. For example, a web page that directs a user to "press the green button to start" should also identify the green button in some other fashion than simply by color.



Is there any way a page can be quickly checked to ensure compliance with this provision?

There are two simple ways of testing a web page to determine if this requirement is being met: by either viewing the page on a black and white monitor, or by printing it out on a black and white printer. Both methods will quickly show if the removal of color affects the usability of the page.

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(d) Documents shall be organized so they are readable without requiring an associated style sheet.

What are the potential problems posed by style sheets?

Style sheets can enable users to define specific viewing preferences to accommodate their disability. For instance, users with low vision may create their own style sheet so that, regardless of what web pages they visit, all text is displayed in an extra large font with white characters on a black background. If designers set up their pages to override user-defined style sheets, people with disabilities may not be able to use those pages. For good access, therefore, it is critical that designers ensure that their web pages do not interfere with user-defined style sheets.

In general, the "safest" and most useful form of style sheets are "external" style sheets, in which the style rules are set up in a separate file. An example of an external style sheet is:

Example of source code: `<link rel=stylesheet type="text / css" href="section508.css">`

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(e) Redundant text links shall be provided for each active region of a server-side image map.

How do "image maps" work?

An "image map" is a picture (often an actual map) on a web page that provides different "links" to other web pages, depending on where a user clicks on the image. There are two basic types of image maps: "client-side image maps" and "server-side image maps." With client-side image maps, each "active region" in a picture can be assigned its own "link" (called a URL or "Uniform Resource Locator") that specifies what web page to retrieve when a portion of the picture is selected. HTML allows each active region to have its own alternative text, just like a picture can have alternative text (see §1194.22(a)). By contrast, clicking on a location of a server-side image map only specifies the coordinates within the image when the mouse was depressed. The ultimate selection of the link or URL must be deciphered by the computer serving the web page.

Why is this provision necessary?

When a web page uses a server-side image map to present the user with a selection of options, browsers cannot indicate to the user the URL that will be followed when a region of the map is activated. Therefore, the redundant text link is necessary to provide access to the page for anyone not able to see or accurately click on the map.

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(f) Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.

Why do client-side image maps provide better accessibility?

Unlike server-side image maps, the client-side image map allow an author to assign text to each image map "hot spots." This feature means that someone using a screen reader can easily identify and activate regions of the map. An explanation of how these image maps are constructed will help clarify this issue.

Creating a basic client-side image map requires several steps:

- Identify an image for the map. First, an image must be used in a client-side image map. This image is identified using the tag. To identify it as a map, use the "usemap" attribute.
- Use the <MAP> tag to "areas" within the map . The <MAP> tag is a container tag that includes various <AREA> tags that are used to identify specific portions of the image.
- Use <AREA> tags to identify map regions . To identify regions within a map, simply use <AREA> tags within the <MAP> container tags. Making this client-side image map accessible is considerably easier to describe: simply include the "ALT" attribute and area description inside each <AREA> tag. The following HTML demonstrates how to make a client-side image map:

```

<map name="Map">
<area shape="rect" coords="0,2,64,19" href="general.html" alt="information about us"
>
<area shape="rect" coords="65,2,166,20" href="jobs.html" alt="job opportunities" >
<area shape="rect" coords="167,2,212,19" href="faq.html" alt="Frequently Asked
Questions" >
<area shape="rect" coords="214,2,318,21" href="location.html" alt="How to find us" >
<area shape="rect" coords="319,2,399,23" href="contact.html" alt="How to contact us"
>
</map>
```

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(g) Row and column headers shall be identified for data tables.

(h) Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.

Why are these two provisions necessary?

Paragraphs (g) and (h) permit the use of tables, but require that the tables be coded according to the rules of the markup language being used for creating tables. Large tables of data can be difficult to interpret if a person is using a non-visual means of accessing the web. Users of screen readers can easily get "lost" inside a table because it may be impossible to associate a particular cell that a screen reader is reading with the corresponding column headings and row names. For instance, assume that a salary table includes the salaries for federal employees by grade and step. Each row in the table may represent a grade scale and each column may represent a step. Thus, finding the salary corresponding to a grade 9, step 5 may involve finding the cell in the ninth row and the fifth column. For a salary chart of 15 grade scales and 10 steps, the table will have at least 150 cells. Without a method to associate the headings with each cell, it is easy to imagine the difficulty a user of assistive technology may encounter with the table.

Section 1194.22 (g) and (h) state that when information is displayed in a table format, the information shall be laid out using appropriate table tags as opposed to using a preformatted table in association with the "<pre>" tag. Web authors are also required to use one of several methods to provide an association between a header and its related information.

How can HTML tables be made readable with assistive technology?

Using the "Scope" Attribute in Tables - Using the "scope" attribute is one of the most effective ways of making HTML compliant with these requirements. It is also the simplest method to implement. The scope attribute also works with some (but not all) assistive technology in tables that use "colspan" or

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"rowspan" attributes in table header or data cells.

Using the Scope Attribute – The first row of each table should include column headings. Typically, these column headings are inserted in <TH> tags, although <TD> tags can also be used. These tags at the top of each column should include the following attribute:

```
scope="col"
```

By doing this simple step, the text in that cell becomes associated with every cell in that column. Unlike using other approaches (notably "id" and "headers") there is no need to include special attributes in each cell of the table. Similarly, the first column of every table should include information identifying information about each row in the table. Each of the cells in that first column are created by either <TH> or <TD> tags. Include the following attribute in these cells:

```
scope="row"
```

By simply adding this attribute, the text in that cell becomes associated with every cell in that row. While this technique dramatically improves the usability of a web page, using the scope attribute does not appear to interfere in any way with browsers that do not support the attribute.

Example of source code – the following simple table summarizes the work schedule of three employees and demonstrates these principles.

```
<table>
<tr>
<th>&nbsp;</th>
<th scope="col" >Spring</th> <th scope="col" >Summer</th> <th scope="col" >Autumn</th> <th
scope="col" >Winter</th> </tr>
<tr> <td scope="row" >Betty</td> <td>9-5</td> <td>10-6</td> <td>8-4</td><td>7-3</td>
</tr>
<tr> <td scope="row" >Wilma</td> <td>10-6</td> <td>10-6</td> <td>9-5</td> <td>9-5</td>
</tr>
<tr> <td scope="row" >Fred</td> <td>10-6</td> <td>10-6</td> <td>10-6</td> <td>10-6</td>
</tr>
</table>
```

This table would be displayed as follows:

	Spring	Summer	Autumn	Winter
Betty	9-5	10-6	8-4	7-3
Wilma	10-6	10-6	9-5	9-5
Fred	10-6	10-6	10-6	10-6

The efficiency of using the scope attribute becomes more apparent in much larger tables. For instance, if an agency used a table with 20 rows and 20 columns, there would be 400 data cells in the table. To make this table comply with this provision without using the scope attribute would require special coding in all 400 data cells, plus the 40 header and row cells. By contrast, using the scope attribute would only require special attributes in the 40 header and row cells.

Using the "ID" and "Headers" Attributes in Tables

Unlike using the "scope" attribute, using the "id" and "headers" attributes requires that every data cell in a table include special attributes for association. Although its usefulness for accessibility may have been diminished as browsers provide support for the "scope" attribute, the "id" and "headers" attributes are still very useful and provide a practical means of providing access in smaller tables.

The following table is much more complicated than the previous example and demonstrates the use of the "id" and "headers" attributes and then the scope attribute. Both methods provide a means of complying with the requirements for data tables in web pages. The table in this example includes the

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work schedules for two employees. Each employee has a morning and afternoon work schedule that varies depending on whether the employee is working in the winter or summer months. The "summer" and "winter" columns each span two columns labeled "morning" and "afternoon." Therefore, in each cell identifying the work schedule, the user needs to be told the employee's name (Fred or Wilma), the season (Summer or Winter), and the shift (morning or afternoon).

```
<table>
<tr>
<th>&nbsp;&nbsp;&nbsp;</th>
<th colspan="2" id="winter" >Winter</th>
<th colspan="2" id="summer" >Summer</th>
</tr>
<tr>
<th>&nbsp;&nbsp;&nbsp;</th>
<th id="am1" >Morning</th>
<th id="pm1" >Afternoon</th>
<th id="am2" >Morning</th>
<th id="pm2" >Afternoon</th>
</tr>
<tr>
<td id="wilma" >Wilma</td>
<td headers="wilma am1 winter" >9-11</td>
<td headers="wilma pm1 winter" >12-6</td>
<td headers="wilma am2 summer" >7-11</td>
<td headers="wilma pm2 summer" >12-3</td>
</tr>
<tr>
<td id="fred" >Fred</td>
<td headers="fred am1 winter" >10-11</td>
<td headers="fred pm1 winter" >12-6</td>
<td headers="fred am2 summer" >9-11</td>
<td headers="fred pm2 summer" >12-5</td>
</tr>
</table>
```

This table would be displayed as follows:

	Winter		Summer	
	Morning	Afternoon	Morning	Afternoon
Wilma	9-11	12-6	7-11	12-3
Fred	10-11	12-6	9-11	12-5

Coding each cell of this table with "id" and "headers" attributes is much more complicated than using the "scope" attribute shown below:

```
<table>
<tr>
<th>&nbsp;&nbsp;&nbsp;</th>
<th colspan="2" scope="col" >Winter</th>
<th colspan="2" scope="col" >Summer</th>
</tr>
<tr>
<th>&nbsp;&nbsp;&nbsp;</th>
<th scope="col" >Morning</th>
<th scope="col" >Afternoon</th>
<th scope="col" >Morning</th>
<th scope="col" >Afternoon</th>
</tr>
<tr>
<td scope="row" >Wilma</td>
```

```

<td>9-11</td>
<td>12-6</td>
<td>7-11</td>
<td>12-3</td>
</tr>
<tr>
<td scope="row" >Fred</td>
<td>10-11</td>
<td>12-6</td>
<td>9-11</td>
<td>12-5</td>
</tr>
</table>

```

This table would be displayed as follows:

	Winter		Summer	
	Morning	Afternoon	Morning	Afternoon
Wilma	9-11	12-6	7-11	12-3
Fred	10-11	12-6	9-11	12-5

Is the summary attribute an option?

Although highly recommended by some webpage designers as a way of summarizing the contents of a table, the "summary" attribute of the TABLE tag is not sufficiently supported by major assistive technology manufacturers to warrant recommendation. Therefore, web developers who are interested in summarizing their tables should consider placing their descriptions either adjacent to their tables or in the body of the table, using such tags as the CAPTION tag. In no event should web developers use summarizing tables as an alternative to making the contents of their tables compliant as described above.

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(i) Frames shall be titled with text that facilitates frame identification and navigation.

Why is this provision necessary?

Frames provide a means of visually dividing the computer screen into distinct areas that can be separately rewritten. Unfortunately, frames can also present difficulties for users with disabilities when those frames are not easily identifiable to assistive technology. For instance, a popular use of frames is to create "navigational bars" in a fixed position on the screen and have the content of the web site retrievable by activating one of those navigational buttons. The new content is displayed another area of the screen. Because the navigational bar doesn't change, it provides a stable "frame-of-reference" for users and makes navigation much easier. However, users with disabilities may become lost if the differences between the two frames are not clearly established.

What is the best method for identifying frames?

The most obvious way to accomplish this requirement is to include text within the body of each frame that clearly identifies the frame. For instance, in the case of the navigation bar, a web developer should consider putting words such as "Navigational Links" at the beginning of the contents of the frame to let all users know that the frame depicts navigational links. Providing titles like this at the top of the contents of each frame will satisfy these requirements. An additional measure that should be considered by agencies is to include meaningful text in the <frame> tag's "title" attribute. Although not currently supported by major manufacturers of assistive technology, the "title" attribute is part of the HTML 4.0 specification and was intended to let web developers include a description of the frame as a quote-enclosed string. Demonstrating the use of the "title" attribute requires a basic

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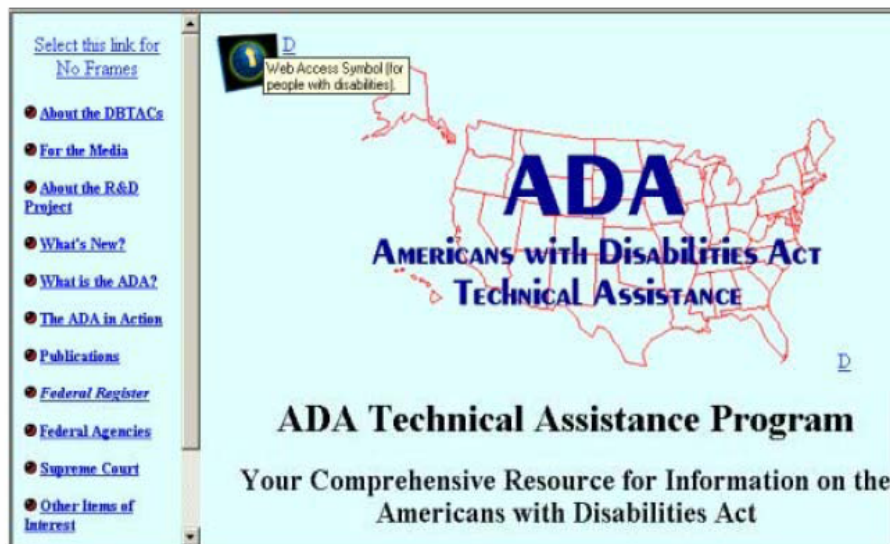
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understanding of how frames are constructed. When frames are used in a web page, the first page that is loaded must include a <frameset> tag that encloses the basic layout of the frames on the page. Within the <frameset> tag, <frame> tags specify the name, initial contents, and appearance of each separate frame. Thus, the following example uses the "title" attribute to label one frame "Navigational Links Frame" and the second frame "Contents Frame."

```
<frameset cols="30%, 60%">
<frame src="navlinks.html" name="navlinks" title="Navigational Links Frame">
<frame src="geninfo.html" name="contents_page" title="Contents Frame">
</frame>
```

While assistive technology does not yet widely support the "title" attribute, we recommend including this attribute in web pages using frames.

Example: ADA Technical Assistance Program - The use of frames with "No Frames Link"
<http://www.adata.org/>



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(j) Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.

Why is this provision necessary?

This provision is necessary because some individuals with photosensitive epilepsy can have a seizure triggered by displays that flicker, flash, or blink, particularly if the flash has a high intensity and is within certain frequency ranges. The 2 Hz limit was chosen to be consistent with proposed revisions to the ADA Accessibility Guidelines which, in turn, are being harmonized with the International Code Council (ICC)/ANSI A117 standard, "Accessible and Usable Buildings and Facilities", ICC/ANSI A117.1-1998 which references a 2 Hz limit. An upper limit was identified at 55 Hz.

How can flashing or flickering elements be identified?

Flashing or flickering elements are usually added through technologies such as animated gif's, Java applets, or third-party plug-ins or applications. Java applets and third party plug-ins can be identified by the presence of <APPLET> or <OBJECT> tags. Animated gif's are images that download in a single file (like ordinary image files), but have content that changes over short periods of time. Like other images, however, they are usually incorporated through the use of the tag.

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(k) A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of these standards, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.

What must a text-only page contain to comply with this provision?

Text-only pages must contain equivalent information or functionality as the primary pages. Also, the text-only page shall be updated whenever the primary page changes.

Example: Disability.gov displays a text only page on home page

HTML source code: `<div ID="textonly"> <p>Text Only
</p></div>`

Link: <http://www.disability.gov/>



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(l) When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by assistive technology.

What accessibility problems can scripts cause?

Web page authors have a responsibility to provide script information in a fashion that can be read by assistive technology. When authors do not put functional text with a script, a screen reader will often read the content of the script itself in a meaningless jumble of numbers and letters. Although this jumble is text, it cannot be interpreted or used.

How can web developers comply with this provision?

Web developers working with JavaScript frequently use so-called JavaScript URL's as an easy way to invoke JavaScript functions. Typically, this technique is used as part of `<a>` anchor links. For instance,

the following link invokes a JavaScript function called myFunction:

```
<a href="javascript:myFunction();">Start myFunction</a>
```

This technique does not cause accessibility problems for assistive technology. A more difficult problem occurs when developers use images inside of JavaScript URL's without providing meaningful information about the image or the effect of the anchor link. For instance, the following link also invokes the JavaScript function myFunction, but requires the user to click on an image instead of the text "Start myFunction":

```
<a href="javascript:myFunction();" >  </a>
```

This type of link, as written, presents tremendous accessibility problems, but those problems can easily be remedied. The tag, of course, supports the "alt" attribute that can also be used to describe the image and the effect of clicking on the link. Thus, the following revision remedies the accessibility problems created in the previous example:

```
<a href="javascript:myFunction();" >  </a>
```

Another technique advocated by some developers is to use the "title" attribute of the <a> tag. For instance, the following example includes a meaningful description in a "title" attribute:

```
<a title="this link starts myFunction" href="javascript:myFunction();" >  </a>
```

This tag is supported by some but not all assistive technologies. Therefore, while it is part of the HTML 4.0 specifications, authors should use the "alt" tag in the enclosed image.

Finally, the browser's status line (at the bottom of the screen) typically displays the URL of any links that the mouse is currently pointing towards. For instance, if clicking on an anchor link will send the user to <http://www.usdoj.gov>, that URL will be displayed in the status line if the user's mouse lingers on top of the anchor link. In the case of JavaScript URL's, the status line can become filled with meaningless snips of script. To prevent this effect, some web developers use special "event handlers" such as onmouseover and onmouseout to overwrite the contents of the status line with a custom message. For instance, the following link will replace the content in the status line with a custom message "Nice Choice".

```
<a href="javascript:myFcn();" onmouseover="status='Nice Choice'; return true;" onmouseout="status=";" >  </a>
```

This text rewritten into the status line is difficult or impossible to detect with a screen reader. Although rewriting the status line did not interfere with the accessibility or inaccessibility of the JavaScript URL, web developers should ensure that all important information conveyed in the status line also be provided through the "alt" attribute, as described above.

JavaScript uses so-called "event handlers" as a trigger for certain actions or functions to occur. For instance, a web developer may embed a JavaScript function in a web page that automatically checks the content of a form for completeness or accuracy. An event handler associated with a "submit" button can be used to trigger the function before the form is actually submitted to the server for processing. The advantage for the government agency is that it saves government resources by not requiring the government's server to do the initial checking. The advantage for the computer user is that feedback about errors is almost instantaneous because the user is told about the error before the information is even submitted over the Internet.

Web developers must exercise some caution when deciding which event handlers to use in their web pages, because different screen readers provide different degrees of support for different event handlers. The following table includes recommendations for using many of the more popular event handlers:

- **onClick** – The **onClick** event handler is triggered when the user clicks once on a particular item. It is commonly used on links and button elements and, used in connection with these elements, it works well with screen readers. If clicking on the element associated with the **onClick** event handler triggers a function or performs some other action, developers should ensure that the context makes that fact clear to all users. Do not use the **onClick** event handlers for form elements that include several options (e.g. select lists, radio buttons, checkboxes) unless absolutely necessary.
- **onDbClick** – The **onDbClick** event handler is set off when the user clicks twice rapidly on the same element. In addition to the accessibility problems it creates, it is very confusing to users and should be avoided.
- **onMouseDown** and **onMouseUp** – The **onMouseDown** and **onMouseUp** event handlers each handle the two halves of clicking a mouse while over an element – the process of (a) clicking down on the mouse button and (b) then releasing the mouse button. Like **onDbClick**, this tag should be used sparingly, if at all, by web developers because it is quite confusing. In most cases, developers should opt for the **onClick** event handler instead of **onMouseDown**.
- **onMouseOver** and **onMouseOut** – These two event handlers are very popular on many web sites. For instance, so-called rollover gif's, which swap images on a web page when the mouse passes over an image, typically use both of these event handlers. These event handlers neither can be accessed by the mouse nor interfere with accessibility – a screen reader simply bypasses them entirely. Accordingly, web designers who use these event handlers should be careful to duplicate the information (if any) provided by these event handlers through other means.
- **onLoad** and **onUnload** – Both of these event handlers are used frequently to perform certain functions when a web page has either completed loading or when it unloads. Because neither event handler is triggered by any user interaction with an element on the page, they do not present accessibility problems.
- **onChange** – This event handler is very commonly used for triggering JavaScript functions based on a selection from within a `<select>` tag. Surprisingly, it presents tremendous accessibility problems for many commonly used screen readers and should be avoided. Instead, web developers should use the **onClick** event handler (associated with a link or button that is adjacent to a `<select>` tag) to accomplish the same functions.
- **onBlur** and **onFocus** – These event handlers are not commonly used in web pages. While they don't necessarily present accessibility problems, their behavior is confusing enough to a web page visitor that they should be avoided.

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(m) When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with §1194.21(a) through (l).

Why is this provision necessary?

While most web browsers can easily read HTML and display it to the user, several private companies have developed proprietary file formats for transmitting and displaying special content, such as multimedia or very precisely defined documents. Because these file formats are proprietary, web browsers cannot ordinarily display them. To make it possible for these files to be viewed by web browsers, add-on programs or "plug-ins" can be downloaded and installed on the user's computer that will make it possible for their web browsers to display or play the content of the files. This provision requires that web pages that provide content such as Real Audio or PDF (Adobe Acrobat's Portable Document Format) files also provide a link to a plug-in that will meet the software provisions. It is very common for a web page to provide links to needed plug-ins. For example, web pages containing Real Audio almost always have a link to a source for the necessary player. This provision places a responsibility on the web page author to know that a compliant application exists, before requiring a plug-in.

How can plug-ins and applets be detected?

Plug-ins can usually be detected by examining a page's HTML for the presence of an `<OBJECT>` tag. Some plug-in manufacturers, however, may require the use of proprietary tags. Like plug-ins, applets can also be identified by the presence of an `<OBJECT>` tag in the HTML source for a web page. Also,

an <APPLET> tag may also signal the inclusion of an applet in a web page.

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(n) When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

Why do electronic forms present difficulties to screen readers?

Currently, the interaction between form controls and screen readers can be unpredictable, depending upon the design of the page containing these controls. HTML forms pose accessibility problems when web developers separate a form element from its associated label or title. For instance, if an input box is intended for receiving a user's last name, the web developer must be careful that the words "last name" (or some similar text) appear near that input box or are somehow associated with it. Although this may seem like an obvious requirement, it is extremely easy to violate because the visual proximity of a form element and its title offers no guarantee that a screen reader will associate the two or that this association will be obvious to a user of assistive technology.

The following form demonstrates these problems. Visually, this form is part of a table and each field is carefully placed in table cells adjacent to their corresponding labels (n.b. formatting forms with tables are by no means the only situation presenting the accessibility problems inherent in forms; tables merely illustrate the problem most clearly).

While the relationship between the titles "First Name" or "Last Name" and their respective input boxes may be obvious from visual inspection, the relationship is not obvious to a screen reader. Instead, a screen reader may simply announce "input box" when encountering each input box. The reason for these difficulties is revealed from inspecting the HTML source for this table. The following code is a simplified version of this table.

```
<FORM>
<TABLE>
<TR>
<TD><B>FIRST NAME: </B></TD>
<TD><INPUT TYPE="TEXT" NAME="FIRSTNAME"> </TD>
</TR>
<TR>
<TD><B>LAST NAME: </B></TD>
<TD><INPUT TYPE="TEXT" NAME="LASTNAME"> </TD>
</TR>
</TABLE>
<P>
<INPUT TYPE="SUBMIT" VALUE="SUBMIT">
</FORM>
```

The two pairs of form elements are indicated in bold above. The problem created by laying out form elements inside of this table is now clear – the form elements are separated from their labels by the formatting instructions for the table.

How can developers provide accessible HTML forms?

The first rule of thumb is to place labels adjacent to input fields, not in separate cells of a table. For the web developer who does not wish to place form elements immediately adjacent to their corresponding titles, the HTML 4.0 specification includes the <LABEL> tag that lets web developers mark specific elements as "labels" and then associate a form element with that label. There are generally two ways to use the label tag: explicit labels and implicit labels.

"Explicit Labels" Work Well

Experience has shown that explicit labeling works extremely well with all popular assistive technology

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and are recommended in all but the very simplest of tables. We recommend that all agencies ensure that their web developers are familiar with these important concepts. Using "explicit" labels involves two distinct steps:

- Use the <LABEL> Tag and Associated "FOR" Attribute to Tag Labels. In other words, identify the exact words that you want to use as the label for the form element and enclose those words in a <LABEL> tag. Use the "FOR" attribute to uniquely identify that element.
- Use the "ID" Attribute in the Associated Form Element. Every form element supports the "ID" attribute. By setting this attribute to the identifier used in the "FOR" attribute of the associated <LABEL> tag, you "tie" that form element to its associated label. For instance, we have rewritten the HTML code for our simple form-inside-a-table to include explicit labels below. The new HTML code for the explicit labels is indicated in bold:

```
<FORM>
<TABLE>
<TR>
<TD><B><LABEL FOR="first"> FIRST NAME:</LABEL> </B></TD>
<TD><INPUT TYPE="TEXT" NAME="FIRSTNAME" ID="first" ></TD>
</TR>
<TR>
<TD><B><LABEL FOR="last"> LAST NAME:</LABEL> </B></TD>
<TD><INPUT TYPE="TEXT" NAME="LASTNAME" ID="last" ></TD>
</TR>
</TABLE>
<P>
<INPUT TYPE="SUBMIT" VALUE="SUBMIT">
</FORM>
```

In a nutshell, that's all there is to making HTML form elements accessible to assistive technology. Experience has shown that this technique works extremely well in much more complicated and convoluted forms and it should work well in all agency HTML forms.

Avoid Using "Implicit Labels"

In "implicit" labels, the form element and its associated label are contained within an opening <LABEL> tag and a closing </LABEL> tag. For instance, in the table above, an implicit label to associate the words "First Name" with its associated input cell, we could use an implicit label as follows:

```
<LABEL >
<TR>
<TD><B>FIRST NAME:</B></TD>
<TD><INPUT TYPE="TEXT" NAME="FIRSTNAME"></TD>
</TR>
</LABEL >
```

Experience has shown that implicit labeling should be avoided for two reasons. First, implicit labeling is not reliably supported by many screen readers and, in particular, does not work well if explicit labels are simultaneously used anywhere on the same web page. Often, the output can be wildly inaccurate and confusing. Second, if any text separates a label from its associated form element, an implicit label becomes impractical and confusing because the label itself is no longer easily identified with the form element.

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(o) A method shall be provided that permits users to skip repetitive navigation links.

Why do navigational links present impediments to screen readers and other types of assistive technologies?

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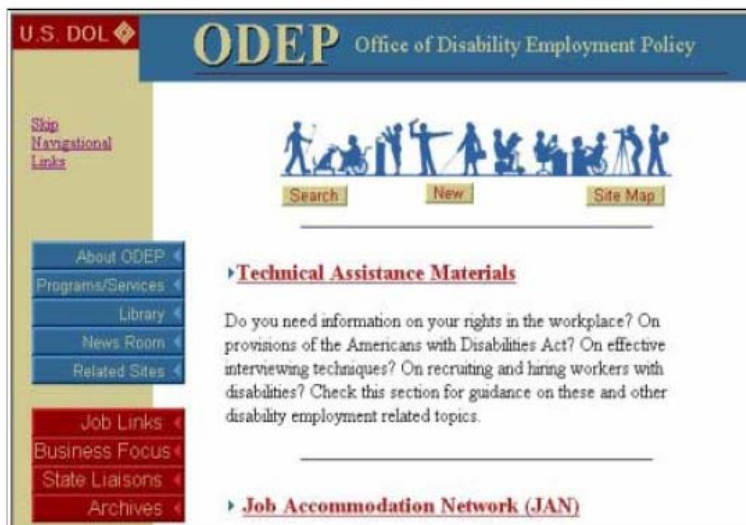
This provision provides a method to facilitate the easy tracking of page content that provides users of assistive technology the option to skip repetitive navigation links. Web developers routinely place a host of routine navigational links at a standard location – often across the top, bottom, or side of a page. If a nondisabled user returns to a web page and knows that he or she wants to view the contents of that particular page instead of selecting a navigation link to go to another page, he or she may simply look past the links and begin reading wherever the desired text is located. For those who use screen readers or other types of assistive technologies, however, it can be a tedious and time-consuming chore to wait for the assistive technology to work through and announce each of the standard navigational links before getting to the intended location. In order to alleviate this problem, the section 508 rule requires that when repetitive navigational links are used, there must be a mechanism for users to skip repetitive navigational links.

Example: USDA Target Center and DOL websites use the Skip Repetitive Navigational Links.

<http://www.usda.gov/oo/target.htm>



<http://www.dol.gov/dol/odep/>



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(p) When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.

Why do timed responses present problems to web users with disabilities?

Web pages can be designed with scripts so that the web page disappears or "expires" if a response is not received within a specified amount of time. Sometimes, this technique is used for security reasons or to reduce the demands on the computer serving the web pages. Someone's disability can have a direct impact on the speed with which he or she can read, move around, or fill in a web form. For instance, someone with extremely low vision may be a slower-than-average reader. A page may "time out" before he is able to finish reading it. Many forms, when they "time out" automatically, also delete whatever data has been entered. The result is that someone with a disability who is slow to enter data cannot complete the form. For this reason, when a timed response is required, the user shall be alerted via a prompt and given sufficient time to indicate whether additional time is needed.

Example: Thrift Savings Plan

<http://www.tsp.gov/>

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Attachment I - Grievance Procedure



City of Winfield ADA Grievance Procedure



This grievance procedure has been adopted to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations, which implement Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. Grievances should be filed with the City ADA Coordinator at:

City of Winfield, KS
ADA Coordinator
200 E. 9th-PO Box 646
Winfield, KS 67156
(620) 221-5525
or TDD (Kansas Relay at 800-735-2966)
adacoordinator@winfieldks.org

The Grievance Procedure consists of the following:

- 1) A complaint should be filed in writing (but can be submitted in alternate format due to the needs of an individual's disability), containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations or discriminatory act.
- 2) A complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.)
- 3) An investigation, as may be appropriate, will follow the filing of a complaint and will be conducted by the City ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- 4) The ADA Coordinator will issue a written determination, as to the validity of the complaint and a description of the resolution, if any, and a copy will be forwarded to the City Manager, along with the original complaint, no later than thirty (30) days after its filing.
- 5) The City ADA Coordinator will maintain the files and records of the City of Winfield relating to all ADA grievances/complaints filed.
- 6) The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice at (800) 514-0301 or the Kansas Human Rights Commission. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 7) These rules will be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the City of Winfield complies with the ADA and implementing regulations.

This information is available in alternate format and the grievance can be submitted in alternate format

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Attachment J-Grievance Form



**Americans With Disabilities Act (ADA) Title II
&
Section 504 of the Rehabilitation Act of 1973
Grievance Form**



Purpose: Use this form to file a grievance if you find that the City of Winfield, Kansas, has not provided adequate accommodation for a disability.

Instructions: Please fill out this form completely. Use dark ink or type in information. Print, sign and mail to:

**CITY OF WINFIELD
ADA COORDINATOR
200 E. 9TH
WINFIELD, KS 67156**

Grievance Form may also be completed online, www.winfieldks.org, and submitted by email.

Reporting Individual

Name:

Address: City: State: Zip:

1st Contact Phone: 2nd Contact Phone:

Person Allegedly Discriminated Against (if other than reporting individual)

Name:

Address: City: State: Zip:

1st Contact Phone: 2nd Contact Phone:

City of Winfield Service, Program or Facility Allegedly in Violation

Date Alleged Violation Occurred (dd/mm/yyyy) Drop down calendar

Description Of Alleged Violation

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Has this case been filed with the Department of Justice or other government agency or court?
If your answer is "Yes" to the previous question, complete the following:

Agency or Court:

Contact Person:

Address: City: State: Zip:

Phone : Date Filed:

Other comments:

Grievant Signature _____ Date: _____

The ADA Coordinator will make this Grievance Form available in alternate format upon request. Call 620-221-5525 or email: gmangus@winfieldks.org .

[Print & Clear Form](#)

[Submit by Email](#)

[Reset Form](#)

[Attachment J-Reasonable Modification Policy](#)



City of Winfield

Reasonable Modification Policy



Access to Programs, Services, and Activities

NONDISCRIMINATION

No person shall, on the grounds of race, color, or national origin, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any City program or activity.

INDIVIDUALS WITH DISABILITIES

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the City, or be subjected to discrimination by the City. Nor shall the City exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability of an individual with whom the individual is known to have a relationship or association.

DEFINITION

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modifications 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.

REASONABLE MODIFICATION

The City shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

COMMUNICATIONS

The City of Winfield – Self-Evaluation for Section 504/ADA Compliance

The City shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the City shall furnish 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 conducted by the City. In determining what type of auxiliary aid or service is necessary, the City shall give primary consideration to the requests of the individual with disabilities.

AUXILIARY AIDS AND SERVICES

"Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments, (2) qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments, (3) acquisition or modification of equipment or devices, and (4) other similar services and actions.

LIMITS OF REQUIRED MODIFICATION

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that compliance with its responsibility to provide effective communication for individuals with disabilities would fundamentally alter the service, program, or activity or unduly burden the City shall be made by the Board after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

NOTICE

The City shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the City. The information shall be made available in such manner as the City ADA Coordinator finds necessary to apprise such persons of the protections against discrimination assured them by the ADA.

City ADA Coordinator

The City ADA Coordinator shall, in conjunction with designated Departmental ADA Coordinators, coordinate the City's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under the ADA. The City shall make available to all interested individuals the name, office address, and telephone number of

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the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA.

For additional information or to receive this information in alternate format, please contact the City ADA Coordinator at:

City of Winfield, KS
ADA Coordinator
200 E. 9th-PO Box 646
Winfield, KS 67156
Phone: (620) 221-5525 or TDD (Kansas Relay at 800-735-2966)
Email: adacoordinator@winfieldks.org

[Attachment K-](#) [The City of Winfield – ADA Action Steps](#)

The City of Winfield - ADA Implementation Plan and Action Steps



Red font indicates individuals, issues and/or actions to be completed or identified by the City of Winfield ADA Coordinator or Advisory Council Appointee on or before December 1, 2006. The City of Winfield ADA Coordinator will be the individual responsible for the completion of all actions as defined below. The City of Winfield ADA Coordinator may wish to add to, delete, or modify individualized action steps in order to effectuate ADA compliance.

Summary of Actions

1. Access Advisory Board
2. Quality Assurance to Advisory Board
3. Finalize Self Evaluation
4. City Contractor Training
5. Internal Compliance Team Defined
6. Internal Compliance Team Training
7. Assurance of Funding
8. Internal Compliance Team Develops Action Plan
9. Institute Reasonable Accommodation Policy
10. Draft Transition Plan Completion and Evaluation
11. Contractor Assurance Form
12. ADA Training
13. Facilities Personnel Training
14. Internal Compliance Team Members Present Plans
15. Final Transition Plan
16. Self Evaluation and Transition Plan on Web Site
17. Transition Plan Activities Reporting to Advisory Council
18. Web Site Modifications
19. Internal Compliance Team Implements Plan
20. Finalize and Publicize Notice of Nondiscrimination
21. Public Announcement
22. Implementation of Communications and Auxiliary Aides, including Braille and Large Print Reproduction
23. Development and Implementation of Curb Cut Transition Plan

Detail of Actions

Actions	Responsible Individual / Department	Target Date	Date Action/s Occurred
The City of Winfield Access Advisory Board Mission Statement Completion	Advisory Board Appointee	November 2006	
Access Advisory Board formed, first meeting, and trained	ADA Coordinator or Appointee	September 2006	
ADA Coordinator's Quality Assurance (to Advisory Board) that all Contractors and City Employees Making Transition Plan Modifications are Qualified/Trained	ADA Coordinator or Appointee	October 2006	
Finalization/Approval/Implementation of Self-Evaluation by City and Advisory Council	ADA Coordinator/Advisory Board	October 2006	
Establishment of Dates/Presenters/Agenda for City ADAAG Contractor Training	Advisory Board Appointee	October 2006	Complete – August 2006
City Internal Compliance Team Defined (Including ADA Departmental Coordinators)	ADA Coordinator	October 2006	
Compliance Team Members Training on Implementation Plan & Roles	Kent Johnson & ADA Coordinator	October 2006	

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Assurances for Funding Availability for Implementation of Self-Evaluation and Transition Plan to Advisory Council	Finance Appointee	November 2006	
Create Internal ADA Compliance Statement and Plan of Action Pertaining for Each Department (Utilizing the Self Evaluation as an Example in the Creation of Departmental Plans) – Plan of Action should Include 1) Policies that direct the operation of all programs; 2) Employment policies/practices; 3) Effective and Accessible Communications; 4) Publication of Notice of Nondiscrimination and Grievance Procedure; and 5) Implementation of Reasonable Modifications Policy; Other specific issues pertaining to individual City Departments	ADA Departmental Coordinators (Internal Compliance Team Members)	November 2006	
Institute Reasonable Accommodation Policy. (Including Maintenance Assurance).	HR Appointee	November 2006	
Draft Transition Plan Completion and Evaluated by City and Advisory Council	Advisory Board and ADA Coordinator	November 2006	
Contractor Assurance Form Completion/Approval	ADA Coordinator (or Appointee) and Advisory Board Appointee	November 2006	
ADAAG Training to Facilities Personnel	Advisory Board Appointee/Kent Johnson	November 2006	
ADA Training to all City Supervisors and front-line employees	Advisory Board Appointee/Kent Johnson	November 2006 and Annually for next 2 Years	
Internal Compliance Team Members Present ADA Compliance Statement and Plan of Action to Advisory Council, where the Plan has taken into Consideration Advisory Council Recommendations	ADA Departmental Coordinators (Departmental ADA Compliance Team Members)	November 2006	
Final Transition Plan Presented to City	Kent Johnson	December 2006	
Place Entire Self Evaluation, including Transition Plan on City Web-Site	IT Departmental ADA Coordinator & ADA Coordinator	January 2007	
Transition Plan Update Reporting to Advisory Council	ADA Coordinator or Appointee	January 2007 & Bi-Annually	
Web Based/Computer Based Communications Modifications Implementation Activities to Advisory	Information Technology Departmental ADA Coordinator	January 2007	

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Council			
Internal Compliance Team Members Institute ADA Compliance Action Plans that include Consideration of Advisory Board Recommendations	ADA Coordinators (Departmental ADA Compliance Team Members)	January 2007	
City Finalizes and Publicizes Notice of Nondiscrimination	Community Relations Appointee & ADA Coordinator or Appointee	January 2007	
Public Announcement of City’s Efforts to Comply with the ADA, including Availability of Grievance Procedures and Pertinent Contacts	Community Relations Appointee & ADA Coordinator or Appointee	January 2007	
Internal Compliance Team Members Implement Communications and Auxiliary Aides Activities	Internal Compliance Team Members & ADA Coordinator or Appointee	January 2007	
City Develops and Implements Curb Cut Transition Plan	Internal Compliance Team Members & City Facilities Appointee	January 2007	