

ADA

TRANSITION PLAN

and SELF-EVALUATION

Submitted by:

Kimley»Horn

In association with:

ACCESSOLOGY

December 2019



Table of Contents

Abbreviations.....	iii
1.0 Introduction.....	1
1.1 Legislative Mandate.....	1
1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process	1
1.3 Discrimination and Accessibility.....	1
1.3.1 Physical Barriers	2
1.3.2 Programmatic Barriers	2
1.3.3 Ongoing Accessibility Improvements	2
1.3.4 City of Millington Approach	2
2.0 Public Outreach	3
2.1 Web Survey	3
3.0 Self-Evaluation and Summary of Findings	5
3.1 Programs, Procedures, and Policies Review	5
3.1.1 Departmental Surveys and Interviews.....	6
3.1.2 Department-Specific Information.....	7
3.1.3 ADA/504 Coordinator (Title I / Title II)	20
3.1.4 Roles and Responsibilities of the ADA/504 Coordinator	22
3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA	22
3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form	24
3.1.7 Service Animal Guidance	25
3.1.8 ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act.....	26
3.1.9 Retaliation or Coercion Policy	27
3.1.10 Non-Discrimination Language.....	27
3.1.11 Public Notice Under the ADA	29
3.1.12 Title II ADA//504 ADA Assurances	29
3.1.13 Alternate Format Policy, Procedure, and Request Form.....	29
3.1.14 Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos	30
3.1.15 Policies and Procedures for ADA Transition Plan Updates and Corrections	30
3.1.16 ADA Liaison Committee	31
3.1.17 Employment Practices Review.....	31
3.1.18 Job Description Review.....	36
3.1.19 Emergency Management Plan Review	38
3.1.20 City Ordinance Review.....	41
3.1.21 Previous ADA Complaints (Title I & II) Review.....	44
3.2 Programs, Services, and Activities (PSA) Review	45
3.2.1 Boards, Commissions, Committees, and Councils Review.....	45
3.2.2 Documents, Forms, and Videos Reviewed	47
3.2.3 Non-Discrimination Language for Contracts, Agreements, and Waivers	48
3.2.4 Effective Communication Efforts and Policy.....	48



3.2.5	Design Standard Review.....	49
3.3	Facilities Review.....	49
3.3.1	Buildings.....	49
3.3.2	Parks.....	50
3.3.3	Signalized Intersections.....	51
3.3.4	Sidewalk Corridors.....	53
3.4	FHWA Guidance on Closing Pedestrian Crossings.....	56
3.5	Prioritization.....	56
3.5.1	Prioritization Factors for Facilities.....	57
3.6	Conclusion.....	62
4.0	Facility Costs.....	63
4.1	Facilities Cost Projection Overview.....	63
4.2	Implementation Schedule.....	63
4.3	Funding Opportunities.....	64
4.3.1	Federal and State Funding.....	64
4.3.2	Local Funding.....	66
4.3.3	Private Funding.....	66
4.4	Next Steps.....	66
	Appendix.....	67
	Appendix A: Public Outreach.....	67
	ADA Liaison Committee Meeting Notes.....	67
	ADA Advisory Committee Meeting Notes.....	67
	Appendix B: Departmental Survey and Interview Finding Summaries.....	67
	Appendix C: Grievance Procedure.....	67
	Title I Grievance Procedure.....	67
	Title I Grievance Form.....	67
	Title II Grievance Procedure.....	Error! Bookmark not defined.
	Title II Grievance Form.....	Error! Bookmark not defined.
	Appendix D: Programs, Services, and Activities (PSA) Review.....	67
	Job Description Review.....	67
	Equivalent Language Guidance.....	67
	Documents, Forms, and Videos Review.....	67
	Online Services Review.....	67
	Links to Other Websites Review.....	67
	Cursory Website Review.....	67
	Appendix E: Policies, Procedures, and Guidance - Developed.....	67
	Appendix F: Facility Maps.....	67
	Buildings.....	67
	Parks.....	67
	Signalized Intersections.....	67
	Right-of-way Sidewalk Corridors.....	67
	Appendix G: Facility Reports.....	67
	Buildings.....	68
	Parks.....	68
	Signalized Intersections.....	68
	Public Rights-of-Way Sidewalk Corridors.....	68



Appendix H: ADA Action Log	68
----------------------------------	----

List of Tables

Table 1. Summary of Buildings Reviewed	49
Table 2. Summary of Parks Reviewed	50
Table 3. Summary of Curb Ramp Issues at Signalized Intersections	52
Table 4. Summary of Push Button Issues	53
Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections	55
Table 6. Prioritization Factors for Buildings/Parks	58
Table 7. Prioritization Factors for Signalized and Unsignalized Intersections	59
Table 8. Prioritization Factors for Sidewalk Corridors	60
Table 9. Prioritization Summary Signalized Intersections	61
Table 10. Prioritization Summary for Sidewalk Corridors	61
Table 11. Prioritization Summary for Unsignalized Intersections	62
Table 12. Summary of Facility Costs	63
Table 13. Implementation Schedule	64
Table 14. Funding Opportunities	65

List of Figures

Figure 1. Maintenance versus Alteration Projects	56
--	----

Abbreviations

ADA – Americans with Disabilities Act

CFR – Code of Federal Regulations

CIP – Capital Improvement Program

DOJ – United States Department of Justice

EITA – Electronic and Information Technology Accessibility

FHWA – Federal Highway Administration

MUTCD – Manual on Uniform Traffic Control Devices

PROWAG – Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

PSA – Programs, Services, and Activities



CITY OF MILLINGTON
ADA Transition Plan and Self-Evaluation

[Page intentionally left blank]



1.0 Introduction

1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that all programs, services, and activities (PSAs) of public entities provide equal access for individuals with disabilities.

The City of Millington has undertaken a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process

The City of Millington is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the City and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Completion of a Self-Evaluation;
- Development of an ADA complaint procedure;
- Designation of at least one (1) person who is responsible for overseeing Title II compliance; and
- Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process. The Transition Plan will become a working document until all barriers have been addressed.

This document describes the process developed to complete the evaluation of the City of Millington's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next 20 years. The ADA Self-Evaluation and Transition Plan is significant in that it establishes the City's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its citizenry.

1.3 Discrimination and Accessibility

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs, but also to individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.



The following are examples of elements that should be evaluated for barriers to accessibility:

1.3.1 *Physical Barriers*

- Parking
- Path of travel to, throughout, and between buildings and amenities
- Doors
- Service counters
- Restrooms
- Drinking fountains
- Public telephones
- Path of travel along sidewalk corridors within the public rights-of-way
- Access to pedestrian equipment at signalized intersections

1.3.2 *Programmatic Barriers*

- Building signage
- Customer communication and interaction
- Non-compliant sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for City sponsored events

1.3.3 *Ongoing Accessibility Improvements*

City PSAs and facilities evaluated during the Self-Evaluation will continue to be evaluated on an ongoing basis, and the ADA Transition Plan will be revised to account for changes that have been or will be completed since the initial Self-Evaluation. This Plan will be posted on the City's website for review and consideration by the public.

1.3.4 *City of Millington Approach*

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Millington's PSAs within a reasonable timeframe. The City's elected officials and staff believe that accommodating persons with disabilities is essential to good customer service, ensures the quality of life Millington residents seek to enjoy, and guides future improvements. This Plan has been prepared after careful study of all the City's programs, services, activities, and evaluations of a select number of City facilities.

The City of Millington should make reasonable modifications in PSAs when the modifications are necessary to avoid discrimination based on disability, unless the City can demonstrate that making the modifications will fundamentally alter the nature of the program, service, or activity. The City of Millington will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.



2.0 Public Outreach

The City formed an ADA Liaison Committee and hosted a project kick-off meeting on September 27, 2018 at 9:00 AM. A Transition Plan progress meeting was held with the ADA Liaison Committee on July 15, 2019 at 10:00 AM. The City contacted local disability organizations to form an ADA Advisory to provide a summary of the transition planning process and receive feedback on any concerns related to accessibility. The City will continue to solicit feedback from the public on the Transition Plan.

The ADA Liaison Committee and ADA Advisory Committee meeting notes are provided in **Appendix A**.

2.1 Web Survey

The City also developed a web survey open to the public. The survey was designed to help the City locate areas of greatest concern to the public and help provide better access to the community. The survey can be accessed via the following link:

https://www.surveymonkey.com/r/Millington_ADA

The web survey was posted on the City's web page, sent out through social media, and emailed to the ADA Advisory Committee for redistribution. Both will remain online through the end of 2019 and serve as a tool to solicit feedback from the public on the Transition Plan. See **Appendix A** for survey details.

[The remainder of this page intentionally left blank.]



[Page intentionally left blank]



3.0 Self-Evaluation and Summary of Findings

The City of Millington's ADA Transition Plan reflects the results of a comprehensive review of the PSAs provided to employees and the public. The review identifies programmatic barriers to individuals with disabilities interested in accessing the PSAs offered by the City.

3.1 Programs, Procedures, and Policies Review

Under the ADA, the City of Millington is required to complete a Self-Evaluation of the City's facilities, programs, policies, and practices. The Self-Evaluation identifies and provides possible solutions to those policies and practices that are inconsistent with Title II requirements. To be compliant, the Self-Evaluation should consider all the City's PSAs, as well as the policies and practices the City uses to implement its various programs and services.

To comply with requirements of the plan, the City must take corrective measures to achieve program accessibility through several methods, including, but not limited to:

- (1) Relocation of programs to accessible facilities;
- (2) Modifications to existing programs so they are offered in an accessible manner;
- (3) Structural methods such as altering an existing facility;
- (4) Policy modifications to ensure nondiscrimination; and
- (5) Auxiliary aids provided to produce effective communication.

When choosing a method of providing program access, the City should attempt to give priority to the method that promotes inclusion among all users, including individuals with disabilities.

PSAs offered by the City to the public must be accessible. Accessibility applies to all aspects of a program, services, or activity, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

However, the City does not have to take any action that will result in a fundamental alteration in the nature of a program or activity, create a hazardous condition for other people, or result in an undue financial and/or administrative burden. This determination can only be made by the ADA/504 Coordinator and/or an authorized designee of the City, such as the City Mayor, and must be accompanied by a written statement detailing the reasons for reaching the determination.

The determination of undue burden must be based on an evaluation of all resources available for use. If a barrier removal action is judged unduly burdensome, the City must consider all other options for providing access that will ensure that individuals with disabilities receive the benefits and services of the program or activity. This process must be fully documented.



3.1.1 *Departmental Surveys and Interviews*

The interactive survey process was conducted following the review of the City's website. Program, services, and activities questionnaires were submitted to each City department. The questionnaires were tailored to the PSAs offered by each department and used to finalize the determination of ADA compliance for each department's PSA. The responses were reviewed and possible solutions for issues identified have been integrated throughout the ADA Transition Plan. See **Appendix B** for copies of the completed Departmental Survey and Interview Findings Summaries in their entirety.

Survey of All Departments: Self-Evaluation Findings

- Some Department contacts are aware that ADA obligations exist. However, they were not aware of the specific requirements.
- Most Department contacts were unaware if the City has a City-wide ADA grievance policy and procedure.
- Some Department staff were not aware of who the ADA/504 Coordinators are for the City and their contact information.
- Department contacts were aware that the City does not have a process on how to obtain alternate formats of City documents or the types of formats available.
- Department contacts are aware of the City's Public Notice Under the ADA.
- ADA specific training is not a common practice throughout the City.
- An ADA Liaison Committee has been established. However, no specific training has been conducted to ensure all Liaisons are aware of their roles and responsibilities.
- Department contacts were unaware of policies and procedures or guidelines in place regarding ADA compliant purchasing and procurement.
- Department contacts indicated they do not use ADA checklists to ensure ADA compliance.
- Department contacts were unaware of a consistent City-wide non-discrimination statement that is required to be included in all information distributed by the City.

Survey of All Departments: Possible Solutions

The possible solutions associated with each of the departmental surveys and interviews have been incorporated into **Sections 3.1.2 – 3.2.4** of this document, as applicable for all City programs, policies, and procedures.



3.1.2 Department-Specific Information

During the departmental survey and interview process, additional information was gathered for each department. A discussion of additional programmatic elements found during the research and evaluation process for each department is included in the following section.

Arts, Recreation & Parks Department

Arts, Recreation & Parks Department: Self-Evaluation Findings

- The Department defers to the City for ADA grievances for Title I. However; the Department does not have an ADA grievance policy, procedure, or form with an appeals process in place for Title II.
- The Department defers to the City for reasonable accommodation policy, procedure, and form for Title I. However; the Department does not have a reasonable modification policy, procedure, or form in place for Title II.
- The City does not have an alternate format policy and procedure for providing access to existing Department documents.
- The Department does not have an out-of-order policy and procedure or guidelines in place.
- The Department does not have a maintenance policy and procedure or guidelines in place.
- The Department does not maintain logs regarding ADA complaints and requests for accommodations/modifications.
- The Department does not have guidelines in place to address ADA compliance at special events.
- The Department does not include ADA specific language in Department contracts, agreements, or waivers.

Arts, Recreation & Parks Department: Possible Solutions

- For the Department's ADA grievance policy, procedure, and form with appeals process for Title I and Title II, see **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process**.
- For the Department's reasonable accommodation policy, procedure, and form for Title I and Title II, see **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- The City should develop an alternate format policy and procedure for providing access to Department documents. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.



Arts, Recreation & Parks Department: Possible Solutions (cont.)

- The Department should develop an out-of-order policy and procedure or guidelines to assist City staff in ensuring that ADA elements are repaired and in working condition in a timely manner. While the development of this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are in working order and are readily accessible. This policy and procedure or guidelines will provide guidance to employees and the tools needed to ensure ADA compliance.
- The Department should develop a maintenance policy and procedure or guidelines to assist City staff in maintaining ADA elements in ADA compliance. While the development of this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are maintained in an accessible manner and are readily accessible. This policy and procedure or guidelines will provide guidance to employees and the tools needed to ensure ADA compliance.
- The Department should develop and maintain logs regarding ADA complaints and requests for accommodations/modifications that include an internal complaint number, details about the complaint, and details regarding the resolution.
- The Department should develop ADA-specific guidelines for special events. While the development of these guidelines is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines will provide guidance to employees and provide the tools needed to ensure ADA compliance. The Mid-Atlantic ADA Center provides guidance here: <https://www.adainfo.org/content/access-events-article>
- The Department should develop and use guidance to include language within Department contracts and agreements that clarify the City's obligations and responsibilities under the ADA. See **Section 3.2.3 Non-Discrimination Language for Contracts, Agreements, and Waivers**.

City Clerk's Office

City Clerk's Office: Self-Evaluation Findings

- Office staff has not attended ADA training regarding services and programs that the Office provides.
- No information regarding an alternate format request policy, procedure, and form was found on the City's website or in City provided documents.
- The Department does not use a consistent City-wide non-discrimination statement.

City Clerk's Office: Possible Solutions

- The Office staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.



City Clerk's Office: Possible Solutions (cont.)

- The City should develop an alternate format policy and procedure for providing access to existing public records. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The City should adopt a City-wide Non-Discrimination Statement Policy. See **Section 3.1.10 Non-Discrimination Language**.

Engineering, Planning & Economic Development

Engineering, Planning & Economic Development: Self-Evaluation Findings

- Department staff has attended limited training regarding the ADA.
- Department staff does not use specific checklists regarding ADA compliance.

Engineering, Planning & Economic Development: Possible Solutions

- The Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

Finance and Administration Department

Finance and Administration Department: Self-Evaluation Findings

- Department staff has not attended ADA training regarding services and programs that the Office provides.
- The Department does not use a procurement policy and procedure or guidance that reviews information and technology purchases for ADA compliance before purchase.
- The Department does not have guidance on reviewing purchasing contracts and agreements for ADA language.
- The City does not have an alternate format policy and procedure for providing access to Department documents.

Finance and Administration Department: Possible Solutions

- The Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and



obligations regarding employment-related training. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.

- The Department should develop a procurement policy and procedure or guidelines for City staff to use that reviews information and technology purchases for ADA compliance before purchase. While this policy and procedure is not a specific ADA requirement, it is recommended the City develop this policy and procedure to combine with information and technology policies and procedures to ensure ADA compliance with Section 508 of the Rehabilitation Act. See **Section 3.1.8 ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act**.
- The Department should develop and use guidance to review purchasing contracts and agreements for ADA language that clarifies the City's obligations and responsibilities under the ADA. See **Section 3.2.3 Non-Discrimination Language for Contracts, Agreements, and Waivers**.
- The City should develop an alternate format policy and procedure for providing access to Department documents. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.

Fire Department

Fire Department: Self-Evaluation Findings

- Department staff does attend limited annual training dealing with patients with mental issues. However, the Department does not attend training regarding the ADA in general.
- The Department offers facility tours but does not use checklists to ensure that all tours are ADA compliant.
- The Department does not have guidance in place for Department staff to use to ensure that the Department is providing ADA accessible community programs, services, and activities.

Fire Department: Possible Solutions

- The Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures from this transition plan process, specialized field training, and employee rights and obligations regarding employment-related training. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.



Fire Department: Possible Solutions (cont.)

- The Department should develop and use specific ADA checklists or guidance to ensure that all tours are ADA compliant. These checklists or guidance should include information regarding tour operations and facility compliance. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance will provide Department staff with the necessary tools to ensure ADA compliance.
- The Department should use policies and procedures (identified for development in this Transition Plan) to develop specific ADA guidance for Department staff to use to ensure that the Department is providing ADA accessible programs, services, and activities. This may include providing alternate formats, providing equal access to Department services or events, etc. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance will provide Department staff with the necessary tools to ensure ADA compliance.

Human Resources Department

Human Resources: Self-Evaluation Findings

- The Department does not provide new employee orientation upon hire. Therefore, new employees are not provided ADA specific training, information regarding their rights and obligations under the ADA, or contact information for the City's ADA/504 Coordinator for Title I or Title II.
- The Department does not provide annual ADA training for employees regarding Title I or Title II.

Human Resources: Possible Solutions

- The Department should provide new employee orientation and integrate ADA specific training. This training should include information regarding employee's rights and obligations under the ADA and information regarding the ADA/504 Coordinator. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would guide employees regarding their rights under the ADA, as well as the tools needed to ensure ADA compliance. The new employee orientation program should also include policies and procedure developed from this Transition Plan process within the City of Millington Personnel Policy Manual. For possible solutions regarding these personnel rules, see **Section 3.1.17 Employment Practices Review**.
- The Department - in conjunction with City's ADA/504 Coordinators for Title I and Title II - should administer annual ADA training for employees. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training will provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.



Mayor's Office

Mayor's Office: Self-Evaluation Findings

- Office staff has not attended ADA training regarding services and programs that the Office provides.
- The Mayor's Office does not review City contracts and agreements for ADA language.

Mayor's Office: Possible Solutions

- The Office staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.
- The Department should develop and use guidance to review City contracts and agreements for ADA language that clarifies the City's obligations and responsibilities under the ADA. See **Section 3.2.3 Non-Discrimination Language for Contracts, Agreements, and Waivers**.

[The remainder of this page intentionally left blank.]



Millington Municipal Schools

Millington Municipal Schools: Self-Evaluation Findings

- Municipal Schools have appointed ADA/504 Coordinators. However, these contacts are not readily available to employees and the public.
- The Millington Municipal Schools utilizes in-house ADA policies and procedures through the school district. The following information was reviewed:
 - MMSD Employee Handbook, Artifacts GQ2A, GQ9, NEO2A, and NEO3;
 - Page 6 does not include the ADA/504 Coordinator on the organizational chart.
 - Page 7 does not include the ADA/504 Coordinator's information in the school directory.
 - Page 9 provides an EEO statement. However, this statement is not a consistent City-wide non-discrimination statement.
 - Page 15 references complaints and grievances. However, timeframes are not consistent with Policy 1.802. In addition, this section does not mention a grievance form or the ADA/504 Coordinator's contact information.
 - Page 16 references discrimination/harassment. However, it does not provide a consistent non-discrimination statement but does direct the reader to the complaints and grievances section.
 - New Teacher Workshop Agenda Artifact NEO1;
 - This agenda does not include a consistent City-wide non-discrimination statement.
 - Policy 1.802 Section 504 and ADA Grievance Procedures, City of Millington Municipal Schools, Artifacts NE02, GQ1; and GQ2B.
 - The Definitions section does not include adequate ADA related definitions.
 - The Coordinator section states that at least one employee shall be assigned by the Board to serve as the ADA/504 Coordinator. A list of coordinators is not provided and does not provide guidance on where to find this information.
 - The Notice section states that the Board shall make contact information available for the Coordinator. However, this information is not found in this policy.
 - The Complaint Procedure section needs more detail in accordance with the example provided by the U.S. Department of Justice (DOJ). (e.g., time frames for each stage, ADA/504 Coordinator contact information)
 - The Recording section does not address whether or not an alternate format is available upon request or reference an alternate format policy and procedure. (e.g., transcript)
 - The Appeals process that is provided has different timeframes that what is recommended by DOJ.
 - The Policy does not mention a grievance form.



Millington Municipal Schools: Self-Evaluation Findings (cont.)

- No information was found regarding the following:
 - Roles and responsibilities of the ADA/504 Coordinator;
 - Reasonable accommodation and modification request policy, procedure, and form;
 - Service animals guidance;
 - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act;
 - Retaliation or coercion policy;
 - Non-discrimination language;
 - Public Notice of the ADA;
 - Alternate format policy, procedure, and request form;
 - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos, policies and procedures for ADA transition plan updates and corrections;
 - Policies and procedures for ADA transition plan updates and corrections;
 - Complaint / request logs;
 - Maintenance policy and procedure;
 - Out-of-order policy and procedure;
 - Special event guidance;
 - Annual training; and
 - Effective communication efforts and policy.

Millington Municipal Schools: Possible Solutions

- Contact information for Title I and Title II ADA/504 Coordinators should be prominently displayed in common areas that are accessible to all employees and areas open to the public. Also, the ADA/504 Coordinator contact information must be included in all materials that are distributed from the City and Municipal Public Schools. This includes posting this information on the website.
- MMSD Employee Handbook, Artifacts GQ2A, GQ9, NEO2A, and NEO3 should be revised as follows:
 - Page 6 should be revised to include the ADA/504 Coordinator on the organizational chart.
 - Page 7 should be revised to include the ADA/504 Coordinator's information in the school directory.
 - Page 9 should be revised to include the consistent City-wide non-discrimination statement adopted from this transition plan process.
 - Page 15 should be revised to be consistent with Policy 1.802.
 - Page 16 should be revised to include a consistent non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.
- New Teacher Workshop Agenda Artifact NEO1 should be revised as follows:
 - All meeting agendas should be revised to include a consistent non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.



Millington Municipal Schools: Possible Solutions (cont.)

- Policy 1.802 Section 504 and ADA Grievance Procedures, City of Millington Municipal Schools, Artifacts NE02, GQ1; and GQ2B, should be revised as follows:
 - The Definitions section should be revised to include ADA relevant definitions such as Americans with Disabilities Act, reasonable accommodation, service animal, etc. The DOJ and the ADA National Network provide guidance here:
 - <https://www.ada.gov/>
 - <https://adata.org/glossary-terms>
 - The Coordinator section should be revised to include contact information for the ADA/504 Coordinators. See **Section 3.1.3 ADA/504 Coordinator (Title I / Title II)**.
 - The Notice section should be revised to reference the contact information for the ADA/504 Coordinators. See **Section 3.1.3 ADA/504 Coordinator (Title I / Title II)**.
 - The Complaint Procedure section should be revised to include more detail in accordance with the example provided by DOJ. (e.g., time frames for each stage, ADA/504 Coordinator contact information, information for a grievance form). DOJ provides guidance here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.
 - The Recording section should be revised to include information regarding how individuals can request an alternate format. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
 - The Appeals process should be revised to include timeframes that are in accordance with the example provided by DOJ. (e.g., time frames for each stage, ADA/504 Coordinator contact information). DOJ provides guidance here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.
- The Department should defer to the City's adopted policies and procedures from this transition plan process for the following:
 - Roles and responsibilities of the ADA/504 Coordinator;
 - Reasonable accommodation and modification request policy, procedure, and form;
 - Service animals guidance;
 - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act;
 - Retaliation or coercion policy;
 - Non-discrimination language;
 - Public Notice of the ADA;
 - Alternate format policy, procedure, and request form;
 - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos, policies and procedures for ADA transition plan updates and corrections;
 - Policies and procedures for ADA transition plan updates and corrections;
 - Complaint / request logs;
 - Maintenance policy and procedure;
 - Out-of-order policy and procedure;
 - Special event guidance;
 - Annual training; and
 - Effective communication efforts and policy.



Municipal Court

Municipal Court: Self-Evaluation Findings

- Municipal Court states that the Court posts the following information at the Courthouse. However, copies were unavailable for review.
 - ADA grievance policy, procedure, and form for Title I and Title II; and
 - Reasonable accommodation and modification request policy, procedure, and form.
- No information was found regarding the following:
 - ADA/504 Coordinator information;
 - Service animals guidance;
 - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act;
 - Retaliation or coercion policy;
 - Non-discrimination language;
 - Public Notice of the ADA;
 - Alternate format policy, procedure, and request form;
 - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos, policies and procedures for ADA transition plan updates and corrections;
 - Policies and procedures for ADA transition plan updates and corrections;
 - Complaint / request logs;
 - Maintenance policy and procedure;
 - Out-of-order policy and procedure;
 - Special event guidance;
 - Annual staff training; and
 - Effective communication efforts and policy.

Municipal Court: Possible Solutions

- The Department should defer to the City's adopted policies and procedures from this transition plan process for the following:
 - ADA/504 Coordinator information;
 - ADA grievance policy, procedure, and form for Title I and Title II;
 - Reasonable accommodation and modification request policy, procedure, and form;
 - Service animals guidance;
 - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act;
 - Retaliation or coercion policy;
 - Non-discrimination language;
 - Public Notice of the ADA;
 - Alternate format policy, procedure, and request form;
 - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos, policies and procedures for ADA transition plan updates and corrections;
 - Policies and procedures for ADA transition plan updates and corrections;
 - Complaint / request logs;
 - Maintenance policy and procedure;
 - Out-of-order policy and procedure;
 - Special event guidance;
 - Annual staff training; and
 - Effective communication efforts and policy.



Police Department

Police Department: Self-Evaluation Findings

- Department staff is not required to attend annual ADA specific training.
- The Department does not have a department-specific employee manual and refers to City-wide personnel manual. The City-wide personnel manual does not include ADA-specific policies and procedures. See **Section 3.1.17 Employment Practices Review**.
- The Department does not have an ADA grievance policy, procedure, and form with appeals process in place for Title I or Title II.
- The Department does not have a reasonable accommodation/modification policy, procedure, and form.
- The Department does not have an alternate format policy and procedure in place.
- The Department does not have guidelines in place regarding assisting individuals with disabilities.
- The Department does not maintain logs regarding ADA complaints (Title I and Title II) and requests for accommodations or modifications.

Police Department: Possible Solutions

- Department staff should attend annual ADA-specific training. This training should include how to deal with individuals with disabilities, adopted City ADA policies and procedures, service animals, handling the property of persons with disabilities, etc. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance.
- The Department should draft a department-specific employee manual and include specific details regarding department operations, staff guidance on how to assist persons with disabilities, and ADA specific City-wide policies and procedures adopted from this Transition Plan process. While an employee handbook is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. This handbook would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.
- The Department should defer to the City's ADA grievance policy, procedure, and form with appeals process for Title I and II. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeal Process**.
- For the Department reasonable accommodation/modification policy, procedure, and form. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- The Department should defer to the adopted City-wide alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.



Police Department: Possible Solutions (cont.)

- The Department should develop ADA specific guidelines to assist individuals with disabilities. While these guidelines are not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines would provide guidance to employees and provide the tools needed to ensure ADA compliance.
- The Department should maintain confidential complaint/request files and ADA complaint/request logs. Logs for both Title I and Title II should include detailed information.
 - Logs for Title I shall be confidential and should include an internal complaint number, extensive details about the complaint and process, as well as details regarding the resolution.
 - Logs for Title II shall be confidential and should include an internal complaint number, extensive details regarding the complaint resolution.

Public Library

Public Library: Self-Evaluation Findings

- No information was found regarding the following:
 - ADA/504 Coordinator information;
 - ADA grievance policy, procedure, and form for Title I and Title II;
 - Reasonable accommodation and modification request policy, procedure, and form;
 - Service animals guidance;
 - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act;
 - Retaliation or coercion policy;
 - Non-discrimination language;
 - Public Notice of the ADA;
 - Alternate format policy, procedure, and request form;
 - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos, policies and procedures for ADA transition plan updates and corrections;
 - Policies and procedures for ADA transition plan updates and corrections;
 - Complaint / request logs;
 - Maintenance policy and procedure;
 - Out-of-order policy and procedure;
 - Special event guidance;
 - Annual staff training; and
 - Effective communication efforts and policy.



Public Library: Possible Solutions

- The Department should defer to the City's adopted policies and procedures from this transition plan process for the below listing. However, if the Library Systems and Services (LS&S) would oversee this information, LS&S should evaluate existing in-house policies, procedures, and guidance.
 - ADA/504 Coordinator information;
 - ADA grievance policy, procedure, and form for Title I and Title II;
 - Reasonable accommodation and modification request policy, procedure, and form;
 - Service animals guidance;
 - ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act;
 - Retaliation or coercion policy;
 - Non-discrimination language;
 - Public Notice of the ADA;
 - Alternate format policy, procedure, and request form;
 - Responsibility/acceptance disclaimer for other entities' links, forms, documents, and videos, policies and procedures for ADA transition plan updates and corrections;
 - Policies and procedures for ADA transition plan updates and corrections;
 - Complaint / request logs;
 - Maintenance policy and procedure;
 - Out-of-order policy and procedure;
 - Special event guidance;
 - Annual staff training; and
 - Effective communication efforts and policy.

Public Works Department

Public Works Department: Self-Evaluation Findings

- Department staff does not attend or provide training regarding ADA compliance.
- The Department has not formally adopted the Proposed Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG).
- The Department does not use ADA-specific guidance when designing projects or reviewing plans with accessible elements.
- The City does not have ADA-specific requirements for design consultants.
- ADA checklists are not used to determine ADA compliance.
- The Department does not have a maintenance policy and procedure or guidelines in place.
- The Department does not have an out-of-order policy and procedure or guidelines in place.



Public Works Department: Possible Solutions

- The Department staff should attend annual ADA specific training regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance. See **Section 3.1.17 Employment Practices Review**.
- While the PROWAG has not yet been finalized, it is recommended that the City formally adopt PROWAG as a City standard practice and also develop ADA-specific guidance about PROWAG. This guidance should be used Department-wide and throughout the City, as needed. While City adoption of PROWAG is not specifically an ADA requirement, it is strongly recommended to ensure ADA compliance. The U.S. Access Board provides information on the proposed rule-making and guidelines here: <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>.
- The City should develop ADA-specific requirements for design consultants to follow when working on a project that includes ADA elements. These requirements should include training on PROWAG requirement and City expectations. While this is not an ADA-specific requirement, this is recommended to ensure that consultants take responsibility and are designing ADA elements within the City in ADA compliance.
- The City should develop and use checklists to ensure ADA compliance. While this is not a specific ADA requirement, this checklist would benefit the City by ensuring that all meeting locations are accessible to the public.
- The Department should develop a maintenance policy and procedure or guidelines to assist City staff in maintaining ADA elements in ADA compliance. While the development of this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are maintained in an accessible manner and are readily accessible. This policy and procedure or guidelines will provide guidance to employees and the tools needed to ensure ADA compliance.
- The Department should develop an out-of-order policy and procedure or guidelines to assist City staff in ensuring that ADA elements are repaired and in working condition in a timely manner. While the development of this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are in working order and are readily accessible. This policy and procedure or guidelines will provide guidance to employees and the tools needed to ensure ADA compliance.

3.1.3 ADA/504 Coordinator (Title I / Title II)

Under the ADA Title II, when a public entity has 50 or more employees based on an entity-wide employee total count, the entity is required to designate at least one (1) qualified responsible employee to coordinate compliance with ADA requirements. The name, office address, and telephone number of this individual must be available and advertised to employees and the public. This allows for someone to assist with questions and concerns regarding disability discrimination to be easily identified.



ADA/504 Coordinator: Self-Evaluation Findings

The City of Millington has appointed John Trusty as ADA/504 Coordinator for Title I and Jason Dixon as the ADA/504 Coordinator for Title II. Below is their contact information. However, this information is not published on the City's website or in other City documents:

Title I:

John Trusty, ADA/504 Coordinator
7930 Nelson Road
Millington, TN 38053
Phone: 901-873-5632
Fax: 901-873-5636
Tennessee Relay: 7-1-1
j.trusty@millingtontn.gov

Title II:

Gary Graves, ADA/504 Coordinator
7930 Nelson Road
Millington, TN 38053
Phone: 901-873-5800
Fax: 901-873-2284
Tennessee Relay: 7-1-1
g.graves@millingtontn.gov

The Municipal Public Schools have appointed Stacy Ross as ADA/504 Coordinator for Title I and Jill Church as the ADA/504 Coordinator for Title II. Below is their contact information. However, this information is not published on the City's website or in other City documents:

Title I:

Stacy Ross, Supervisor of Human Resources
5020 Second Ave, Millington, TN 38053
Phone 901-873-5688
Fax: 901-873-5699
Tennessee Relay: 7-1-1
Sross@millingtonschools.org

Title II:

Jill Church, Supervisor of Special Education and Student Services
5020 Second Ave, Millington, TN 38053
Phone 901-873-5688
Fax: 901-873-5699
Tennessee Relay: 7-1-1
Jchurch@millingtonschools.org

ADA/504 Coordinator: Possible Solutions

Contact information for Title I and Title II ADA/504 Coordinators should be prominently displayed in common areas that are accessible to all employees and areas open to the public. Also, the ADA/504 Coordinator contact information must be included in all materials that are distributed from the City and Municipal Public Schools. This includes posting this information on the website.



3.1.4 Roles and Responsibilities of the ADA/504 Coordinator

Below is a list of qualifications for ADA/504 Coordinators that are recommended by U.S. Department of Justice:

- Familiarity with the entities structures, activities, and employees;
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with local entities and people with disabilities;
- Familiarity with any local disability advocacy groups or other disability groups;
- Skills and training in negotiation and mediation; and
- Organizational and analytical skills.

Roles and Responsibilities of the ADA/504 Coordinator: Self-Evaluation Findings

No information regarding the roles and responsibilities of the ADA/504 Coordinator is provided on the City's website or in City documents.

Roles and Responsibilities of the ADA/504 Coordinator: Possible Solutions

The City should document the roles and responsibilities of the ADA/504 Coordinator. These roles and responsibilities should be consistent with the Department of Justice's guidance for "An Effective ADA Coordinator" (<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>). See **Appendix D** for a copy of roles and responsibilities.

3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA

Title I

Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees based on an entity-wide employee total count, including state and local governments.

The purpose of the ADA grievance procedure is to provide a mechanism for the resolution of discrimination issues at the City level, rather than require the complainant to resort to resolution at the federal level.



ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title I): Self-Evaluation Findings

- The City's Personnel Policy Manual was reviewed, and it does include a general grievance policy and procedure with appeals process. However, it does not specifically address the ADA.
- An ADA grievance form was not found for the City.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.
- ADA grievance information was found on the Municipal School's website for employment-related complaints and grievances (Title I). However, no actual policy, procedure, or form was found.
- Municipal Schools does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title I): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title I should be developed for the City and Municipal Public Schools. These documents should be consistent and adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. The U.S. Equal Employment Opportunity Commission (EEOC) provides guidance here: <https://www.eeoc.gov/eeoc/publications/ada18.cfm>. See **Appendix E** for a copy of the policy, procedure, and form.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

Title II

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances in a prompt and fair manner that may arise under Title II of the ADA.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title II): Self-Evaluation Findings

- ADA grievance information was found on the City's website for Title II. All information for this grievance policy and procedure with appeals process is in compliance with the U.S. Department of Justice (DOJ). However, the contact information that is listed for the ADA/504 Coordinator is not consistent with the information that was provided in the survey process and on the City's website.
- An ADA grievance form was found on the City's website for Title II. However, the form does not state whether it is for Title I or Title II. This form is a general grievance form and is not specifically for ADA grievances. The form also contains questions that would normally be addressed within the private investigation process and not on the initial form. In addition, the form contains an investigation memorandum format. This should be kept as an internal document as a resource for the investigator and not available to the public.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.
- ADA grievance and appeals information was found on the Municipal School's website. The provided information states that all complaints should be filed with the District Complaint Manager instead of an ADA/504 Coordinator.



This grievance process is a general grievance process and is not specific to the ADA. The timeframes that are provided are not consistent with DOJ recommendations and some timeframes are missing.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title II): Self-Evaluation Findings (cont.)

- An ADA grievance form was not found on the website for the Municipal Schools.
- The Municipal Schools does not maintain logs regarding ADA complaints and requests for accommodations or modifications.
- The Library Systems & Services (LS&S) Grievance Policy and Procedure for the Municipal Public Library was reviewed. This policy and procedure is general and is not specific to the ADA.
- The Municipal Public Library does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

ADA Grievance Policy, Procedure, and Form with Appeals Process for the ADA (Title II): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title II should be developed for the City and Municipal Public Schools. These documents should be consistent and adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. The U.S. Department of Justice (DOJ) provides guidance here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>. See **Appendix E** for a copy of the policy, procedure, and form.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form

Title I

The reasonable accommodation request process plays a very important role when ensuring that the City of Millington does not discriminate based on a disability. A reasonable accommodation is any modification to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.

Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I): Self-Evaluation Findings

- No reasonable accommodation request policy, procedure, and request form are provided on the City's website or in City documents.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.



Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I): Possible Solutions

- The City should develop a reasonable accommodation request policy, procedure, and form. This policy and procedure should describe the reasonable accommodation, provide details on how to file a request, and participate in the interactive process. The request form should include the requestor's contact information, type of accommodation being requested, and specific details regarding the need for a reasonable accommodation. The Equal Employment Opportunity Commission provides enforcement guidance for reasonable accommodation and undue hardship under the ADA here:
<https://www.eeoc.gov/policy/docs/accommodation.html>
- The City should maintain an ADA request log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

Title II

The reasonable modification request process allows an individual from the public to request a modification that will provide equal access to any City program, service, and/or activity. A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination unless the modification will fundamentally alter the nature of its program, services, or activity.

Reasonable Modification Request Policy, Procedure, and Request Form (Title II): Self-Evaluation Findings

- No reasonable modification request policy, procedure, and request form is provided on the City's website or in City documents. See **Appendix E** for a copy of the policy, procedure, and form.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

Reasonable Modification Request Policy, Procedure, and Request Form (Title II): Possible Solutions

- The City should develop a reasonable modification request policy, procedure, and form. This policy and procedure should describe the reasonable accommodation, provide details on how to file a request, and participate in the interactive process. The request form should include the requestor's contact information, type of accommodation being requested, and specific details regarding the need for a reasonable accommodation. The U.S. Department of Justice provides guidance for reasonable modifications here:
<https://www.ada.gov/taman2.html>
- The City should maintain an ADA request log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.

3.1.7 Service Animal Guidance

A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. A reasonable accommodation also includes any modification or adjustment to a provided program, service, or activity that the entity provides to ensure accessibility for the public. A reasonable accommodation may also include the use of a service animal. Service animals are used for a variety of reasons, so each accommodation request and modification may be different.



Service Animal Guidance: Self-Evaluation Findings

No information was found regarding service animal guidance for requests for reasonable accommodations or modifications from qualified applicants, employees, or the public.

Service Animal Guidance: Possible Solutions

The City should develop City-wide guidance for staff to reference when dealing with service animals as reasonable accommodations or modifications for applicants, employees, and the public. Each City Department should integrate this guidance into their Department-specific standard operating procedures. In doing so, this policy and procedure should be customized to fit each Department's situations and provide guidance as to when a service animal is an effective reasonable accommodation or modification. See **Appendix E** for a copy of the policy and procedure.

- The U.S. Equal Employment Opportunity Commission created enforcement guidance for Reasonable Accommodations and undue hardship under the ADA (<https://www.eeoc.gov/policy/docs/accommodation.html>).
- The U.S. Department of Justice created a publication providing guidance on service animals and the ADA: U.S. Department of Justice Service Animal Guidance (https://www.ada.gov/service_animals_2010.htm).

3.1.8 ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act

Section 508 of the Rehabilitation Act of 1973 requires that all electronic and information technologies developed and used by any federal government agency must be accessible to individuals with disabilities. This includes websites, video and audio tapes, electronic books, televised programs, and other such media. Individuals with disabilities may still have to use special hardware and/or software to access the resources. This law pertains to the federal government. However, each state can adopt these regulations for state use. The State of Tennessee has not officially adopted these technology requirements. However, the City of Millington should utilize the State's stance on website and other digital media policies and procedures. The State of Tennessee Electronic and Information Technology (EIT) accessibility statement can be found here: <https://www.tn.gov/web-policies/accessibility.html>

ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act: Self-Evaluation Findings

- No information was found regarding the City's Section 508 of the Rehabilitation Act policy, procedure, and form with appeals process.
- The City does not maintain logs regarding ADA complaints and requests for accommodations or modifications.

ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act: Possible Solutions

- The City should develop an ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act. The form should include the complainant's contact information, description of the electronic and information technology in question, and specific details regarding the non-conforming aspects and remedy that is being requested. See **Appendix E** for a copy of the policy, procedure, and form.
- The policy, procedure, and form with appeals process should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and the public.



ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act: Possible Solutions (cont.)

- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and details regarding the resolution.

3.1.9 Retaliation or Coercion Policy

Individuals who exercise their rights under the ADA, or assist others in exercising their rights, are protected from retaliation. The prohibition against retaliation or coercion applies broadly to any individual or entity that seeks to prevent an individual from exercising their rights or to retaliate against individuals for having exercised their rights.

Retaliation or Coercion Policy: Self-Evaluation Findings

- Page 19.I.Grievances, from the City of Millington's Personnel Policy Manual, states that any City employee may grieve any work-related policy, procedure, or decision which affects the employee's work conditions, record or benefits. Any employee may present a complaint or grievance under the following provisions free from fear, interference, restraint, or discrimination, coercion or reprisal. This section does not mention retaliation.
- Page 65.M. Retaliation Prohibited, from the City of Millington's Personnel Policy Manual, does not mention coercion but it is in its own section.

Retaliation or Coercion Policy: Possible Solutions

- The City should revise the existing language in the Personnel Policy Manual to include language for coercion. This revised information should be adopted City-wide and must be accessible to all employees and the public. The U.S. Equal Employment Opportunity Commission guidance on retaliation and related issues can be found here: <https://www.eeoc.gov/laws/guidance/retaliation-guidance.cfm>. See **Appendix E** for a copy of the policy.

3.1.10 Non-Discrimination Language

All public entities must ensure that no qualified individuals with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity.

To do so, public entities must develop two (2) separate policies:

1. Non-Discrimination Statement Policy, which documents the requirement to include a non-discrimination statement in any City publication or document distributed to employees or to the public.
2. Non-Discrimination Clause Policy, which documents the requirement to include a non-discrimination statement in all funding agreements that the City employs to pass federal funds to other agencies, entities, or municipalities, but not contractors.



Non-Discrimination Statement Policy

Non-Discrimination Statement Policy: Self-Evaluation Findings

Several different variations of non-discrimination statements were found. However, none of the statements found are consistent or used City-wide.

Non-Discrimination Statement Policy: Possible Solutions

- The City should develop a consistent City-wide non-discrimination statements for Title I - employment activities and Title II - programs, services, and activities administered by the City. These statements should include language that provides contact information for the ADA/504 Coordinators regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106. See **Appendix E** for a copy of the policy.
- The City should incorporate both non-discrimination statements into a stand-alone policy that provides guidance to City staff on the application of non-discrimination statements for Title I and Title II. This policy should be accessible to all employees and used in City materials that are distributed by the City.

Non-Discrimination Contract Clause

Non-Discrimination Contract Clause: Self-Evaluation Findings

No information regarding a non-discrimination contract clause was found on the City's website or in City provided documents.

Non-Discrimination Contract Clause: Possible Solutions

- The City should develop a consistent non-discrimination contract clause. This clause should include language within applicable City contracts that would ensure that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in all City programs, services, or activities. While this clause is not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106. See **Appendix E** for a copy of the policy.
- The City should develop staff guidance regarding the application of a non-discrimination contract clause. This policy would only be accessible to applicable City staff who may initiate federally funded contracts or any joint use agreements with other entities.



3.1.11 Public Notice Under the ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entities' PSAs. This notice is required to include information regarding Title II of the ADA and how it applies to the PSAs of the public entity. Publishing and publicizing the ADA notice is not a one-time requirement. State and local government entities should provide the information on an ongoing basis, whenever necessary.

Public Notice Under the ADA: Self-Evaluation Findings

- The City's public notice is written in accordance with the U.S. Department of Justice. However, it is recommended that "ADA Coordinator" be revised to be stated as "ADA/504 Coordinator".

Public Notice Under the ADA: Possible Solutions

- The City's public notice shall be revised to state ADA/504 Coordinator instead of ADA Coordinator. This ensures that the citizens know that the Coordinator is responsible for the ADA including Section 504 of the Rehabilitation Act.

3.1.12 Title II ADA/504 ADA Assurances

Every applicant for federal financial assistance shall provide a written assurance stating that all PSAs are being conducted or operated in compliance with all laws and regulations. As a recipient of federal funds, the City must include a written Title II ADA/504 Assurance in all funding agreements and joint use agreements to receive federal financial assistance. In turn, the City must require that any sub-recipient who receives federal financial assistance from the City provide an annual written Title II ADA/504 Assurance. This includes funding agreements and all joint use agreements with other agencies, entities, or municipalities.

Title II ADA/504 ADA Assurances: Self-Evaluation Findings

The City receives federal funding. However, the City does not have a signed ADA assurance.

Title II ADA/504 ADA Assurances: Possible Solutions

The City should develop a Title II/504 ADA assurance in accordance with 49 CFR 27.9 (https://www.ecfr.gov/cgi-bin/text-idx?SID=b9b8a3d54d526545fd69ad3de5742ec9&mc=true&tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl). See **Appendix D** for a copy of the Assurance.

3.1.13 Alternate Format Policy, Procedure, and Request Form

Under the ADA, a public entity is responsible for providing ADA accessible communications. This includes any documents or information that is distributed by the City of Millington. If a request for an alternate format is received, the City must have an action plan to accommodate the request. For example, the Department of Justice does not expect entities to have Braille copies of all documents; however, Braille copies are expected to be readily available. Readily available means that once a request is received, a policy and procedure is in place to make a reasonable accommodation or modification to the document or information requested. This document must be provided to the requestor in a reasonable amount of time.



Alternate Format Policy, Procedure, and Request Form: Self-Evaluation Findings

No information regarding an alternate format request policy, procedure, and form was found on the City's website or in City provided documents.

Alternate Format Policy, Procedure, and Request Form: Possible Solutions

The City should develop an alternate format request policy, procedure, and form. This policy and procedure shall guide staff regarding the process of obtaining an alternate format and utilizing the City's vendor database, if available, to obtain vendor information for alternate formats. This policy and procedure should be adopted City-wide and should be accessible to all employees and the public. The request form should include the requestor's contact information, existing document information, and type of alternate format being requested. See **Appendix E** for a copy of the policy, procedure, and form.

3.1.14 Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos

Under the ADA, a public entity is responsible for providing ADA accessible alternate formats, including any documents or information that is distributed by the City of Millington obtained from another entity. For example, there is a link to an external site on City's website that leads to additional information. However, it may not be feasible for the City to obtain the original from the source for the purpose of creating an alternate format. Therefore, the City should add a disclaimer where external sources are referenced stating that the City of Millington is not responsible for ADA compliance of external content and any requests for alternate formats of external content should be directed to the source entity.

Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos: Self-Evaluation Findings

No information or policy regarding an ADA-specific disclaimer was found on the City's website or in City provided documents.

Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos: Possible Solutions

The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, and videos that are represented on the City's website. This statement should be posted on the website and publicized in common areas that are accessible to all employees and areas open to the public.

3.1.15 Policies and Procedures for ADA Transition Plan Updates and Corrections (Title I and Title II)

Tracking ADA Transition Plan updates and corrections for Title I and Title II is important in showing progress toward barrier removal and should be done using a systematic approach to ensure all updates and corrections are documented.

Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I and Title II): Self-Evaluation Findings



No policies and procedures for ADA transition plan updates and corrections for Title I and Title II were found on the City's website or in City-provided documents.

Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I and Title II):
Possible Solutions

The City should develop customized policies and procedures for ADA transition plan updates and corrections for Title I and Title II. While this is not a specific ADA requirement, these policies and procedures would provide City staff guidance through the internal process for updating and correcting issues found during the ADA transition plan process. See **Appendix E** for a copy of the policy and procedure

3.1.16 ADA Liaison Committee

The ADA Liaison Committee is comprised of representatives from each City department. These individuals work closely with the ADA/504 Coordinator to resolve issues regarding the needs of their department and the programs under their management. The ADA/504 Coordinator works closely with the ADA Liaison Committee to coordinate the implementation of plans, programs, policies, and procedures.

ADA Liaison Committee: Self-Evaluation Findings

The City of Millington has established an ADA Liaison Committee and is comprised of a representative from each City department.

ADA Liaison Committee: Possible Solutions

- The City's ADA Liaison Committee should meet periodically to ensure that the City is practicing good faith efforts to achieve ADA compliance. The Committee representatives should be tasked with serving as the ADA contact for their department and will consult with the ADA/504 Coordinators regarding all ADA issues impacting their department. Each representative is responsible for keeping a detailed log for all ADA inquiries within their department. This log shall be shared with the ADA/504 Coordinator and shall be retained for at least three (3) years.
- The ADA Liaison Committee information should be publicized in common areas that are accessible to employees and areas open to the public. This includes posting this information on the City website.

3.1.17 Employment Practices Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity, including employment. Public entities must provide an equal opportunity for employment.

The City of Millington Personnel Policy Manual, employment forms, and documents were reviewed, and additional information was obtained from the survey and interview process. This information was reviewed for consistency with current accessibility requirements and standards.



Personnel Policy Manual: Self-Evaluation Findings

- Page 9.A. Employment-At-Will section states that all employees of the City of Millington are hired by the appropriate Department Director with approval of the City Manager without consideration as to race, gender or gender identity, age, color, religion, creed, ancestry, disability, military status, genetic information or national origin. This should not be considered as a City-wide non-discrimination statement for employment practices as it does not have preferred language and some language is not considered to be a part of the specified protected classes.
- Page 9.B.Hiring Policy - This section provide a type of non-discrimination statement. However, this statement is not what is recommended.
- Page 9.B.Hiring Policy section states that job postings may be advertised in any publication or by any means deemed appropriate for the type of vacant position. However, this section does not mention to ensure alternate formats are available to ensure ADA compliance. In addition, an alternate format policy and procedure was not referenced.
- Page 9.B.Hiring Policy section mentions that position postings shall include the position name, the pay rate, hourly or salary status, a summary description of the position duties, provide the typical duties and responsibilities of the position, identify the minimum acceptable qualifications as well as the knowledge, skills and abilities required for the position. However, it does not specifically state to include essential and non-essential job functions and physical requirements.
- Page 10.E.Applications section states that individuals seeking appointment or employment shall complete the City's application form. Employment applications shall be accepted in the Personnel Office during regular office hours only or via the City's website. Applications will only be accepted for vacant positions. Upon request, the City will make reasonable accommodations in the application process to applicants with disabilities. This section does not state where to obtain the application form. Information regarding how an individual can request an alternate format is not mentioned or referenced. In addition, no information is referenced regarding a reasonable accommodation policy and procedure or contact information for the ADA/504 Coordinator.
- Page 11.G.Selection Process section states that the process may include testing. However, it does not provide information regarding a reasonable accommodation and does not state that testing must be required of all applicants for that position.
- Pages 14-15.C.Employee Orientation does not mention a review of ADA policies and procedures including introducing the ADA/504 Coordinators. References to all City-adopted ADA policies and procedures should be provided.
- Pages 15-16.C.Employee Orientation - This section mentions employee orientation but does not include ADA accessibility in "other topics of interest".
- Page 18.H.Separation.3 section provides information regarding disabilities. However, this section briefly talks about reasonable accommodations but does not reference the actual reasonable accommodation policy and procedure.
- Page 19.I.Grievances section appears to be a general grievance policy and procedure. It does not specifically reference ADA grievances. In addition, this section mentions coercion but does not mention retaliation.
- Pages 34-35.R.Uniforms section provides information regarding uniforms and appearance. However, this section does not mention the reasonable accommodation policy and procedure.
- Pages 63-64.C.Personal Appearance of Employees section mentions personal appearance of City personnel. However, this section does not mention the reasonable accommodation policy and procedure.
- Page 65.M.Retaliatio n Prohibited section does not mention coercion.
- Page 66.Social Media section is intended to provide rules to staff regarding social media while at work. However, this section does not provide information regarding the use of social media for work purposes. In addition, this section does not mention information regarding ADA compliant social media.



Personnel Policy Manual: Possible Solutions

- Page 9.A.Employment-At-Will section should be revised to include the adopted City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.
- Page 9.B.Hiring Policy section should be revised to include information regarding the City's alternate format policy and procedure. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- Page 9.B.Hiring Policy section should be revised to include essential and non-essential job functions and physical requirements. See **Section 3.1.18 Job Description Review**.
- Page 10.E.Applications section should be revised to including information on where to obtain the application form, information on how to request an alternate format, information on reasonable accommodations and contact information for the ADA/504 Coordinator. See **Sections 3.1.13 Alternate Format Policy, Procedure, and Request Form; 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form; and 3.1.3 ADA/504 Coordinator (Title I/Title II)**.
- Page 11.G.Selection Process section should be revised to including information regarding reasonable accommodation. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- Pages 14-15.C.Employee Orientation section should be revised to reference all City-adopted ADA policies and procedures as a part of this transition plan process.
- Page 18.H.Separation.3 section should be revised to including information regarding reasonable accommodations. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- Page 19.I.Grievances section should be revised to include retaliation language. See **Section 3.1.9 Retaliation or Coercion Policy**.
- Page 19.I.Grievance section should be revised to include references to all City-adopted ADA policies and procedures as a part of this transition plan process.
- Pages 34-35.R.Uniforms section should be revised to include information regarding reasonable accommodations. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- Page 63.C.Personal Appearance of Employees section should be revised to include information regarding reasonable accommodations. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- Page 65.M.Retaliatio Prohibited section should be revised to include coercion language. See **Section 3.1.9 Retaliation or Coercion Policy**.



Personnel Policy Manual: Possible Solutions (cont.)

- Page 66. Section IX: Social Media section should be revised to include information regarding the City's social media policy. The City should develop a social media policy and procedure. This policy and procedure should provide guidelines for City staff to use and ensure ADA accessibility in all City social media applications. The policy and procedure should provide the following information:
 - An accessibility statement that states that all City-managed social media sites meet the City's web accessibility policy. This statement should also provide a link to the City adopted web accessibility policy under Section 508 of the Rehabilitation Act;
 - Alternate ways to contact the City;
 - Ensure that all posted images, videos, and audio files include the link back to the web page that contains the image, video or audio with full caption or transcript;
 - Avoid acronyms, abbreviations, and text shortcuts;
 - Ensure platforms provides keyboard shortcuts for keyboard-only users;
 - If the post is linking to a pdf document, ensure that the pdf is accessible; and
 - For blogs, ensure proper HTML markup is used such as headings, paragraphs, and lists to help orient users and ensure clarity of content.

While a social media platform policy and procedure is not a specific ADA requirement, it is strongly recommended that the City develop this policy and procedure to combine with information and technology policies and procedures to ensure ADA compliance with Section 508 of the Rehabilitation Act. Digital Gov provides a Federal Social Media Accessibility Toolkit here: <https://digital.gov/resources/federal-social-media-accessibility-toolkit-hackpad/>

Hiring, Testing and Recruitment Information Review: Self-Evaluation Findings

- The Human Resources Department administers the hiring process for most Departments. However, the Police Department administers the hiring and promotional process, in conjunction with the Human Resources Department.
- The City does not have a consistent City-Wide non-discrimination statement.

Hiring, Testing and Recruitment Information Review: Possible Solutions

- The Human Resources Department should develop hiring process guidelines. These guidelines should include information on ADA compliant hiring process and should be available to all departments who administer hiring for their department. While these guidelines are not an ADA requirement, these guidelines would assist City staff in being consistent in the hiring process to achieve ADA compliance. The U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice provide guidance here:
 - <https://www.eeoc.gov/>
 - <https://www.ada.gov/>
- The City should develop a City-wide Non-Discrimination Statement Policy for Title I and Title II. See **Section 3.1.10 Non-Discrimination Language**.



New Employee Orientation Review: Self-Evaluation Findings

- The Human Resources Department does not provide new employee orientation.
- New employees are provided with the City's personnel manual but no specific City ADA policies and procedures or the ADA/504 Coordinator's names or contact information is included.
- The City's ADA/504 Coordinators are not a part of the new employee process.
- New employees are not provided information regarding their rights and obligations under the ADA.

New Employee Orientation Review: Possible Solutions

- The Human Resources Department should develop new employee orientation guidelines. These guidelines should include a review of employees ADA rights and obligations, introduction to the Title I and Title II ADA/504 Coordinators, as well as typical employment functions and benefits.
- The Human Resources Department should provide new employees with the newly revised City Personnel Policy Manual that includes adopted ADA policies and procedures from this transition plan process.
- The City should provide annual ADA specific training to all City staff regarding Title I and Title II. This training should include employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance.

Training Program Review: Self-Evaluation Findings

- No specific annual ADA training program is provided for City staff regarding Title I or Title II.

Training Program Review: Possible Solutions

- The City should provide annual ADA specific training to staff. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance.

Volunteer Program Review: Self-Evaluation Findings

- The City does not have an organized volunteer program. However, the Police Department does have two volunteers. The City does not provide specific physical or mental eligibility requirements, orientation, or a volunteer manual.



Volunteer Program Review: Possible Solutions

- The City of Millington should create an organized volunteer program. The Human Resources Department should oversee the volunteer program and develop guidelines for each department to utilize to ensure program consistency for ADA compliance as each Department administers its volunteer program. These guidelines should include a review of the volunteer manual, volunteer's ADA rights and obligations, introduction to the Title I and Title II ADA/504 Coordinators, as well as typical City functions.
- The Human Resources Department should develop a City-wide Volunteer Manual. Each Department should develop inserts for their department to be incorporated into the volunteer manual. These inserts should include all specific physical and mental eligibility requirements to ensure that volunteers can disqualify themselves from the program, if needed, and include volunteer job descriptions.

3.1.18 Job Description Review

The ADA does not require an employer to develop or maintain job descriptions. Nevertheless, employers can certainly benefit from having well-written job descriptions that spell out the “essential functions” for each employment position. When job descriptions are written, they must be non-discriminatory.

A written job description can help employers identify whether an applicant will be able to perform the essential tasks required for a position. During the interview process, employers are not allowed to ask if an individual has a disability that would prevent them from performing certain job tasks. Employers may, however, ask applicants whether they can perform the “essential functions” of a position, such as the ability to meet attendance expectations or to operate a particular machine. If an applicant notifies the employer that he or she is unable to perform an essential job function because of a disability, the employer must then consider whether it is possible to reasonably accommodate the disability.

Fifty (50) job descriptions were reviewed. The following section provides a summary of the findings and possible solutions. A complete summary of the job description reviews is provided in **Appendix D**.



Job Description Review: Self-Evaluation Findings

- Job descriptions do not have recommended headings for clarification.
- Job descriptions contain discriminatory language. When describing actual job duties, there are some physical demands. However, specific language must be used so that someone with a disability can disqualify themselves.
- Job descriptions do not have disclaimer language to inform employees and applicants that the description is subject to change.
- Some job descriptions do not provide physical requirements. These requirements are needed to assist individuals in determining their qualifications.
- Some job descriptions state that a driver's license is required but does not specify if this requirement is a bona fide occupational qualification (BFOQ).
- Job descriptions do not include a City-wide non-discrimination statement regarding Title I, employment activities.

Job Description Review: Possible Solutions

- Job descriptions should separate information under specific headings for better clarification. Under these headings, the City may use as many sub-headings as necessary to cover all aspects of the job description. These recommended headings are Job Title, Job Summary, Essential Functions, Non-Essential Functions, and Job Specifications.
- When listing physical demands in a job description, the wording must be such that someone with a disability can disqualify themselves. ADA compliant equivalent language must be used. For example: Instead of "carry" or "lift," use "move," "transport," "position," "install," "remove," "hoist," or "transfer." See **Appendix D** for Equivalent Language Guidance.
- The City should include disclaimer language on all job descriptions to notify employees and applicants that the description is subject to change.
- All job descriptions should provide physical requirements to ensure clarity.
- When a driver's license is a requirement, the City must ensure this is a BFOQ. If this is not necessary as a part of the essential job functions, this should be revised to require a state-issued identification instead of a state-issued driver's license.
- Job descriptions should be revised to include a City-wide non-discrimination statement regarding Title I, employment activities. See **Section 3.1.10 Non-Discrimination Language**. This statement should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106.



3.1.19 Emergency Management Plan Review

Emergency planning and management has become increasingly important today. All community emergency plans and emergency management teams must include the necessary information on how to properly assist citizens in the community who may have a disability. Identifying the citizens with disabilities is paramount to rescuing them. The City of Millington should have an Emergency Management Plan in place that details how to help the citizens with disabilities in the event of a local emergency.

Disabilities manifest themselves in varying degrees and the functional implications of the variations are important for emergency evacuation. A person may have multiple disabilities, while another may have a disability whose symptoms fluctuate. Everyone needs to have a plan to be able to evacuate a building, regardless of his or her physical condition.

While planning for every situation that may occur in every type of an emergency is impossible, being as prepared as possible is important. One way to accomplish this is to consider the input of various people and entities, from executive management, human resources, and employees with disabilities to first responders and other businesses, occupants, and others nearby. Involving such people in the development of the City's Emergency Management Plan will help everyone understand the evacuation plans and the challenges that businesses, building owners and managers, and people with disabilities face.

The following documents have been reviewed:

- City of Millington's Emergency Management Plan
- Artifact EEPEVS1A
- Artifact EEPEVS2A
- Artifact EEPEVS3A
- Artifact EEPEVS16A
- Artifact EEPEVS16B
- Artifact EEPEVS16C
- Artifact EEPEVS16D
- EA Harrold EOP
- Millington Central High EOP
- Millington Elementary EOP
- Millington Middle EOP

Emergency Management Plan Review: Self-Evaluation Findings

- The City's Emergency Management Plan was reviewed. However, this emergency management plan does not mention emergency operations for individuals with disabilities.
- This Municipal School District provided several artifacts numbers for review. These artifacts consist of a letter that states that the City of Millington Municipal Schools works with local churches and the Navy Base to provide shelter in place locations for faculty, staff and students. If an emergency situation occurs, everyone must evacuate and will be transported to specific locations listed. It further states that students with disabilities will be transported by trained special education staff. However, it does not provide specific information as to ADA accessible transportation or specific evacuation details.
- The Municipal School District provided copies of emergency operating plans for specific schools. However, these documents do not provide ADA-specific operations including ingress and egress maps.



Emergency Management Plan Review: Possible Solutions

- Develop an emergency plan team to encourage communication between the City of Millington and all other participating parties.
- Create an emergency plan that includes buildings and areas specific to the City of Millington and how the City will respond and control emergencies. The U.S. Department of Justice and FEMA provides guidance here: <https://www.ada.gov/pcatoolkit/chap7emergencygmtadd1.htm>
https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language_Guidelines-Inclusive_Emergency_Preparedness.pdf.
- Develop internal policies and procedures with assignments for emergency response to ensure that all emergency plan team members are provided guidance in the event of an emergency.
- Training should be provided to emergency plan team members to ensure that the emergency plan is thoroughly planned and is effectively implemented in the event of an emergency.
- The City should develop a support network with the local disability organizations and include them in the emergency planning process.
- The City should create a volunteer registration process that identifies the location of individuals with disabilities, and the type of disability they have. The registry will help with the planning process for accessible transportation needs.
- Evacuation plans should include how to evacuate people with assistive equipment and how to replace equipment if it is lost or destroyed, as well as a plan on how to evacuate people who have service animals.
- Training should be provided to volunteers as well as all department heads who will be involved in the execution of the Emergency Plan. Training ensures the emergency plan is executed as planned and ensures clear and proper communication to individuals with disabilities. Training should include how to identify people wearing medical alert tags or bracelets, and various ways to communicate with people with visual, hearing, or cognitive impairments.
- The City should prepare alternative ways to help individuals who use medical equipment during a power outage.
- The City should identify the location and availability of more than one facility for dialysis for people who will need dialysis as part of a health maintenance plan or routine or other life-sustaining treatment. In addition, the City should develop a resource list that includes the location of all types of durable medical equipment (DME) available in the City, as well as qualified American Sign Language interpreters, wheelchair repair, therapeutic oxygen, hearing aids and repair, medications, etc. The resource list should be as comprehensive and should be included in the Emergency Planning Manual.
- The City should host an "Emergency Planning Preparedness" class for individuals with disabilities. The class will teach them how to develop a "kit" they can keep for emergencies and allow them to sign up for the emergency registry.
- The City should develop an emergency evacuation plan for employees and visitors. Evacuation plans should consider the impact of internal and external emergencies regarding County's operations and should be tailored



to the workplace environment. The Great Lakes ADA Center provides guidance on Emergency Preparedness and Using Employee Information here: <http://adagreatlakes.org/BusinessToolkit/?section=1&id=6>

- This City of Millington Municipal School District should develop reference all City developed emergency information within the artifacts letter.
- The City should ensure they have access to accessible transportation for evacuations or transporting people to a medical clinic. Accessible transportation options can be obtained by working with local or private services, public transportation, or paratransit.



3.1.20 City Ordinance Review

Twenty (20) City ordinances were reviewed for consistency with current accessibility requirements and standards.

City Ordinance Review: Self-Evaluation Findings

- Title 8: Alcoholic Beverage
- Title 9: Business, Peddlers, Solicitors, etc.
- Title 11: Municipal Offenses
- Title 15: Motor Vehicles, Traffic and Parking
- Title 17: Refuse and Trash Disposal
- Title 18: Water and Sewers
- Title 19: Electricity and Gas
 - These titles do not contain ADA-related language, nor was it required.
- Title 1: General Administration
 - This title does not mention information regarding the ADA/504 Coordinators.
- Title 2: Board and Commissions, etc.
 - This title does not include enough information regarding boards and commissions, etc.
- Title 3: Municipal Court
 - This title does not provide information regarding the City's ADA policies and procedures including grievances, alternate formats, reasonable accommodations / modifications, non-discrimination statement, etc.
 - Chapter 2, Section 3-202 of this title does not list mental or physical qualifications for the City Judge.
- Title 4: Municipal Personnel
 - This title does not include information regarding the ADA/504 Coordinators.
 - Chapter 1, Section 4-106 of this title states that no person shall be employed, promoted, demoted, discharged, or in any way favored or discriminated against because of political opinions or affiliations, race, color, creed, national origin, gender, age, religious belief, or disability. This discrimination statement appears to cover the ADA and Title VI. However, this is not a consistent City-wide non-discrimination statement and does not include information for alternate formats and the ADA/504 Coordinator's contact information.
- Title 5: Municipal Finance and Taxation
 - Chapter 6, Section 5-601 and 5-602 of this title provides information regarding the purchasing policy for the City. However, the policy does not address ADA compliance for purchases made by the City.
- Title 6: Law Enforcement
 - This title does not include information regarding the City's ADA policies and procedures.
- Title 7: Fire Protection and Fireworks
 - This title does not include information regarding the City's ADA policies and procedures.
- Title 10: Animal Control
 - This title does not include the City's stance on service animals.



City Ordinance Review: Self-Evaluation Findings (cont.)

- Title 12: Building, Utility, etc. Codes
 - This title does not include information regarding laws and regulations that the City utilizes to ensure ADA compliance.
- Title 13: Property Maintenance Regulations
 - Chapter 2, Section 13-205 of this title states that all sidewalks, walkways, stairs, driveways, drive aprons, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions. However, it does not mention maintaining areas in accessible condition.
 - Chapter 3, Section 13-309 of this title states that all overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment. This section does not include language to ensure that there are no encroachments into the accessible path.
 - Chapter 5 of this title does not state that the City prohibits the parking and storage of vehicles in an accessible path.
- Title 14: Zoning and Land Use Control
 - This title does not include information regarding the City's ADA policies and procedures.
- Title 16: Streets and Sidewalks, etc.
 - Chapter 1, Section 16-109 of this title states that occupants of property abutting on a sidewalk are required to keep the sidewalk clean. Also, immediately after a snow or sleet, such occupants are required to remove all accumulated snow and ice from the abutting sidewalk. However, it does not specify who is responsible for maintaining the sidewalks in accessible condition.
 - Chapter 3, Section 16-301 of this title states that all property owners within the City of Millington, both residential and commercial, shall keep the sidewalks, driveway aprons and inlets abutting or adjoining their property in good condition and repair. However, it does not state to maintain in an accessible condition.
 - Chapter 3, Section 16-305 of this title does not mention the adopting of the Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).
- Title 20: Miscellaneous
 - This title does not include information regarding the City's ADA policies and procedures.



City Ordinance Review: Possible Solutions

- Title 1: General Administration
 - This title should be revised to include information regarding the ADA/504 Coordinators. See **Section 3.1.3 ADA/504 Coordinator (Title I / Title II)**.
- Title 2: Board and Commissions, etc.
 - This title should be revised to include more detailed information regarding all active City boards and commissions, etc. See **Section 3.2.1 Boards, Commissions, Committees, and Councils Review**.
- Title 3: Municipal Court
 - This title should be revised to include information regarding the City's ADA policies and procedures including grievances, alternate formats, reasonable accommodations / modifications, non-discrimination statement, etc.
 - Chapter 2, Section 3-202 of this title should be revised to include the mental or physical qualifications for the City Judge.
- Title 4: Municipal Personnel
 - This title should be revised to include information regarding the ADA/504 Coordinators. See **Section 3.1.3 ADA/504 Coordinator (Title I / Title II)**.
 - Chapter 1, Section 4-106 of this title should be revised to include a consistent City-wide non-discrimination statement, information for alternate formats, and the ADA/504 Coordinator's contact information. See **Sections 3.1.10 Non-Discrimination Language, 3.1.13 Alternate Format Policy, Procedure, and Request Form, and Section 3.1.3 ADA/504 Coordinator (Title I / Title II)**.
- Title 5: Municipal Finance and Taxation
 - Chapter 6, Sections 5-601 and 5-602 of this title should be revised to including information regarding ADA compliance for purchases made by the City. See **Section 3.1.2 Department-Specific Information - Finance and Administration Department**.
- Title 6: Law Enforcement
 - This title should be revised to include information regarding the City's ADA policies and procedures from this transition plan process.
- Title 7: Fire Protection and Fireworks
 - This title should be revised to include information regarding the City's ADA policies and procedures from this transition plan process.
- Title 10: Animal Control
 - This title should include information regarding the City's stance on service animals. See **Section 3.1.7 Service Animal Guidance**.
- Title 12: Building, Utility, etc. Codes
 - This title should be revised to include information regarding laws and regulations that the City utilizes to ensure ADA compliance. (e.g., ADA Accessibility Guidelines (ADAAG), Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), etc.)



City Ordinance Review: Possible Solutions (cont.)

- Title 13: Property Maintenance Regulations
 - Chapter 2, Section 13-205 of this title should be revised to include language to clarify who is responsible for maintaining areas in an accessible condition.
 - Chapter 3, Section 13-309 of this title should be revised to include language that states that there shall be no encroachments into the accessible path.
 - Chapter 5 of this title should be revised to include information stating that the City prohibits the parking and storage of vehicles in an accessible path.
- Title 14: Zoning and Land Use Control
 - This title should be revised to include information regarding the City's ADA policies and procedures from this transition plan process.
- Title 16: Streets and Sidewalks, etc.
 - Chapter 1, Section 16-109 of this title should be revised to include language to clarify who is responsible for maintaining the sidewalks in accessible condition.
 - Chapter 3, Section 16-301 of this title should be revised to include language to clarify who is responsible for maintaining streets and sidewalks in an accessible condition.
 - Chapter 3, Section 16-305 of this title should be revised to include the PROWAG once the City has adopted these guidelines.
- Title 20: Miscellaneous
 - This title should be revised to include information regarding the City's ADA policies and procedures from this transition plan process.

3.1.21 Previous ADA Complaints (Title I & II) Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity.

A review of previous ADA complaints from the past five (5) years is necessary to ensure that all complaints have been addressed and updated in the Transition Plan.

Previous ADA Complaints Review (Title I & II): Self-Evaluation Findings

- The City is not aware of any ADA complaints over the past five (5) years.
- The City does not maintain logs regarding ADA complaints (Title I and Title II) and requests for accommodations or modifications.



Previous ADA Complaints Review (Title I & II): Possible Solutions

- The City should maintain confidential complaint/request files and ADA complaint/request logs. Logs for both Title I and Title II should include detailed information.
 - Logs for Title I shall be confidential and should include an internal complaint number, extensive details about the complaint and process, as well as details regarding the resolution.
 - Logs for Title II shall be confidential and should include an internal complaint number, extensive details regarding the complaint and process, which would include locations and pictures, and details regarding the complaint resolution.

3.2 Programs, Services, and Activities (PSA) Review

All PSAs were researched and evaluated for ADA compliance. All PSAs mentioned in **Section 3.1** were integrated into this section (**Section 3.2**). This review was based on what is accessible to the public on the City of Millington's website, as well as department-specific questions that were submitted to the City.

3.2.1 Boards, Commissions, Committees, and Councils Review

The City website provides various information regarding the City's boards, commissions, committees, and councils. These groups are listed below: Airport Authority

- City Beautiful Commission
- Housing Authority
- Industrial Development Board
- Public Library Board
- Municipal Solid Waste Regional Board
- Board of Zoning Appeals
- Planning Commission
- Board of Mayor and Alderman

[The remainder of this page intentionally left blank.]



Boards, Commissions, Committees, and Councils Review: Self-Evaluation Findings

- Most meetings are open to the public and are believed to be held in accessible facilities. However, ADA checklists are not always used to determine compliance.
- Meeting minutes and agendas are available. However, they are not available in alternate formats, nor does the City have an alternate format policy and procedure.
- The City does not have a City-wide non-discrimination statement.
- The disability community does not appear to be included in the member selection process. However, public comment opportunities are available.
- Member openings and meeting notices are advertised in various formats. However, the City does not have an alternate format policy and procedure.
- The Member appointment process and eligibility requirements apply. However, these requirements are not available for view by employees and the public.
- ADA specific training is not provided to members.

Boards, Commissions, Committees, and Councils Review: Possible Solutions

- The City should develop and use checklists to ensure ADA compliance for ADA compliant meeting locations. While this is not a specific ADA requirement, this checklist would benefit the City by ensuring that all meeting locations are accessible to the public.
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The City should develop a City-wide Non-Discrimination Statement Policy for Title II and include this statement in all meeting agenda and minutes. See **Section 3.1.10 Non-Discrimination Language**.
- The City should provide opportunities for the disability community to provide input regarding the member selection process, when applicable. This may include advertising the need for input with local disability organizations. See **Section 2.0 Public Outreach**.
- The City should post the member appointment process and eligibility requirements for view by employees and the public.
- The City should provide annual ADA specific training to all members regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance.



3.2.2 Documents, Forms, and Videos Reviewed

The City's website provides various documents, forms, and videos that are available to the public. For a complete listing of documents, forms, and videos reviewed, see **Appendix D**.

Documents, Forms, and Videos Reviewed: Self-Evaluation Findings

- The City does not have alternate formats readily available for every document, form, or video.
- The City does not have a policy or procedure in place to address alternate formats. Alternate formats are auxiliary aids, services, or devices that enable effective communication for individuals with disabilities.
- The City does not have a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos, or podcasts that are represented on the City's website.
- The City does not have a City-wide Non-Discrimination Statement Policy for Title II that includes this statement in the information that is distributed by the City.

Documents, Forms, and Videos Reviewed: Possible Solutions

- Each Department liaison should develop a list of all documents and forms for their Department. The list should include the document or form name, location(s) where it can be found (office location, website link), what alternate formats are available, and how the formats can be obtained. This list should be updated continuously as documents and forms are created and revised. The forms should be reviewed for ADA compliance. Section 508 Compliant PDF Checklist is provided here:
<https://508compliantdocumentconversion.com/compliance-regulations/pdf-compliance-checklist/>
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos or podcasts that are represented on the City's website. See **Section 3.1.14 Responsibility / Acceptance Disclaimer for Other Entities' Links, Forms, Documents, Videos, and Podcasts**.
- The City should develop guidelines to assist staff in providing closed captioning or transcripts for videos that are available to all employees and the public. These guidelines shall include the process to add closed captioning or use the vendor database to purchase closed captioning or transcription services.
- The City should develop a consistent City-wide non-discrimination statement policy. See **Section 3.1.10 Non-Discrimination Policy**.



3.2.3 *Non-Discrimination Language for Contracts, Agreements, and Waivers*

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity. In doing so, public entities should provide a statement in all agreements and contracts with the City to ensure non-discrimination for both parties and to clarify accessibility obligations.

A complete list of documents reviewed is provided in **Appendix D**.

Non-Discrimination Language for Contracts, Agreements, and Waivers: Self-Evaluation Findings

All documents reviewed did not contain ADA language that would clarify ADA responsibilities and obligations.

Non-Discrimination Language for Contracts, Agreements, and Waivers: Possible Solutions

The City should develop guidelines to assist the appropriate staff in writing non-discrimination language to be included in all City contracts and agreements. This non-discrimination language would need to be assessed by legal counsel on a case-by-case basis. These guidelines shall include language that clarifies responsibilities regarding ADA maintenance, alterations, and construction.

3.2.4 *Effective Communication Efforts and Policy*

The ADA requires that all Title II entities communicate effectively with people who have communication disabilities by providing auxiliary aids and services. The goal is to ensure that communication with individuals with disabilities is equally effective as communication with people without disabilities.

Auxiliary aids and services are ways to communicate with individuals with disabilities. The type of auxiliary aids and services are assessed on a case-by-case basis. Auxiliary aids and services must be provided free of charge and provided in accessible formats, in a timely manner, and must be provided in a way that ensures individual privacy and independence. Examples of common auxiliary aids and services include, but are not limited to:

- Sign Language Interpreters
- Written materials
- Closed Captioning
- Real-time captioning
- Audio recordings
- Materials and displays in braille
- Large print materials
- Accessible electronic and information technology
- Assistive listening devices and systems

Effective Communication Efforts and Policy: Self-Evaluation Findings

The City does not have City-wide specific guidelines or policies and procedures regarding effective communication.



Effective Communication Efforts and Policy: Possible Solutions

The City should develop guidelines regarding effective communication efforts. These efforts should be effective by providing auxiliary aids and services to individuals who have communication disabilities. These guidelines should be consistent with the U.S. Department of Justice's guidance for "Effective Communication." This guidance can be found here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>

3.2.5 Design Standard Review

The City of Millington Drainage Design Manual (09/1989) was reviewed for compliance with the 2010 Standards for Accessible Design, and 2011 PROWAG. The City of Millington utilizes the 2011 PROWAG for the design of all new projects within the right-of-way and utilizes the 2010 ADA Standards for site development projects.

3.3 Facilities Review

3.3.1 Buildings

Fourteen (14) buildings within the City of Millington were evaluated. All buildings included in the evaluation are listed in **Table 1** and shown on the map in **Appendix F**.

Table 1. Summary of Buildings Reviewed

Buildings	
1. Fire Station #1	4836 Navy Road
2. Fire Station #2	7265 Raleigh-Millington Rd
3. Police Station / Jail / Court	7950 Memphis Avenue
4. Millington Public Library	4858 Navy Road
5. City Hall	7930 Nelson St
6. Public Works	4701 Jack Huffman Blvd
7. Baker Community Center	7942 Church Street
8. USA Stadium Complex	4351 Babe Howard Blvd
9. Millington Gym	4885 Bill Knight Rd
10. Millington Elementary School	6445 William Osteen Drive
11. E.A. Harrold Elementary School	4943 West Union Road
12. Millington Middle School	4964 Cuba-Millington Road
13. Millington Central High School	8050 West Street
14. Millington-Memphis Airport	8182 Hornet Avenue



Buildings: Self-Evaluation Findings

Areas that were evaluated for each building included parking lots, path of travel from the parking lot to the building, access into the building, signage, drinking fountains, telephones, bathrooms, and counter heights. A complete list of issues is provided in the building facility reports (see **Appendix G**). Common issues identified included:

- Non-compliant accessible parking
- Non-compliant building entrances
- Non-compliant public areas
- Non-compliant restrooms

Buildings: Possible Solutions

A complete list of possible solutions is provided in the building facility reports (see **Appendix G**).

3.3.2 Parks

Seven (7) parks within the City of Millington were evaluated. All parks included in the evaluation are listed in **Table 2** and shown on the map in **Appendix F**.

Table 2. Summary of Parks Reviewed

Parks	
1. Aycock Park	7330 Renda
2. Biloxi Fields	4761 Biloxi
3. Centennial Park	5329 South Navy Circle
4. Joyner Fields	8250 Highway 51 North
5. Lions Park Pavilion	4376 Oak Spring Drive
6. Oak Park	7942 Church Street
7. Millington Farmers Market	5152 Easley Street

Parks: Self-Evaluation Findings

Areas that were evaluated for each park included parking lots, path of travel from the parking lot to the park amenities, access into facilities, signage, drinking fountains and restrooms. A complete list of issues is provided in the park facility reports (see **Appendix G**). Common issues identified included:

- Non-compliant accessible parking
- Non-compliant park amenities
- Non-compliant restrooms

Parks: Possible Solutions

A complete list of possible solutions is provided in the park facility reports (see **Appendix G**).



3.3.3 Signalized Intersections

Seventeen (17) signalized intersections within the City of Millington were evaluated. Signalized intersection evaluations cataloged the conditions and measurements along the pedestrian path of travel, which includes street crossings, curb ramps, sidewalk adjacent to the curb ramps, and pedestrian signal equipment and adjacent clear spaces.

All signalized intersections included in the evaluation are listed on a map included in **Appendix F**.

Signalized Intersections: Self-Evaluation Findings

Common curb ramp issues included excessive landing running slopes and cross slopes, excessive flare cross slopes, ponding at the base of the curb ramps or in curb ramp landings or flares, and excessive curb ramp running slopes and cross slopes. **Table 3** provides a summary of the curb ramp issues at signalized intersections.

About forty-six (46) percent of pedestrian crossings at signalized intersections did not have pedestrian signal heads or pedestrian push buttons. Pedestrian push buttons and signal heads were recommended to be installed at all signalized intersection pedestrian crossings where they did not exist. Common issues associated with the existing pedestrian push buttons included non-existent or inaccessible push button clear spaces, excessive push button clear cross slopes, push buttons installed at locations inconsistent with the current *Manual on Uniform Traffic Control Devices (MUTCD)* guidance, and excessive push button heights. **Table 4** provides a summary of the push button issues.

Signalized Intersections: Possible Solutions

A complete list of possible solutions can be found in the signalized intersection reports provided in **Appendix G**.

[The remainder of this page intentionally left blank.]



Table 3. Summary of Curb Ramp Issues at Signalized Intersections

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides at 90°	26	26	100.00%
Curb ramp does not have traversable sides	24	24	100.00%
Curb ramp present where curb ramp is needed	37	36	97.30%
Flush transition to roadway exists	36	35	97.22%
Presence of detectable warning surface	36	32	88.89%
Detectable warning surface color contrasts with adjacent curb ramp surface	36	32	88.89%
Curb ramp turning space (landing) exists	36	30	83.33%
Flare cross slope $\leq 10\%$	12	9	75.00%
Curb ramp turning space (landing) running slope $\leq 2\%$	30	21	70.00%
Curb ramp counter slope $\leq 5\%$	36	24	66.67%
Curb ramp running slope $\leq 8.3\%$	36	24	66.67%
Curb ramp cross slope $\leq 2\%$	36	23	63.89%
Curb ramp turning space (landing) cross slope $\leq 2\%$	30	18	60.00%
No obstruction in curb ramp, turning space (landing), or flares	36	17	47.22%
No ponding in curb ramp, turning space (landing), or flares	36	16	44.44%
Curb ramp lands in crosswalk	36	12	33.33%
Curb ramp width $\geq 48''$	24	2	8.33%
48'' crosswalk extension exists	24	2	8.33%



Table 4. Summary of Push Button Issues

Push Button Element	Number Evaluated	Number Compliant	Percent Compliant
Push button diameter is 2"	32	32	100.00%
Push button orientation is parallel to crossing direction	32	30	93.75%
Push button offset from curb $\leq 10'$	32	27	84.38%
Clear space cross slope $\leq 2\%$	14	8	57.14%
Push button offset from crosswalk $\leq 5'$	24	13	54.17%
Pedestrian head exists where pedestrian head is needed	60	32	53.33%
Push button exists where push button is needed	60	32	53.33%
Clear space running slope $\leq 2\%$	14	6	42.86%
Clear space exists and can be accessed	32	5	15.63%

3.3.4 Sidewalk Corridors

The sidewalk corridor evaluations documented conditions and measurements along the pedestrian path of travel, which includes the sidewalk, railroad crossings, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. Approximately 80 miles of sidewalk were evaluated. The included sidewalk corridors were selected due to their high level of pedestrian activity as well as their proximity to pedestrian traffic generators. A map of the evaluated sidewalk corridors is provided in **Appendix F**.

Sidewalk Corridors: Self-Evaluation Findings

Common issues along the sidewalk corridors were excessive sidewalk cross slopes, vertical surface discontinuities that caused excessive level changes, excessive driveway and cross street cross slopes, permanent obstructions in the sidewalk such as power poles or utilities, and temporary obstructions in the sidewalk or path of travel such as weeds and low hanging branches. Where excessive vegetation was present, field crews attempted to assess the condition of the underlying sidewalk. Where possible, the condition of the underlying sidewalk was recorded; however, the City of Millington may find additional issues with the sidewalk once the temporary obstruction is removed.

Common curb ramp issues at unsignalized intersections along the sidewalk corridors included curb ramps having excessive landing running slopes and cross slopes, no presence of color contrast or texture contrast, excessive running slopes and cross slopes, and excessive flare cross slopes. A summary of the unsignalized intersection curb ramp issues is provided in **Table 5**. Non-compliant curb ramps, sidewalk, and pedestrian paths of travel along driveways and street crossings at unsignalized interactions were recommended to be removed and replaced.



The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped area at existing pedestrian walkways, which applies to all facilities constructed prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7

Curb Ramp, which states, “curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.” For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 Code of Federal Regulations (CFR) Part 35, New Construction and Alterations, which states, “newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways.”

Sidewalk Corridors: Possible Solutions

To meet the federal requirements for curb ramp installations, the following recommendations were made:

- Where sidewalk leads up to the curb at an intersection, both parallel and perpendicular to the project corridor, two (2) directional curb ramps were recommended to be installed where geometry permitted. PROWAG requires two (2) directional curb ramps be installed during modifications unless there are existing physical constraints.
- Where sidewalk parallel to the project corridor leads up to the curb at a driveway, directional curbs ramps were recommended to be installed to serve the driveway crossing.
- Where diagonal curb ramps were installed with the intent to serve a side-street crossing only, receiving curb ramps are still required to be installed on the opposite side of the major street. However, an engineering study should be performed prior to the installation of the receiving curb ramps to determine if the major street crossing is safe to accommodate. If the engineering study determines the major street crossing is unsafe to accommodate, the existing diagonal curb ramps should be removed and replaced with directional curb ramps in addition to the other requirements noted in **Section 3.4 Federal Highway Administration (FHWA) Guidance on Closing Pedestrian Crossings**.

The following engineering judgement or best practices recommendations were made in order to maximize pedestrian safety. It should be noted that these improvements are advised but not required per federal standards.

- For all existing or implied pedestrian street crossings at unsignalized intersections where striping is not present, striping is recommended to be installed. The 2009 MUTCD states that on approaches controlled by STOP or YIELD signs, crosswalk lines should be installed where engineering judgement indicates they are needed to direct pedestrians to the proper crossing path(s). Additionally, in conjunction with signs and other measures, crosswalk markings help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic control signals or STOP or YIELD signs.
- For pedestrian crossings across commercial driveways, detectable warning surfaces are recommended to be installed on curb ramps or sidewalk approaches on either side of the driveway. PROWAG states that detectable warning surfaces should not be provided at crossings of residential driveways since the pedestrian right-of-way continues across residential driveway aprons. However, where commercial driveways are provided with yield or stop control, detectable warning surfaces should be provided at the junction between the pedestrian route and the vehicular route.

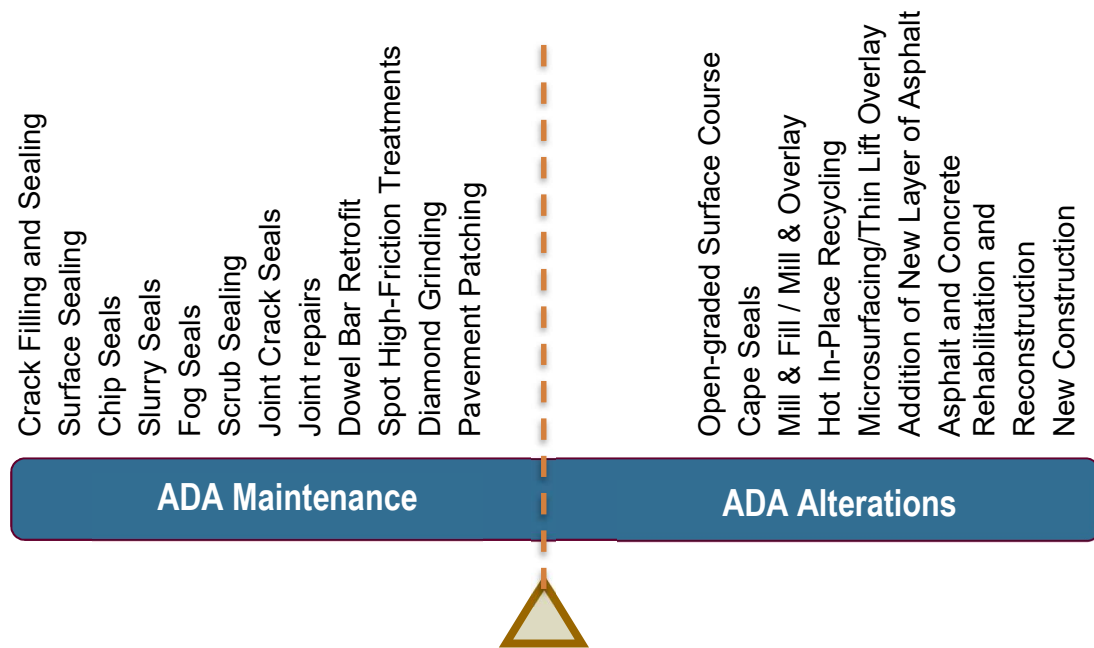


A complete list of possible solutions can be found in the sidewalk and unsignalized intersection facility reports provided in **Appendix G**.

Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides at 90°	200	200	100.00%
Curb ramp does not have traversable sides	200	200	100.00%
Curb ramp lands in crosswalk	14	14	100.00%
Curb ramp present where curb ramp is needed	216	212	98.15%
Curb ramp width $\geq 48''$	212	208	98.11%
Curb ramp turning space (landing) exists	210	205	97.62%
Flush transition to roadway exists	212	205	96.70%
No ponding in curb ramp, turning space (landing), or flares	212	166	78.30%
Curb ramp running slope $\leq 8.3\%$	212	159	75.00%
Curb ramp cross slope $\leq 2\%$	212	158	74.53%
Curb ramp turning space (landing) cross slope $\leq 2\%$	205	148	72.20%
Curb ramp counter slope $\leq 5\%$	212	153	72.17%
No obstruction in curb ramp, turning space (landing), or flares	212	151	71.23%
Curb ramp turning space (landing) running slope $\leq 2\%$	205	122	59.51%
Flare cross slope $\leq 10\%$	12	5	41.67%
Presence of detectable warning surface	212	56	26.42%
Detectable warning surface color contrasts with adjacent curb ramp surface	212	54	25.47%
48" crosswalk extension exists	3	0	0.00%

Figure 1. Maintenance versus Alteration Projects



Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

3.4 FHWA Guidance on Closing Pedestrian Crossings

An alteration that decreases or has the effect of decreasing the accessibility of a facility below the requirements for new construction at the time of the alternation is prohibited. For example, the removal of an existing curb ramp or sidewalk (without equivalent replacement) is prohibited. However, the FHWA has indicated a crossing may be closed if an engineering study (performed by the City and not included in the scope of this Transition Plan) determines the crossing is not safe for any user. The crossing should be closed by doing the following:

- A physical barrier is required to close a crossing at an intersection. FHWA has determined that a strip of grass between the sidewalk and the curb IS acceptable as a physical barrier.
- A sign should be used to communicate the closure.

The agency wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If safety concerns are established by an engineering study, a pedestrian crossing should not be accommodated for any user. The City of Millington should also develop and implement a policy on how to close those crossings that are accommodated based on the existing conditions at the crossing location (e.g., existing sidewalk leading up to the curb in the direction of the crossing or existing curb ramp or crosswalk serving the crossing) but should not be due to safety concerns.

3.5 Prioritization

The following sections outline the prioritization factors and results of the prioritization for buildings, parks, signalized intersections, sidewalks, and unsignalized intersections. Each facility type has a different set of parameters to establish the prioritization for improvements. These prioritization factors were taken into consideration when developing the implementation plan for the proposed improvements.



3.5.1 *Prioritization Factors for Facilities*

Buildings and parks were prioritized on a 12-point scale, which is defined in **Table 6**. This prioritization methodology was developed by the Consultant Team to aid the City in determining how the buildings should be prioritized for improvements based on the severity of non-compliance with ADA.

Signalized intersections were prioritized on a 13-point scale. The 13-point scale, which is used to prioritize both signalized and unsignalized intersections, is defined in **Table 7**. This prioritization methodology was developed by the Consultant Team to aid the City in determining which signalized intersections should be prioritized for improvements over other signalized intersections based on the severity of non-compliance with ADA.

Sidewalk corridors were prioritized on a 3-point scale and were given a priority of either “High”, “Medium”, “Low” based on the severity of non-compliance, which is defined in **Table 8**. Compliant segments of the sidewalk corridor were given a priority label of “Compliant”.

[The remainder of this page intentionally left blank.]



Table 6. Prioritization Factors for Buildings/Parks

Priority	Criteria
1 (high)	Complaint known or imminent danger present
2 (high)	<ul style="list-style-type: none"> • Element is more than twice the allowable requirement. No known complaint. • AND (for exterior conditions) location is near a hospital, school, transit stop, government building, or other pedestrian attractor.
3 (high)	<ul style="list-style-type: none"> • Element is more than twice the allowable requirement. No known complaint. • AND (for exterior conditions) location is not near a hospital, school, transit stop, government building, or other pedestrian attractor.
4 (high)	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
5 (medium)	Issues with access to goods and services (DOJ level 2) – severely out of compliance
6 (medium)	Issues with: <ul style="list-style-type: none"> • Access to goods and services (DOJ level 2) – moderately out of compliance; • Parking or exterior conditions (DOJ level 1) – minimally out of compliance; OR • Restrooms (DOJ level 3) – severely out of compliance
7 (medium)	Issues with: <ul style="list-style-type: none"> • Access to goods and services (DOJ level 2) – minimally out of compliance; • Restrooms (DOJ level 3) – moderately out of compliance; OR • Drinking fountains or public phones (DOJ level 4 & 5) – severely out of compliance
8 (medium)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
9 (low)	Issues with restrooms (DOJ level 3) – minimally out of compliance
10 (low)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
11 (low)	<ul style="list-style-type: none"> • Client is a Title II agency; AND • Elements out of compliance, but may be able to be handled programmatically or do not need to be handled unless or until the agency hires a person with a disability
12 (low)	Element is fully compliant with an older standard (safe-harbored), but will need to be brought into compliance with current standards if altered



Table 7. Prioritization Factors for Signalized and Unsignalized Intersections

Priority	Criteria
1 (high)	Complaint filed on curb ramp or intersection or known accident/injury at site
2 (high)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> • Running slope > 12% • Cross slope > 7% • Obstruction to or in the curb ramp or landing • Level change > ¼ inch at the bottom of the curb ramp • No detectable warnings AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
3 (high)	<ul style="list-style-type: none"> • No curb ramp where sidewalk or pedestrian path exists AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
4 (high)	No curb ramps, but striped crosswalk exists
5 (medium)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> • Running slope > 12% • Cross slope > 7% • Obstruction to or in the curb ramp or landing • Level change > ¼ inch at the bottom of the curb ramp • No detectable warnings AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
6 (medium)	<ul style="list-style-type: none"> • No curb ramp where sidewalk or pedestrian path exists AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
7 (medium)	Existing diagonal curb ramp (serving both crossing directions on the corner) is non-compliant and should be replaced with two curb ramps, one serving each crossing direction on the corner.
8 (medium)	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> • Cross slope > 5% • Width < 36 inches • Median/island crossings that are inaccessible
9 (low)	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient turning space
10 (low)	Existing diagonal curb ramp without a 48-inch extension into the crosswalk
11 (low)	Existing pedestrian push button is not accessible from the sidewalk and/or curb ramp
12 (low)	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
13 (low)	All other intersections not prioritized above



Table 8. Prioritization Factors for Sidewalk Corridors

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
Cross slope of sidewalk is greater than 2%	Value > 3.5%	3.5% ≥ Value > 2.0%	
Width of sidewalk is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Obstruction present along sidewalk	Obstruction - Permanent	Obstruction - Temporary	
Heaving, sinking, or cracking present on sidewalk	Heaving Sinking Cracking		
Ponding on sidewalk		Ponding	
Missing sidewalk			Missing Sidewalk
Signalized cross street cross slope is greater than 5%	Value > 9.0%	9.0% ≥ Value ≥ 7.0%	7.0% > Value > 5.0%
Unsignalized cross street cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Cross street running slope is greater than 5%	Value > 7.0%	7.0% ≥ Value ≥ 6.0%	6.0% > Value > 5.0%
Driveway sidewalk width is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Driveway (or sidewalk if applicable) cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Driveway (or sidewalk if applicable) condition is poor or poor dangerous	Elevation change greater than 1/2 inch or gaps greater than 1 inch	Elevation change between 1/4 inch and 1/2 inch or gaps between 1/2 inch and 1 inch	
Railroad crossing excessive sidewalk vertical discontinuity	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
Railroad crossing pre-fabricated plate is plastic or does not exist	Yes – Plastic or No		
Railroad crossing flangeway gap is greater than 3 inches	Value > 3.0"		
Railroad crossing is missing detectable warning surface(s)	Value > 2.5"		



Table 9, Table 10, and Table 11 provide summaries of the prioritization classifications for signalized intersections, sidewalks, and unsignalized intersections, respectively.

Table 9. Prioritization Summary Signalized Intersections

Priority	Number of Intersections
0 (compliant)	2
1 (high)	0
2 (high)	3
3 (high)	0
4 (high)	2
5 (medium)	10
6 (medium)	0
7 (medium)	0
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	0
Total	17

Table 10. Prioritization Summary for Sidewalk Corridors

Line type	Length (miles) by Priority				
	1 (high)	2 (medium)	3 (low)	Compliant	Total
Sidewalks	25.48	19.40	0.16	16.64	61.68
Driveways	6.81	4.46	1.11	0.70	13.07
Cross Streets	0.18	0.23	0.71	3.56	4.68
Total	32.47	24.09	1.98	20.90	79.43



Table 11. Prioritization Summary for Unsignalized Intersections

Priority	Number of Intersections
0 (compliant)	0
1 (high)	0
2 (high)	5
3 (high)	1
4 (high)	0
5 (medium)	63
6 (medium)	35
7 (medium)	0
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	15
Total	119

3.6 Conclusion

This document serves as the ADA Transition Plan for the City of Millington. In developing the Transition Plan, PSAs were reviewed for compliance with ADA guidelines and a Self-Evaluation was conducted on the following facilities:

- 14 buildings;
- 7 parks;
- 17 signalized intersections; and
- 79.4 miles of sidewalk and all unsignalized intersections and driveways along the sidewalk corridors.

The possible solutions were prioritized and an implementation plan was developed to provide guidance for the City's improvement projects in the coming years. Public outreach was also conducted to aid in the development of the plan.

The City is taking the actions referenced below and will continue to look for and remedy, barriers to access to ensure that Millington citizens who are disabled are given access to the City's PSAs.

To confirm follow-up on corrective actions required under the Transition Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action Log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of the Transition Plan by the governing body of the City, the ADA Action Log will be updated on an annual basis. The ADA Action Log should be available upon request. See example of ADA Action Log provided in **Appendix H**.



4.0 Facility Costs

4.1 Facilities Cost Projection Overview

To identify funding sources and develop a reasonable implementation schedule, cost projection summaries for only the facilities evaluated were developed for each facility type. To develop these summaries, recent bid tabulations from the Tennessee Department of Transportation (TDOT) construction projects, along with Consultant Team experience with similar types of projects, were the basis for the unit prices used to calculate the improvement costs. A contingency percentage (20%) was added to the subtotal to account for increases in unit prices in the future in addition to an engineering design percentage (15%). All costs are in 2019 dollars. **Table 12** provides a summary of the estimated costs to bring each facility into compliance.

Table 12. Summary of Facility Costs

Facility Type	Priority			
	High	Medium	Low	Total
Buildings	\$249,615	\$2,528,597	\$262,913	\$3,041,125
Parks	\$102,600	\$509,706	\$2,633	\$614,939
Signalized Intersections	\$453,500	\$714,600	\$0	\$1,168,100
Public Rights-of-Way Sidewalk	\$9,294,851	\$8,053,643	\$705,607	\$18,054,100
Public Rights-of-Way Unsignalized Intersections	\$1,788,300	\$7,473,200	\$589,800	\$9,851,300
City Totals	\$11,888,866	\$19,279,746	\$1,560,952	\$32,729,564

4.2 Implementation Schedule

Table 13 details the barrier removal costs and proposed implementation schedule by facility type for all City -owned facilities evaluated. This 20-year plan will serve as the implementation schedule for the Transition Plan. The City of Millington reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in City programs.

It is the intent of the City to have its ADA Coordinator work together with department heads and budget staff to determine the funding sources for barrier removal projects. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects in the Capital Improvement Program (CIP) to be addressed on a fiscal year basis.



Table 13. Implementation Schedule

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
Buildings	\$3,041,125	20	\$152,056
Parks	\$614,939	20	\$30,747
Signalized Intersections	\$1,168,100	20	\$58,405
Public Rights-of-Way Sidewalk	\$18,054,100	20	\$902,705
Public Rights-of-Way Unsignalized Intersections	\$9,851,300	20	\$492,565
City Total	\$32,729,564		
Total Annual Budget			\$1,636,478

4.3 Funding Opportunities

Several alternative funding sources are available to the City to complete the improvements in this Transition Plan. The funding opportunities include applying for resources at the federal and state level, consideration of local options, and leveraging private resources. The following sections detail some different funding source options.

4.3.1 Federal and State Funding

Table 14 depicts the various types of federal and state funding available for the City to apply for funding for various improvements. The following agencies and funding options are represented in the chart.

- BUILD – Better Utilizing Investments to Leverage Development Transportation Discretionary Grants
- INFRA – Infrastructure for Rebuilding America Discretionary Grant Program
- TIFIA – Transportation Infrastructure Finance and Innovation Act (loans)
- FTA – Federal Transit Administration Capital Funds
- ATI – Associated Transit Improvement (1% set-aside of FTA)
- CMAQ – Congestion Mitigation and Air Quality Improvement Program
- HSIP – Highway Safety Improvement Program
- NHPP – National Highway Performance Program
- STBG – Surface Transportation Block Grant Program
- TA – Transportation Alternatives Set-Aside (formerly Transportation Alternatives Program)
- RTP – Recreational Trails Program
- SRTS – Safe Routes to School Program / Activities
- PLAN – Statewide Planning and Research (SPR) or Metropolitan Planning funds
- NHTSA 405 – National Priority Safety Programs (Nonmotorized safety)
- FLTTP – Federal Lands and Tribal Transportation Programs (Federal Lands Access Program, Federal Lands Transportation Program, Tribal Transportation Program, Nationally Significant Federal Lands and Tribal Projects)

Most of these programs are competitive type grants; therefore, the City of Millington is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds. Federal-aid funding programs have specific requirements that projects must meet, and eligibility must be determined on a case-by-case basis.



Table 14. Funding Opportunities

ACTIVITY	BUILD	INFRA	TIFIA	FTA	ATI	CMAQ	HSIP	NHPP	STBG	TA	RTP	SRTS	PLAN	NHTS	FLTP
Access enhancements to public transportation	X	X	X	X	X	X		X	X	X					X
ADA/504 Self-Evaluation / Transition Plan									X	X	X		X		X
Bus shelters and benches	X	X	X	X	X	X		X	X	X					X
Coordinator positions (state or local)						X			X	X		X			
Crosswalks (new or retrofit)	X	X	X	X	X	X	X	X	X	X	X	X			X
Curb cut and ramps	X	X	X	X	X	X	X	X	X	X	X	X			X
Paved shoulders for pedestrian use	X	X	X			X	X	X	X	X		X			X
Pedestrian plans				X					X	X		X	X		X
Recreational trails	X	X	X						X	X	X				X
Shared use paths / transportation trails	X	X	X	X	X	X	X	X	X	X	X	X			X
Sidewalk (new or retrofit)	X	X	X	X	X	X	X	X	X	X	X	X			X
Signs / signals / signal improvements	X	X	X	X	X	X	X	X	X	X		X			X
Signed pedestrian routes	X	X	X	X	X	X		X	X	X		X			X
Spot improvement programs	X	X	X	X			X	X	X	X	X	X			X
Stormwater impacts related to pedestrian projects	X	X	X	X	X		X	X	X	X	X	X			X
Trail bridges	X	X	X			X	X	X	X	X	X	X			X
Trail / highway intersections	X	X	X			X	X	X	X	X	X	X			X
Trailside and trailhead facilities	X	X	X						X	X	X				X
Training						X	X		X	X	X	X	X	X	
Tunnels / undercrossings for pedestrians	X	X	X	X	X	X	X	X	X	X	X	X			X

Adapted from FHWA Pedestrian and Bicycle Funding Opportunities, Revised August 9, 2018:
https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm



4.3.2 Local Funding

There are several local funding options for the City to consider, including:

- Community Development Block Grants (CDBG)
- Community Improvement District (CID) – A geographically defined district in which commercial property owners vote to impose a self-tax. Funds are then collected by the taxing authority and given to a board of directors elected by the property owners.
- General fund (sales tax and bond issue)
- Scheduled/funded CIP projects that are funded through bonds
- Sidewalk or Access Improvement Fee
- Special tax districts – A district with the power to provide some governmental or quasi-governmental service and to raise revenue by taxation, special assessment, or charges for services.
- Tax Allocation District (TAD) – A defined area where real estate property tax monies gathered above a certain threshold for a certain period of time (typically 25 years) is to be used for a specified improvement. The funds raised from a TAD are placed in a tax-free bond (finance) where the money can continue to grow. These improvements are typically for revitalization and especially to complete redevelopment efforts.
- Tax Increment Financing District (TIF) – A TIF allows cities to create special districts and to make public improvements within those districts that will generate private-sector development. During the development period, the tax base is frozen at the predevelopment level. Property taxes continue to be paid, but taxes derived from increases in assessed values (the tax increment) resulting from new development either go into a special fund created to retire bonds issued to originate the development, or leverage future growth in the district.
- Transportation Reinvestment Zone
- Transportation User Fee / Street Maintenance Fee

4.3.3 Private Funding

Private funding may include local and national foundations, endowments, private development, and private individuals. While obtaining private funding to provide improvements along entire corridors might be difficult, it is important for the City to require private developers to improve pedestrian facilities to current ADA requirements, whether it by new development or redevelopment of an existing property.

4.4 Next Steps

The City will begin internal coordination to address the programmatic barriers identified in the Transition Plan.

The City will develop a budget to include the next 20 fiscal years. Projects identified in the ADA Transition Plan will be programmed within the 20-year budget based prioritization provided (see **Section 3.6 Prioritization**) and other factors determined by the City, such as how barrier removal can be incorporated into existing City projects identified for capital improvements.

The City also intends to adopt 2011 PROWAG to enable City enforcement of these guidelines throughout the design and construction process of pedestrian facilities in the public rights-of-way.



Appendix

Appendix A: Public Outreach

ADA Liaison Committee Meeting Notes

ADA Advisory Committee Meeting Notes

Online Survey Response Summary

Paper Survey Responses

Appendix B: Departmental Survey and Interview Finding Summaries

Appendix C: Grievance Procedure

Title I Grievance Procedure

Title I Grievance Form

Appendix D: Programs, Services, and Activities (PSA) Review

Job Description Review

Equivalent Language Guidance

Documents, Forms, and Videos Review

Online Services Review

Links to Other Websites Review

Cursory Website Review

Appendix E: Policies, Procedures, and Guidance - Developed

Appendix F: Facility Maps

Buildings

Parks

Signalized Intersections

Right-of-way Sidewalk Corridors

Appendix G: Facility Reports



Buildings

Parks

Signalized Intersections

Public Rights-of-Way Sidewalk Corridors

Appendix H: ADA Action Log