

<p>Slide 1 </p> <p>Slide 1 Duration: 00:00:10 Advance mode: Auto</p>	<p>Notes: Landing Slide</p>
<p>Slide 2 </p> <p>Disability Legislation History Duration: 00:00:19 Advance mode: Auto</p>	<p>Notes: While the Civil Rights Act of 1964 addressed the discriminatory treatment of minorities and women based on their gender, race, color, religion, sex and national origin. However, it did not include the disabled. During the 1960's, four major pieces of civil rights legislation were passed by the United States Congress.</p>
<p>Slide 3</p> <p>Legislative Timeline Duration: 00:03:06 Advance mode: By user</p>	<p>Notes: TIMELINE INTRODUCTION: They were: The Civil Rights Act of 1964, The Voting Rights Act of 1965, The Architectural Barriers Act of 1968, and The Civil Rights Act of 1968. In later years, two additional pieces of legislation were added: Section 504 of the Rehabilitation Act of 1973 and The Americans with Disabilities Act of 1990. Let's review each piece of legislation a bit further... ----- CIVIL RIGHTS ACT OF 1964: The Civil Rights Act of 1964 was broad in scope and covered those receiving federal funds, employers, places of accommodation such as bus stations, restrooms and lunch counters. However, it did not protect people with disabilities. ----- VOTING RIGHTS ACT OF 1965: The Voting Rights Act of 1965 (VRA) protects the rights of minorities, to vote in elections. The VRA allowed those with various disabilities to receive assistance, but did not ensure access for the disabled to polling places. ----- ARCHITECTURAL BARRIERS ACT OF 1968: The ABA requires access to facilities designed, built, altered, or leased with Federal funds. Passed by Congress in 1968, it marks one of the first efforts to ensure access to the built environment. The Access Board develops and maintains accessibility guidelines under this law. These guidelines serve as the basis for the standards used to enforce the law, the Uniform Federal Accessibility Standards (UFAS). Four Federal agencies are responsible for the standards: the Department of Defense, the Department of Housing and Urban Development, the General Services Administration, and the U.S. Postal Service. ----- THE CIVIL RIGHTS ACT OF 1968: The Civil Rights Act of 1968 includes Title VIII which prohibits discrimination on the basis of race, color, religion, sex, or national origin in the rental or sale of housing. In this legislation, women are recognized as a covered class, but the Fair Housing Act, did not protect people with disabilities until 1988 when it was amended to add two new classes, people with disabilities and families with children. ----- SECTION 504 OF THE REHABILITATION ACT OF 1973: Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of a disability towards otherwise qualified people with disabilities by recipients of federal financial assistance. But 504 did</p>

	<p>not protect people with disabilities from discrimination by employers, by public accommodations in the private sector, by publicly funded programs and by those providing federal financial assistance.</p> <p>-----</p> <p>THE AMERICANS WITH DISABILITIES ACT OF 1990: The ADA prohibits discrimination on the basis of disability in employment, access to public services, public accommodations, commercial facilities, transportation, and requires telephone companies to offer telephone relay service for individuals who use telecommunication devices for the deaf (TTYs) or similar devices. It also applies to the United States Congress.</p> <p>One of the goals of the ADA was to remedy gaps from previous legislation that provided civil rights protections that did not extend to the disabled.</p>
<p>Slide 4 </p> <p>Section 504 Overview</p> <p>Duration: 00:00:36 Advance mode: Auto</p>	<p>Notes:</p> <p>Broader than any disability law that came before it, Section 504 of the Rehabilitation Act of 1973 made it illegal for the federal government, federal contractors, and any entity receiving federal financial assistance to discriminate on the basis of disability. Section 504 obligates state and local governments to ensure that persons with disabilities have equal access to any programs, services, or activities receiving federal financial assistance. Covered entities are also required to ensure that their employment practices do not discriminate on the basis of disability.</p>
<p>Slide 5 </p> <p>Section 504 Overview Continued...</p> <p>Duration: 00:00:52 Advance mode: Auto</p>	<p>Notes:</p> <p>Beginning with the enactment of Section 504 of the Rehabilitation Act of 1973, people with disabilities were acknowledged by Congress as a class of people subject to pervasive discrimination.</p> <p>With the passage of the ADA, Congress enacted to:</p> <ul style="list-style-type: none"> • Provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. • Provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities. • Ensure that the Federal Government plays a central role in enforcing the standards established in this Act on behalf of individuals with disabilities. • Invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and to regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.
<p>Slide 6 </p> <p>ADA Overview</p> <p>Duration: 00:00:34 Advance mode: Auto</p>	<p>Notes:</p> <p>The ADA is built upon the foundation laid by Section 504 of the Rehabilitation Act (or §504). There are many parallels between the Rehabilitation Act and the ADA, however, there are some fundamental differences. Both laws are designed to prohibit discrimination against individuals with disabilities. Both share many of the same definitions and provisions. While Section 504 applies only to entities receiving federal financial assistance, the ADA covers all state and local governments, including those that receive no federal financial assistance.</p>

<p>Slide 7 </p> <p>Who Does the ADA Apply To? Duration: 00:00:33 Advance mode: Auto</p>	<p>Notes: The ADA also applies to private businesses that meet the ADA’s definition of “public accommodation.” Restaurants, hotels, movie theaters, and doctors’ offices are just a few examples of businesses that meet this definition. Likewise, commercial facilities such as office buildings, factories, and warehouses must also comply with the ADA’s public accommodation mandate. Other industries and entities that are responsible for ensuring adequate public accommodations include transportation, telecommunications, many private employers, and the U.S. Congress.</p>
<p>Slide 8 </p> <p>ADA Background Duration: 00:00:20 Advance mode: Auto</p>	<p>Notes: The Americans with Disabilities Act provides civil rights protections via enforceable standards to individuals with disabilities. The ADA’s protections are similar to those provided to individuals outlined in Section 504 addressing nondiscrimination on the basis of race, color, sex, national origin, age, and religion.</p>
<p>Slide 9 </p> <p>ADA Background continued... Duration: 00:00:13 Advance mode: Auto</p>	<p>Notes: As mentioned before, the ADA also guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.</p>
<p>Slide 10 </p> <p>Five Titles of the ADA Duration: 00:00:34 Advance mode: Auto</p>	<p>Notes: There are five titles included in the Americans with Disabilities Act of 1990. They are:</p> <ul style="list-style-type: none"> • Title I: Employment (This title applies to all Title II employers and private employers with 15 or more employees) • Title II: Public Services (This title applies to state and local governments and their agencies, including public school districts and public transportation) • Title III: Public Accommodations and Services provided by Private Entities • Title IV: Telecommunications • Title V: Miscellaneous Provisions

<p>Slide 11 </p> <p>What is a Disability?</p> <p>Duration: 00:00:40 Advance mode: Auto</p>	<p>Notes:</p> <p>To fully understand Section 504 and the ADA, we must first understand who the disabled are and how disability is defined. The ADA's definition of persons with disabilities is based on the definition in Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against people with disabilities in a range of areas, such as employment, social services and education, by entities that receive federal funds.</p> <p>Neither ADA nor the regulations that implement it list all the diseases or conditions that are covered. It would be impossible to provide a comprehensive list, given the variety of possible impairments.</p>
<p>Slide 12 </p> <p>Disability Defined</p> <p>Duration: 00:00:18 Advance mode: Auto</p>	<p>Notes:</p> <p>Section 504 of the Rehabilitation Act, and Title II of the ADA define a person with a disability as one who:</p> <ul style="list-style-type: none"> • has a physical or mental impairment that substantially limits one or more major life activities; OR • has a record of such an impairment; OR • is regarded as having such an impairment. <p>SOURCE: Desk Reference Page 4-I-8 and 4-I-39.</p>
<p>Slide 13</p> <p>Impairment</p> <p>Duration: 00:01:27 Advance mode: By user</p>	<p>Notes:</p> <p>WHAT IS AN IMPAIRMENT? (INTRODUCTION): An impairment is a physiological disorder affecting one or more of a number of body systems or a mental or psychological disorder. The ADA, however, does not specifically name all of the impairments that are covered.</p> <p>-----</p> <p>IMPAIRMENT DEFINED...: The phrase physical or mental impairment means: Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic, lymphatic, skin, or endocrine.</p> <p>-----</p> <p>MENTAL OR PSYCHOLOGICAL DISORDER: The phrase physical or mental impairment also means: Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.</p> <p>-----</p> <p>INCLUDES: The phrase physical or mental impairment includes, but is not limited to, such contagious and non-contagious diseases and conditions such as orthopedic, visual, speech and hearing impairments. Cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism are also included.</p> <p>-----</p> <p>DOES NOT INCLUDE: Please note that the phrase physical or mental impairment does not include homosexuality or bisexuality.</p>

<p>Slide 14 </p> <p>Substantially Limits</p> <p>Duration: 00:00:13 Advance mode: Auto</p>	<p>Notes:</p> <ul style="list-style-type: none"> An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity.
<p>Slide 15 </p> <p>Substantially Limits continued...</p> <p>Duration: 00:00:25 Advance mode: Auto</p>	<p>Notes:</p> <ul style="list-style-type: none"> The determination of whether an impairment substantially limits a major life activity depends on the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long-term impact of the impairment. An impairment substantially limits an individual's ability to work if it prevents or significantly restricts the individual from performing a class of jobs or a broad range of jobs in various classes.
<p>Slide 16 </p> <p>Substantially Limits continued...</p> <p>Duration: 00:00:22 Advance mode: Auto</p>	<p>Notes:</p> <ul style="list-style-type: none"> Although very short-term, temporary restrictions generally are not substantially limiting. An impairment does not have to be permanent to rise to the level of a disability. Moreover, temporary impairments that take significantly longer than normal to heal, long-term, or potentially long-term impairments of indefinite duration may be disabilities if they are severe.
<p>Slide 17 </p> <p>Substantially Limits continued...</p> <p>Duration: 00:00:20 Advance mode: Auto</p>	<p>Notes:</p> <ul style="list-style-type: none"> Chronic or episodic disorders that are substantially limiting when active or have a high likelihood of recurrence in substantially limiting forms may be disabilities. An individual who has two or more impairments that are not substantially limiting by themselves but that together substantially limit one or more major life activities has a disability.
<p>Slide 18 </p> <p>Major Life Activities</p> <p>Duration: 00:00:29 Advance mode: Auto</p>	<p>Notes:</p> <p>Examples of major life activities listed in the Section 504 and ADA Title II regulations include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Other examples of major life activities include sitting, standing, and lifting. Mental and emotional processes such as thinking, concentrating, and interacting with others are also considered major life activities.</p>

<p>Slide 19 </p> <p>Record Of</p> <p>Duration: 00:00:13 Advance mode: Auto</p>	<p>Notes:</p> <p>An individual has a record of a substantially limiting impairment if she or he has:</p> <ul style="list-style-type: none"> • a history of a substantially limiting impairment or • been misclassified as having a substantially limiting impairment.
<p>Slide 20 </p> <p>Regarded As</p> <p>Duration: 00:00:26 Advance mode: Auto</p>	<p>Notes:</p> <p>An individual is regarded as having a substantially limiting impairment if he or she has:</p> <ul style="list-style-type: none"> • an impairment that does not substantially limit major life activities but is treated by a covered entity as constituting such limitation, • an impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment, or • no impairment but is treated by a covered entity as having a substantially limiting impairment.
<p>Slide 21 </p> <p>Disability Does NOT Include...</p> <p>Duration: 00:00:23 Advance mode: Auto</p>	<p>Notes:</p> <p>The term disability does not include:</p> <ul style="list-style-type: none"> • Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders • Compulsive gambling, kleptomania, or pyromania; or • Psychoactive substance use disorders resulting from current illegal use of drugs
<p>Slide 22 </p> <p>Qualified Persons With Disabilities</p> <p>Duration: 00:00:45 Advance mode: Auto</p>	<p>Notes:</p> <p>For the purposes of employment, an employer regards a qualified applicant as with a disability if it treats the individual as having an impairment that disqualifies or significantly restricts the individual from working in a class of jobs or a broad range of jobs in various classes.</p> <p>For the purposes of accessibility, according to the ADA, a qualified individual with a disability is "an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity."</p>

<p>Slide 23 </p> <p>General Overview Review One</p> <p>Duration: 00:00:10 Advance mode: By user</p>	<p>Notes: N/A</p>
<p>Slide 24 </p> <p>Characteristics of the Disabled</p> <p>Duration: 00:01:13 Advance mode: Auto</p>	<p>Notes:</p> <p>In order to apply the protections of ADA/504, it is important to be aware of the spectrum or range of disabilities that would trigger coverage under these regulations. Individuals with Disabilities may have impairments that fall in one or more of the following categories:</p> <ul style="list-style-type: none"> • The mobility or physically challenged may experience either orthopedic or medical conditions that contribute to their disability. Orthopedic disabilities may require the use of a wheelchair, walker, cane or prosthetic device, while Medical disabilities may affect the heart, or lungs. Another example of a medical condition might include diabetes. • Those with Visual impairments may experience blindness or low vision • Those with Hearing impairments may be deaf, unable to hear at all. Or, they may experience variations of hearing impairment where they hear to some degree, but not completely. • The cognitively or neurologically impaired may suffer from conditions such as Autism or brain injury. <p>Following is a more detailed explanation of each of the types of disabilities that State Department of Transportation (or SDOT) staff may encounter when engaged in program or project delivery, and the solutions that can be employed to achieve accessibility.</p>
<p>Slide 25</p> <p>Characteristics of the Disabled</p> <p>Duration: 00:01:11 Advance mode: By user</p>	<p>Notes:</p> <p>COGNITIVELY/NEUROLOGICALLY IMPAIRED: People with cognitive or neurological disabilities (such as traumatic brain injury, autism, etc.) often have different processing and decision-making skills. In these instances, they benefit from simple, uncomplicated street crossings, easy-to-understand symbols, and the like.</p> <p>-----</p> <p>VISUALLY IMPAIRED: People with visual limitations or disabilities (such as blind or low vision) typically receive information from sounds, textures, and contrast. Therefore, they benefit from information in non-visual formats such as clearly defined pathways, audible and/or vibrotactile crossing information, and tactile indication of boundaries between pedestrian and vehicular ways.</p> <p>-----</p> <p>HEARING IMPAIRED: People with hearing impairments or disabilities typically rely more heavily on their vision. Therefore, they benefit from good sight lines for assessing street crossing conditions and information in visual or vibrotactile formats.</p> <p>-----</p> <p>MOBILITY/PHYSICALLY IMPAIRED: People with mobility or physical disabilities may be subject to limited agility, speed, and endurance. Therefore firm, level surfaces, adequate clear width for travel, curb ramp availability, and limited cross slopes become of great benefit when considering this group of travelers.</p>

<p>Slide 26 </p> <p>What is the Scope of Title II? Continued...</p> <p>Duration: 00:00:32 Advance mode: Auto</p>	<p>Notes:</p> <p>Unlike Section 504 of the Rehabilitation Act of 1973, which only covers programs receiving Federal financial aid, Title II of ADA extends to all the activities of state and local government entities, regardless of whether they receive federal funding.</p> <p>Subtitle B covers public transportation and is implemented by the Department of Transportation’s regulation. For this reason, the provisions set forth by Subtitle B are outside of the scope of the FHWA’s regulatory authority and will not be addressed in this deliverable.</p>
<p>Slide 27 </p> <p>What is the Scope of Title II?</p> <p>Duration: 00:00:22 Advance mode: Auto</p>	<p>Notes:</p> <p>Title II of the ADA applies to State and local governments, or “public entities.” This part of the Act prohibits discrimination against people with disabilities in all programs, activities, and services of public entities. The ADA outlines “administrative requirements” for all Title II entities which actually provide the framework for Title II compliance.</p>
<p>Slide28 </p> <p>General Overview Review Two</p> <p>Interaction type: Choices Passing score: 70 Instructions: None Custom Message: None</p>	<p>Questions:</p> <ol style="list-style-type: none"> Which of the following would not be considered a disability characterized by mobile/physical dysfunction? <ol style="list-style-type: none"> Diabetes Brain Injury Lung Condition Wheelchair Use Cane Use The visually and hearing impaired benefit from receiving information in vibrotactile formats. <ol style="list-style-type: none"> True False People with cogintive or neurological disabilities best benefit from... <ol style="list-style-type: none"> Limited Cross Slopes Audible Crossing Information Firm, Level Surfaces Easy-to-Understand Symbols and Signs Subtitle B of Title II of the ADA covers Public Transportation. <ol style="list-style-type: none"> True False

<p>Slide 29 </p> <p>Other Federal Agencies</p> <p>Duration: 00:00:33 Advance mode: Auto</p>	<p>Notes:</p> <p>Because the Americans with Disabilities Act of 1990 protects the legal rights of people with disabilities and requires the provision of services, including access to transportation and public rights of way, the federal government is responsible for monitoring, overseeing, and enforcing ADA requirements, as well as providing technical assistance. Therefore, a number of federal agencies have a role in implementing, overseeing, and enforcing the ADA’s surface transportation requirements. Their general roles and responsibilities will be discussed.</p>
<p>Slide 30 </p> <p>Other Federal Agencies</p> <p>Duration: 00:00:31 Advance mode: Auto</p>	<p>Notes:</p> <p>To determine all of the requirements that a covered entity must satisfy, it is necessary to refer to the regulations, guidelines, and/or technical assistance materials that have been developed by:</p> <ul style="list-style-type: none"> • the Department of Justice (or DOJ), • the Equal Employment Opportunity Commission (or EEOC) • the Department of Transportation (or DOT) • the Federal Communications Commission (or FCC) • the Architectural and Transportation Barriers Compliance Board (also commonly referred to as the Access Board)
<p>Slide 31</p> <p>The Department of Justice</p> <p>Duration: 00:01:40 Advance mode: By user</p>	<p>Notes:</p> <p>WHO IS THE DOJ AND WHAT DOES IT DO? The DOJ is designated as the regulatory and enforcement agency for civil rights legislation. It also has a broad responsibility for the enforcement of the ADA, as under the ADA, the DOJ issues regulations setting rules and standards for access in public and commercial facilities (such as P.R.O.W.s). The DOJ has responsibility to conduct litigation on the government’s behalf in enforcing the ADA upon referral of a finding of noncompliance by the DOT or by intervention in a privately filed lawsuit. The DOJ is also responsible for enforcing compliance among publicly and privately operated transportation systems that serve the general public.</p> <p>-----</p> <p>WHAT ADDITIONAL RESPONSIBILITIES ARE HELD BY THE DOJ?: The DOJ is responsible for publishing federal regulations governing access to public and commercial services. Not only does the DOJ refer allegations of ADA violations by public transportation entities to the DOT for investigation, it is also responsible for conducting compliance reviews and investigating alleged ADA violations by private entities, itself. The DOJ may, under certain circumstances, commence civil action in US district court.</p> <p>-----</p> <p>HOW DOES THE DOJ INTEACT WITH THE FHWA? With respect to the FHWA’s ADA and 504 responsibilities, the FHWA works with DOJ to develop and implement regulations. It also coordinates compliance, technical assistance and enforcement activities. The FHWA refers complaints and compliance reviews to the DOJ in cases where violations of the ADA are found and the investigated entity refuses to voluntarily comply with pre-specified regulations.</p>

<p>Slide 32 </p> <p>Equal Employment Opportunity Commission</p> <p>Duration: 00:00:23 Advance mode: Auto</p>	<p>Notes:</p> <p>Although the attorney general has certain responsibilities, the responsibility for enforcement of Title I of the ADA regarding employment, rests primarily with the EEOC. Additionally, the ADA requires coordination between the authorities enforcing Title I the Office of Federal Contract Compliance Programs (or the O.F.C.C.P.) of the U.S. Department of Labor.</p>
<p>Slide 33 </p> <p>The United States Department of Transportation</p> <p>Duration: 00:00:34 Advance mode: Auto</p>	<p>Notes:</p> <p>The DOT issues regulations for both public and private transportation and is responsible for reviewing compliance among public entities. It is also designated by the DOJ to oversee compliance of State and local governments to Section 504 and Title II of the ADA. Having adopted the ADA Accessibility Guidelines (or ADAAG) as a standard for public transportation design and other general conveyance, the DOT ensures that federally funded entities maintain facilities that are readily accessible to all pedestrians.</p>
<p>Slide 34</p> <p>Five Offices of the DOT</p> <p>Duration: 00:02:21 Advance mode: By user</p>	<p>Notes:</p> <p>INTRODUCTION – FIVE OFFICES: The DOT is responsible for publishing federal regulations that address the implementation of transportation provisions enlisted by the ADA. There are five offices within the DOT we will discuss further in the next slides. These offices include: *The Office of the Secretary of Transportation (or OST) *The Federal Highway Administration (or FHWA) *The Federal Motor Carrier Safety Administration (or FMCSA) *The Federal Railroad Administration (or FRA) *The Federal Transit Administration (or FTA)</p> <p>-----</p> <p>THE OST: The OST promulgated the DOT’s regulations for the ADA and Section 504 of the Rehabilitation Act. The OST also coordinates and approves DOT guidance and interpretation for transportation accessibility.</p> <p>**For example, the OST issued a Notice of Proposed Rulemaking (Or N.P.R.M.) in February 2006 where the OST proposed changes to ADA regulations. Theses changes included revising commuter and intercity rail station platform requirements and clarifying public transit providers’ responsibilities to modify their services when needed to ensure program accessibility.</p> <p>-----</p> <p>THE FHWA: The FHWA is responsible for the implementation of program access to individuals with disabilities by state DOTs and other FHWA aid recipients. The FHWA has a regulatory responsibility to ensure that recipients of Federal-aid and State and local entities that are responsible for roadways and pedestrian facilities do not discriminate on the basis of disability in any highway transportation program, activity, service or benefit it provides to the general public.</p> <p>-----</p> <p>THE FRA: FRA activities consist of promulgating and enforcing rail safety regulations. Such enforcement activities might relate to specifications outlined by the ADA with respect to passenger rail services.</p> <p>-----</p>

	<p>THE FMCSA: The FMCSA informs commercial bus companies of their ADA responsibilities and collects data on ADA compliance.</p> <p>-----</p> <p>THE FTA: The FTA is responsible for overseeing federal grants for public transportation. This includes the oversight of compliance with ADA requirements for public transportation systems and ADA-complementary paratransit services.</p>
<p>Slide 35 </p> <p>Other Agencies</p> <p>Duration: 00:00:16 Advance mode: Auto</p>	<p>Notes:</p> <p>Two other agencies—one inside the DOT, the other outside—also have roles in ADA compliance. They include:</p> <ul style="list-style-type: none"> • The National Highway Traffic Safety Administration (or NHTSA) and • The National Council on Disability (or NCD)
<p>Slide 36 </p> <p>Other Agencies: The NHTSA</p> <p>Duration: 00:00:23 Advance mode: Auto</p>	<p>Notes:</p> <p>The NHTSA is found within the DOT. This organization establishes Federal motor vehicle safety standards for platform lifts and vehicles equipped with platform lifts (including commercial buses and public transportation vehicles). The NHTSA is also responsible for ADA compliance of state motor vehicle agencies that receive federal funds.</p>
<p>Slide 37 </p> <p>Other Agencies: The NCD</p> <p>Duration: 00:00:28 Advance mode: Auto</p>	<p>Notes:</p> <p>The NCD is an independent federal agency that gathers information about the implementation, effectiveness, and impact of the ADA. The NCD reviews and evaluates federal policies, programs, practices, and procedures concerning people with disabilities. The NCD also reviews and evaluates all statutes and regulations pertaining to federal programs that assist people with disabilities to assess their effectiveness in meeting those needs.</p>
<p>Slide 38 </p> <p>The Architectural and Barriers Compliance Board</p> <p>Duration: 00:00:25 Advance mode: Auto</p>	<p>Notes:</p> <p>The U.S. Architectural and Barriers Compliance Board (or Access Board) is structured to function as a coordinating body among federal agencies. The Access Board also serves in a capacity to directly represent the public, particularly people with disabilities. It is composed of officials from most of the federal departments, in addition to members of the public appointed by the President, a majority of whom must have a disability.</p>

<p>Slide 39 </p> <p>Access Board Continued...</p> <p>Duration: 00:00:45 Advance mode: Auto</p>	<p>Notes:</p> <p>The Access Board is an independent Federal agency devoted to accessibility for people with disabilities. Created in 1973 to ensure access to federally funded facilities, the Board is now a leading source of information on accessible design. The Board develops and maintains design criteria for the built environment, transit vehicles, telecommunications equipment, and for electronic and information technology.</p> <p>NOTE: These design criteria are not enforceable until implemented in DOJ or DOT regulations. The Access Board also provides technical assistance and training on these requirements and accessible design, and continues to enforce accessibility standards that cover federally funded facilities.</p>
<p>Slide 40 </p> <p>Access Board Continued...</p> <p>Duration: 00:00:15 Advance mode: Auto</p>	<p>Notes:</p> <p>The Access Board enforces the Architectural Barriers Act of 1968 by investigating complaints concerning Federal facilities, certain facilities built with Federal funds, certain schools, public housing, and mass transit systems.</p>
<p>Slide 41 </p> <p>ADAAG vs. UFAS</p> <p>Duration: 00:00:48 Advance mode: Auto</p>	<p>Notes:</p> <p>The Americans with Disabilities Act Accessibility Guideline (or ADAAG) and the Uniform Facility Accessibility Standards (or UFAS) both serve as sets of lawful design standards for the enforcement of Titles II and III of the ADA. Public entities are required by D.O.J. Title II regulations to provide accessibility, in accordance with ADAAG and UFAS standards for new construction and for alterations to existing facilities.</p> <p>However, it is important to note that ADAAG and UFAS are minimum requirement standards to ensure A.D.A. compliance. Exceeding these standards (i.e. constructing a 5' wide sidewalk instead of a 3' sidewalk) is encouraged to insure maximum accessibility and usability of pedestrian facilities in public right-of-way corridors.</p>
<p>Slide 42 </p> <p>ADAAG vs. UFAS Continued...</p> <p>Duration: 00:00:31 Advance mode: Auto</p>	<p>Notes:</p> <p>UFAS contains the architectural standards originally developed for facilities covered by the Architectural Barriers Act (or the ABA). The ABA is a law that applies to buildings designed, built, altered or leased by the federal government. UFAS is also used to satisfy compliance in new or altered construction under Section 504. The DOJ also uses UFAS for certain special-use facilities when ADAAG has no scoping or technical provisions, such as for prisons and jails.</p>

<p>Slide 43 </p> <p>ADAAG vs. UFAS Continued... Duration: 00:00:21 Advance mode: Auto</p>	<p>Notes:</p> <p>Only one set of standards may be used for any particular building or pedestrian facility project. In other words, you cannot pick and choose between UFAS and the ADAAG as you design or alter a building. Note: If states and/or local governments choose to use AGAAG, the elevator exemption contained in ADAAG may not be used.</p> <p>NOTE: A downloadable copy of UFAS can be found at http://www.access-board.gov/ufas/ufas.pdf and a searchable copy can be found at http://www.access-board.gov/ufas/ufas-html/ufas.htm. Technical assistance on UFAS is available from the U.S. Access Board at 1-800-872-2253 (voice) or 1-800-993-2822 (TTY) or TA@access-board.gov.</p>
<p>Slide 44 </p> <p>ADAAG vs. UFAS Continued... Duration: 00:00:38 Advance mode: Auto</p>	<p>Notes:</p> <p>Currently, state and local standards must meet and can exceed ADAAG or UFAS standards when developing state regulations and design requirements. As of it's final acceptance into law, ADAAG is required to be used by state and local agencies. And although ADAAG was developed for buildings and facilities, it can be applied to public rights-of-way, as well. When ADAAG or UFAS does not address a particular situation, recipients and public entities can use the standards and guidelines in the November 2005 Draft Public Rights-of-Way Accessibility Guidelines (or PROWAG) as a best practice.</p>
<p>Slide 45 </p> <p>State and Local Agencies Duration: 00:00:23 Advance mode: Auto</p>	<p>Notes:</p> <p>With respect to Title II ADA, virtually all State Transportation Agencies (or STAs) in the United States fall within the regulatory definition of Title II of the ADA for "public entity." These include:</p> <ul style="list-style-type: none"> • Any State or local government; • Any department, agency, special purpose district, or other instrumentality of a State or States or local government.
<p>Slide 46 </p> <p>Who Is Affected by ADA Regulatory Requirements? Duration: 00:00:45 Advance mode: Auto</p>	<p>Notes:</p> <p>Accordingly, all regulatory requirements of the ADA's Title II apply to the following entities regardless of whether or not the State Transportation Agency receives Federal financial assistance from FHWA:</p> <ul style="list-style-type: none"> • State Transportation Agencies (STAs) • County and municipal departments of transportation • Airport authorities • Sea or River port authorities • Metropolitan Planning Organizations (or MPOs) • Toll road, bridge, or tunnel authorities • Transit agencies and <p>Again, both the FHWA and STAs have a responsibility to ensure that STA programs, services, activities and construction projects comply fully with the provisions of Title II of the ADA and Section 504.</p>

<p>Slide 47 </p> <p>STAs Funded By Federal Financial Assistance</p> <p>Duration: 00:00:43 Advance mode: Auto</p>	<p>Notes:</p> <p>With respect to Section 504, those STAs that receive Federal Financial Assistance from FHWA must also comply with Section 504, in addition to Title II of the ADA. Unlike other FHWA programs, where FHWA oversight authority and compliance responsibilities are limited to activities that receive Federal funds such as the Disadvantaged Business Enterprise program, or are limited by other means, the regulatory requirements of Section 504 apply to all programs, services, activities and projects of the STA. It matters not whether the specific program, service, benefit, activity or project uses Federal Financial Assistance.</p>
<p>Slide 48 </p> <p>For Example...</p> <p>Duration: 00:00:51 Advance mode: Auto</p>	<p>Notes:</p> <p>For example, a resurfacing project of a State highway with pedestrian facilities that is paid for wholly with STA funds, must comply with both Title II of the ADA and Section 504. This is due to the Civil Rights Restoration Act of 1987, which clarified the intent of Congress to include all programs and activities of Federal-aid recipients, sub-recipients and contractors. This statute also clarified the intent of Congress as it relates to the scope of Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes. This legislation remedied the Supreme Court's decision in the case of Grove City College v. Bell, in 1984, which limited the reach of Federal agency nondiscrimination requirements to those parts of a recipient's operation that directly benefited from Federal assistance.</p>
<p>Slide 49 </p> <p>STA Sub-recipients of Federal Financial Assistance</p> <p>Duration: 00:00:28 Advance mode: Auto</p>	<p>Notes:</p> <p>With respect to sub-recipients, if an STA extends Federal aid and distributes such aid to an STA or another governmental entity, all of the operations of the entity which distribute the funds and all of the operations of the department or agency to which the funds are distributed are covered. Even corporations, partnerships, or other private organizations or sole proprietorships are covered, in their entirety, provided they receive some form of Federal financial assistance.</p>
<p>Slide 50 </p> <p>What Constitutes Federal Financial Assistance?</p> <p>Duration: 00:00:15 Advance mode: Auto</p>	<p>Notes:</p> <p>"Federal Financial Assistance" constitutes, and is limited to the following: a grant, loan, contract in the form of: Funds; Services of Federal personnel; Real or personal property; Interest in, or use of such property.</p>

<p>Slide 51 </p> <p>What Is NOT Considered Federal Financial Assistance?</p> <p>Duration: 00:00:50 Advance mode: Auto</p>	<p>Notes:</p> <p>However, according to the US DOJ's Title VI Compliance Manual, the following are not considered Federal Financial Assistance:</p> <ul style="list-style-type: none"> • Licenses (i.e. FCC TV/Radio Station License) • Statutes or Regulations (such as Title VI) • Federally owned and operated programs (i.e. Air Traffic Control, National Parks) • Insurance (i.e. FDIC, SBA insured loans) • Federal Procurement Contracts • Direct aid to "ultimate beneficiaries" (such as SSI, Food Stamps) <p>It must also be noted that beneficiaries, within the meaning of the Section 504 regulatory definition of "recipient," who are ultimate beneficiaries of a program, service, benefit, activity or project of the recipient, do not have a compliance obligation under Section 504.</p>
<p>Slide 52 </p> <p>General Overview Final Review</p> <p>Duration: 00:00:10 Advance mode: By user</p>	<p>Notes: N/A</p>
<p>Slide 53 </p> <p>END OF MODULE</p> <p>Duration: 00:00:15 Advance mode: Auto</p>	<p>Notes: N/A</p>