



AMERICAN DISABILITIES ACT (ADA) REPORTING

Dallas District



TRANSITION PLAN DEVELOPMENT

Division and District Updates



Purpose of the ADA

The Texas Department of Transportation's mission is to ensure that every program, service, benefit, activity and facility open to the public is fully accessible and usable by people with disabilities. The Americans with Disabilities Act covers many issues from workplace services to public transportation accommodations. Access and awareness are keys to ensuring the needs of disabled citizens are met. TxDOT staff developed a plan for reporting and will discuss how the agency provides opportunities to assist those with disabilities in its planning activities and how citizens can take an active role in making changes.

Purpose of the ADA

Extends protection to persons with disabilities against discrimination in the private sector and in state and local government

Assures equality of opportunity, full participation, independent living, and economic self-sufficiency to persons with disabilities

Protection Under the ADA

Title I
Employment

Title II
Public Transportation

Title III
Public
Accommodations

Title IV
Telecommunications
Relay Services

Title V Miscellaneous

Eliminating barriers for people with disabilities

Expanding equal opportunities for people with disabilities

Developing a communications and outreach plan regarding TxDOT's ADA program

Developing a reporting system

Providing ADA training to employees

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ADA Reporting: Executive Director's Assurance letter



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AMERICANS WITH DISABILITIES ACT and SECTION 504 OF THE REHABILITATION ACT OF 1973

ASSURANCE

28 Code of Federal Regulations Part 35.130, Title II of the Americans with Disabilities Act prohibits discrimination on the basis of disability by public entities. Subtitle A protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. It extends the prohibition of discrimination in federally assisted programs established by section 504 of the Rehabilitation Act of 1973 to all activities of state and local governments, including those that do not receive federal financial assistance, and incorporates specific prohibitions of discrimination on the basis of disability from Titles I, III, and V of the Americans with Disabilities Act. This rule, therefore, adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

Texas Department of Transportation (TxDOT), HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation through the Federal Highway Administration, is subject to and will comply with all laws and regulations, and hereby gives assurance that no qualified disabled person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination of employment, under any program or activity that receives or benefits from this federal financial assistance. TxDOT further assures that its programs will be conducted, and its facilities operated, in compliance with all the requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35 and 42 USC §§ 12101 - 12213.


James M. Bass
Executive Director


Date

OUR VALUES: People • Accountability • Trust • Honesty
OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.
An Equal Opportunity Employer

April 13, 2020

ADA Reporting: Goals

- Increase awareness of TxDOT's ADA Accessibility Program throughout the department and state
- Improve internal and external communications about TXDOT's ADA Accessibility Program
- Increase public participation during the design, planning and development phases
- Develop/maintain ADA training to employees, recipients and sub-recipients
- Develop and maintain a grievance process that is consistent with the US Departments of Justice and Transportation's ADA accessibility requirements
- Create a sub-recipient monitoring program that is consistent with Federal Highway Administration's requirements

Americans with Disabilities Act (ADA)/Section 504

of barriers identified in the STA ADA Transition Plan

of barriers corrected in the STA ADA Transition Plan

of barriers observed in facilities during daily operations

of barriers removed in facilities during daily operations

of accommodations requested

of accommodations provided

of planned outreach events

of completed outreach events

of Accessibility Committee meetings planned

of Accessibility Committee meetings completed

of planned training sessions

of completed training sessions

of complaints filed with the STA ADA Coordinator

of completed investigations

of planned Subrecipient reviews

of completed Sub-recipient reviews

Applies to:

- Employers with more than 15 employees (excluding federal government and private clubs)
- Schools that have more than 50 employees
- Employment agencies, labor organizations and labor-management committees
- Qualified persons with a disability that are able to perform the essential functions of a job with or without reasonable accommodations

Applies to:

- ✓ Hotels and motels
- ✓ Bars and restaurants
- ✓ Theaters and museums
- ✓ Stores and shopping centers
- ✓ Hospitals and professional offices
- ✓ Amusement parks and zoos
- ✓ Nurseries and private schools
- ✓ Day care centers and homeless shelters
- ✓ Gyms and health clubs

Title II: Public Services

- Protects against discrimination in public transportation
 - Includes rail or bus services
 - Excludes air travel
 - Includes intercity or commuter rail services
 - Excludes public school transportation

Title IV: Telecommunications

- ✓ Phone companies are required to provide telecommunication access for persons with hearing and speech disabilities
 - ✓ System of relay services
- ✓ Television stations are required to provide close-captioning for public service announcements
 - ❑ Not required for television program

- Prohibits retaliation
- Permits payment of attorney/expert witness fees
- Does not invalidate laws that provide greater protection
- Encourages alternative methods of resolutions

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