



# AMERICANS WITH DISABILITIES ACT SELF-EVALUATION AND TRANSITION PLAN UPDATE June 2019



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The Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan 2019 update was conducted by Disability Access Consultants, LLC (DAC) in collaboration with The Town of Oak Bluffs.

## **I. Purpose**

The purpose of the Town of Oak Bluffs Americans with Disabilities Act (ADA) Self-evaluation and Transition Plan 2019 Update is to document the results of the Town of Oak Bluffs' review of access to programs, services, activities, events, facilities, parks, beaches, trails and public rights-of-way by individuals with disabilities in order to determine if any discriminatory or potentially discriminatory practices, policies or procedures exist in accordance with the ADA. Title II of the ADA requires that public entities identify and evaluate any barriers or potential barriers that may deny individuals with disabilities access to the Town of Oak Bluffs programs, services and activities. Identified barriers are to be remediated with projected dates for the removal of barriers identified in the plan.

The ADA Self-evaluation and Transition Plan Update serves as framework to develop a road map to enhance access for individuals with disabilities regarding the Town of Oak Bluffs facilities, programs, services and activities. The ADA Self-evaluation is one tool that can guide the Town of Oak Bluffs through the barrier removal and implementation of the plan. This report contains findings and recommendations regarding the removal of potentially discriminatory barriers for individuals with disabilities.

The development, implementation and the update of the ADA Self-evaluation and Transition Plan is required by the ADA and related accessibility standards for compliance for individuals with disabilities. This report describes the overall process and reports findings and recommendations to enhance the Town's compliance.

## **II. Background and Overview of Requirements**

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law enacted to protect persons with disabilities from discrimination and to assure equality of opportunity. The passage of the ADA in 1990 produced comprehensive civil rights protections for individuals with disabilities.

The ADA has five separate titles:

- Title I            Employment
- Title II          Public Services: State and Local Government
- Title III        Public Accommodations and Services Operated by Private Entities
- Title IV        Telecommunications
- Title V        Miscellaneous Provisions

Title II of the ADA provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." The Town of Oak Bluffs is a public entity under Title II of the ADA as it is publicly owned and open to the public.

## **III. Section 504 Requirements and Integration with the ADA Plan**

The Town of Oak Bluffs ADA Self-evaluation and Transition Plan (ADA/504 Plan) focused on Title II of the ADA that is required by state and local governments which are publicly owned and open to the public. A Title III public accommodation, on the other hand, pertains to privately owned business and services that are open to the public. Portions of the ADA/504 plan reference some employment practices under Title I of the ADA. However, the primary focus of the ADA/504 Plan is Title II of the ADA.

Section 504 of the Rehabilitation Act of 1973 (Section 504) preceded the ADA which was passed by Congress on July 26, 1990. Title II of the ADA pertains to state and local governments, such as the Town of Oak Bluffs. Section 504 applies to the Town of Oak Bluffs as a recipient of federal and state funding.

Section 504 is similar to the ADA and required the development of a self-evaluation and a transition plan. Section 504 states that no otherwise qualified individual with a disability in the United States shall, solely by reason of disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions for the ADA. As such, Title II provides protections for individuals with disabilities that are equal to those provided by Section 504. Public entities, such as the Town of Oak Bluffs, are required to have an ADA Self-evaluation and a Section 504 evaluation. As such, portions of the study are referred to as the Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan update.

The ADA and Section 504 of the Rehabilitation Act require state and local governments, such as city, town and county governments (referred to as public entities in this document) to ensure that their facilities, public rights-of-ways, programs, services, activities are accessible and do not discriminate in regard to programs, services and activities of the Town of Oak Bluffs.

As the ADA Self-evaluation and Transition Plan 2019 update was comprehensive and included all areas required in Section 504 of the Rehabilitation Act of 1973 (Section 504), the current plan incorporates the requirements of Section 504 and as such there is not a need to complete a separate Section 504 study. The 2019 ADA/504 Self-evaluation and Transition Plan Update will meet requests of other regulatory agencies such as the Department of Housing and Urban Development (HUD).

#### **IV. Updates to Accessibility Requirements, Codes and Standards**

A federal update to the ADA Standards occurred in 2010 and included areas that previously did not have requirements for accessibility. As changes were made to the Title II regulations and the ADA Standards for Accessible Design in 2010, the 2019 Town of Oak Bluffs ADA/504 Plan needed to incorporate the updates. The Title II regulations and ADA Standards were changed to include recreation areas from play areas to swimming pools, residential facilities, event ticketing policies, policies concerning other-power-driven mobility devices, miniature horses as service animals and specifications for video-remote-interpreting. Since information technology barely existed when the ADA was passed in 1990, and all state and local governments now have websites that need to be accessible to individuals with disabilities, websites need to be evaluated. The self-evaluation identifies and recommends updates to those policies and practices that are inconsistent with Title II's requirements.

In addition to the ADA 2010 Standards and Section 504, other standards and regulations apply to the Town of Oak Bluffs and include, but are not limited to:

- The Rules and Regulations of the Massachusetts Architectural Access Board, Code of Massachusetts Regulations Title 521
- The Massachusetts Public Accommodation Law
- Massachusetts State Building Code – 780 CMR

Accessibility requirements for the public rights-of-way are required to provide the public with an accessible pedestrian route. The primary accessibility standards include the Massachusetts Department of Transportation (MassDOT), Massachusetts Manual for Uniform Traffic Control Devices and Amendments and the Proposed Right-of-Way Accessibility Guidelines known as PROWAG.

The standard that provides the greatest level of accessibility would apply, but in no way can a lesser standard less than that required by the ADA be used. For example, in cases where a Massachusetts requirement requires scoping to a standard that provides a greater level of accessibility than that required by the ADA, the Massachusetts standard would apply.

## V. Audits by Regulatory Authorities and Agencies

Audits being conducted by the Massachusetts Department of Transportation (MassDOT) and other governmental authorities require the completion of an ADA Self-evaluation and Transition Plan in addition to a Section 504 plan. Due to the similar requirements, the current 2019 ADA study incorporates the requirements of Section 504 and as such updates both plans to meet the requirements of the ADA and Section 504 and results in a more seamless document and a cost savings to the Town.

In addition to the Department of Justice (DOJ), the Department of Transportation, the Federal Highway Administration's (FHWA) Americans with Disabilities Act (ADA) and Section 504 program plays an important role to ensure that pedestrians with disabilities have an equal opportunity to use the pedestrian public rights-of-way in an accessible and safe manner.

As part of FHWA's regulatory responsibility under Title II of the ADA and Section 504 of the Rehabilitation Act of 1973 (504), the FHWA is required 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 they provide to the general public and to ensure that persons with disabilities have equitable opportunities to use the public rights-of-way (PROW) system. Furthermore, laws and regulations require accessible planning, design, and construction to integrate persons with disabilities and that the public entity does not discriminate.

As MassDOT is a recipient of federal funds and towns, cities, counties and other public entities are subrecipients of the flow through funding, public entities are required to demonstrate their compliance with the ADA and Section 504 of the Rehabilitation Act. A component of the requests is the development of a comprehensive ADA/504 Self-evaluation and Transition Plan. In addition, the DOJ has determined that findings from public rights-of-way need to be included in the ADA/504 Self-evaluation and Transition Plan. The courts have determined that noncompliant findings from the PROW are programs and services of the public entity that are required to be incorporated into the plan. Findings include items such as sidewalks, curb ramps, intersections, crosswalks and street furniture.

Section 504 of the 1973 Rehabilitation Act (Public Law 93-112) prohibits discrimination on the basis of disability in federally assisted programs. Section 504 requirements for U.S. Department of Transportation (USDOT) administrations are covered under 49 CFR Part 27 (USDOT), Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Financial Assistance. The Americans with Disabilities Act (ADA, 1990, Public Law 101-336) is a broader civil rights statute that prohibits discrimination against people with disabilities.

The Department of Justice (DOJ) has rulemaking authority and enforcement responsibility for Title II, while USDOT is legally obligated to implement compliance procedures relating to transportation, including those for highways, streets, and traffic management. The Federal Highway Administration (FHWA) Office of Civil Rights oversees the DOT requirements in these areas.

In order to ensure compliance, MassDOT conducts reviews to ensure that:

- FHWA recipients and subrecipients are informed of their responsibilities to provide accessibility in their programs, activities, facilities and public rights-of-way.
- Recipients and subrecipients are in compliance with the ADA and Section 504.
- Recipients and subrecipients are applying appropriate accessibility standards to all public rights-of-way and transportation facilities.
- All complaints filed under Section 504 or the ADA are processed in accordance with established complaint procedures.

Another regulatory agency audit that requires an ADA/504 Self-evaluation and Transition Plan includes the United States Department of Housing and Urban Development and their oversight of the use of Community Development Block Grant Funds.

## **VI. Classification of Town of Oak Bluffs**

The Town of Oak Bluffs is classified as a "public entity" pursuant to Title II of the Americans with Disabilities Act which applies to state and local governments. A public entity is owned by the public and is open to the public. A public entity covered by Title II is defined as:

- 1) Any State or local government;
- 2) Any department, agency, special purpose district, or other instrumentality of a State or local government; or
- 3) Certain commuter authorities as well as AMTRAK.

Public accommodations, on the other hand, are covered by Title III of the ADA as they are privately owned and open to the public. There are occasions that the Town as a Title II entity may have contractual arrangements with a Title III entity and as such the Title III entity is responsible in selected situations to provide access to programs, services and activities of the Town in a nondiscriminatory manner.

## **VII. About the Town of Oak Bluffs**

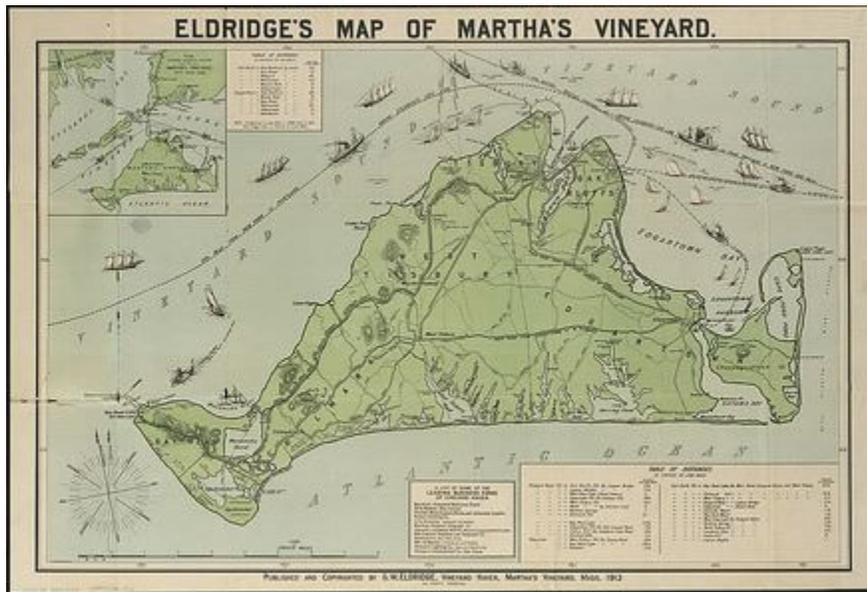
According to information on the website:

The Town of Oak Bluffs is a residential, resort community located on the northeast shore of the island of Martha's Vineyard. Originally incorporated in 1880 as Cottage City, in 1907 the town's name was changed because of the growth in the year round population and the changing face of the resort required an acknowledgment the Town was not just "Cottage City" any more.

Martha's Vineyard is a 100 square mile island located three miles off the coast of Cape Cod. Formed by the southernmost advance, or terminal moraine, of the North American ice sheet during the last ice age over 10,000 years ago. Today, year-round residents, seasonal residents and hundreds of thousands of short-term visitors live on or come to the island, attracted by the unique natural, ecological, historical, cultural and scientific values that define the beauty and character of Martha's Vineyard.

Approximately three quarters of the island's population is concentrated in the three "Down-Island" towns of Tisbury, Oak Bluff's and Edgartown, each with their own unique commercial town centers. Vineyard Haven in Tisbury serves as the islands main port and is supplemented by a port in Oak Bluffs in the summertime. The three "Up-Island" towns of West Tisbury, Chilmark, and Aquinnah are more rural in character.

Covering approximately 7.37 square miles, Oak Bluffs is located in the County of Dukes County. The Town is bordered by the Town of Edgartown on the south, the Town of Tisbury on the west and Nantucket Sound on the north and east. Today, Oak Bluffs is home to the largest marina on Martha's Vineyard, a bustling seasonal waterfront and downtown, and the historic gingerbread campgrounds. Oak Bluff's hosts several beautiful beaches and public parks; a teeming shore of wildlife, fish and shellfish; a golf course and a number of civic amenities that make the community a great place to live, work and play.



## Town of Oak Bluffs Boards and Committees

Information regarding the Town of Oak Bluffs Boards and Committees was described on the Town's website and includes:

- **Affordable Housing Committee-4 members -Meet 2<sup>nd</sup> and 4<sup>th</sup> Thursday monthly.**  
 The Oak Bluffs Affordable Housing Committee was created to work towards the Commonwealth's goal of designating 10% of the town's year-round housing stock for affordable housing.
- **Board of Assessors-3 members**  
 The Board of Assessors is responsible for the full and fair valuation of all Oak Bluffs real and personal property for the purpose of the equitable distribution of the property tax burden. The assessors regularly collect and analyze data pertaining to recent real estate transactions, current costs of land acquisitions and building construction, commercial market rents, vacancies, and expenses, and land use issues to assist them in determination of market value.
- **Board of Health-3 members**  
 The Board of Health is responsible for all public health issues, including enforcement of Title 5 Regulations, the State Sanitary Code, and Food Code. The Health Agent responds to hazardous waste spills, oil spills, housing, septage and trash complaints, and air and water quality issues.
- **Board of Selectmen- 5 members -Meet every 2<sup>nd</sup> & 4<sup>th</sup> Tuesday monthly**  
 The Board of Selectmen are the Chief Elected Officials of the Town. The Board consists of 5 residents who are elected to 3-year terms on a community-wide basis. Massachusetts General Laws vest the Board of Selectmen with all municipal authority not delegated to other elected boards or retained by Town Meeting, as the Town's legislative branch.

- Capital Program Committee-7 members**  
The Capital Program Committee exists to prepare an annual Capital Improvement Plan for Oak Bluffs and to consult with the Town’s financial groups regarding Capital Improvement Fund Policy and Debt Policy.
- Cemetery Commission-3 members**  
The Cemetery Commission is charged with ensuring the proper maintenance of Oak Grove Cemetery and making improvements where needed.
- Community Development Council-5 members-Meet 2<sup>nd</sup> & 4<sup>th</sup> Wednesday monthly**  
The Community Development Council (CDC) is an advisory group reporting to the Board of Selectmen (BOS) on matters related to the future of the town as contained in the 418 Community Development Plan (CDP) report: growth, quality of life; open space and natural resources; economic development; affordable housing; and traffic.
- Community Preservation Committee-8 members-Meet-1<sup>st</sup> & 3<sup>rd</sup> Monday monthly**  
Find meeting minutes, details, and information about the Community Preservation Committee.
- Conservation Commission-5 members-Meet 1<sup>st</sup> & 3<sup>rd</sup> Tuesday monthly**  
The Conservation Commission is charged with protecting the town's wetlands, waterways and flood zones through regulation, education and environmental planning.
- Copeland Plan Review Committee-10 members**  
The purposes of the Copeland Plan District is to preserve cultural continuity of the District by preservation of its architectural integrity and parks. The Copeland Plan Review Committee has overlay review of any change of an existing structure, including demolition and replacement of buildings within its boundaries.
- Cottage City Historic District Commission-5 members**  
The Cottage City Historic District Commission (CCHDC) reviews building projects in the district. It is the mission of the volunteer members of this Commission to act as stewards of our Victorian buildings and the unique architectural heritage of our sea side resort. It is expected that plans for any architectural changes visible from a public way will be presented to the CHDC for review regarding adherence to historic architectural guidelines.

## VIII. Self-Evaluation Plan

### Prior ADA Self-Evaluation and Transition Plans

The Town of Oak Bluffs current 2019 ADA/504 Self-evaluation and Transition Plan updates any prior ADA/504 Plans.

### Updated ADA Self-Evaluation and Transition Plan

The Town of Oak Bluffs ADA Title II Self-evaluation 2019 Update has been prepared by DAC, with the collaboration and assistance of Town of Oak Bluffs staff and input by other interested individuals and community members. This 2019 study, completed by Disability Access Consultants, LLC (DAC), updates any Town of Oak Bluffs ADA Self-evaluation for facilities, parks and schools.

DAC was contracted to conduct a comprehensive survey of Town buildings, parks, beaches, and other sites and policies and procedures that govern the administration of programs, services and activities of Town of Oak Bluffs. The goal of the Town is that all potential physical and programmatic barriers for accessibility are identified and removed. A list of the sites that were inspected for accessibility compliance are contained in the Appendix of this report.

The updated ADA/504 Self-evaluation provides a current benchmark for accessibility efforts by the Town and provides an updated framework for implementation. The current study also incorporates recent updates in the ADA and other accessibility related standards and regulations.

### **Regular Self-Evaluation Updates**

The ADA/504 Self-evaluation and Transition Plan is a living, on-going document and requires regular updates to keep it current. As the Town understands the commitment for regular updates and annual reports, the Town will continue to update its plan on an annual or more frequent basis. In its continuing efforts to maintain compliance, the Town has several mechanisms in place to provide for the ongoing update of the self-evaluation. The Town's designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA, 504 and related accessibility standards and regulation. The Town has formed an ADA Implementation Committee that is a working group of Town staff to assist with the prioritization for the removal of barriers to be phased in over time.

The Town has licensure for the use of a secure, online accessibility management software called DACTrak, to document and track the findings and the implementation of the plan, including progress reports. DACTrak will afford the Town the opportunity to maintain an updated plan.

As public input is required to develop and prioritize the plan, the Town conducted public outreach activities as described in the public outreach portion of this document. It is recognized that input from stakeholders is a valuable component of an updated, usable and realistic plan. The Town welcomes ongoing input from members of the public and stakeholders to assist with regular self-evaluation updates.

Several factors may necessitate updates in the Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan. Factors such as the purchase or lease of additional sites that were not included in the 2019 study, change of building use, major remodeling or renovation, availability of additional funding or the Town selling or no longer leasing a facility. Future updates may also be necessitated by changes in the ADA, Public Right-of-Way Accessibility Guidelines (PROWAG), or the Manual on Uniform Traffic Control Devices (MUTCD), or other accessibility codes, standards or regulations.

### **Self-Evaluation Methodology and Format**

As part of the self-evaluation, a public entity should:

1. Identify all the public entity's facilities, programs, activities, services and their locations
2. Review all the policies and practices that govern the administration of the public entity's programs, activities and services.

In addition, public entities are required to provide opportunities for public input regarding the self-evaluation and are strongly encouraged to consult with individuals with disabilities and organizations that represent them to assist in the self-evaluation process. Many individuals with disabilities have unique perspectives on a public entity's programs, activities, and services. For example, individuals with mobility impairments can readily identify barriers preventing their full enjoyment of the public entity's programs, activities, and services. Similarly, individuals with hearing impairments can identify the communication barriers that hamper participation in a public entity's programs, activities, and services.

Information collected during the self-evaluation process is reported by areas and categories, not individually by departments. The self-evaluation provides an overall summary and profile of findings and recommendations. Specific findings and recommendations for potential physical barriers are found in the online DACTrak accessibility management software program. DACTrak contains actual measurements of each noncompliant barrier, photographs of barriers, findings, recommendations, code references, estimated costs and other information. Estimated costs are derived using a combination of factors including industry standards, regional adjustments and values reported by DAC clients. The costs entered into the DACTrak program are estimated construction costs and are not fixed total project costs. Custom reports and transition plan information can be generated from DACTrak to monitor and manage the implementation of the plan.

## **IX. Public Outreach and Public Input**

Title II of the ADA/504 requires opportunity for input into the ADA self-evaluation process by individuals with disabilities, organizations representing individuals with disabilities and other interested individuals. To enhance its public input efforts, the Town distributed surveys to various stakeholders. Surveys targeted towards community members, organizations representing individuals with disabilities, as well as Town staff were made available to enhance public input efforts to identify any programmatic barriers that may impact accessibility of Town programs, services, and activities. Announcements were posted and distributed to solicit input from the public. Samples are included in the Appendix along with survey comments.

Community organizations representing individuals with disabilities and other interested community members were also provided opportunities for input via in-person, open houses, by phone, email, in writing, or online. Surveys were made available online and in written format. The surveys included questions regarding access to Town programs, if there were any current complaints or problems, what information or resources organizations could provide that would assist the Town, and what general guidance or assistance organizations and community members could provide or suggest.

Responses provided the Town and DAC with insights into internal program operations. This report contains findings based on a review of responses and provides recommendations to ensure compliance. Actual survey comments and documents can be found in Appendix of this report.

### ***Findings***

1. Town staff and DAC collaboratively developed an ADA Action Plan to provide opportunities for public input, as required by Title II of the ADA and to provide an overall framework for the development of the Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan.
2. The Town began advertising for public input on its self-evaluation process in April of 2019.
3. The survey format and contents for an online survey were confirmed and a link was provided on the homepage for the survey to be available on the website. The link to the survey on the homepage increased the visibility of the survey for members of the public, organizations and staff. Links were provided for PDF and Word format.
4. Notices were posted on the Town website informing of the availability of surveys online or in print form. Alternate formats were made available by contacting the Town's ADA Coordinator.
5. Public input packets were mailed to organizations representing persons with disabilities that included a survey customized to solicit input from organizations.
6. A notice asking for input by the public was placed in the Martha Vineyard Times and the Martha Vineyard Gazette and posted for two weeks.
7. Emails, posts and survey links were sent to boards, committee members, employees, departments and agencies.
8. Hard copy public notices with surveys were placed at the post office, library, fire station, COA, Town Hall and other high visibility areas.
9. An announcement was made at the Board of Supervisors meeting on May 7, 2019.

Documents and notices regarding the public outreach process are in the Appendix.

### **Summary of Survey Comments**

The following summary includes comments from a portion of the survey responses. The complete surveys and responses are located in the Appendix. Comments reflect actual comments and have not been edited for spelling, grammar or abbreviations.

Surveys were targeted at:

- Department Head and Administrators
- Residents or Interested Individuals

### **Question - What information or other resources can you supply to help educate or inform the Town of Oak Bluffs about your organization and your services for individuals with disabilities?**

- HAMV provides planning and advocacy to support elders on Martha's Vineyard. We work to improve housing, transportation, health-care, and caregiver support to make Martha's Vineyard an age-friendly Island.

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- The DCRHA was chartered by the State through the efforts of six island towns to address the need of islanders including those with impairments for year-round housing opportunities.

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- Library policy should have the goal of helping every patron/ user have a successful experience in the library. It should not single out categories of users.

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- ADA Compliance Information and state counterpart law; information about services and supports for individuals with disabilities

### **Question - What general guidance, advice or assistance could your organization provide to the Town of Oak Bluffs to protect against potential discrimination of individuals with disabilities in its programs, services and activities?**

- Many elders face the same challenges as "disabled" people or those with disabilities. Physical handicaps, age-related illnesses, cardio-pulmonary issues, deterioration of eyesight and hearing, loss of balance, a history of falls and injury, and other age-related issues cause many elders to face "disability"-related problems living on Martha's Vineyard. HAMV is completing this survey with elders as our focus.

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- The DCRHA is experienced in application of the principles of Fair Housing and ADA and Visit-ability design and management.

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- Look at Dept Policies, interview Dept. Heads and individuals about their philosophies and relevant experiences.

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- See previous answer

### **Question - Are you aware of any specific concerns, complaints or problems regarding access for persons with disabilities to any of the programs, services or activities provided by the Town of Oak Bluffs?**

- Brick sidewalks are not convenient to some people with certain disabilities.

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- At its Noyes Building, Oak Bluffs currently supplies three affordable household rentals including one ADA compliant two-bedroom unit. More of both are badly needed.

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- A recent proposal for a "behavior" policy for one category of user was alarming and has since been shelved for revision.

- Circuit Avenue sidewalks are not wide enough and not level enough for people using wheelchairs, scooters, walkers and other assistive devices. Curb cuts to crosswalks are too steep in places, and not lined up with one another in others. Many of the businesses on Circuit Avenue have no ramp access, and once inside, not enough room between aisles.
- Access to Town Hall; Navigating Circuit Ave and general business area; Lack of appropriate voting booths; Inconsistent notices regarding offers of reasonable accommodations for public meetings; Insufficient amplification at public hearings or meetings for people with significant hearing impairments.

## X. TRANSITION PLAN

The ADA requires state and local governments to develop and implement a Transition Plan to achieve program accessibility. After conducting a self-evaluation of facilities, programs, services and activities, a public entity is required to develop a transition plan with estimated timeframes and/or dates for the removal of physical barriers that may deny access for individuals with disabilities.

The term "transition plan" comes from the terminology in the 1990 Americans with Disabilities Act (ADA) that describes how public entities would be "transitioning" into compliance during the timelines of 1992 to 1995. The term barrier removal plan is used in addition to the term transition plan, as public entities are no longer transitioning into compliance during the three years set aside in the law. The transition/barrier removal plan identifies the noncompliant physical/structural barriers in detail that may deny access to facilities, programs, services, the proposed method to remove the barrier, the identity of the responsible person to oversee the implementation of the plan and the projected schedule for barrier removal of "structural" barriers. The projected schedule is an "estimated" date for barrier removal that may change over time. The self-evaluation, on the other hand focuses on the identification of barriers that may deny access to facilities, programs, services and activities. The two plans work congruently to remove the structural and programmatic barriers as identified in the overall Town plan.

To effectuate Title II of the ADA, Department of Justice regulation *28 CFR 35.150(d) Transition Plan* requires public entities to review and identify physical barriers and steps needed to enable accessible programs when viewed in their entirety. Public entities must ensure that individuals with disabilities are not excluded from programs, activities and services because of inaccessible facilities. Each facility is not necessarily required to be accessible. A public entity's services, programs, or activities, when "viewed in their entirety," must be accessible. This standard is known as "program accessibility" and is a key requirement under Title II of the ADA.

A comprehensive transition plan should contain the following:

1. A list of the physical barriers in a public entity's facilities (includes the Town's public rights-of-way) that limit the accessibility of its programs, activities, or services to individuals with disabilities;
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible;
3. The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period; and,
4. The name of the official responsible for the plan's implementation. (Usually the ADA/504 Coordinator).

If the facility is existing construction that was completed on or before July 26, 1992 and major remodeling or renovation has not taken place, structural changes are not required where there are other feasible solutions such as moving the Town program to an accessible location. However,

structural changes leading to increased integration and should be considered where feasible or if major remodeling or renovation has taken place at the facility. Structural changes can include modifications to facilities and public rights-of way.

Where structural modifications are required to achieve program accessibility, a public entity with 50 or more employees must complete a transition plan that provides for the removal of these barriers. Any structural modifications must be completed as expeditiously as possible.

In addition to physical barriers of facilities (i.e. buildings, parks, beaches), 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 Section 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 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 street or roads.

Structural barriers of facilities and public rights-of-way are referenced in the transition plan by site and are contained in detail in individualized transition/barrier removal reports of sites inspected and are available from the ADA Coordinator and in the online DACTrak Accessibility Management System. It is important to note that some structural barriers may be addressed by using a programmatic methodology if they did not involve new construction or major remodeling and renovation.

Selected Town of Oak Bluffs staff have participated in training regarding the use of the DACTrak accessibility management online software program to assist the Town to manage, update and implement their ADA plan.

A list of sites inspected is contained in the Appendix. DAC did not survey Town of Oak Bluffs public rights-of-ways.

## **XI. Designated ADA Coordinator**

As required by the ADA, public entities with 50 or more employees must designate at least one responsible employee to coordinate ADA compliance and investigate complaints. The public entity should provide the name, office address, email address and phone number of the ADA Coordinator.

Wendy Brough is designated as the ADA/504 Coordinator for the Town of Oak Bluffs. The ADA Coordinator provides centralized oversight and coordination of ADA compliance efforts with Town departments. The address and contact information for the ADA/504 Coordinator is:

Wendy Brough, ADA/504 Coordinator  
Town of Oak Bluffs  
Post Office Box 1327  
Oak Bluffs, MA02557  
Email: wbrough@oakbluffma.gov  
Phone: 508-693-3554  
TTY: by state relay at 7-1-1

Requests for information from the ADA Coordinator can be sent by email, phone, and/or mail. Information is available in alternate formats upon request.

Requests for copies or information about the Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan can be obtained from the ADA Coordinator. In addition, the Town offers alternate methods and accommodations (e.g., enlarged print, Braille) to provide access to review or provide input into the Town's plan.

## **XII. Public Facilities**

The Town contracted with DAC to complete accessibility inspections of their facilities, parks, beaches in accordance with the applicable accessibility standards and regulations. During 2019, DAC completed inspections of facilities, parks, beaches, and other sites. A complete list of sites inspected are included in Appendix of this report.

Surveys include detailed measurements and photographs of actual conditions to determine compliance with federal and state accessibility codes and standards. Structural barriers of facilities are referenced in the transition plan by site and are contained in detail in individualized Transition/Barrier Removal reports of sites inspected and are available from the ADA Coordinator and in the DACTrak Accessibility Management System.

The inspection process was accomplished using a team of DAC accessibility specialists. DAC's staff were equipped with a variety of task specific measuring tools including but not limited to; tablets with camera and GIS capabilities, tape measures, smart levels, door pressure gauges and profile gauges. DAC recorded the actual "as-is" field conditions and input the data into the DACTrak intake software and forms using a PC tablet. The capturing of the actual measurement provides the Town with detailed measurements in order to make informed decisions regarding the severity of noncompliance or deviation from the code. A minor deviation vs. a more significant deviation from the code is an important factor for prioritizing barrier removal.

Detailed measurements of the existing conditions, planning-level recommendations for removing the physical barriers, and photos of each facility were recorded during the evaluation process and were included in the facility reports.

The findings and recommendations for the Town buildings, parks, parking lots and other sites that were inspected have been exported into the DACTrak Accessibility Management Software. Different report formats can be printed from the DACTrak Accessibility Management Software provided by DAC. The DACTrak software program provides the Town with an on-line, web-based tool to update its plan, document progress, estimate costs and schedule barrier removal. DACTrak allows the user to prioritize using a variety of methods.

Recognizing that it is not feasible to immediately correct all accessibility deficiencies, the Town of Oak Bluffs is prioritizing its transition/barrier removal plan. As an example, considerations are given to facilities and PROW which are of high public use and/or of high use by individuals with disabilities. Additional considerations are given to planned renovations and the severity of the barriers.

As intended by the ADA, the Town of Oak Bluffs will update their barrier removal priorities and projected timelines to allow flexibility in accommodating changes in programs, requests for reasonable accommodations, community requests and fluctuations in funding resources.

## **XIII. Location of the Self-Evaluation and Transition Plan**

The Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan is maintained and made available for public inspection by the Town's ADA Coordinator. The ADA/504 Self-evaluation and Transition Plan is available in alternate formats, if requested.

## **XIV. Findings, Survey Comments, and Recommendations**

This section of the self-evaluation contains findings and recommendations by DAC about the extent to which the Town of Oak Bluffs' policies and practices provide access to the Town's programs, services and activities. The results from the ADA self-evaluation will demonstrate not only the commitment by the Town to provide access to Town programs, services and activities, but the overall compliance by the Town. Noncompliant findings regarding physical barriers that may deny access for individuals with disabilities are documented in the Town of Oak Bluffs Transition/Barrier Removal Plan that is detailed in the DACTrak Accessibility Management Program.

### **Policies and Procedures**

A review of the Town's policies, procedures, practices along with programs, services and activities was completed to search for apparent and perceived discriminatory practices.

Under the ADA, the Town of Oak Bluffs is required to "make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability." The Town of Oak Bluffs is required to do so in every situation, unless it can demonstrate "that making the modifications would fundamentally alter the nature of the service, program, or activity" [28 CFR § 35.130 (7)]. The Town is currently undergoing a departmental reorganization, which is anticipated to be complete at the end of 2019.

### **Designation of ADA Coordinator**

The regulations implementing the ADA/504 require any public entity with fifty or more employees to designate at least one employee to coordinate ADA/504 compliance (28 CFR §35.107(a)). In addition, Federal regulations require public entities to make available to interested persons the name, office address and telephone number of the ADA coordinator. Furthermore, in providing for notice, a public entity must comply with the requirements for effective communication in Section 35.160.

#### ***Findings***

1. The Town has a designated ADA Coordinator to oversee the development, implementation and monitoring of the ADA/504 Self-evaluation and Transition Plan. Wendy Brough is the designated ADA/504 Coordinator.
2. The identity of ADA Coordinator and address were provided on the website only as a part of the survey process, but the identity of the ADA Coordinator should be available on the website and in other appropriate publications and should be more prominently designated and easier to find.

#### ***Recommendations***

1. Add the phone number and email address to the grievance procedure and the public notice of the rights afforded for persons with disabilities, which also serves as the nondiscrimination statement. Adding the phone number and email address will assist the public to more readily contact the ADA/504 Coordinator.
2. Information regarding the identity of the Town's ADA Coordinator should continue to be provided to staff, posted at all Town locations, incorporated into new employee orientation packets, and placed in frequently used publications, on the website and in staff and public directories.
3. It is recommended that the Town continue to publish the name, address, e-mail address and phone numbers of the ADA Coordinator in appropriate public notices, brochures, pamphlets and other documents frequently distributed to the general public. Publications should also include a TDD/TYY and/or the relay phone number.
4. Publications should be updated if the identity of the ADA Coordinator changes or if more than one ADA Coordinator is designated.

## **Posting and Dissemination of Rights Afforded to Persons with Disabilities**

All public entities are required to provide information to applicants, participants, beneficiaries, employees and other interested persons of the rights and protections afforded by Title II of the ADA (26 CFR §35.106). In providing for notice, a public entity must comply with the requirements for effective communication in Section 35.160.

### ***Findings***

1. A notice of the rights afforded individuals with disabilities and nondiscrimination statement, along with the method to request an accommodation and/or to file a complaint were available and are posted on the Town's website, in addition to high use areas.
2. ADA is listed in the document center allowing the user to readily access ADA related documents.

### ***Recommendations***

1. Statements of nondiscrimination and the notice of rights should be included on selected publications, brochures describing programs, requests for proposals/qualifications, facility use agreements, contracts, services and activities offered by the Town, new employee materials, recruitment materials; publications and frequently used forms and documents.
2. The notice should include the name, title, address and phone numbers of the ADA Coordinator. The notice should include a TDD/TTY number and/or Massachusetts Relay number to ensure equally effective communication. Although not required, it is recommended that the notice include the e-mail address for the ADA Coordinator. It is recommended that the ADA/504 Coordinators phone number and email be added to the current notice of rights and nondiscrimination statement.

## **Statement of Accommodations on Public Notices**

Statements of accommodations should be available on agendas, public notices, and brochures about events provided by and/or sponsored by the Town. The Town is required to provide ADA information in alternative formats to ensure that that information is accessible to individuals with disabilities. A statement of accommodations that may be requested provides a member of the public with the opportunity to provide the Town of Oak Bluffs with a notice of the accommodations or modifications that are needed to participate in the program, service or activity of the Town. The statement should include a minimum timeframe needed for the Town to provide an appropriate accommodation, if possible, and the contact information to request the accommodation or modification.

### ***Findings***

1. Statements of accommodation were not found on Town of Oak Bluffs public notices, agendas and information about public events and activities.

### ***Recommendations***

1. It is recommended that a statement of accommodation be included on all postings of meetings, events and activities that are open to the public.
2. A statement of accommodations affords members of the public and staff to request an accommodation as a qualified person with a disability in order to participate in a program, service or activity of the Town. The statement of accommodation should provide a timeline of 48 to no more than 72 hours as a notice to the Town regarding the reasonable accommodation that is requested. Accommodations, for example, may include auxiliary aids, large print, Braille, sign language interpreters, assistive listening devices and special seating.
3. The Town should consider a consistent accommodation statement with language that includes a minimum timeframe to request an accommodation prior to the Town event, the contact person, address or location, phone number and email address.
4. Vendor contracts for sign language interpreters, captioning, and Braille, for example, should be reviewed to determine if timelines to provide the requested service could be reduced.

5. Requests for vendor timelines to comply with requests for accommodations should be specified in the contract during the procurement process.
6. Contracts should be entered into with services and costs specified for "as needed" services in addition to the assurance of the provision of timely services in order to allow time for the Town to accommodate requests.
7. Depending upon procurement requirements of the Town, the Town might consider multiple contracts for the same service on an as needed basis for accommodations such as sign language interpreters and captioning.

### **Accommodations Procedure and Policy to Access Programs, Services and Activities**

The ADA/504 prohibits public entities from excluding individuals with disabilities from programs, activities or services offered by the public entity. The law allows a public entity to use both structural and nonstructural methods to achieve accessibility to programs, services and activities (28 CFR §35.150(a)(1); (b)(1)). Review policies and procedures to ensure that individuals with disabilities are provided access to public meetings. One method of accommodating qualified individuals with disabilities is to post a statement of accommodations for all public meetings, activities and special events of the Town and to provide information regarding how an accommodation can be requested.

### ***Findings***

1. Evidence of statements of accommodations for members of the public were not found on public notices, agenda, meeting announcements and other documents regarding activities of the Town.
2. The Town's ADA notice of accommodations should state it will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town offices, even where pets are generally prohibited.

### ***Recommendations***

1. Information about how to request accommodations should appear on all public notices and announcements including special events. Information should be disseminated to all departments and divisions regarding the statement for accommodations requirement.
2. The Town should continue to provide training for new staff and volunteers regarding accommodations for individuals with disabilities. All staff, and in particular frontline staff such as receptionists and staff with high public contact, should continue to receive training on interacting and accommodating individuals with disabilities.
3. Additional options, such as emailing the requesting accommodations, should be added. A form for requesting accommodations for members of the public on the Town website would helpful and should be available in hard copy and on the website. Such a form should also be available in alternate formats. The ADA Coordinator should maintain records of requests, concern and comments and the status and method to resolve the concerns.
4. If a conclusion is reached that any particular accommodation would result in undue burden for the Town, that decision must be made, and the reasons documented by a person of authority of the Town. The test for being unduly burdensome is the proportion of the cost for accessibility improvements compared to the Town's overall budget, and not simply the project cost. If a conclusion of undue burden is reached and documented, the Town will need to take alternate actions to ensure that persons with disabilities receive the benefits or services provided.
5. A process for requests for accommodations by the public should be developed and information disseminated to Town staff.
6. Requests for accommodations should be tracked and should include information such as:
  - a. Date of the accommodation request
  - b. Accommodation requested

- c. Denial or approval of the accommodation
- d. Denials of an accommodation should provide the reason for denial of the accommodation
- e. Denials of an accommodation should include a second review by a Town person in authority
- f. Accommodation provided
- g. Date accommodation was provided
- h. Resolution and success of the accommodation documented
- i. Documents should be maintained by the ADA Coordinator

### **Other Power-Driven Mobility Devices**

The Department of Justice (DOJ) rules requires an entity open to the public to make reasonable modifications in its policies, practices, or procedures to allow the use of other power-driven mobility devices by individuals with mobility disabilities, unless the public entity can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements that the public entity has adopted pursuant to § 35.130(h). The regulatory framework provided by 35.137 for mobility devices as provided by the federal government addresses personal assistive mobility devices.

#### ***Findings***

1. The Town does not have a policy for other power-driven mobility devices (OPDMD).

#### ***Recommendations***

1. It is recommended that the Town develop written policies specifying which kinds of OPDMD's are permitted and where they are permitted based on several assessment factors. The following factors for use of an OPDMD include:
  - The type, size, weight, dimensions and speed of the device;
  - The facility's volume of pedestrian traffic;
  - The facility's design and operational characteristics;
  - Legitimate safety requirements; and
  - Whether the use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural or cultural resources or poses a conflict with Federal land management laws and regulations.

### **Access to Programs, Services and Activities**

A public entity may not adopt official policies that are discriminatory or engage in practices that are discriminatory. This prohibition applies to policies that are explicitly exclusionary and to those which appear to be neutral but have a discriminatory effect (28 CFR §35.130(b)(3)). All Title II of the ADA entities must ensure that all public meetings and events sponsored are readily accessible to persons with disabilities. Policies and procedures need to ensure that individuals with mobility and other impairments are provided access to public meetings.

#### ***Findings***

1. No discriminatory policies were found.

#### ***Recommendations***

1. The ADA/504 does not specifically state how a public entity provides for accessibility to programs, services and activities. One method is to disseminate information in a variety of locations and formats to enhance the access to programs, services and activities.
2. The ADA Coordinator should continue to monitor and receive information regarding concerns or issues about access to programs, services and activities and take the appropriate action regarding any potential discriminatory practices for persons with disabilities.

3. Methods for submitting information should also be expanded to include a method for online input in addition to appearing in person and submitting written comments.
4. The Town should continue to provide programs, services and activities that include individuals with disabilities.
5. Consistent with best practices, the Town should consider utilizing a checklist for staff to review when sponsoring special events including but not limited to indoor and outdoor concerts, festivals, fairs, town hall meeting, luncheons, and ceremonies that are held on Town property or at other sites. Such a checklist would inform staff of their responsibilities under the ADA. DAC can assist the Town with this checklist and efforts.
6. Additional and ongoing staff training should continue to be provided regarding the requirements of the ADA and accommodations that provide equal access to programs, services and activities. A listing of training topics is located in the Staff Training section of this document.
7. Meetings and events open to the public should continue to be held in buildings that meet accessibility requirements, or in the accessible portion of the building with accessible elements that serve the area where the meeting or event is held. For example, parking, restrooms and drinking fountains that serve the area where the meeting and event is held should also be accessible.
8. Information regarding the facility should include information regarding accessible features and elements of the site. For example, accessible parking, accessible restrooms and other items and elements should be indicated on documents and on the website. Indicating accessible paths of travel and accessible entrances also provides valuable information for individuals with disabilities. A contact number and email address should be provided for additional assistance.
9. When transportation is provided, procedures for assuring the availability of accessible means of transportation should be in place.

### **Grievance/Uniform Complaint Procedures**

A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and fulfill its responsibilities under Title II of the ADA, including the investigation of complaints. A public entity shall make available the name, office address, and telephone number of any designated employee. In addition, the public entity must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA.

### ***Findings***

1. Grievance procedures and forms were found and were compliant.
2. Grievance procedures and forms were available from the website and by hard copy in multiple site locations.

### ***Recommendations***

1. Grievance procedures should be a part of the new employee orientation packet. Grievance procedures should be distributed to all Department heads. Complaint procedures should be readily available to members of the public as well as employees.
2. A method to collect data, track and collect a profile of complaints should be established. The status of the complaint and the time from complaint to resolution should be documented to assist with interventions and staff development to reduce or eliminate repeated complaints. DAC will collaborate with the Town to enhance this process.

## Eligibility Criteria

Public entities cannot use eligibility criteria that tend to exclude or screen out persons with disabilities (28 CFR §35.130(b)(8)).

### *Findings*

1. No discriminatory practices were found regarding eligibility criteria for program access.

### *Recommendations*

1. Program eligibility criteria should be periodically reviewed as policies are drafted or modified to ensure that eligibility criteria do not put additional burdens or requirements on individuals with disabilities.
2. The Town should continue to ensure that all eligibility criteria allow for accommodations for individuals with disabilities.

## Fees and Surcharges

Public entities may not charge a fee or add a surcharge to a fee to cover the cost of making its facilities, programs, services or activities accessible to persons with disabilities. (28 CFR §35.130(f)).

### *Findings*

1. No surcharges were noted for persons with disabilities that are not charged for persons without disabilities.

### *Recommendations*

1. The ADA Coordinator should randomly review policies and practices for consistency and to ensure that fees and surcharges are not charged to individuals with disabilities that are not charged to individuals without disabilities.

## Emergency Evacuation Procedures

One of the important responsibilities of state and local government entities is to protect residents and visitors from harm, including assistance in preparing for, responding to, and recovering from emergencies and disasters. This requirement applies to programs, services, and activities provided directly by state and local governments as well as those provided through third parties. The Town is required to plan to meet the needs of individuals with disabilities in an emergency and provide access to emergency shelter services.

### *Findings*

1. The Town of Oak Bluffs has emergency evacuation procedures and posts emergency evacuation routes at Town sites.
2. The Town currently has a text notification system that is a separate system and an emergency alert system.

### *Recommendations*

1. The Town should consider the development of a voluntary registry for individuals whom may need additional evacuation assistance due to a disability or medical need. The Town website should designate locations to be used as shelter in emergencies. A provision should be noted to allow service animals and training should be provided to shelter staff to understand the difference between pets and service animals. The Town's website should include locations and contact information for persons with disabilities, who do not have their own means of transportation to evacuate during an emergency, can access transportation which will take them to shelters. Persons with disabilities who need assistance should be instructed to call a designated number for help to evacuate.
2. If not currently doing so already, the Town should provide training and information regarding emergency evacuation procedures specific to persons with disabilities.
3. The Town should make sure that evacuation routes and procedures continue to be posted at all Town sites in accordance with ADA/504 regulations. All staff should be made aware of the

location of the posted evacuation routes within their facilities. The Town should develop procedures and a mechanism to monitor the posting of emergency evacuation routes and procedures.

4. Shelters should be surveyed to determine that they are accessible for individuals with disabilities prior to being designated as an evacuation shelter. Noncompliant findings for any designated shelters will be found in the Town of Oak Bluffs ADA/504 Transition/Barrier Removal Plan. Designated evacuation shelter sites should also be inspected on a regular basis to determine that the shelter continues to be accessible for persons with disabilities.
5. Specific guidance for complying with Title II of the ADA in the preparation of evacuation plans and procedures may be found in Chapter VII of the ADA Best Practices Tool Kit for State and Local Governments <https://www.ada.gov/pcatoolkit/toolkitmain.htm>.

### **Policies for the Use of Facilities**

Review policies and procedures to ensure that individuals with disabilities are not discriminated against during the process to apply and get approval to use a Town owned site for a program or a special event. In addition, the Town should ensure that the use of the facilities abide by all Town policies and procedures, including such items as discrimination. Under Title II of the ADA, the Town is responsible for providing access to its programs, services and activities in both owned and leased facilities.

#### ***Findings***

1. No discriminatory policies were found.

#### ***Recommendations***

1. The Town should consider the development of a facility rental policy which includes a nondiscrimination clause. The inclusion of nondiscriminatory language in policy and on forms would help ensure that outside groups and organizations would agree to abide by all applicable local, state and federal laws and Town policy regarding nondiscriminatory practices during the utilization of Town facilities.
  - a. As an example, such policies should also mention that service dogs are allowed in parks and facilities where pets are prohibited, as appropriate.
  - b. Another example would be language stating the facility user may not discriminate based on disability.
2. Application forms should be available in alternate formats and online.
3. It would be beneficial to persons with disabilities if information on accessible routes and maps, accessible parking locations, restrooms, and wayfinding was available for all facilities on the Town's website.

### **Leased Facilities**

Facilities that are owned by the Town may be leased to others. In addition, facilities that are not owned by the Town may be leased from private owners or firms in order to provide Town programs, services and activities.

Under Title II of the ADA, the Town is responsible for providing access to its programs, services and activities in both owned and leased facilities.

#### ***Findings***

1. A pre-lease inspection process of buildings not owned by the Town but are potentially being leased by the Town were not evident.
2. Language in lease agreements should be reviewed to clearly delineate the responsibility for accessibility and if it lies with the lessee or lessor or both.

### ***Recommendations***

1. Language in lease agreements should be reviewed for compliance standards.
2. The Town should review the accessibility of sites that may be leased in the future prior to engaging in a lease and establish a procedure for a pre-lease inspection to ensure that the facility or space meets the accessibility requirements.
3. If the Town decides to lease space, the ADA Coordinator or other designated Town staff should be trained to conduct or have a designee or consultant conduct a field inspection of the prospective building to assess the building for a general, functional level of accessibility. The ADA Coordinator could utilize an abbreviated checklist to determine general accessibility of facilities that the Town is considering to lease. A more comprehensive inspection could be conducted if the initial review appears to be favorable.

### **Selection of Contractors and Contracted Services**

Public entities cannot use contract procurement criteria that discriminate against persons with disabilities (28 CFR 35.130(b) (5)). Contractors should be held to the same nondiscrimination rules that apply to public entity employees.

### ***Findings***

1. A sample of standard contracts were reviewed.
2. Contracts are under the jurisdiction of the Massachusetts Laws and Regulations to ensure compliance.

### ***Recommendations***

1. The Town should continue to monitor use of standard agreements and leases by all Town departments, primarily those that may not be under the Massachusetts contracting laws and regulations. It is recommended that the Town consider one or more of these avenues to maintain compliance when contracting for services or when leasing facilities:
  - Include ADA/504 compliance nondiscrimination requirements in new requests for proposals.
  - Review and update ADA/504 requirements when contracts and or leases when they are negotiated, revised or renewed and incorporate nondiscrimination clauses as necessary.
2. Town purchasing policies should include provisions for accessibility compliance for Contractors and Vendors.
3. The Town should consider adding ADA/accessibility language into pre-proposal conference directions and information in addition to asking if any accommodations are needed for qualified persons with disabilities.

### **Building and Construction**

Review building and construction policies to ensure that the construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, conforms to the standards designated under the Title II of the ADA regulation. Buildings constructed after January 26, 1992 are considered new buildings and should be compliant with the current accessibility standards and requirements at the time of construction.

Existing buildings are defined as those buildings or sites that were constructed prior to 1992 and that not have had any major remodeling or renovation. If an existing building has had major remodeling or renovation, portions of the building would need to be brought up to the new standards. In addition, the path of travel to the building may be "triggered" and require renovation or remodeling to meet the current accessibility standards.

### ***Findings***

1. Some new buildings and remodeled buildings were found to have noncompliant construction or remodeling that did not meet the accessibility codes, standards or regulations. A significant number of the findings were minor and not a major deviation from the code.
2. The amount of oversight for new construction and remodeling was not evident.

### ***Recommendations***

1. The construction oversight process should be reviewed to provide plan and specification reviews for compliance throughout the planning and construction process. The oversight process should apply for all departments that are in charge of remodeling or construction.
2. Contracts with outside vendors and contractors should include language regarding work being performed must comply with all applicable federal, state and local building codes.
3. The Town should ensure that contractors are informed when performing construction activities adjacent to or within the public right-of-way that accessible and safe routes must be maintained throughout the project. Information on alternate accessible pedestrian routes and detours should be posted on the Town's website, as well as at the site during construction.
4. Work performed by contractors should receive a final validation by Town staff that the work performed is compliant and meets code.
5. Publications regarding the requirements of the ADA and Massachusetts codes should be updated on an ongoing basis to include not only federal but state accessibility standards.

### **Maintenance of Accessible Features**

The ADA requires (35.133) public entities to maintain their accessible features and elements. Accessible features and elements may include examples such as maintaining door pressures, elevators, trimming vegetation so that it does not encroach on accessible paths of travel, maintaining clear areas to access display areas, access to brochures, access to posted agendas and replacing damaged or missing signage.

### ***Findings***

1. Although there is not a formal procedure or policy, there is evidence of ongoing maintenance practices.

### ***Recommendations***

1. The Town may consider developing internal procedures or policies to maintain and track accessible features which require general maintenance. A few examples include re-stripping of parking, trimming vegetation or items that interfere with sidewalks and paths of travel, and adjusting the push/pull force and closing speeds of door closers.
2. The Town should interface with other local jurisdictions to coordinate ADA efforts.

### **Planning and Budgeting for Accessibility**

There is not a specific requirement in the ADA/504 for planning and budgeting for barrier removal. There is a requirement for public entities to incorporate a projected schedule for barrier removal into the Transition/Barrier Removal plan. The projected schedule is an estimate or planned date for barrier removal and projected dates may change due to a variety of factors.

A public entity that is budgeting or seeking funds to use for ADA/504 barrier removal and to improve access to programs, services and activities shows intent to implement the barrier removal/transition plan. Developing an ADA plan and a schedule for implementation and removal of barriers provides clear documentation of the Town's ongoing efforts to remove barriers and to provide access to Town programs, services and activities.

## ***Recommendations***

1. The Town should develop methods and procedures to update and maintain a current plan, budget funds, schedule, implement, document, and monitor barrier removal activities. Funds should be allocated for ADA projects and removal of barriers to accessibility.
2. The Town should develop a method to maintain an ongoing barrier removal implementation plan and document the Town's progress, initiatives and funds expended.
3. The ADA Coordinator, or designated staff, should be empowered with the authority to make recommendations and monitor the current Town ADA/504 Self-Evaluation and Transition Plan.
4. In addition to the removal of structural barriers, departments should consider budgeting for accessibility items, especially in the area of communication, such as TTY/TDD's and alternate formats. The Town should assist departments with planning and budgeting for selected accommodations, such as large print, cassettes, CD-ROMs, Braille materials, etc.

## **Staff Training**

Although training is not required by the ADA and Section 504, training regarding the requirements of the ADA and Section 504 is strongly recommended. Staff that understand the requirements of the ADA and how to assist individuals with disabilities are empowered to provide services to all stakeholders in a nondiscriminatory manner.

Ongoing compliance with the ADA is a process that occurs over time using an understanding of the ADA, responsibilities of Town employees, appropriate terminology and specific methods to assist individuals with disabilities. A simple and easy to achieve compliance method is understanding and using appropriate terminology that provides information in a positive and nondiscriminatory manner. For example, the use of the term "handicapped" is not acceptable and the term "persons with disabilities" should be used instead. Another example of appropriate terminology is using the description of "person using a wheelchair" and not using the term "wheelchair bound."

## ***Findings***

1. The Town has provided training and collaborates with the Massachusetts Office on Disabilities.
2. Selected Town staff received training regarding the use of the DACTrak Accessibility Management online software to assist with the implementation of their plan.
3. The Town may want to provide staff training to include, but not limited to the following:
  - Requirements of the ADA and Section 504
  - Requirements for facilities and parks
  - Requirements for the public right-of-way (PROW)
  - Individuals with Disabilities
  - Acceptable Terminology and Expressions
  - Noncompliance Consequences
  - Accessible vs. Compliant features
  - Barriers – Programmatic or Physical
  - Providing Services for Individuals with Disabilities
  - Leased Sites
  - Special Events
  - Accessible Locations for Meetings
  - Events & Voting
  - Auxiliary Aids and Services
  - Construction & Remodeling
  - Maintenance of Accessible Features
  - Community Donations and Construction Projects
  - Town ADA Responsibilities

- Notice of the ADA/Section 504 Coordinator
- Notice and Rights Posted for Individuals with Disabilities
- TDD/TTY
- Assistive Listening
- Grievance Complaint Procedures
- Statement of Accommodations
- Individuals with Disabilities Participation
- Use of Town Facilities by Organizations and Individuals
- Reasonable Accommodations
- Statement of Accommodations
- Effective Communication
- Alternate and Accessible Formats
- Accessible Websites
- Volunteers

### ***Recommendations***

1. The Town should continue to provide ongoing training regarding the ADA, Section 504 and related accessibility regulations and standards.
2. Additional training videos should be purchased and maintained for checkout, or borrowed from a variety of agencies, such as the Department of Rehabilitation. The US Access Board also has training materials available in addition to the Pacific ADA Center.
3. Handouts and training materials should be prepared, if needed, in alternate accessible formats.
4. The ADA/Section 504 Coordinator should continue to provide or coordinate additional ADA/Section 504 training to all management and staff who have regular contact with the public.

### **New Employee and Volunteer Orientation**

Review employment practices to ensure that they comply with other applicable nondiscrimination requirements, including 504 and the ADA regulation issued by the Equal Employment Opportunity Commission. It is unlawful to discriminate against a qualified applicant based on disability in any aspect of employment including: application, interviewing, testing, hiring, evaluation, compensation, benefits, promotion, discipline, and termination.

### ***Recommendations***

1. The Town should include and maintain information as to the identity, title, address, phone number and e-mail address of the ADA Coordinator in new employee orientation and volunteer information. The Town should be consistent with including a statement of accommodation and nondiscrimination in its information, applications and policies.
2. The Town should develop training materials and videos for new employees and volunteers regarding information and requirements of Title I and Title II of the ADA and 504. Materials could also be offered on providing accommodations for individuals with disabilities.
3. The Town's new hire packet should describe the general procedure for filing a grievance of any kind.

### **Appropriate Terminology**

Review of public entity's written and audio-visual materials to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.

### ***Findings***

1. There was not any evidence found of the Town portraying persons with disabilities in an offensive or demeaning manner or inappropriate terminology.

### ***Recommendations***

1. The words “individuals with disabilities” or “persons with disabilities” should replace “handicapped”. The term “disabled person” should also be avoided.
2. Information regarding acceptable terminology in “people first language” should also be provided to staff. Publications should be updated as they are reprinted. All departments should review all audio, visual, and print materials to ensure demeaning stereotypes and outdated language are not contained in publications.
3. A training session or guide on disability etiquette to be distributed to staff is suggested.

### **Ticketing**

Ticketing policies and practices of public entities for events that have seating are subject to Title II of the ADA nondiscrimination provisions. A public entity that sells tickets for events shall modify its policies, practices, or procedures to ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating.

### ***Findings***

1. No ticketing policies and procedures were found.

### ***Recommendations***

1. The Town ADA Coordinator should assure that Town sponsored events which include the purchase of tickets for seating continue to allow for accessible seating for the person with the disability and for companions.
2. Facilities with seating areas located on nonaccessible circulation pathways should be given extra attention to assure that the public is aware that alternative accessible seating. When using venues not owned by the Town, the Town should verify accessibility prior to leasing or renting such facilities.

### **Equally Effective Communication**

Public entities must ensure that applicants, participants and members of the public with disabilities have communication access that is equally effective as that provided to persons without disabilities (28 CFR §35.160(a)). The following is a review of policies to ensure communication with applicants, participants, and members of the public with disabilities is in a manner that is as effective as its communications with others.

### **Auxiliary Aids and Services**

Policies should ensure that they include provisions for readers for individuals with visual impairments; interpreters or other alternative communication measures, as appropriate, for individuals with hearing impairments; and amanuenses (e.g., note takers) for individuals with manual impairments.

### ***Findings***

1. The Town’s has an ADA nondiscrimination notice posted that states that the Town will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town’s programs, services, and activities, include the aid and services of qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.
2. Public meeting agendas did not contain an accommodations statement that would have included the provision for auxiliary aids and services.

### ***Recommendations***

1. Persons with disabilities may not participate or not participate as frequently in Town sponsored programs, services, or activities if they don’t understand what is being communicated. Information on the availability of auxiliary aids and services should be

- included in departmental, e.g. Library; policies, procedures, and guidelines.
2. Where equipment is used as part of a public entity's program, activity, or service, an assessment should be made to ensure that the equipment is usable by individuals with disabilities, particularly individuals with hearing, visual, and manual impairments. In addition, a public entity should have policies in place to ensure that its equipment is maintained in operable working order.
  3. Determine whether employees and officials know how to arrange for auxiliary aids and services, such as sign language interpreters, material in Braille and assistive listening systems; to ensure that communication with people with disabilities is as effective as others.

### **Sign Language Interpreter Services**

Sign language interpreters should be provided as determined through the request for accommodation process for qualified persons with disabilities or in circumstances where a sign language interpreter is known to be required.

#### ***Findings***

1. A request for accommodation form or procedure was not found.

#### ***Recommendations***

1. All notices for public input should include information on the availability of interpreter services.
2. Interpreters should be provided as determined through a request for accommodation process or in circumstances where an interpreter is known to be required.
3. The Town must ensure that those individuals utilizing a language other than English and are deaf, are also provided interpreter services that specialize in signing for that language.
4. The Town may consider the use of a video relay interpreter system to augment contracts and arrangements for interpreters.

### **Telecommunications Devices for the Deaf and Hard of Hearing**

If a public entity communicates with applicants and beneficiaries by telephone, it should ensure that TDD's or equally effective telecommunication systems are used to communicate with individuals with impaired hearing or speech. If a public entity provides telephone emergency services, it should review its policies to ensure direct access to individuals who use TDD's/TTY's and computer modems.

#### ***Findings***

1. The Town utilizes the relay system for communication in cases where a TDD/TTY is not available.

#### ***Recommendations***

1. When a public entity uses an automated-attendant system, including, but not limited to, voicemail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with individuals using auxiliary aids and services, including TTYs and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.
2. Employees who communicate with the public should become familiar with the use of TDD/TTY communications or relay communications. Assistive Listening Systems for the Deaf and Hard of Hearing or the relay system.
3. Assistive listening systems are required in assembly spaces where audible communication is integral to the use of the space. Signs are to be provided informing patrons of the availability of the assistive listening systems.

## Assistive Listening Systems

Assistive listening systems should be available for public meetings.

### *Findings*

1. Public meeting agendas do not have statement of accommodation and therefore do not provide notice as to the availability of listening devices.

### *Recommendations*

1. Assistive listening systems should be readily available.
2. Signs should be posted in a prominent place at or near the assembly area entrance stating "Assistive-Listening System Available" and include the International Symbol of Access for Hearing Loss.
3. A nondiscrimination notice or request for accommodation should be available to the public to provide for requests for assistive listening devices.

## Website Accessibility

Persons with disabilities frequently use the internet to access information about the Town of Oak Bluffs. Persons who are blind and persons with low vision may employ screen access software that reads the code of a website and then renders it in whatever format is accessible to that person (speech, refreshable braille, etc.). Deaf users rely on captioning of aural (sound or spoken) content. Users with limited manual dexterity or motion use dictation software to give commands instead of mouse and keyboard control.

The World Wide Web Consortium (W3C) sets the main international standards for the World Wide Web and its accessibility. W3C created the Web Content Accessibility Guidelines (WCAG 2.0) which require specific techniques for compliance. Websites for Title II of the ADA public entities such as the Town of Oak Bluffs are currently required to comply with WCAG 2.0 Level AA.

There are three levels of WCAG 2.0 website accessibility recognized by the World Wide Web Consortium (W3C).

1. Level A is the minimum level of conformance with the fewest requirements. A couple examples of Level A requirements are that all non-text components such as images include an alternative text component and that captions are provided for all prerecorded audio content.
2. Level AA compliance must satisfy all of the Level A requirements and additional criteria such as providing captions for all live broadcasted audio content.
3. Level AAA satisfies all Level A and Level AA criteria as well as additional requirements such as providing sign language interpretation for all prerecorded audio content.

An updated version of the guidelines (WCAG 2.1) was published on June 5<sup>th</sup>, 2018. The updates are mainly related to mobile devices, disabilities that affect vision and cognitive function, criteria addressing text spacing, and criteria addressing timeouts and animations from interactions. While public entities are encouraged to begin applying compliance with WCAG 2.1 success criteria into their website design, it is not yet the required standard.

### *Findings*

1. DAC conducted a comprehensive accessibility review of the Town of Oak Bluff's website including the Town of Oak Bluffs Home Page and major links and sub-links from the Home Page. The findings are being submitted as a separate report.
2. The review was performed using the WAVE Web Accessibility Evaluation Tool Chrome Extension and checked for compliance with WCAG 2.0 AA standards. The review covered the evaluation of 86 individual web pages and did not cover all pages published on the Town of

Oak Bluffs website that are redirected to other websites. Links to external sites and web pages were not evaluated. Some of the errors reported may be consistent throughout the site because of using the same element or feature on various pages. In such cases, it is possible a large number of errors may be easily corrected by simply correcting a single element that repeats itself throughout the site. Many errors reported by the evaluation tool include empty links, empty button errors and contrast errors. The Town of Oak Bluffs Website Accessibility Review is available from the ADA Coordinator.

3. The Town's website contains information regarding assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on the Town's website. The website accessibility statement describes "if the website interferes with your ability to access information, please [contact us](#). To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication."
4. The website includes a statement regarding accessibility design guidelines and states that the Town complies with Section 508 as well as 2.0A and AA and asks users to contact the Town should any difficulties arise.
5. The website also explains that many popular browsers contain built-in accessibility tools and include Internet Explorer, Firefox and Chrome.
6. The ADA is listed in the Document Center on the Town's website allowing the user to readily access ADA related documents.

### ***Recommendations***

1. As many people have turned to the internet as a primary source of information on programs, services, activities, and events, the Town's website has increased importance as a communications tool. It is important the Town's website be as accessible as it can be for all community members and visitors. The Town should initiate the development of procedures for increasing accessibility to their website in order that people with low vision or whom are blind (and use screen readers) have access to Town information. Adding alternative text to images, buttons, and links, and correcting heading errors would address initial concerns. Establishing accessibility requirements and training opportunities for those responsible for creating and editing Town web pages will mitigate future concerns.
2. A written plan establishing procedures and timeframes for making all website content accessible should be developed. Procedures should be developed to ensure that content is not added to the Town's website until it has been made accessible.
3. It is recommended that progress and efforts made towards increased accessibility of the Town's website continue to be documented by logging significant improvements made and when they were accomplished.
4. Efforts should be made to encourage the public to submit feedback and suggestions on how to improve the structure and organization of the Town's website to make it easier to navigate and more intuitive. Such concerns can be directed either to the ADA Coordinator or to both the Website and ADA Coordinators.
5. Contact information for reporting accessibility concerns should be posted on the website. Procedures should be developed to assure a quick response to website visitors with disabilities who are having difficulty accessing information or services available via the website.
6. In-house and contractor staff who create web content or post it on the Town's website should be provided with copies of the Department of Justice's technical assistance document

“Accessibility of State and Local Government Websites to People with Disabilities” (<https://www.ada.gov/websites2.htm>).

## **Alternate Formats**

Information regarding programs, services and activities should be available in alternate formats to assist individuals with disabilities and include information on how to request an accommodation. Statements of accommodations and nondiscrimination notices regarding the rights afforded to individuals with disabilities should inform individuals with disabilities that alternate formats are available.

### ***Findings***

1. Town meeting agendas do not contain information about requests for alternative formats to persons with disabilities.
2. The Town has an ADA Nondiscrimination Notice that provides for methods to request an alternate format and other modifications to access programs, services and activities.

### ***Recommendations***

1. The Town should provide notice regarding the method and availability for alternate formats.
2. The Town should provide staff training regarding the requirements for accessible alternate formats, what accessible alternate formats are and how to provide accessible alternate formats. Procedures should be put in place for the development of accessible alternate formats to constituents.
3. The Town should produce accessible alternate formats for high use areas, such as libraries, where the probability for a request for an alternate format is high. Examples include provision of audiocassettes, large print, information sent via e-mail, screen readers, Braille, and pictograms.
4. Online public notices informing of Town events and information should have a statement of accommodations which includes who to contact for an accommodation.
5. A TTY/TDD and/or Relay number should also be included on Town notices which allow for public input.

## **Accessible Fonts and Documents**

Some fonts are more accessible for screen readers and for printed documents. Use of an accessible font allows text to be transformed into sound through voice synthesizers when using screen readers. Text can also be enlarged by screen enlargement or magnification without any loss of quality. Use of an accessible font with sufficient contrast between the text and the background makes text easier to read for users with low vision and other disabilities such as dyslexia.

### ***Findings***

1. It was noted that accessible fonts and contrast were used in the majority of the documents.
2. A policy for accessible fonts and documents, although not required, were not found.

### ***Recommendations***

1. The Town should continue to provide information on its website and publications regarding the Town’s branding policy, if available.
2. The possibility of a central Town-wide department or method to provide Braille and other accessible documents should be assessed to assist with providing accessible alternate formats.
3. The Town should have an existing contract with one or more firms or organizations to provide accessible documents, such as Braille in a timely manner.

## **XV. Planning and Strategies for Ongoing Compliance**

The Town of Oak Bluffs has demonstrated its core commitment to enhance its accessibility to Town programs, services and activities as evidenced by the results of the updated 2019 ADA/504 Self-evaluation and Transition/barrier removal plan. As the Town recognizes that compliance with the ADA is not a “one-time” event and requires strategic planning and an ongoing commitment to provide equal access to its programs, services and activities to maintain and enhance compliance with the requirements of the ADA. The Town of Oak Bluffs’s commitment is evident throughout the organization and is demonstrated by the results of the Town of Oak Bluffs ADA/504 Self-evaluation and Transition Plan 2019 update.

In order to enhance compliance for individuals with disabilities in an expeditious and cost-effective manner, the Town receives ongoing input from the Advisory Committee on Disabilities and the Commission on Disability in addition to Town staff and Town Selectmen. The Town and selected committees, as appropriate, can review the findings from the Town of Oak Bluffs ADA Self-evaluation 2019 Update in order to develop an ongoing, comprehensive and cost-effective plan to enhance compliance over time. The Town is currently prioritizing the barriers identified to develop a strategic plan for implementation. The presentation to the Implementation of the recommendations in the self-evaluation and transition plan will continue to require planning, resources, staff training, interdepartmental coordination and collaboration throughout the organizational structure and the public.

The Town recognizes that individuals with disabilities are better served and able to participate in the community if the facilities and public rights-of-way are accessible because it is easier for them to gain access to the programs and services of the Town.

The updated Self-Evaluation and Transition plan is meant to be a self-regulated plan and by definition is meant to be a “living” and planning document for the Town to manage its long-term commitment to serving individuals with disabilities. As evidenced by the initiatives and accomplishments of the Town to provide access for “all” persons in the Town of Oak Bluffs, the Town of Oak Bluffs understands that the ADA/Section 504 Compliance Plan is not a static document, and requires ongoing evaluation, implementation, updates and documentation. Selected Town staff received training regarding the use of the DACTrak Accessibility Management online software to assist with the implementation of their plan.

As evidenced by this study and update, the Town of Oak Bluffs is committed to complying with the tenets of Title II of the ADA, Section 504, and other federal, state statutes and regulations to provide access for individuals with disabilities. The update further serves to demonstrate the ongoing compliance efforts by the Town. The Town of Oak Bluffs has demonstrated a commitment from the highest level of leadership with coordination of compliance activities and involvement of individuals with disabilities and methodologies for compliance procedures.

## **XVI. Conclusion**

As evidenced by this study and update, the Town is committed to complying with the tenets of Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 (504), and other federal, state statutes and regulations to provide accessible for individuals with disabilities. The 2019 update further serves to demonstrate the ongoing compliance efforts by the Town.

The Town of Oak Bluffs has demonstrated a commitment from the highest level of leadership with coordination of compliance activities and involvement of persons with disabilities and methodologies for compliance procedures. As evidenced in the ADA/504 Report, the Town of Oak Bluffs understands

that the ADA/504 Compliance Plan is not a static document and requires ongoing implementation and periodic updates.

## **XVII. Appendix**

The Appendix includes documents and supplemental material referenced in the 2019 Town of Oak Bluffs ADA/504 Self-evaluation and Transition.



The following Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis

# TOWN OF OAK BLUFFS

## GRIEVANCE PROCEDURE

### FOR AMERICANS WITH DISABILITIES ACT COMPLAINTS

of disability in employment practices and policies or the provision of services, activities, programs and benefits by the Town of Oak Bluffs.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. Reasonable accommodations, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities who are unable to submit a written complaint. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

ADA Coordinator Wendy Brough

PO Box 1327

Oak Bluffs, MA 02557

Email: [wbrough@oakbluffsma.gov](mailto:wbrough@oakbluffsma.gov)

Tel: 508 693 3554 ext: 149

Within 15 calendar days after receipt of the complaint the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days after the meeting, the ADA Coordinator will respond in writing, and where appropriate in a format accessible to the complainant such as audiotape.

The response will explain the position of the Town of Oak Bluffs and offer opinions for substantive resolution of the complaint. If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the Town Administrator or their designee.

Within 15 calendar days after receipt of the appeal, the Town Administrator or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 days after the meeting the Town Administrator or their designee will respond in writing, and where appropriate in a format accessible to the complainant such as audiotape, with a final resolution of the complaint.

All complaints received by the ADA Coordinator, appeals to the Town Administrator or their designee, and responses from the ADA Coordinator and the Town Administrator or their designee will be kept by the Town of Oak Bluffs for at least three years.

*Adopted by the Board of Selectmen: September 11, 2018*



# TOWN OF OAK BLUFFS

POST OFFICE BOX 1327, OAK BLUFFS, MA 02557  
TELEPHONE: 508 693 3554

MAY 1, 2019

## AMERICANS WITH DISABILITIES ACT SURVEY FOR ISLAND RESIDENTS, INDIVIDUALS WITH DISABILITIES OR ANY INTERESTED INDIVIDUALS THAT WISH TO PARTICIPATE

The Town of Oak Bluffs is seeking input from Island residents, individuals with disabilities and the general public, to help the Town of Oak Bluffs enhance accessibility to its facilities, programs, services and events.

An online format is available from the Town's website: [oakbluffsma.gov](http://oakbluffsma.gov)  
Click on the [Americans with Disabilities Act Survey](#) link on the homepage and  
select the appropriate survey.

First Name (Optional)

\_\_\_\_\_

Last Name (Optional)

\_\_\_\_\_

Date (Optional)

\_\_\_\_\_

Address (Optional)

\_\_\_\_\_

Phone (Optional)

\_\_\_\_\_

E-mail address (Optional)

\_\_\_\_\_

Name of Town of Oak Bluffs facility or location, or type of program or service for which you are providing input:

\_\_\_\_\_

Are there other Oak Bluffs' facilities that you would like to comment on?

\_\_\_\_\_

1. What is your relationship to the Town of Oak Bluffs? (check all that apply)

Resident

Visitor

Contractor

Employee

Participant of a Program, Service or Activity

Other

If other, please describe. \_\_\_\_\_

2. Check all programs, services or activities in which you participate at the facility, site or location.

- |  |   |
|--|---|
| <input type="checkbox"/> Classes         | <input type="checkbox"/> Recreation       |
| <input type="checkbox"/> Meetings        | <input type="checkbox"/> Sporting Events  |
| <input type="checkbox"/> Seminars        | <input type="checkbox"/> Work (Volunteer) |
| <input type="checkbox"/> Work (Employee) |   |
| <input type="checkbox"/> Other           |   |

If other, please describe. \_\_\_\_\_

3. Do you know who to contact if you need assistance, have a concern or complaint, or need an accommodation to access a facility, service or event?

- Yes
- No

If yes, who would you contact?

\_\_\_\_\_

4. Have you ever requested an accommodation for a disability from the Town of Oak Bluffs?

- Yes
- No
- Not applicable
- Don't know

5. If an accommodation was requested, was your accommodation made by the Town of Oak Bluffs?

- Yes
- No
- Not applicable
- Don't know

If yes, what accommodations were made? If no, were you given a reason why it was not provided?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have you experienced any barriers, non-accessible areas, or non-accessible programs?  
(Examples: no accessible parking spaces, difficulty reaching an accessible entrance, steep ramps, uneven sidewalks, need for assistive listening device, large print, etc.)

- Yes
- No
- Not applicable
- Don't know

If yes, please describe.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Have you attended any special events in the Town of Oak Bluffs?

Yes

No

If yes, did you encounter any barriers to accessibility?

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8. Is accessible seating provided for individuals with disabilities at meetings, classes, programs, etc. held at the facility?

Yes

No

Not applicable

Don't know

If no, please describe.

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9. Are you aware of any programs, services or activities that are not accessible to individuals with disabilities?

Yes

No

Not applicable

Don't know

If yes, please describe.

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10. Are you aware of any areas or elements of the facility that are not accessible to individuals with disabilities?

Yes

No

Not applicable

Don't know

If yes, please describe.

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11. Is information provided regarding accommodations, auxiliary aids (such as assistive listening systems, interpreters, alternate formats, specialized equipment, or assisted services, etc.?)

- Yes
- No
- Not applicable
- Don't know

Please describe.

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12. Is there adequate directional and informational signage provided at the facility?

- Yes
- No
- Not applicable
- Don't know

If no, please describe.

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13. If you have requested auxiliary aids, an interpreter or specialized equipment, was your request accommodated?

- Yes
- No
- Not applicable
- Don't know

If no, please describe.

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14. Has the attitude of the staff of the Town of Oak Bluffs towards you or someone you know with a disability been generally helpful, supportive, positive and proactive in solving accessibility issues?

- Yes
- No
- Not applicable
- Don't know

Please describe.

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15. Other comments:

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16. What do you feel is the highest priority in the Town of Oak Bluffs' Accessibility Plan?

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***Please return this survey by June 30, 2019 to:***

Wendy Brough ADA/504 Coordinator  
Town of Oak Bluffs  
Mail: PO Box 1327, Oak Bluffs, MA 02557  
Email: [wbrough@oakbluffsma.gov](mailto:wbrough@oakbluffsma.gov)  
Drop Off: Board of Selectmen's or Town Clerk's Office – Oak Bluffs Town Hall  
Phone: 508 - 693 - 3554 ext: 149

*You may also return the completed survey to:*

Barbara Thorpe  
Disability Access Consultants, LLC (DAC)  
Mail: 2862 Olive Highway, Suite D, Oroville, CA 95966  
Email: [bthorpe@dac-corp.com](mailto:bthorpe@dac-corp.com)  
Phone: 530 – 533 – 3300

For all inquiries or for additional copies of the survey, in hard copy or electronic format, contact either Wendy Brough (ADA/504 Coordinator) or Barbara Thorpe (DAC, LLC).

***Thank you for your input!***



# TOWN OF OAK BLUFFS

POST OFFICE BOX 1327, OAK BLUFFS, MA 02557

TELEPHONE: 508 693 3554

Organization/Agency

May 1, 2019

Address

City, State Zip

Dear Organization/Agency:

In keeping with its ongoing efforts to serve all community members, the Town of Oak Bluffs is updating its Americans with Disabilities Act (ADA) self-evaluation and transition plan. The process will provide a comprehensive plan to ensure access for individuals with disabilities to Town buildings, sidewalks, programs, services, activities and events.

The Town of Oak Bluffs is seeking public input on the update process from stakeholders whose guidance will help identify, prioritize and address needs.

Two surveys are enclosed for your input. One is for organizations and agencies, such as yours that represent or work with people with disabilities. The other is for members of the public that use the Town's programs and facilities. One or both surveys can be completed as appropriate.

We realize your time is valuable and the surveys were designed to be completed quickly and easily.

An online format is available from the Town's website: [oakbluffisma.gov](http://oakbluffisma.gov)

Click on the [Americans with Disabilities Act Survey](#) link on the homepage and select the appropriate survey.

Please return surveys by mail or email to the ADA Coordinator/504, Wendy Brough by **June 15, 2019**.

PO Box 1327, Oak Bluffs, MA 02557

Email: [wbrough@oakbluffisma.gov](mailto:wbrough@oakbluffisma.gov)

Phone: 508- 693 - 3554 ext: 149

Alternatively, you can drop off surveys to the Board of Selectmen's office at the Oak Bluffs Town Hall.

A public notice is also enclosed if you would like to share or post on a bulletin board to help solicit additional public input.

Thank you very much for your time and assistance, and please contact me for all inquiries.

Sincerely,

Wendy Brough  
ADA/504 Coordinator  
Town of Oak Bluffs



# TOWN OF OAK BLUFFS

POST OFFICE BOX 1327, OAK BLUFFS, MA 02557  
TELEPHONE: 508 693 3554

MAY 1, 2019

## AMERICANS WITH DISABILITIES ACT SURVEY FOR ORGANIZATIONS REPRESENTING INDIVIDUALS WITH DISABILITIES

An online format is available from the Town's website: [oakbluffsma.gov](http://oakbluffsma.gov)  
Click on the [Americans with Disabilities Act Survey](#) link on the homepage and  
select the appropriate survey.

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_ Contact person: \_\_\_\_\_

\_\_\_\_\_ Position: \_\_\_\_\_

Phone: \_\_\_\_\_ Today's date: \_\_\_\_\_

Name of person completing this form: \_\_\_\_\_

Name of the ADA Coordinator(s) for your organization: \_\_\_\_\_

*The following questions have been developed to determine how organizations and advocacy agencies perceive the Town of Oak Bluffs' ability to provide services and accommodations for individuals with disabilities and to ask for input regarding how programs, services and activities can be more accessible for individuals with disabilities.*

1. What direct communications have you had with the Town of Oak Bluffs to facilitate services and accommodations for individuals with disabilities?

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2. Are there any specific complaints or problems regarding access for individuals with disabilities to any of the programs, services or activities provided by the Town of Oak Bluffs?

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3. What information or other resources can you supply to help educate or inform the Town of Oak Bluffs about your organization and your services for individuals with disabilities?

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4. What general guidance, advice or assistance could your organization provide to the Town of Oak Bluffs to protect against potential discrimination of individuals with disabilities in its programs, services and activities?

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5. What do you feel is the highest priority for the Town of Oak Bluffs to improve accessibility for individuals with disabilities?

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# Americans with Disabilities information and survey

## Public Input Notice

- [ADA Survey Public Input Notice \(PDF\)](#).

## 2019 ADA Survey

The Town of Oak Bluffs in keeping with its ongoing efforts to serve all members of the community, is updating its Americans with Disabilities Act (ADA) self-evaluation and transition plan. The accessibility plan provides a comprehensive blueprint for access for individuals with disabilities to Town of Oak Bluffs facilities, parks, programs, services, activities and events. The Town of Oak Bluffs is seeking input from agencies and organizations that represent individuals with disabilities, community members, Town employees, and other interested individuals who wish to participate in the evaluation.

Your comments and opinions are important and will provide valuable information regarding how the Town can better serve individuals with disabilities and help prioritize current and future needs.

To complete the survey online, click here [Town of Oak Bluffs Public Input Survey](#).

To download the survey, click on the appropriate survey below and return **by June 30, 2019** to Wendy Brough ADA/504 Coordinator, Town of Oak Bluffs. By mail: PO Box 1327, Oak Bluffs, MA 02557. By email, [wbrough@oakbluffsma.gov](mailto:wbrough@oakbluffsma.gov). Or drop it off with Carrie Blair at the Selectmen's office at the Oak Bluffs Town Hall, 56 School Street.

Select Language ▼

- [ADA Input Survey. - General Public \(WORD\)](#).
- [ADA Input Survey - General Public \(PDF\)](#).
- [ADA Survey - Department Heads and Program Administrators.word](#)
- [ADA Input Survey - Department Heads and Program Administrators.pdf](#)
- [ADA Survey - Organizations Representing Individuals with Disabilities \(PDF\)](#).
- [ADA Survey - Organizations Representing Individuals with Disabilities \(WORD\)](#).

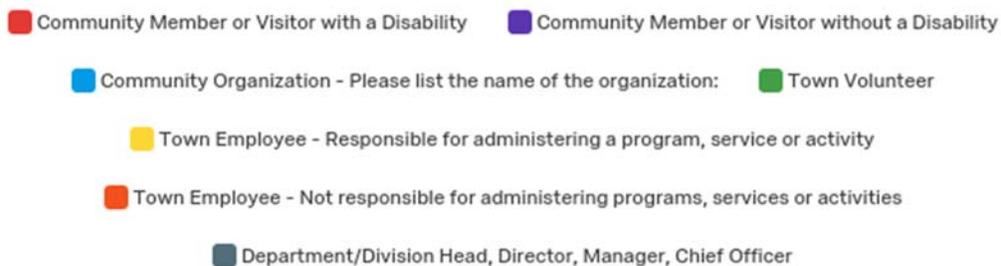
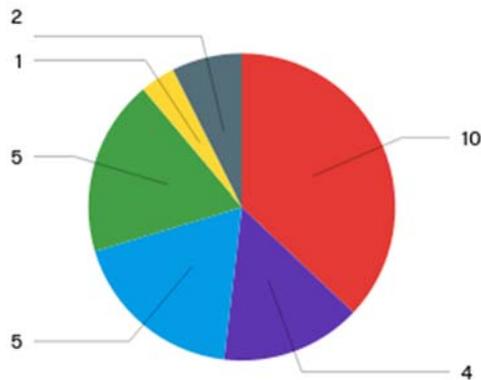
### **Americans with Disabilities Coordinator**

The Assistant Town Administrator, Wendy Brough, serves as the ADA/504 Coordinator. Email the [Assistant Town Administrator](#) or call 508 693 3554 ext: 149

- [ADA Grievance Procedure.pdf](#)
- [Town of Oak Bluffs Americans with Disabilities Public Notice.pdf](#)

## Town of Oak Bluffs Public Input Survey

**Question - What role most adequately describes your association with the Town of Oak Bluffs and the representation you are providing?**

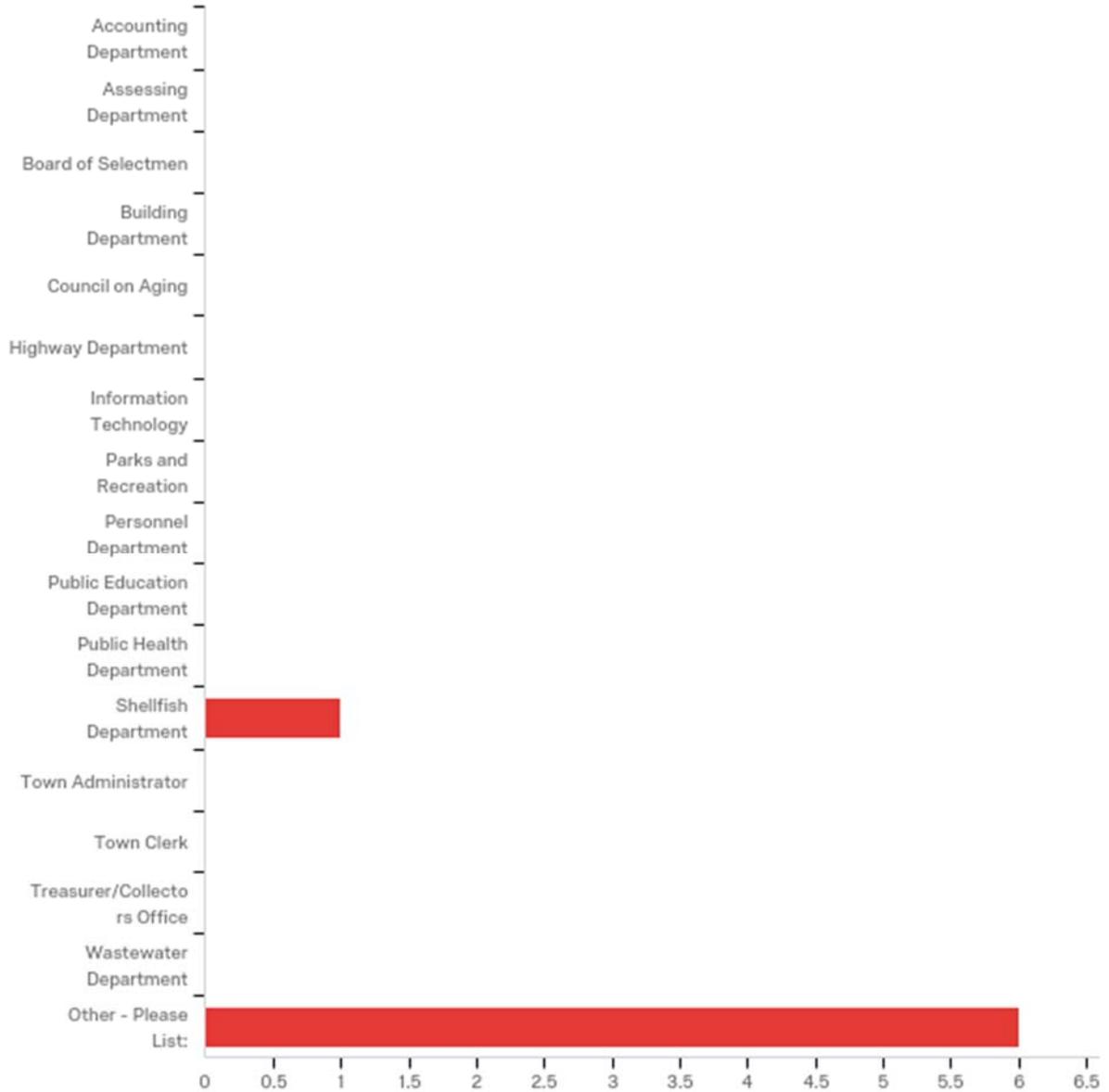


#	Answer	%	Count
1	Community Member or Visitor with a Disability	37.04%	10
2	Community Member or Visitor without a Disability	14.81%	4
3	Community Organization - Please list the name of the organization:	18.52%	5
8	Department/Division Head, Director, Manager, Chief Officer	7.41%	2
6	Town Employee - Not responsible for administering programs, services or activities	0.00%	0
5	Town Employee - Responsible for administering a program, service or activity	3.70%	1
4	Town Volunteer	18.52%	5
	Total	100%	27

Community Organization - Please list the name of the organization:

- OBCOA
- Healthy Aging MV
- Dukes County Regional Housing Authority
- As I age, I find I'm getting closer to handicaps
- Assoc. Commissioner for Disability Affairs For Dukes County

**Question - The following departments/divisions within the Town of Oak Bluffs have been identified. Please check which department or division you primarily work or volunteer for.**



#	Answer	%	Count
1	Accounting Department	0.00%	0
2	Assessing Department	0.00%	0
3	Board of Selectmen	0.00%	0
5	Building Department	0.00%	0
25	Council on Aging	0.00%	0
7	Highway Department	0.00%	0
8	Information Technology	0.00%	0
22	Parks and Recreation	0.00%	0
23	Personnel Department	0.00%	0

24	Public Education Department	0.00%	0
32	Public Health Department	0.00%	0
33	Shellfish Department	14.29%	1
34	Town Administrator	0.00%	0
35	Town Clerk	0.00%	0
36	Treasurer/Collectors Office	0.00%	0
37	Wastewater Department	0.00%	0
15	Other - Please List:	85.71%	6
	Total	100%	7

Other - Please List:

O B Historical Commission O B Community Preservation Committee

I work for the Highway, Shellfish and Parks Departments.

PLANNING BOARD

affordable housing chair

Harbor committee

Finance Committee Capital Committee Personnel Committee

not sure

Powers and Duties Prepare a comprehensive/master plan (MGL c 41 §81D) Propose, review, hold hearings and make recommendations on zoning bylaw/ordinance changes (text and map) Review and act on subdivisions - preliminary and definitive plans (MGL c. 41, § 81K-81GG) Review and sign Approval Not Required (ANR) plans May be a Special Permit Granting Authority (SPGA) Review and act on Site Plan Reviews/Approvals May hire and supervise planner Review and make recommendations to the ZBA (Special permits, comprehensive permits.) Review and act on Scenic Road changes Review and act on Repetitive Petitions Initiate planning projects/plans Review requests to remove property from MGL c. 61 May review and recommend capital improvements Other duties as authorized by bylaw, charter

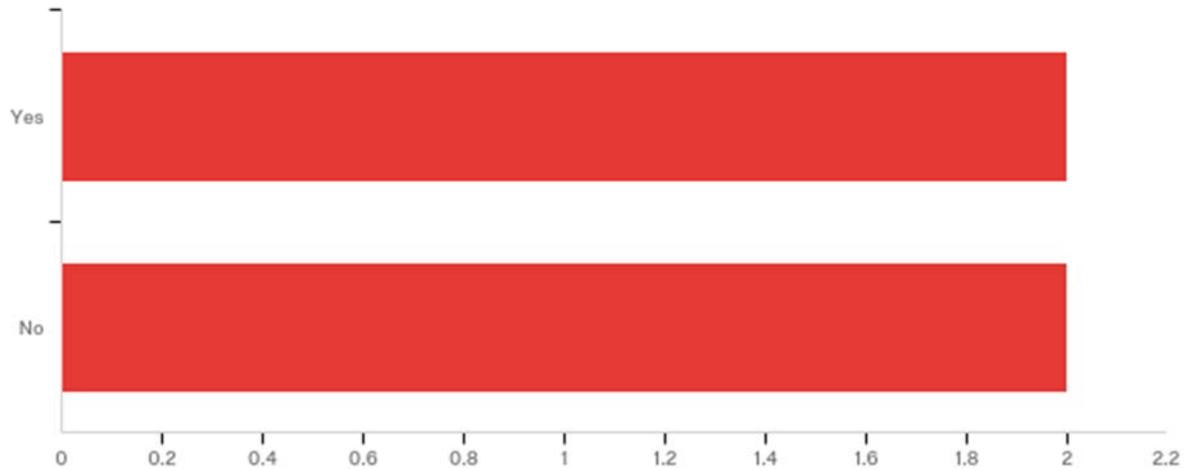
current plans for rental housing will include ADA compliant housing

Advise the harbor Master

The Shellfish Department manages the shellfish resources in Oak Bluffs waters. To achieve this we culture 4 species of shellfish, monitor water quality, conducts investigations/research to aid in resource management decisions, conducts wetland restoration or protection projects and enforce Town and State Shellfish bylaws and statutes.

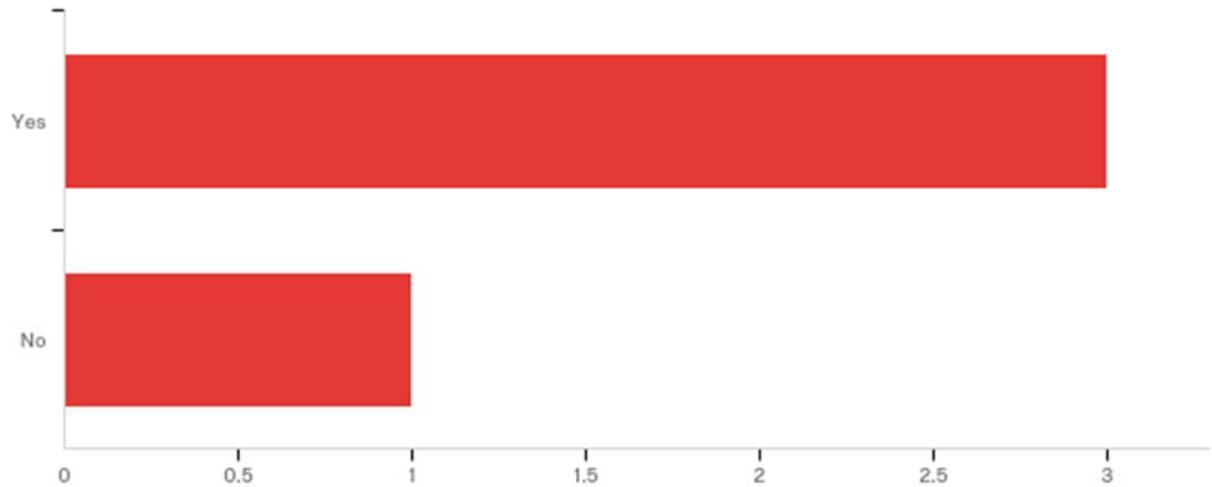
Finance and Capital - Oversee the financial health of the town. Personnel - Support the town's employees through policies and practices.

**Question - Does your role require interaction with the public?**



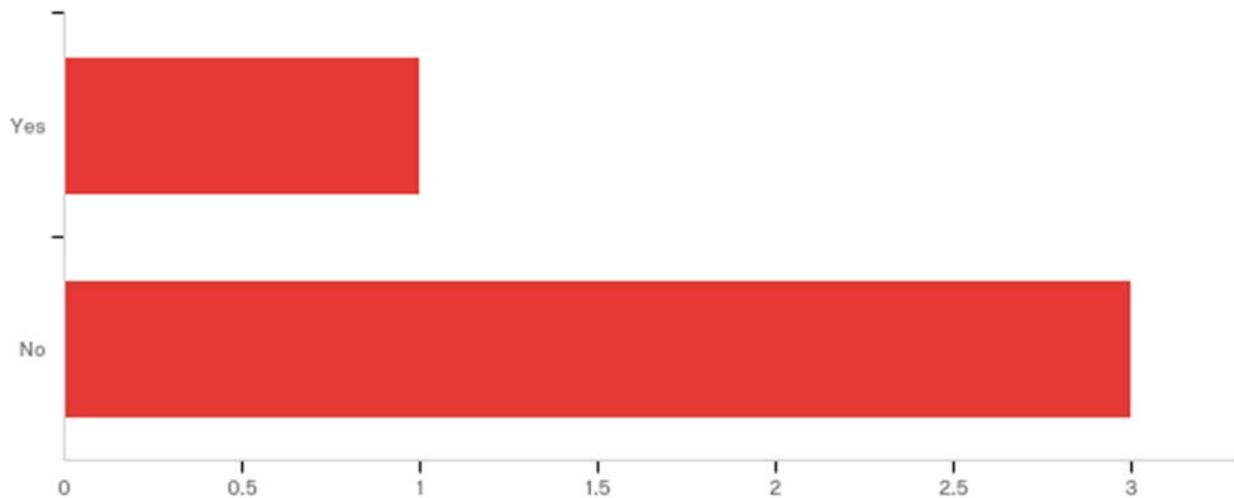
#	Answer	%	Count
1	Yes	50.00%	2
2	No	50.00%	2
	Total	100%	4

**Question - Have you received training or information regarding the requirements of the Americans with Disabilities Act?**



#	Answer	%	Count
1	Yes	75.00%	3
2	No	25.00%	1
	Total	100%	4

**Question - Have you received training on providing services or activities for individuals with disabilities?**



#	Answer	%	Count
1	Yes	25.00%	1
2	No	75.00%	3
	Total	100%	4

**Question - What information or other resources can you supply to help educate or inform the Town of Oak Bluffs about your organization and your services for individuals with disabilities?**

HAMV provides planning and advocacy to support elders on Martha's Vineyard. We work to improve housing, transportation, health-care, and caregiver support to make Martha's Vineyard an age-friendly Island.

The DCRHA was chartered by the State through the efforts of six island towns to address the need of islanders including those with impairments for year-round housing opportunities.

Library policy should have the goal of helping every patron/ user have a successful experience in the library. It should not single our categories of users.

ADA Compliance Information and state counterpart law; information about services and supports for individuals with disabilities

**Question - What general guidance, advice or assistance could your organization provide to the Town of Oak Bluffs to protect against potential discrimination of individuals with disabilities in its programs, services and activities?**

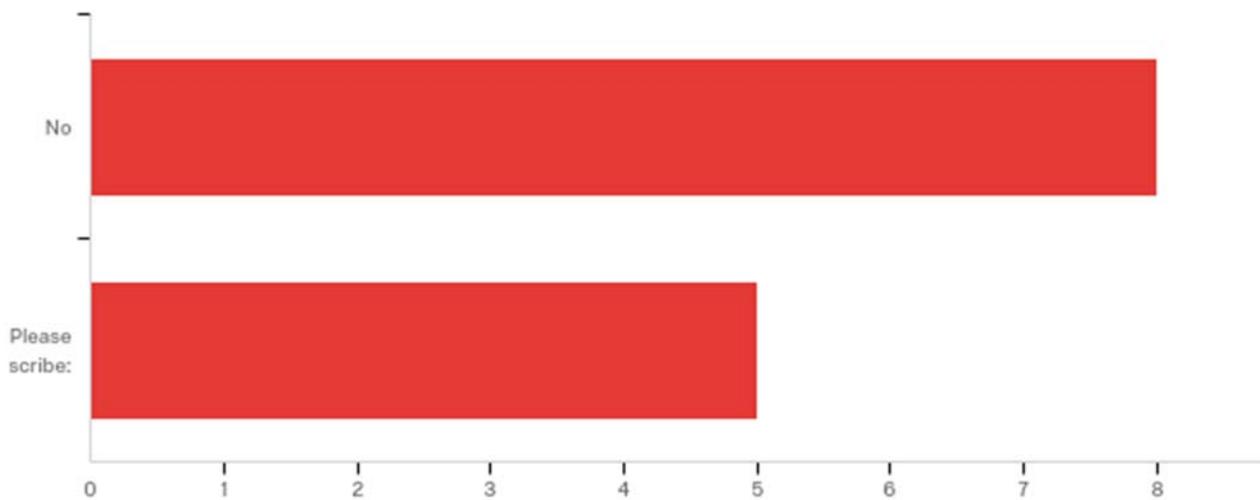
Many elders face the same challenges as "disabled" people or those with disabilities. Physical handicaps, age-related illnesses, cardio-pulmonary issues, deterioration of eyesight and hearing, loss of balance, a history of falls and injury, and other age-related issues cause many elders to face "disability"-related problems living on Martha's Vineyard. HAMV is completing this survey with elders as our focus.

The DCRHA is experienced in application of the principles of Fair Housing and ADA and Visit-ability design and management.

Look at Dept Policies, interview Dept. Heads and individuals about their philosophies and relevant experiences.

See previous answer

**Question - Are you aware of any specific concerns, complaints or problems regarding access for persons with disabilities to any of the programs, services or activities provided by the Town of Oak Bluffs?**



#	Answer	%	Count
1	No	61.54%	8
2	Yes, Please describe:	38.46%	5
	Total	100%	13

Yes, Please describe:

Brick sidewalks are not convenient to some people with certain disabilities.

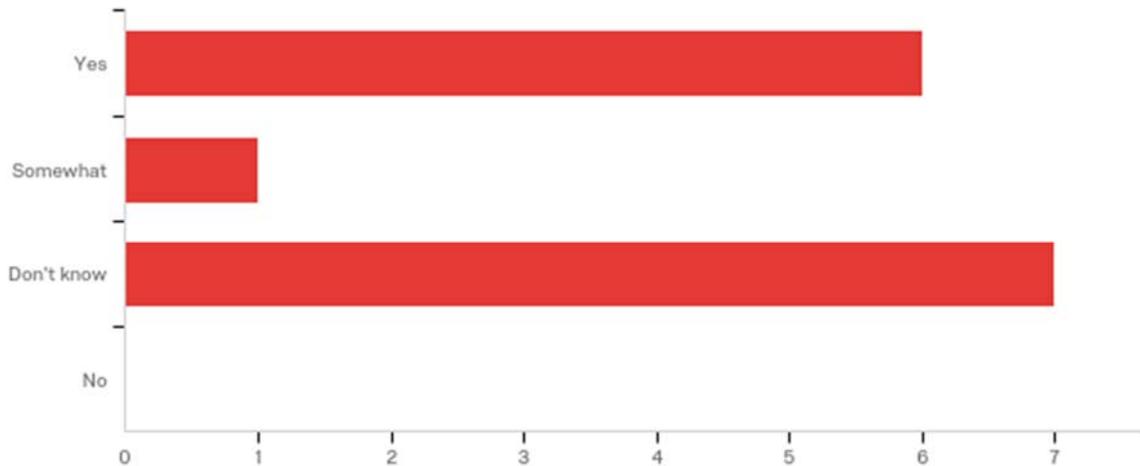
At its Noyes Building, Oak Bluffs currently supplies three affordable household rentals including one ADA compliant two-bedroom unit. More of both are badly needed.

A recent proposal for a "behavior" policy for one category of user was alarming and has since been shelved for revision.

Circuit Avenue sidewalks are not wide enough and not level enough for people using wheelchairs, scooters, walkers and other assistive devices. Curb cuts to crosswalks are too steep in places, and not lined up with one another in others. Many of the businesses on Circuit Avenue have no ramp access, and once inside, not enough room between aisles.

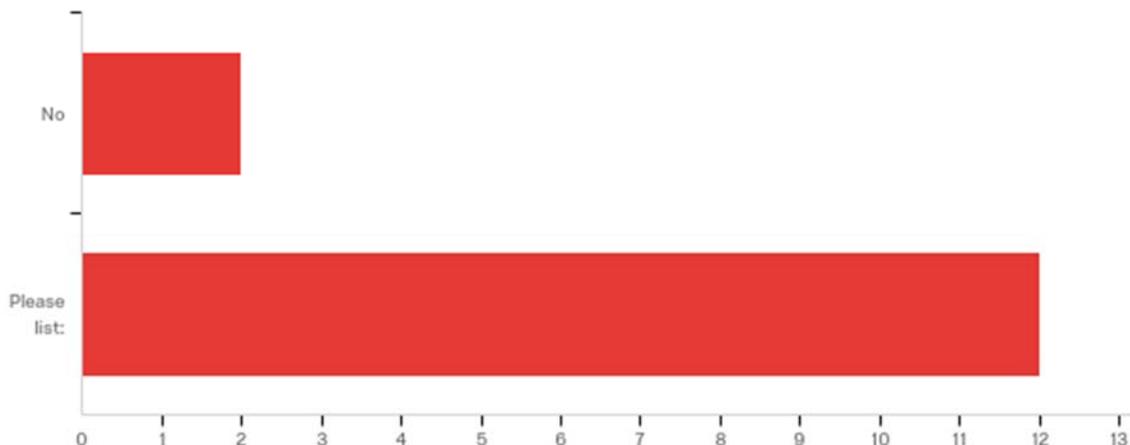
Access to Town Hall; Navigating Circuit Ave and general business area; Lack of appropriate voting booths; Inconsistent notices regarding offers of reasonable accommodations for public meetings; Insufficient amplification at public hearings or meetings for people with significant hearing impairments.

**Question - Is the attitude of Town of Oak Bluffs staff towards persons with disabilities generally helpful, supportive, positive and proactive in solving accessibility issues?**



#	Answer	%	Count
1	Yes	42.86%	6
2	Somewhat	7.14%	1
3	Don't know	50.00%	7
4	No	0.00%	0
	Total	100%	14

**Question - Do you participate in programs, services or activities offered by the Town of Oak Bluffs?**



#	Answer	%	Count
1	No	14.29%	2
2	Yes - Please list:	85.71%	12
	Total	100%	14

**Question - What do you feel should be the highest priority of the Town of Oak Bluffs to improve accessibility for persons with disabilities?**

Safety and personal conveniences

It seems reasonable to make disabled-person access, senior citizen access, as well as mother-infant access a priority; addressing all three as priorities will inform design process for sidewalks, bus stops, doorway entries, public transportation, curbs, private places for rest, benches, park structure, public building design, bathroom design (with privacy for nursing mothers as well as grab bars and railings for elders and the disabled), etc.

Accessible town hall with access to all departments

The DCRHA is pleased that the Town's Affordable Housing Committee's efforts appear to be moving closer to development of needed affordable year-round rentals which will hopefully include full visit-ability and some percentage of ADA compliant units.

Making the Town Hall more accessible for persons with disabilities.

You should get useful information from this survey. Library received a \$15,000 grant for devices to assist patrons. Do we know if these things have been useful? Any statistics relating to their use?

Inclusion

more awareness

Side walks

Circuit Avenue access

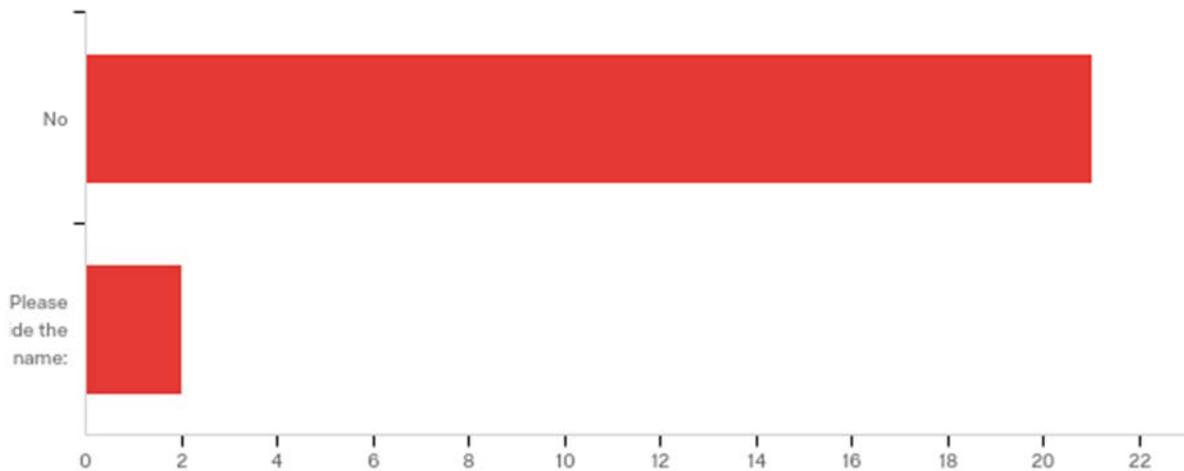
Making Circuit Ave and Business area accessible and Accessible Town hall

I do not have a good understanding of other town facilities needs to be able to prioritize

Access to buildings, beaches, activities

ADA doors for town buildings.

**Question - Do you know who the designated ADA Coordinator is for the Town of Oak Bluffs?**



#	Answer	%	Count
1	No	91.30%	21
2	Yes - Please provide the name:	8.70%	2
	Total	100%	23

Yes - Please provide the name:

Wendy Brough

Wendy Brough

**Question - Thank you for completing this questionnaire. The information collected will assist the various Town departments, divisions, and the people it serves. If you have any questions regarding the Town of Oak Bluffs's ADA Self-evaluation and Transition Plan, or aware of any specific physical or programmatic barriers, please use the box below for your suggestions or comments.**

Thank you for the opportunity to participate.

handicapped spaces should be placed in more spaces throughout town. A handicapped spot does not help if placed too far away to access where you want to go. Some handicapped spaces provided by stores, restaurants are blocked by merchandise, owners cars etc. Enforcement needs to occur year round - not just during summer season. I know sometimes we forget to hang placard, I have done that myself. But people tend to park on the crossbars which sometimes makes it difficult for a handicapped driver or passenger to open car doors wide enough to exit. I think law enforcement should read up on the registry rules for use of placards for handicapped. Do they ever check to see if person using placard is the passenger or driver using the

placard. Example: while at MV Hospital one day I witnessed a young man ( early 20'S) open his car door - placard blow out of car, he raced after it, jumped over the split rail fence to retrieve it and then re-entered his car as the driver, re-hang the placard, (not supposed to have placard hanging while not parked) leave and no passengervisible in car.

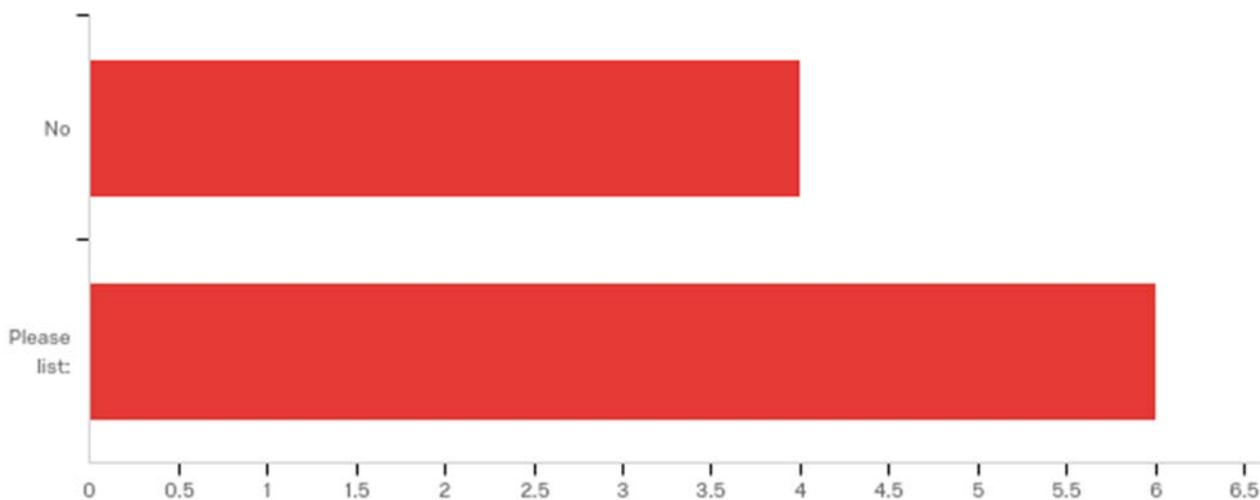
One piece of this process should be to inform and educate the public on what the ADA requirements are, its intended impact and its limitations so they can make informed decisions and have a more appropriate expectation for change.

Circuit Avenue sidewalks are not wide enough and not level enough for people using wheelchairs, scooters, walkers and other assistive devices. Curb cuts to crosswalks are too steep in places, and not lined up with one another in others. Many of the businesses on Circuit Avenue have no ramp access, and once inside, not enough room between aisles.

While I have not systematically looked at this issue, where businesses or other places of public accommodations have accessible entrances which are not the ones commonly used by the public e.g. a public or side entrance, I do not believe they uniformly provide clear notices at the front entrance as to the location of the accessible entrance. The Building Department could have an education or enforcement role here particularly where the establishment received a variance at some point to have a side or back entrance.

Hi, I am a 100% Disabled Army Veteran (Female). I stress Female because I do not think there are any other 100% DAV that are female, on island. I wish there was more information on Veteran & Disabled resources. Not every disabled person limps; there are disabilities that people have that are not visible to one's eye. (I have Lupus (SLE)) and 26 other ailments. Sometimes, you cannot tell.

### Question - Do you participate in programs, services or activities offered by the Town of Oak Bluffs?



#	Answer	%	Count
1	No	40.00%	4
2	Yes - Please list:	60.00%	6
	Total	100%	10

Yes - Please list:

Meetings at high school performing arts center

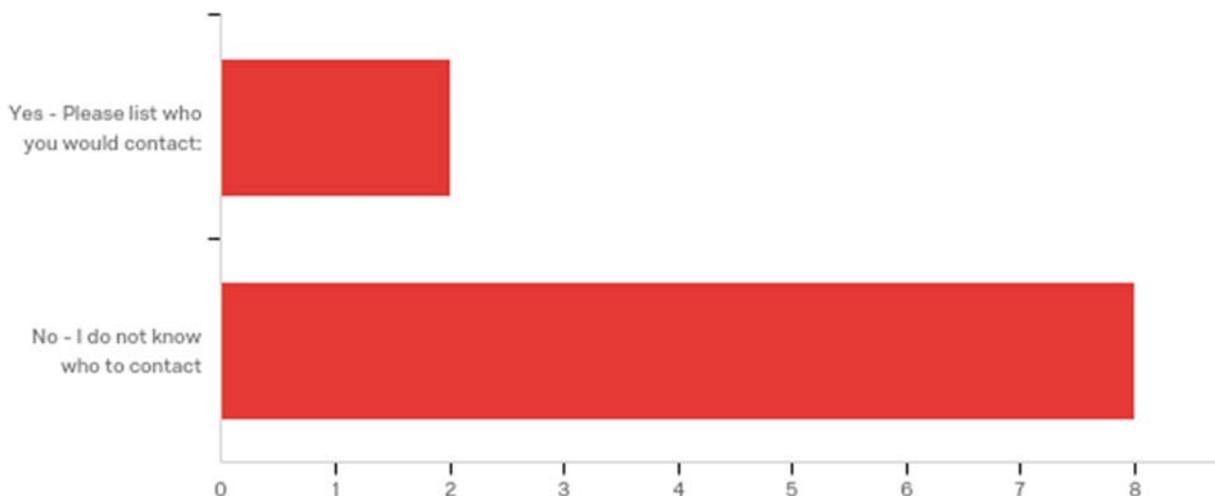
OB Senior Center OB Free Public Library OB public beaches OB town & town committee meetings OB Marina OB Parks & walking paths

Public Library

this question is misleading as it says offered by the Town...I believe it should read: Do you participate in programs, services, or activities that are located or held in the Town of OB as I think you are assessing access in private and public buildings.

coa

**Question - Do you know who to contact if you need assistance, have a concern or complaint, or need an accommodation to access a facility, service or event?**



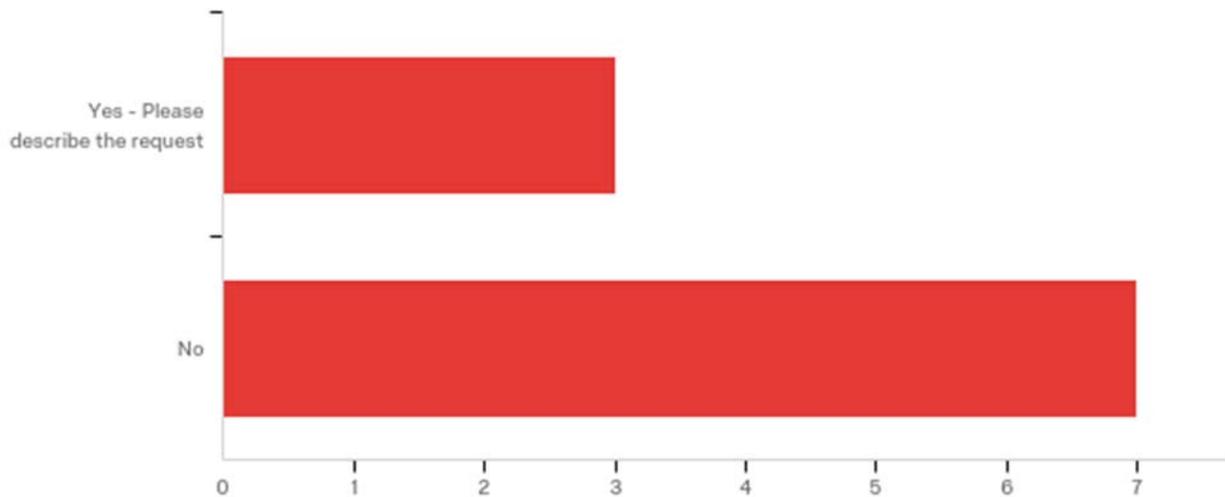
#	Answer	%	Count
1	Yes - Please list who you would contact:	20.00%	2
2	No - I do not know who to contact	80.00%	8
	Total	100%	10

Yes - Please list who you would contact:

police station, fire station, town hall, BOS

I would speak directly to the business owner if it is a physical location. If an event, I would inquire to the contact information provide. I do not know who to contact if I get an unsatisfactory answer to my question or request.

**Question - Have you ever requested an accommodation for a disability from the Town?**



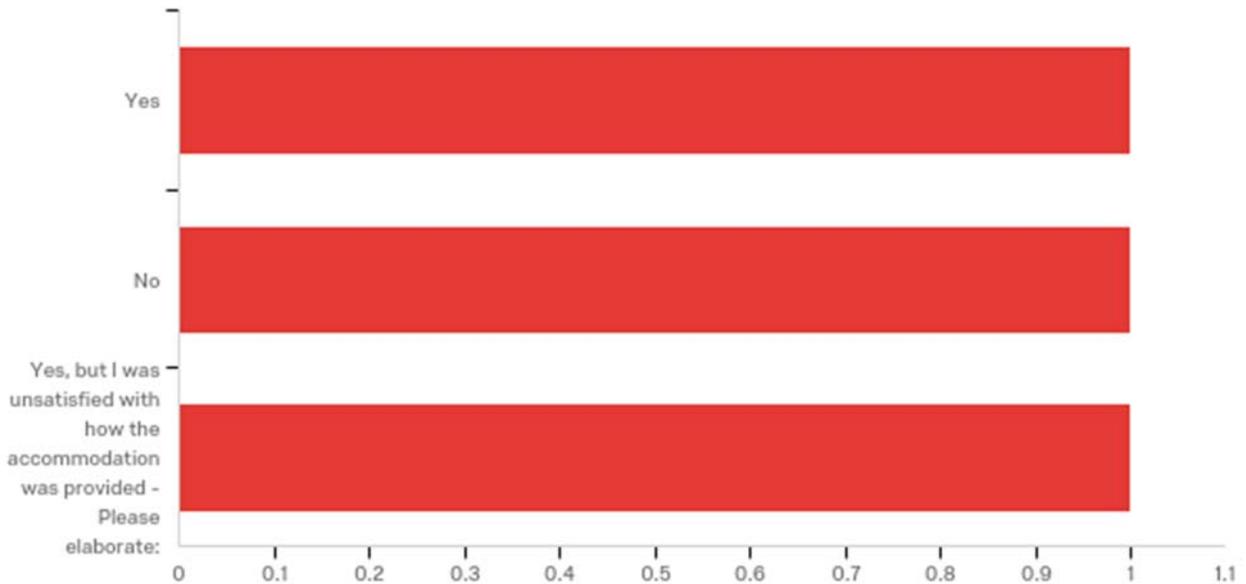
#	Answer	%	Count
1	Yes - Please describe the request	30.00%	3
2	No	70.00%	7
	Total	100%	10

Yes - Please describe the request

OBPD for a temporary disability notice

plowing driveway

**Question - Was your accommodation provided?**



#	Answer	%	Count
1	Yes	33.33%	1
2	No	33.33%	1
3	Yes, but I was unsatisfied with how the accommodation was provided - Please elaborate:	33.33%	1
	<b>Total</b>	<b>100%</b>	<b>3</b>

Yes, but I was unsatisfied with how the accommodation was provided - Please elaborate:

The conditions were conditional on the tourist influx at the time.

**Question - What do you feel should be the highest priority of the Town of Oak Bluffs to improve accessibility for persons with disabilities?**

I don't think disabilities should be prioritized. Any disability a person may have is the first priority to them.

wheel chair access

There are not enough parking provisions during tourist season to accommodate both islanders and the sudden influx of tourist.

communications - we need to feel that we would be looked after should there be a heavy snowstorm or other circumstance arise. Maybe something as simple as a phone

call from the town or an emergency department in the town just asking if we were safe, had heat, had electricity, or even to ask if we were alright.

Many, Many stores, eating places, entertainment are not handicapped assessable; no railings along entrances, high steps no access for wheelchair, no elevators: (the Loft) very few handicapped parking spaces and sometimes no enforcement for those parked in handicapped parking areas. I have personal experiences with these.

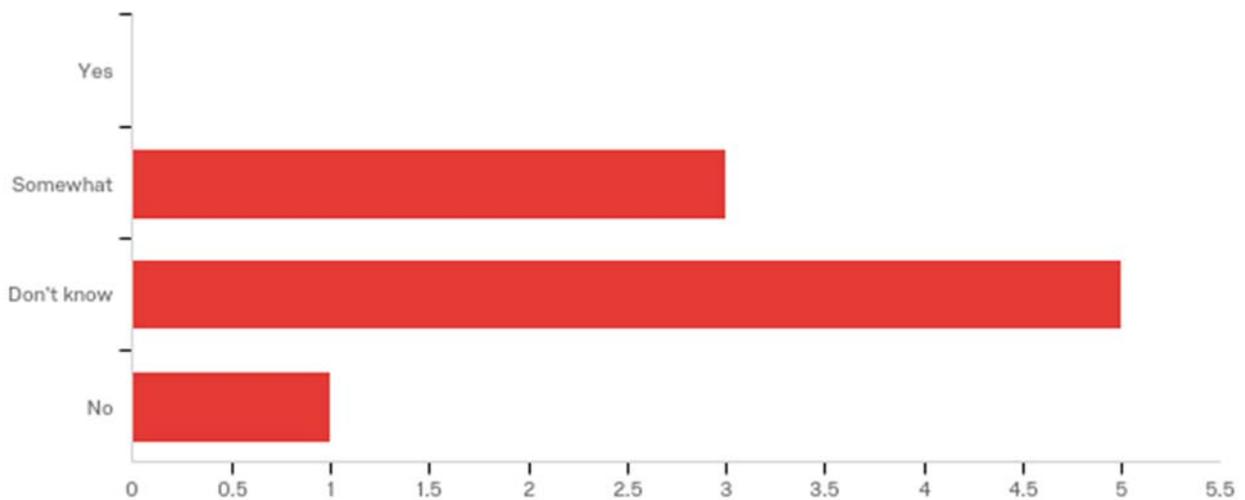
Improved physical access into buildings and stores. Educating businesses regarding the benefits they receive by being more inclusive.

better sidewalks beach access

Delivery of Home cooked Meals and grocery delivery In winter, it's especially brutal to be able to get out sometimes. It's disheartening.

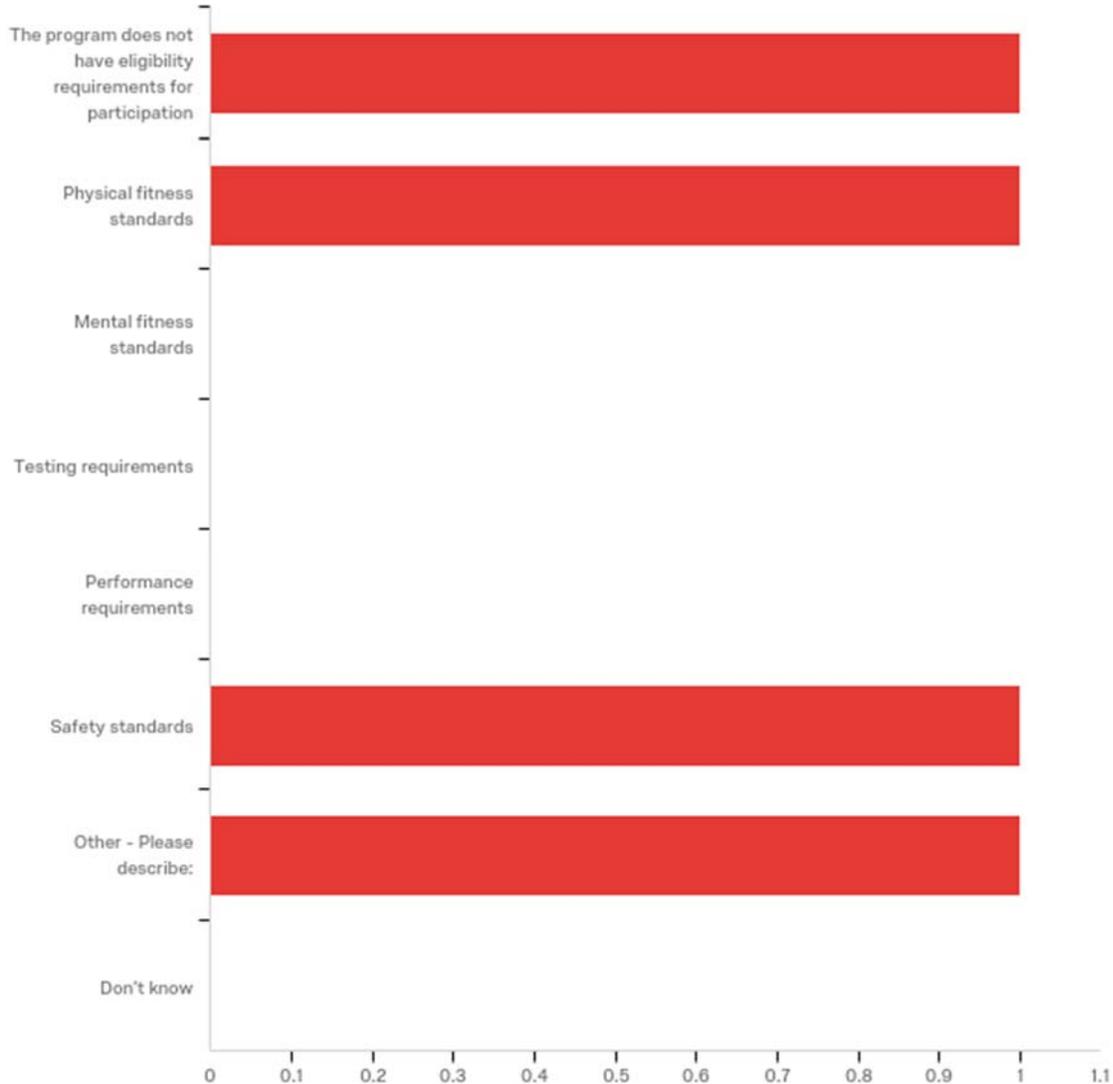
Sidewalks should be more accessible and comfortable for walking and use of wheelchairs!

**Question - Is the attitude of Town of Oak Bluffs staff towards persons with disabilities generally helpful, supportive, positive and proactive in solving accessibility issues?**



#	Answer	%	Count
1	Yes	0.00%	0
2	Somewhat	33.33%	3
3	Don't know	55.56%	5
4	No	11.11%	1
	Total	100%	9

**Question - Does the program have eligibility requirements for participation and if so, do they contain (check all that apply): For example, your department offers a volunteer program to the public which requires an individual to meet specific physical fitness standards such as lifting 40 pounds or walking up and down stairs.**



#	Answer	%	Count
1	The program does not have eligibility requirements for participation	25.00%	1
2	Physical fitness standards	25.00%	1
3	Mental fitness standards	0.00%	0
4	Testing requirements	0.00%	0
5	Performance requirements	0.00%	0

6	Safety standards	25.00%	1
7	Other - Please describe:	25.00%	1
8	Don't know	0.00%	0
	Total	100%	4

Other - Please describe:

To shellfish in Town waters a permit from the Town is required

**Question - Please provide copies of the applicable policies which have eligibility requirements. Only one file may be uploaded. If you have multiple files, please combine them and upload them as one file.**

Please provide copies of the applicable policies which have eligibility requirements. Only one file may be uploaded. If you have multiple files, please combine them and upload them as one file. - Name

Name	Size	Type
Shellfish Regs.pdf	125835	application/pdf

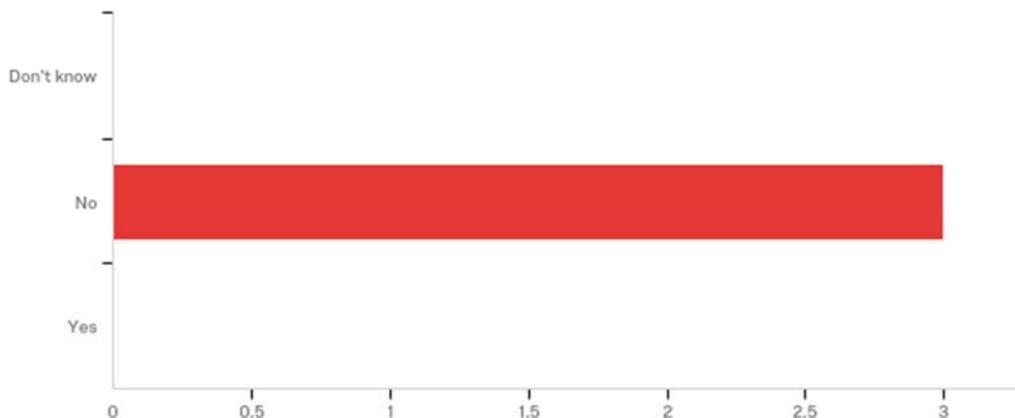
**Question - How does the program ensure that policies with eligibility requirements do not discriminate against people with disabilities?**

Positions at the Highway, Shellfish and Parks Departments all require physical labor (lifting, mowing, pushing, etc).

N/A

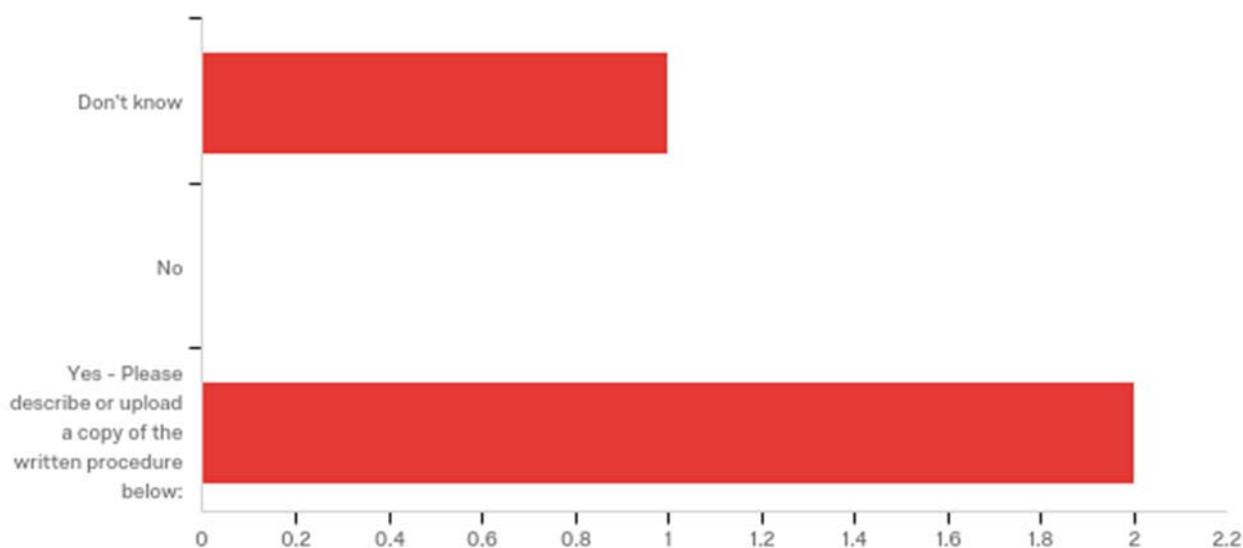
Although there are several shellfish license categories anyone may purchase a license. In the past we have had a woman with her walker go out into the pond and shellfish

**Question - Is there a formal policy in place to respond to requests from the general public for sign language, oral and cued speech interpreters, or other modifications to the program to allow people with disabilities to participate?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes	0.00%	0
	Total	100%	3

**Question - Does the department have standard operating procedures in place to include persons with disabilities? For example, allowing a service animal into a facility, allowing someone to bring a personal attendant with them to a recreation class, or moving an event to an accessible location.**



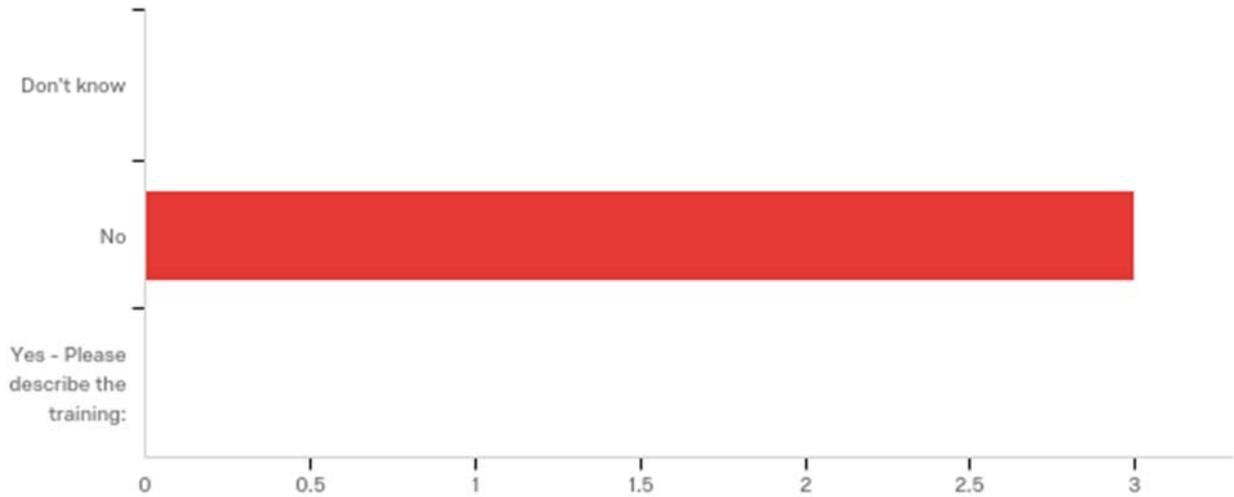
#	Answer	%	Count
1	Don't know	33.33%	1
2	No	0.00%	0
3	Yes - Please describe or upload a copy of the written procedure below:	66.67%	2
	Total	100%	3

Yes - Please describe or upload a copy of the written procedure below:

The Parks Commission and Shellfish Committee meet in an office area that is handicap accessible. There is a designated parking space outside the office.

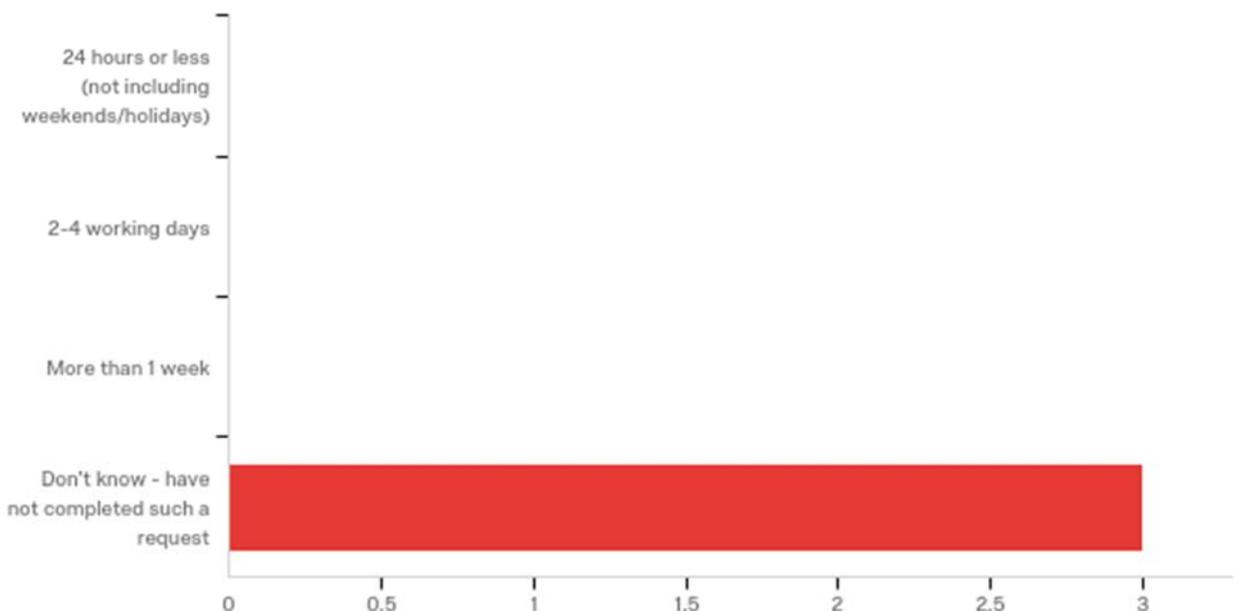
Not written but we allow people to assist senior or handicapped persons to assist them to shellfishing

**Question - Have department staff whom interact with the public been trained on the correct procedures to follow when a person requests an interpreter?**



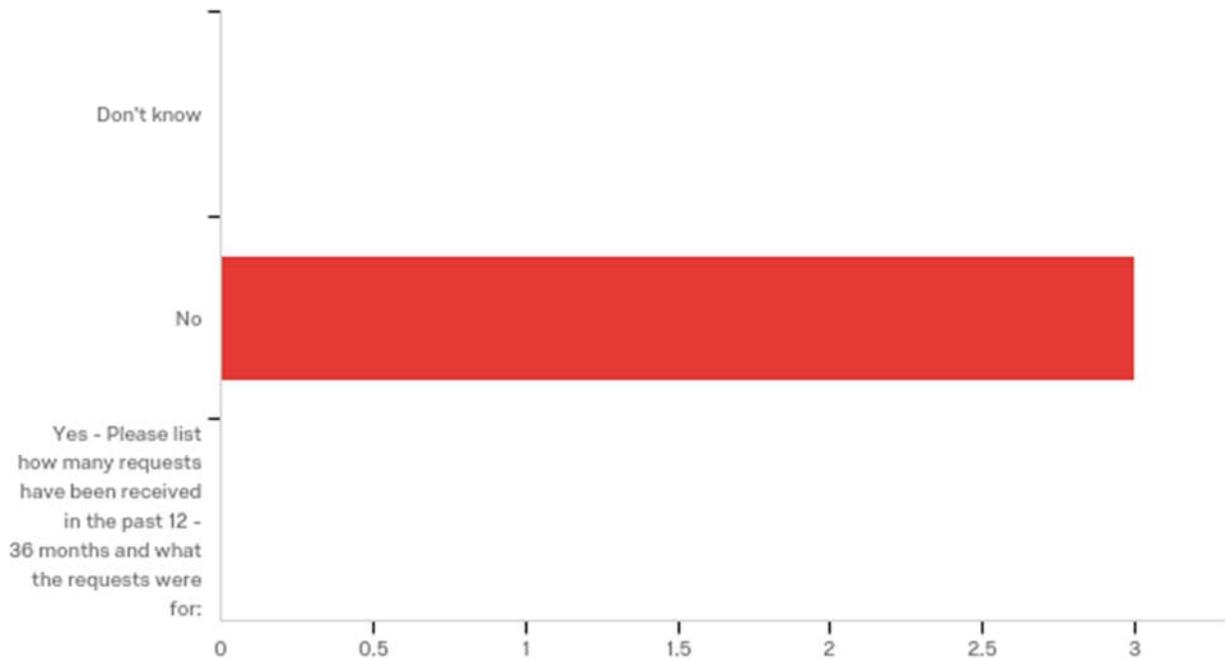
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please describe the training:	0.00%	0
	Total	100%	3

**Question - How much notice is required to provide an accommodation request for an interpreter?**



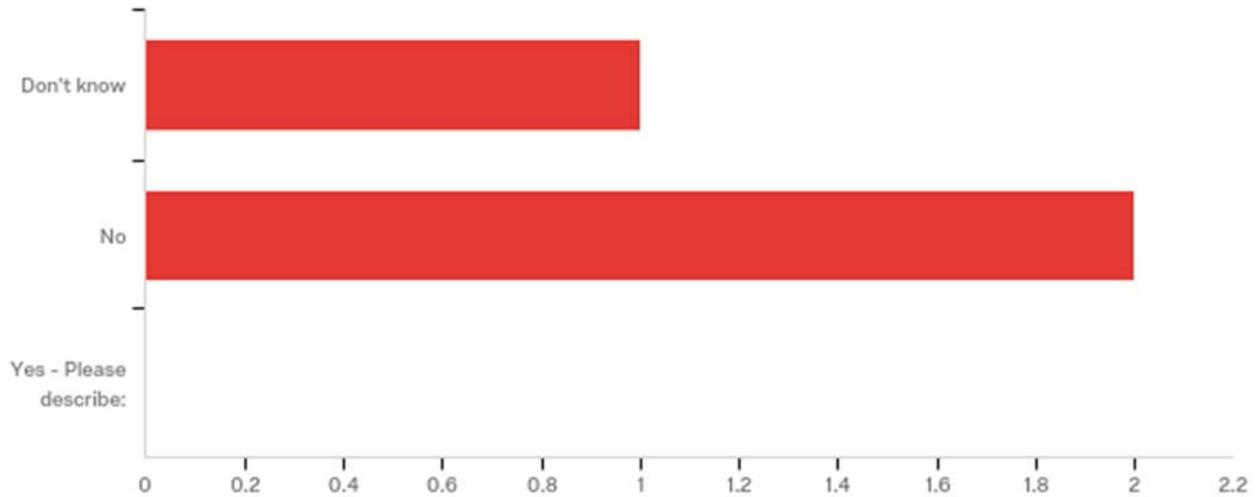
#	Answer	%	Count
1	24 hours or less (not including weekends/holidays)	0.00%	0
2	2-4 working days	0.00%	0
3	More than 1 week	0.00%	0
4	Don't know - have not completed such a request	100.00%	3
	Total	100%	3

**Question - Does the department/division track accessibility requests?**



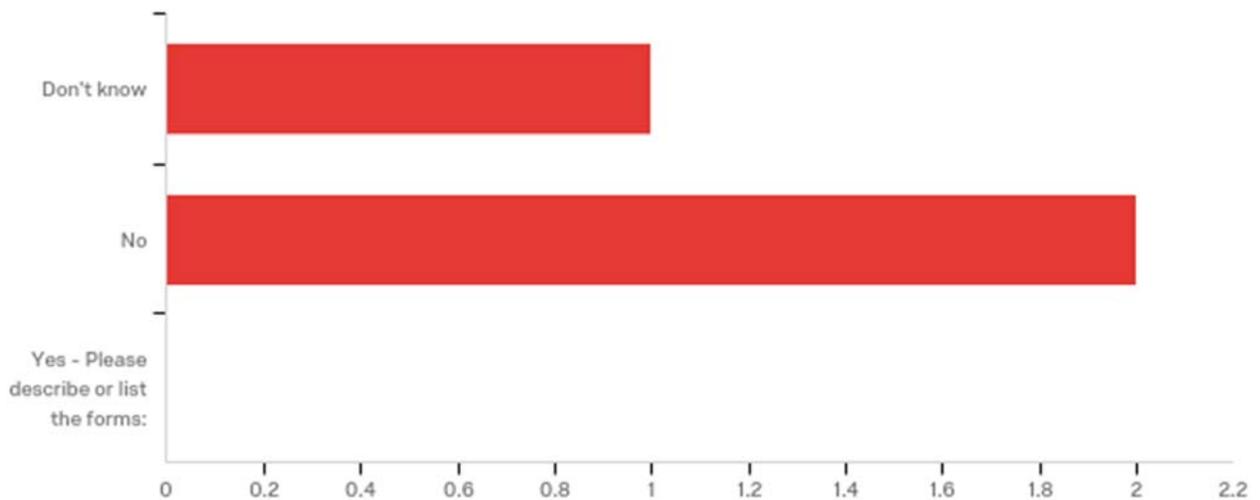
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please list how many requests have been received in the past 12 - 36 months and what the requests were for:	0.00%	0
	Total	100%	3

**Question - Does the department charge an additional fee for modifying the program for a person with disabilities?**



#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe:	0.00%	0
	Total	100%	3

**Question - Are there any hard copy or digital forms required for admission or participation in the program (i.e. tests, applications, registration forms, etc.)?**

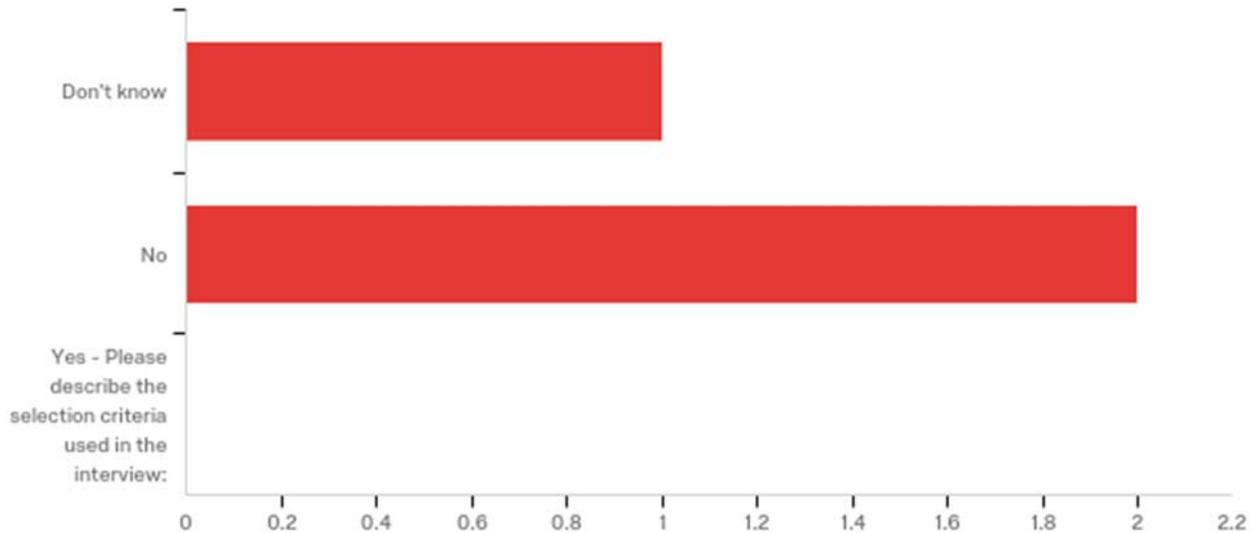


#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe or list the forms:	0.00%	0
	Total	100%	3

**Question - Do the forms contain a notice that the Town does not discriminate against people with disabilities**

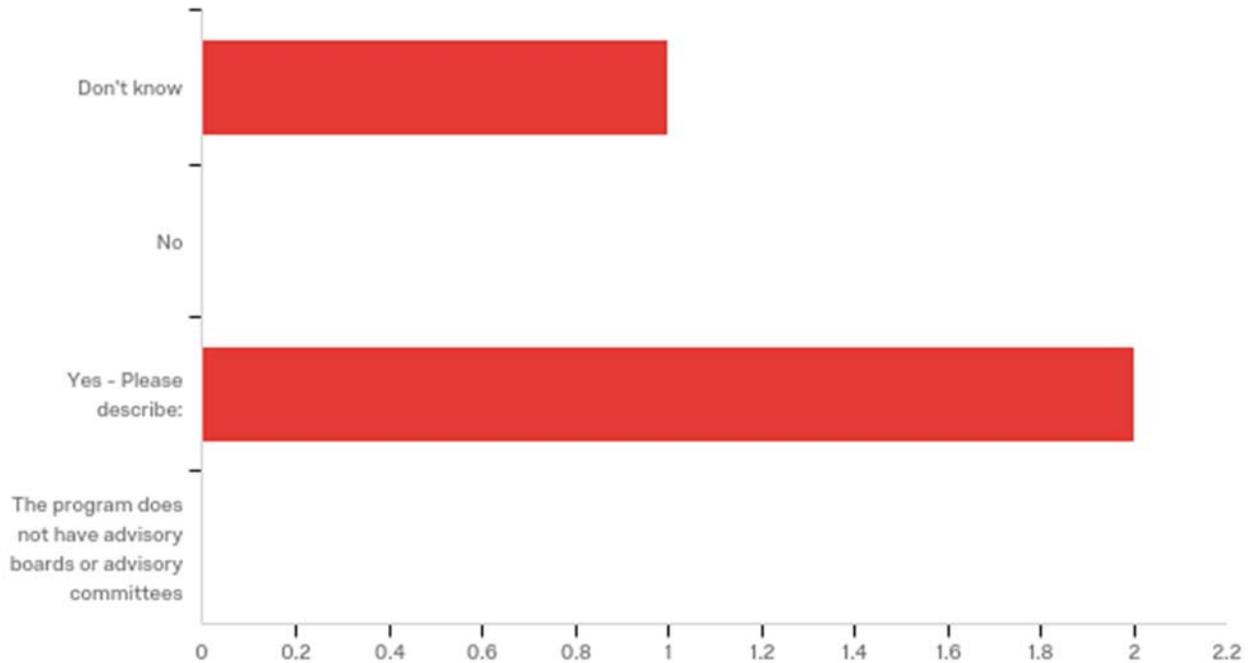
No responses.

**Question - Is an interview required prior to an applicant's admission to the program?**



#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe the selection criteria used in the interview:	0.00%	0
	Total	100%	3

**Question - Does the department/division ensure persons with disabilities are allowed the opportunity to participate as members of any program associated advisory boards and/or committees?**



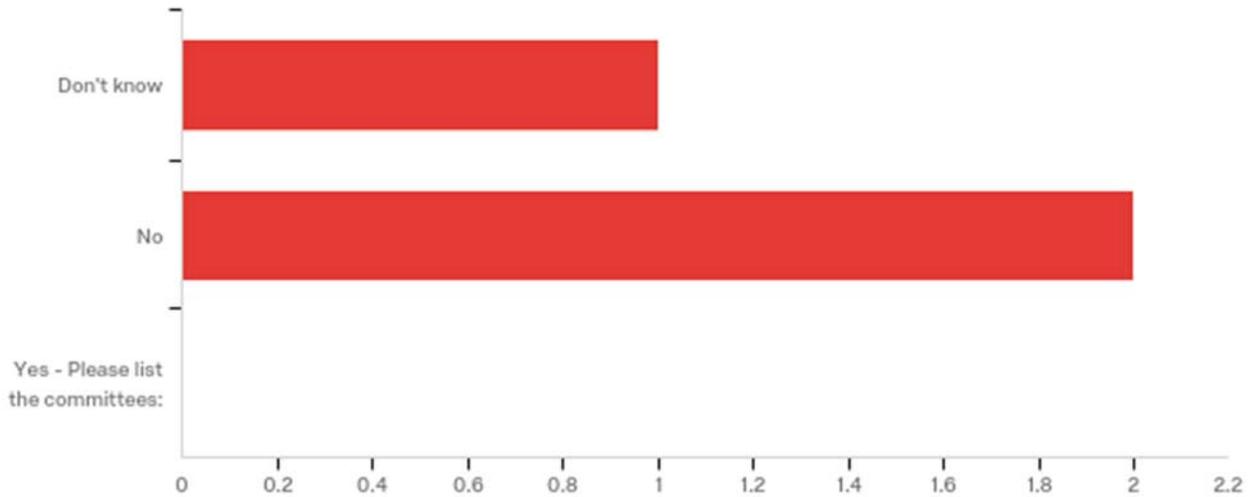
#	Answer	%	Count
1	Don't know	33.33%	1
2	No	0.00%	0
3	Yes - Please describe:	66.67%	2
4	The program does not have advisory boards or advisory committees	0.00%	0
	Total	100%	3

Yes - Please describe:

The Shellfish Committee is appointed by the Selectmen so it would be their decision on who should serve on the committee. The Parks and Cemetery Commission are elected and anyone can run for a seat on those commissions.

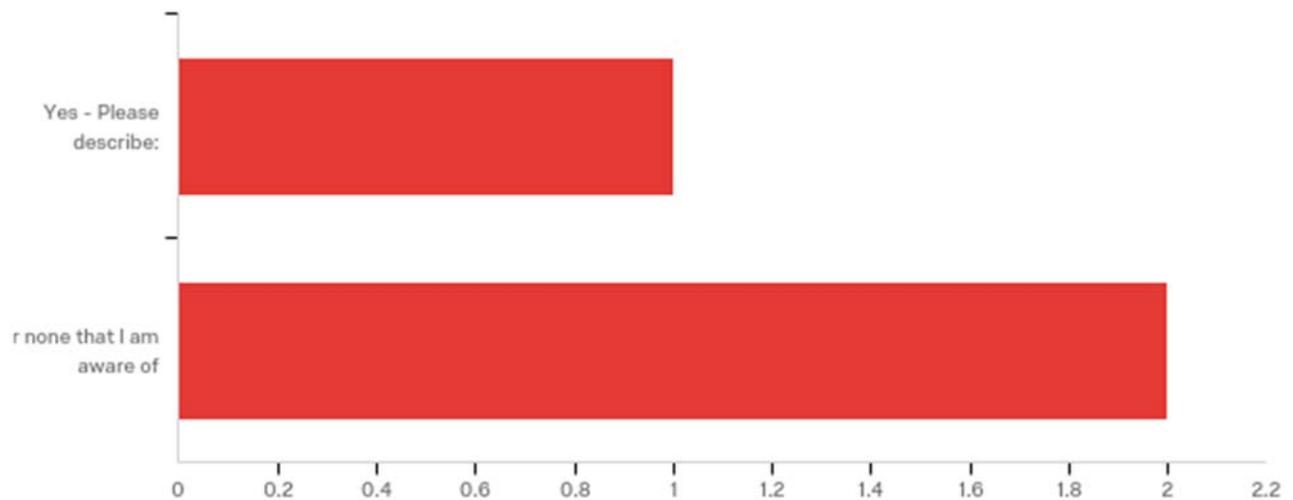
The monthly meeting of the Shellfish Advisory Board is held in a handicapped accessible location

**Question - Are you aware of any persons with disabilities currently serving on any of the department/division advisory boards or committees?**



#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please list the committees:	0.00%	0
	Total	100%	3

**Question - Does the department/division offer any exemplary programs, services, activities or events for persons with disabilities?**

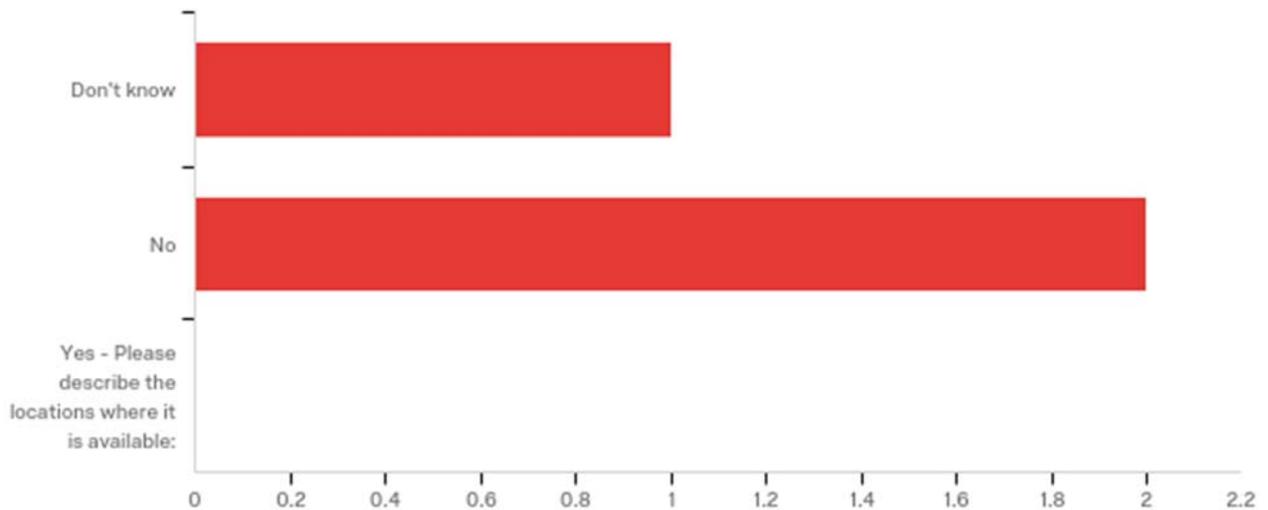


#	Answer	%	Count
1	Yes - Please describe:	33.33%	1
2	No or none that I am aware of	66.67%	2
	Total	100%	3

Yes - Please describe:

The Parks Dept has two beach wheelchairs as well as a beach mat for water access on the public beach.

**Question - Is a "Notice under the Americans with Disabilities Act" or a nondiscrimination statement available and posted for program participants who may be persons with disabilities?**

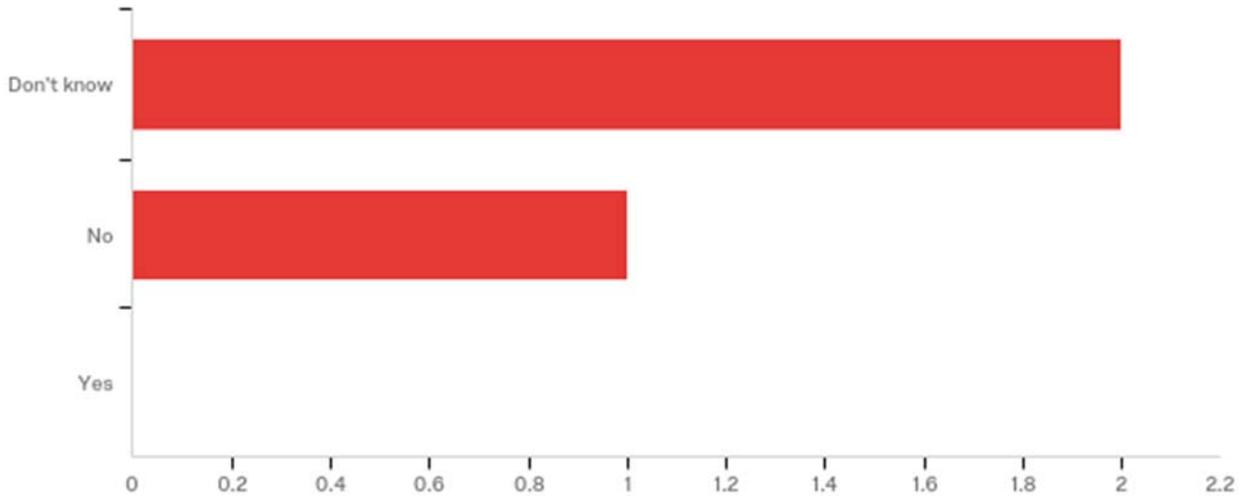


#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe the locations where it is available:	0.00%	0
	Total	100%	3

**Question - Does the nondiscrimination statement include information about the Town's ADA coordinator and how to contact them or file a grievance?**

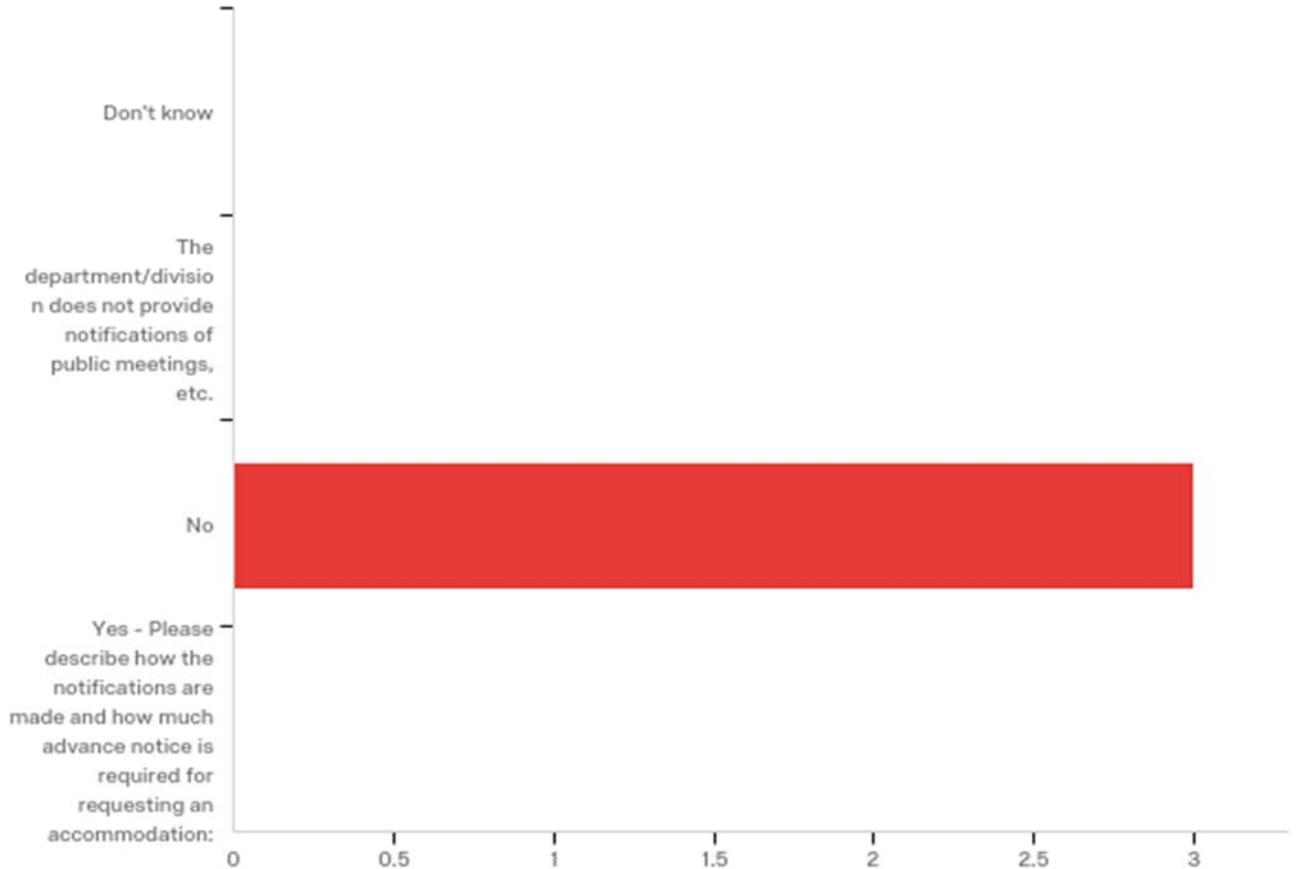
No responses.

**Question - Are department/division staff familiar with the Town's ADA grievance/complaint procedures for persons with disabilities?**



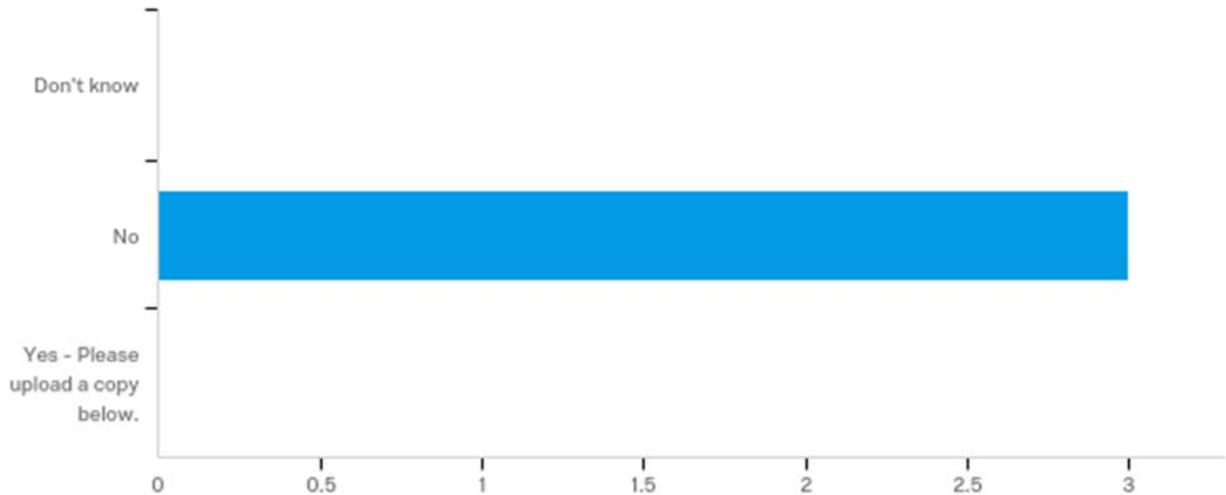
#	Answer	%	Count
1	Don't know	66.67%	2
2	No	33.33%	1
3	Yes	0.00%	0
	Total	100%	3

**Question - Do department/division notifications of public meetings, hearings, interviews, agendas, meeting minutes and conferences inform of the availability of adaptive/auxiliary aids and accommodations (such as assistive listening devices, readers for the blind, interpreters) to participants with disabilities and how to request such aids and accommodations?**



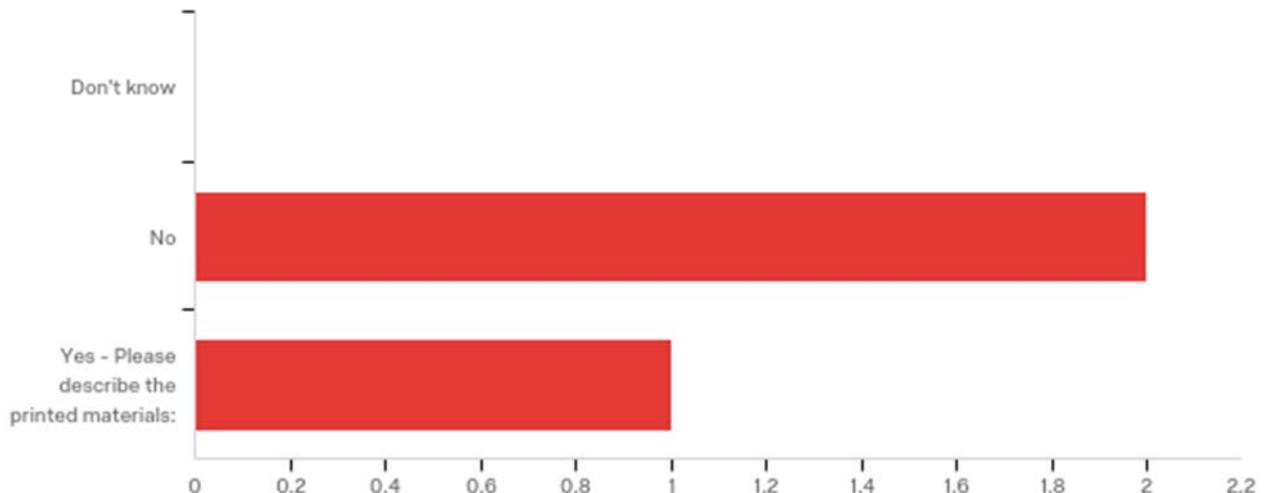
#	Answer	%	Count
1	Don't know	0.00%	0
2	The department/division does not provide notifications of public meetings, etc.	0.00%	0
3	No	100.00%	3
4	Yes - Please describe how the notifications are made and how much advance notice is required for requesting an accommodation:	0.00%	0
	<b>Total</b>	<b>100%</b>	<b>3</b>

**Question - Is there a formal policy and/or procedure in place to respond to requests from the general public for note takers, computer-assisted real time transcription services, and other auxiliary aids and services for providing effective communication?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please upload a copy below.	0.00%	0
	Total	100%	3

**Question - Does the department/division have printed materials (i.e. forms, newsletters, brochures, calendars, fact sheets) that are made available to the public?**

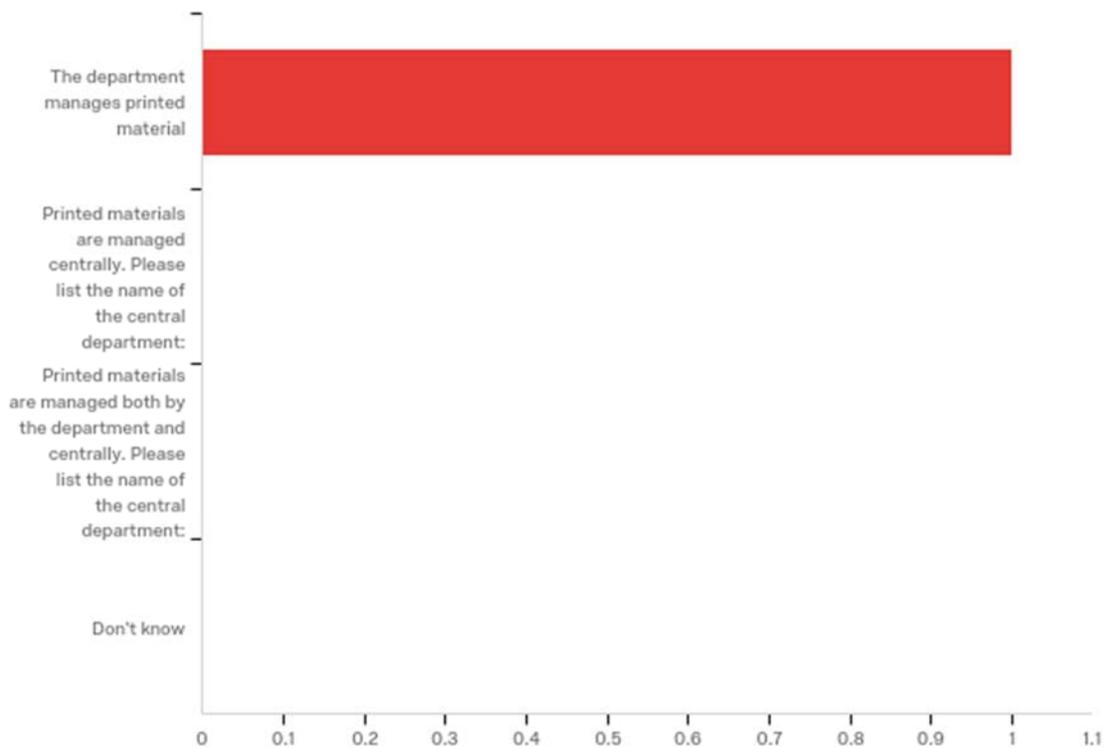


#	Answer	%	Count
1	Don't know	0.00%	0
2	No	66.67%	2
3	Yes - Please describe the printed materials:	33.33%	1
	Total	100%	3

Yes - Please describe the printed materials:

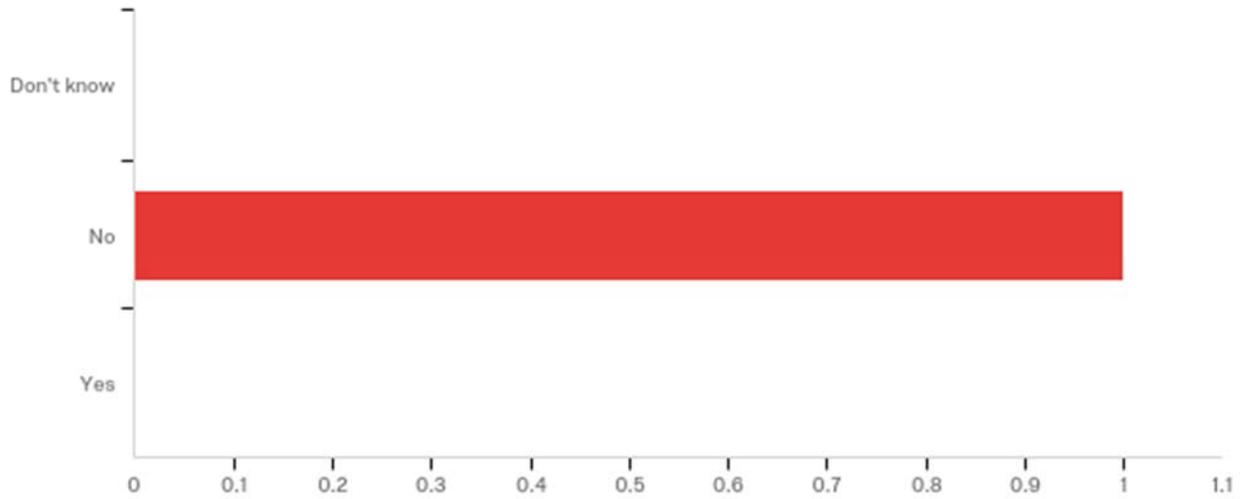
Photocopies of brush policy and special event permit applications.

### Q43 - Who manages the printed materials?



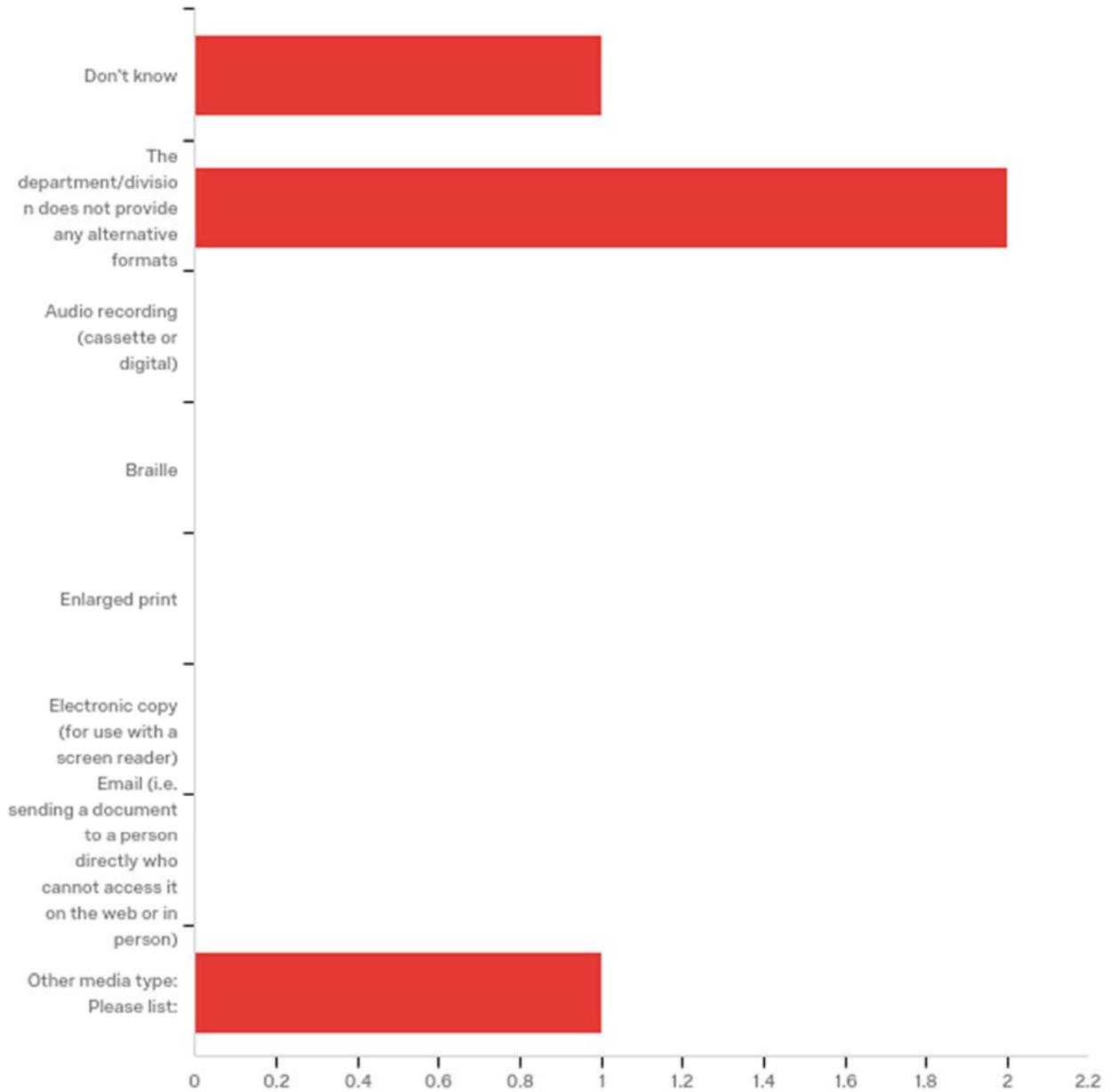
#	Answer	%	Count
1	The department manages printed material	100.00%	1
2	Printed materials are managed centrally. Please list the name of the central department:	0.00%	0
3	Printed materials are managed both by the department and centrally. Please list the name of the central department:	0.00%	0
4	Don't know	0.00%	0
	Total	100%	1

**Question - Is there a formal policy and/or procedure in place to respond to requests from the general public for alternate document formats of the printed materials that are made to the public?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	1
3	Yes	0.00%	0
	Total	100%	1

**Question - What types of accessible alternate document formats does the department/division make available for persons with disabilities when requested?**



#	Answer	%	Count
1	Don't know	25.00%	1
2	The department/division does not provide any alternative formats	50.00%	2
3	Audio recording (cassette or digital)	0.00%	0
4	Braille	0.00%	0
5	Enlarged print	0.00%	0

6	Electronic copy (for use with a screen reader)	0.00%	0
7	Email (i.e. sending a document to a person directly who cannot access it on the web or in person)	0.00%	0
8	Other media type: Please list:	25.00%	1
	Total	100%	4

Other media type: Please list:

never had a request but would attempt to provide assistance if requested

**Question - How much notice is required to provide the alternate document formats?**

No responses.

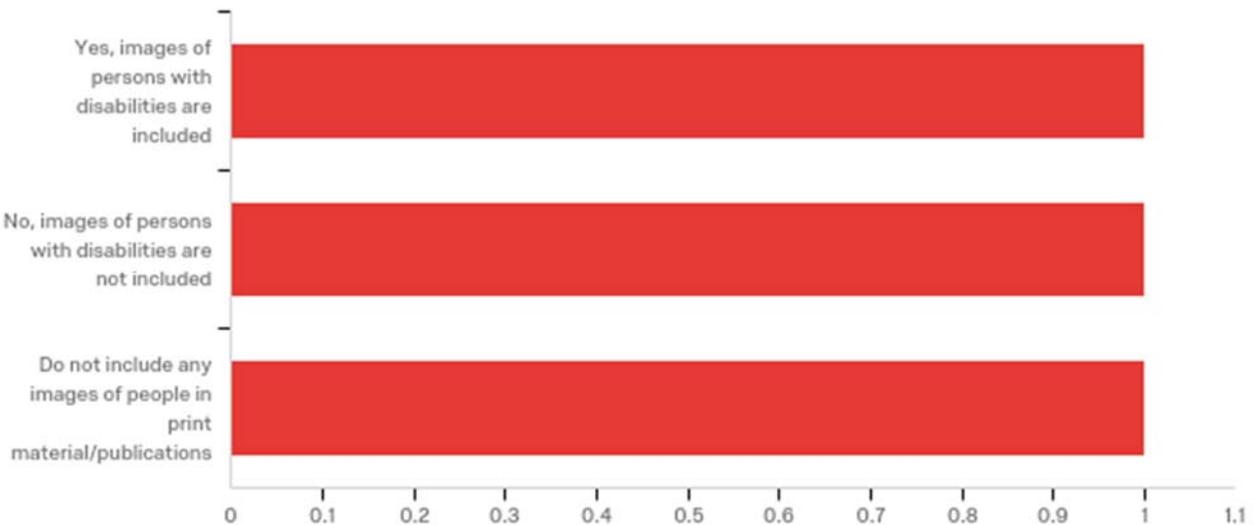
**Question - Does the department/division track accessibility requests for alternate formats of printed material?**

No responses.

**Question - Does the department/division charge an additional fee for providing materials in alternative formats for people with disabilities?**

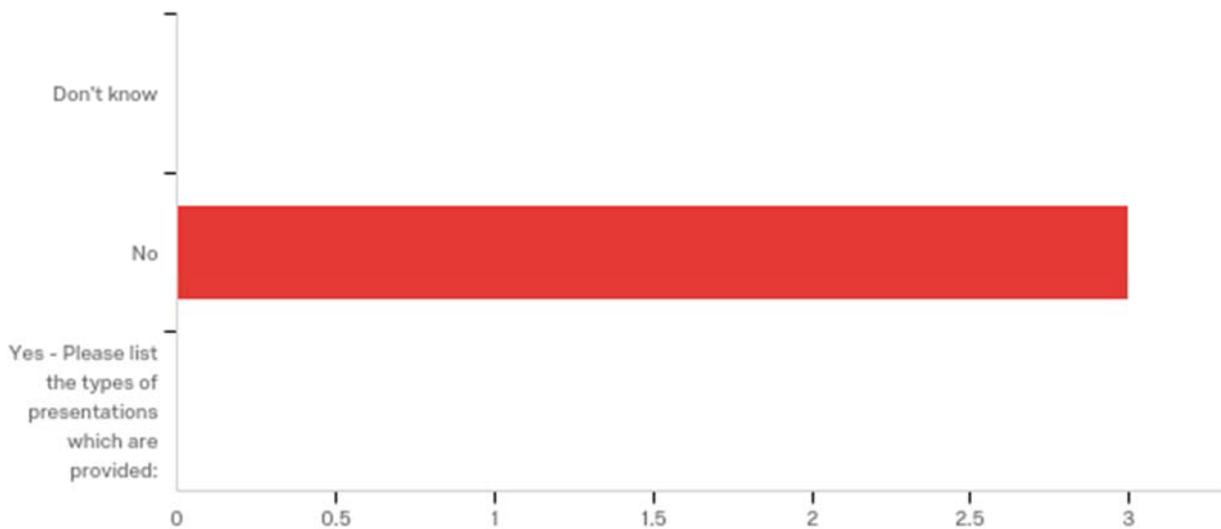
No responses.

**Question - Does the department/division periodically include images of persons with disabilities in the printed materials and publications?**



#	Answer	%	Count
1	Yes, images of persons with disabilities are included	33.33%	1
2	No, images of persons with disabilities are not included	33.33%	1
3	Do not include any images of people in print material/publications	33.33%	1
	Total	100%	3

**Question - Does the department/division produce audiovisual, (film, videotape, television, digital) presentations, or website demonstrations/webinars for the public or provide these types presentations to the public?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please list the types of presentations which are provided:	0.00%	0
	Total	100%	3

**Question - Is there a formal policy and/or procedure in place to respond to requests from the general public for accessible audiovisual, televised or online presentations provided to the public?**

No responses.

**Question - What types of accessible audiovisual, televised or online presentation formats does the department/division make available when requested?**

No responses.

**Question - How much notice is required to provide the accessible presentation formats?**

No responses.

**Question - Does the department/division track accessibility requests for accessible presentation formats?**

No responses.

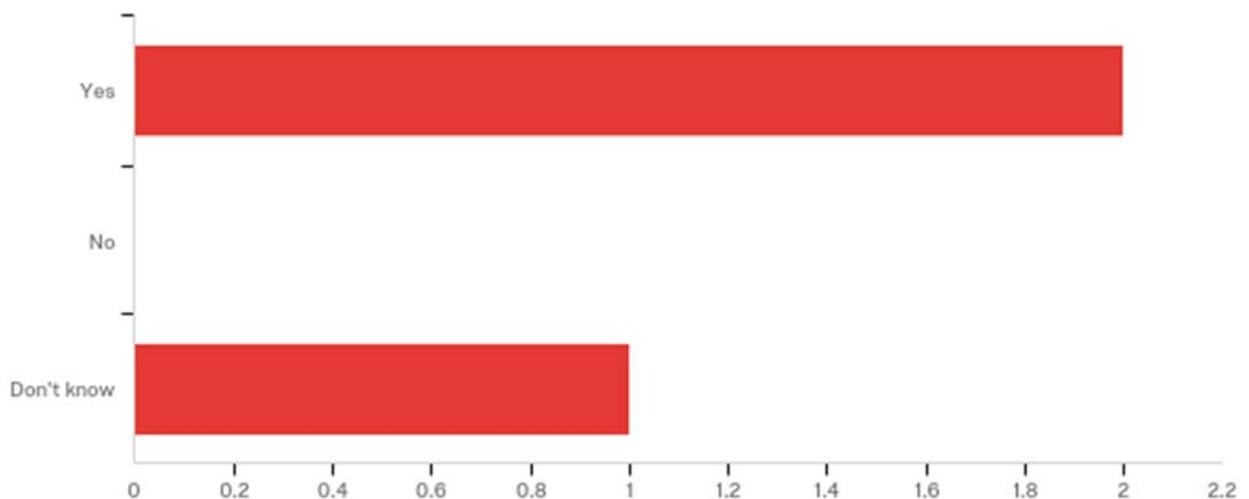
**Question - Does the department/division charge an additional fee for providing presentations in accessible formats for people with disabilities?**

No responses.

**Question - Does the department/division's audiovisual presentations periodically include portrayals of persons with disabilities?**

No responses.

**Question - Does the department/division provide information about its programs, services, or activities on the website?**



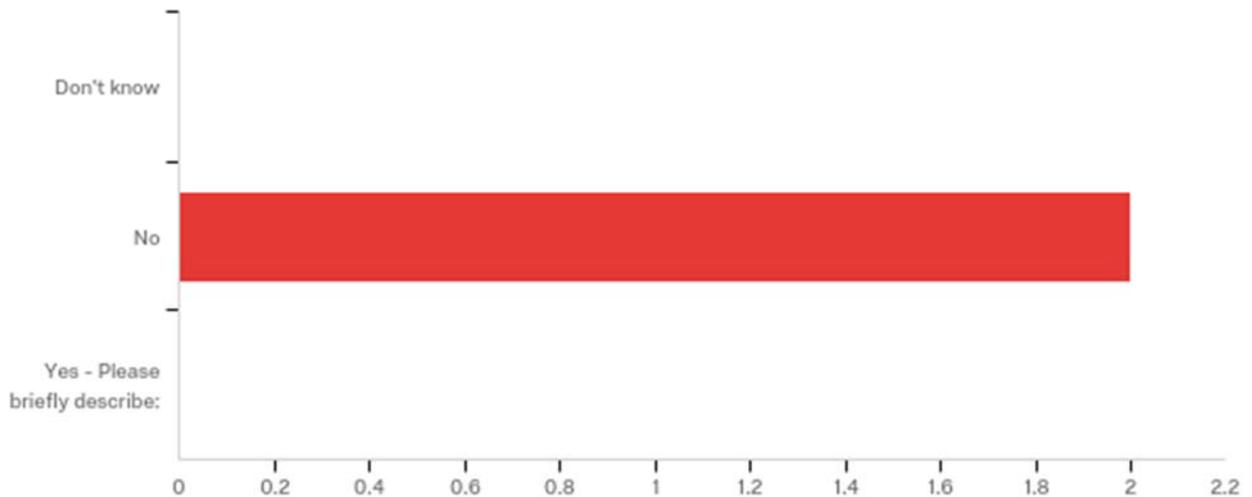
#	Answer	%	Count
20	Yes	66.67%	2
21	No	0.00%	0
22	Don't know	33.33%	1
	Total	100%	3

**Question - Briefly describe the information provided on the website.**

Information about rubbish collection and brush policy. Hazardous waste disposal days and electronic appliances collection days. Summer basketball program info as well as tennis and pickleball. What sections are open for shellfishing. How and where to get shellfish license.

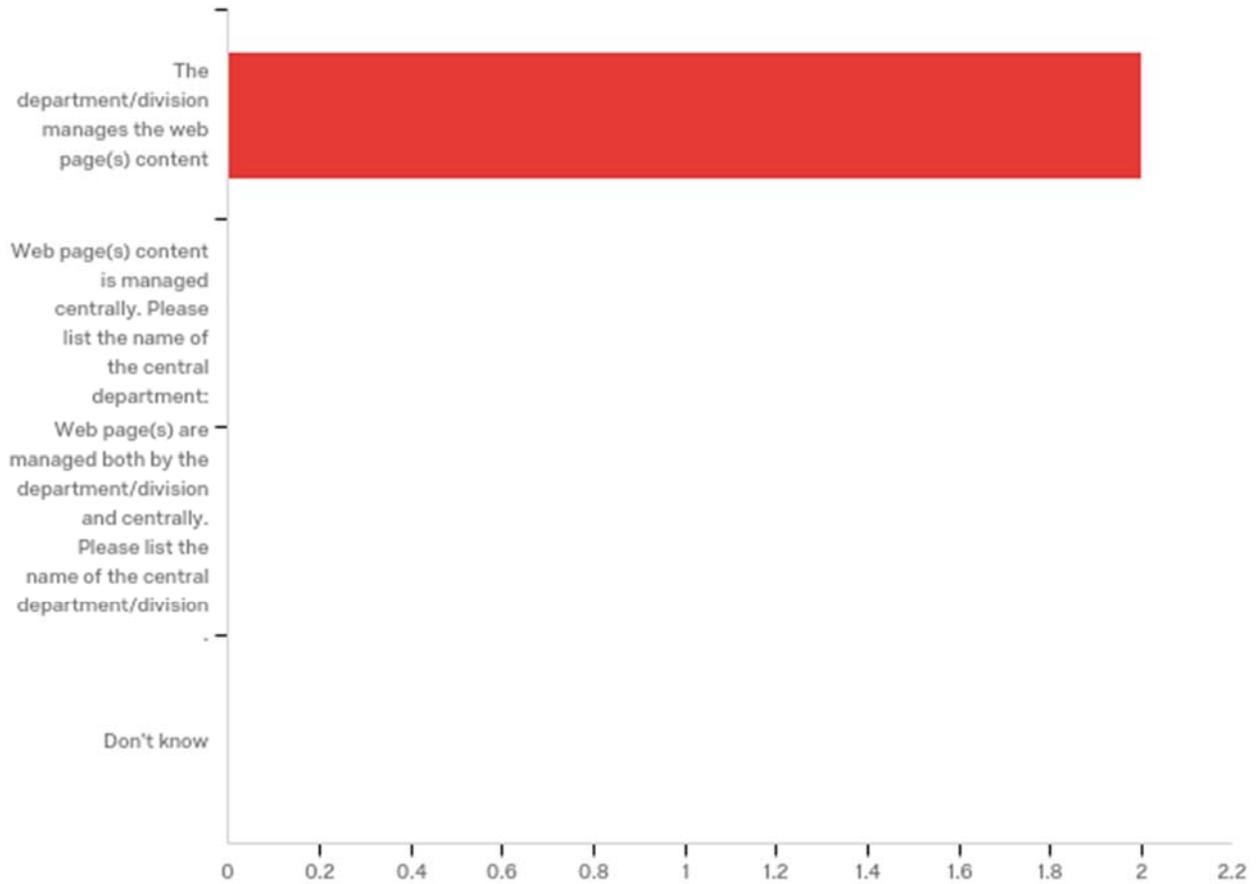
Shellfish regulations, maps depicting what areas are open for shellfishing, minutes of the shellfish advisory committee, agendas and notice of meetings

**Question - Does the department/division web page(s) include information about the accessibility of its programs, services, and activities (parking, bathrooms, assistive listening devices, sign language interpreters, Braille, etc.)?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	2
3	Yes - Please briefly describe:	0.00%	0
	Total	100%	2

**Question - Who manages the information regarding the department/division facilities, programs, activities and services provided on the website?**

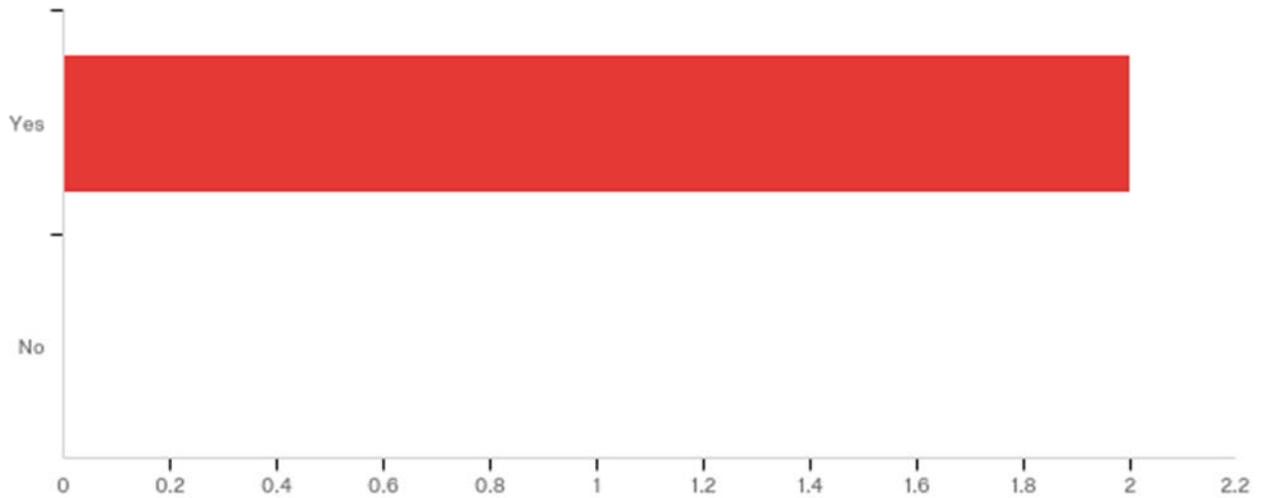


#	Answer	%	Count
1	The department/division manages the web page(s) content	100.00%	2
2	Web page(s) content is managed centrally. Please list the name of the central department:	0.00%	0
3	Web page(s) are managed both by the department/division and centrally. Please list the name of the central department/division.	0.00%	0
4	Don't know	0.00%	0
	Total	100%	2

**Question - Are you affiliated with the central department responsible for web page content?**

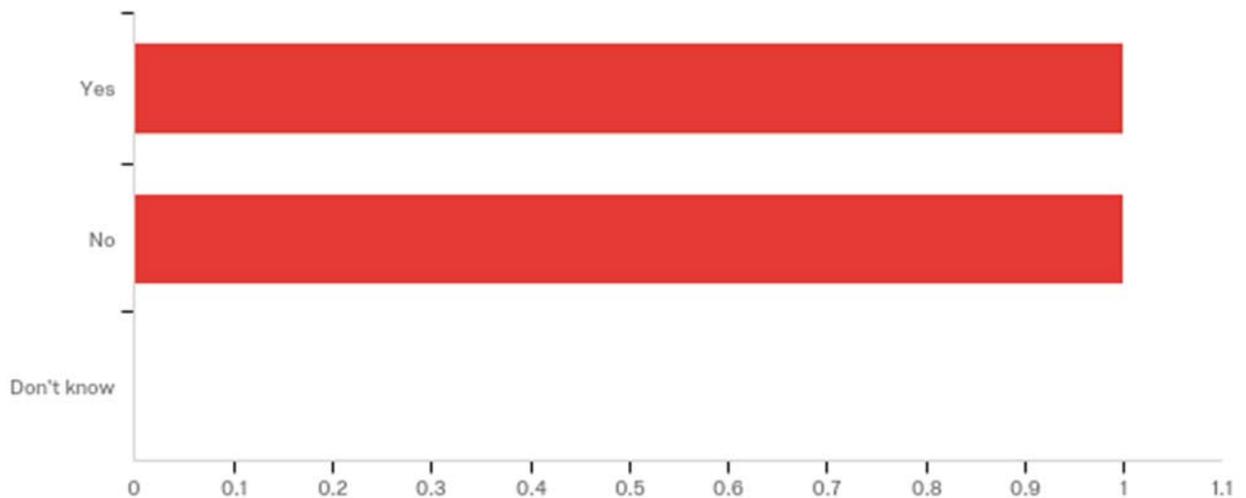
No responses.

**Question- Do you have responsibility for creating web page content?**



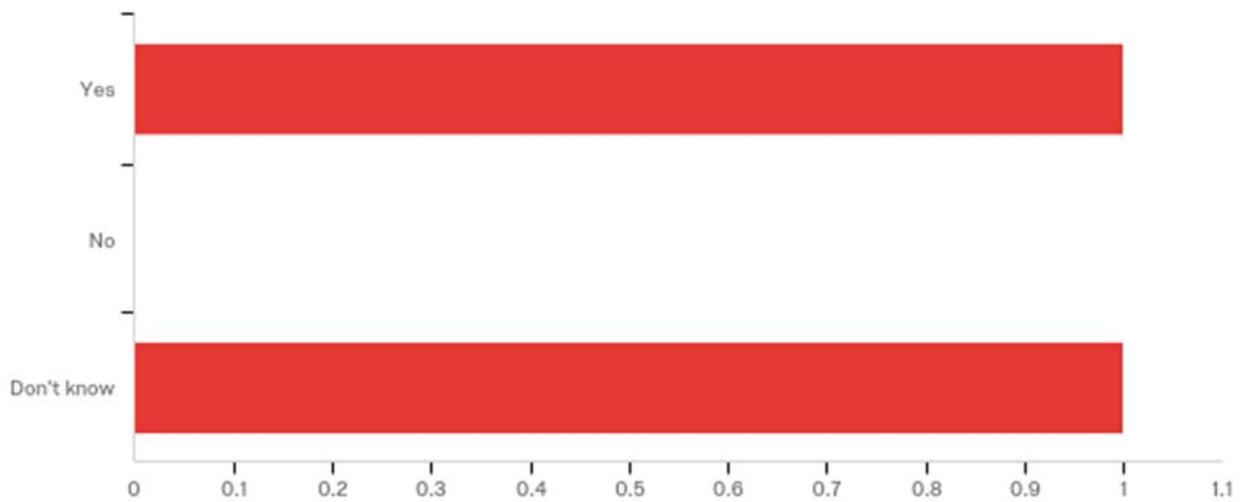
#	Answer	%	Count
1	Yes	100.00%	2
2	No	0.00%	0
	Total	100%	2

**Question - Are staff members whom are responsible for web page content knowledgeable and trained on website accessibility requirements?**



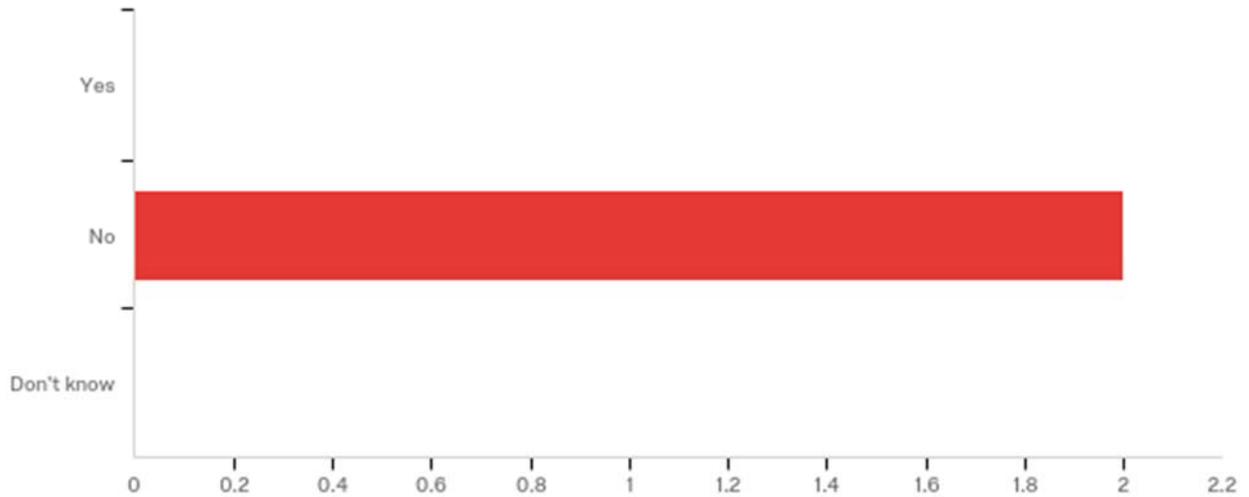
#	Answer	%	Count
1	Yes	50.00%	1
2	No	50.00%	1
3	Don't know	0.00%	0
	Total	100%	2

**Question - Does the website home page include easily locatable information, including a telephone number and email address, for use in reporting website accessibility problems and requesting accessible services and information?**



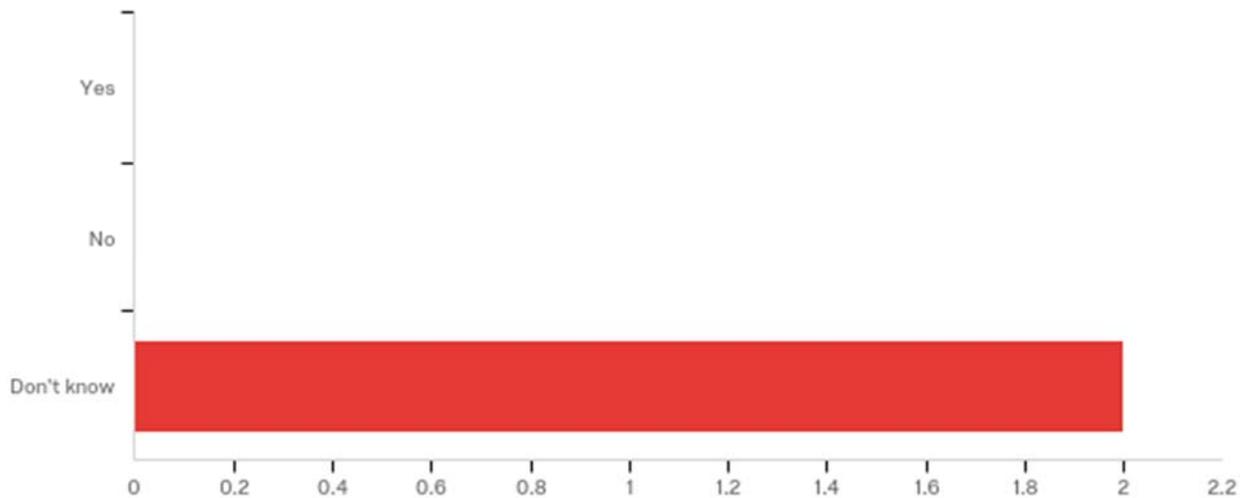
#	Answer	%	Count
1	Yes	50.00%	1
2	No	0.00%	0
3	Don't know	50.00%	1
	Total	100%	2

**Question - Do all links have a text description that can be read by a screen reader (not just a graphic or "click here")?**



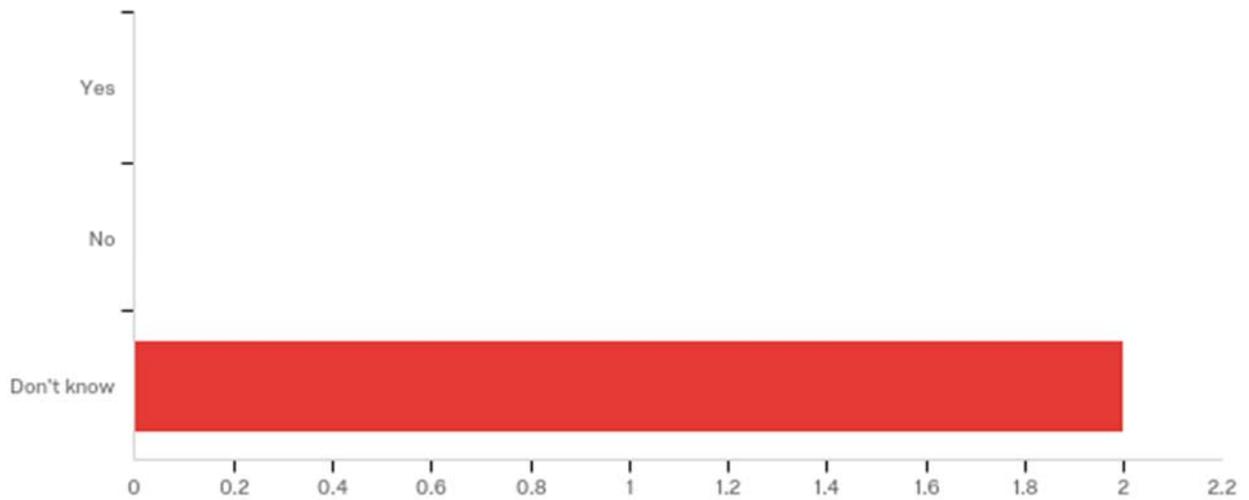
#	Answer	%	Count
1	Yes	0.00%	0
2	No	100.00%	2
3	Don't know	0.00%	0
	Total	100%	2

**Question - Do all the photographs, maps, graphics and other images on the web pages currently have HTML tags (such as an "alt" tag or a long description tag) with text equivalents of the material being visually conveyed?**



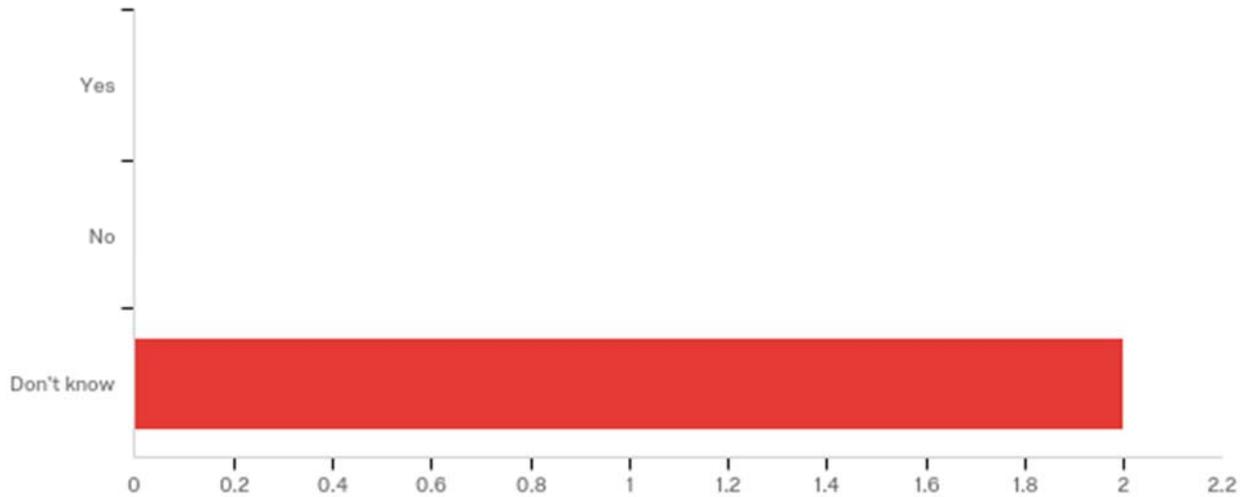
#	Answer	%	Count
1	Yes	0.00%	0
2	No	0.00%	0
3	Don't know	100.00%	2
	Total	100%	2

**Question - Are all the documents posted on the web pages available in HTML or other text-based format (for example rich text format (RTF) or word processing format), even if they are also provided in another format, such as Portable Document Format (PDF)?**



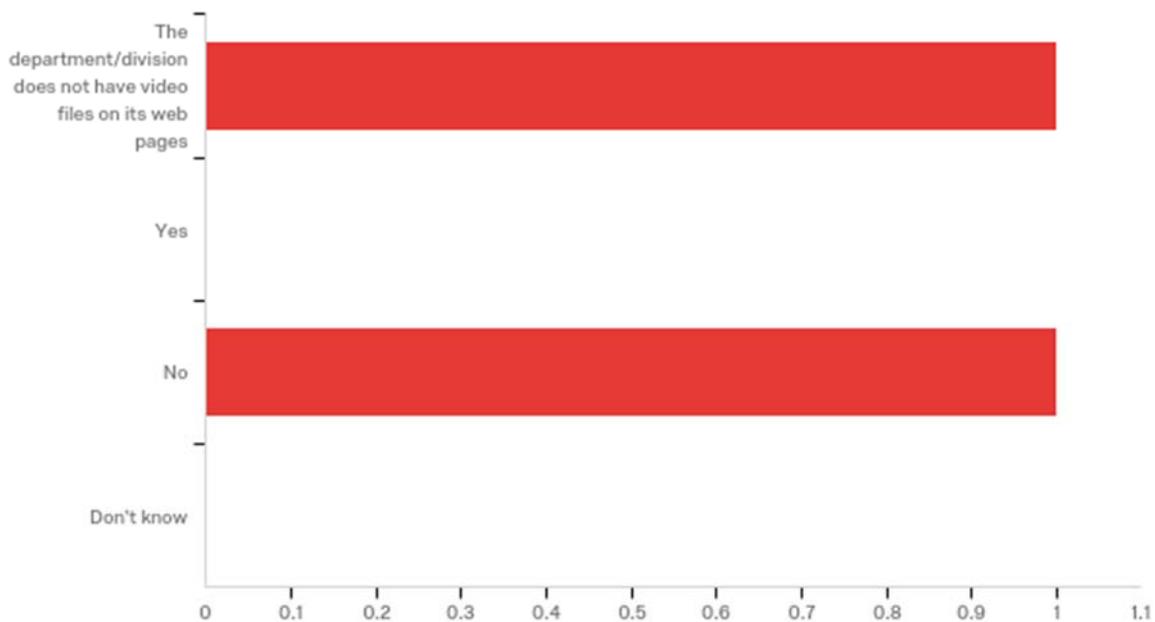
#	Answer	%	Count
1	Yes	0.00%	0
2	No	0.00%	0
3	Don't know	100.00%	2
	Total	100%	2

**Question - If a web page has data charts or tables, is HTML used to associate all data cells with column and row identifiers?**



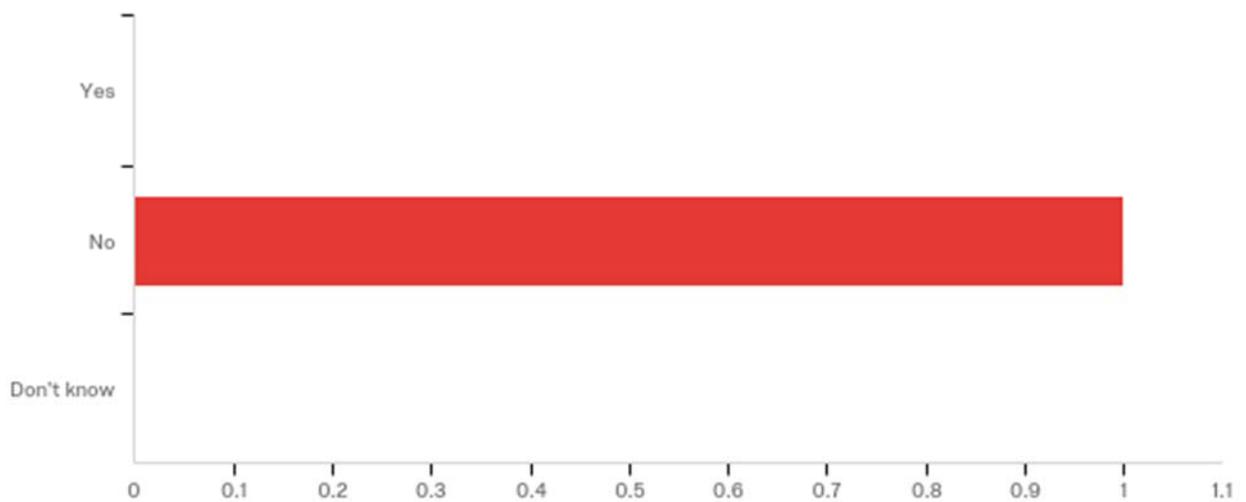
#	Answer	%	Count
1	Yes	0.00%	0
2	No	0.00%	0
3	Don't know	100.00%	2
	Total	100%	2

**Question - Do all video files available on the department's/division's web pages have audio descriptions of what is being displayed in order to provide access to visually conveyed information for people who are blind or have low vision?**



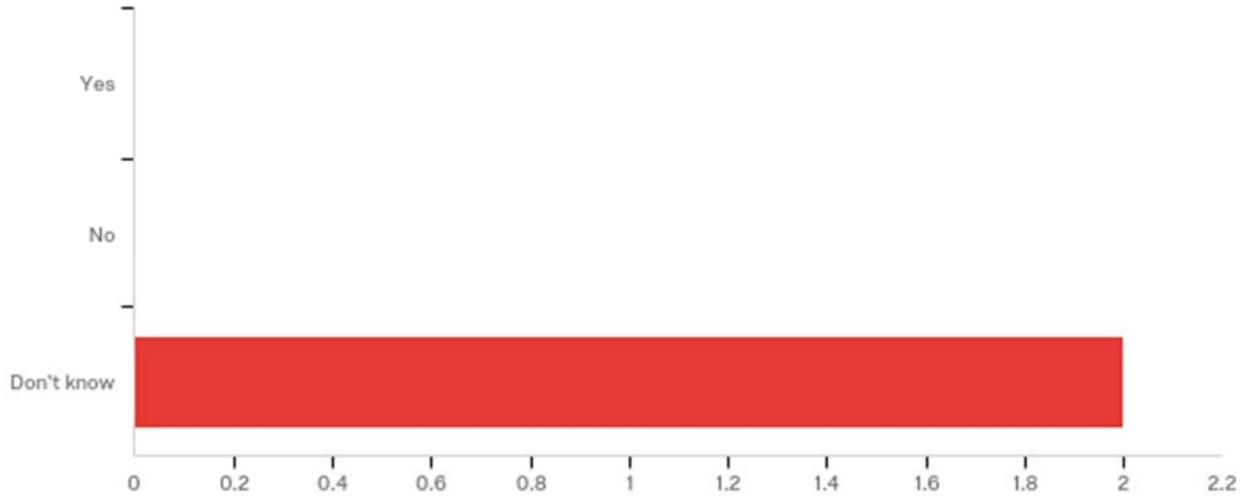
#	Answer	%	Count
1	The department/division does not have video files on its web pages	50.00%	1
2	Yes	0.00%	0
3	No	50.00%	1
4	Don't know	0.00%	0
	Total	100%	2

**Question - Do all video files on the web pages have written captions of spoken communication to provide access to people who are deaf or hard of hearing?**



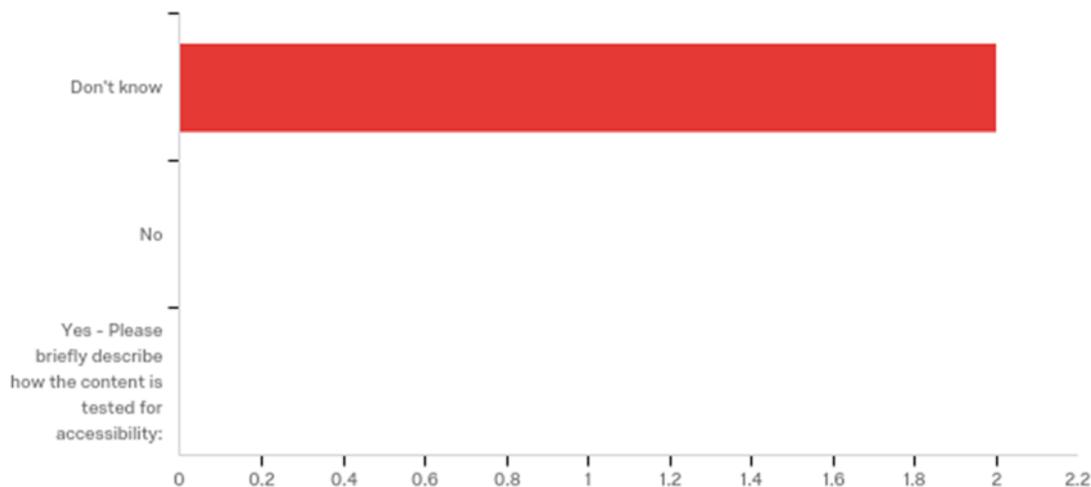
#	Answer	%	Count
1	Yes	0.00%	0
2	No	100.00%	1
3	Don't know	0.00%	0
	Total	100%	1

**Question - Does the top of each page with navigation links have a “skip navigation” link? This is a feature which directs screen readers to bypass the row of navigation links and start at the web page content, thus enabling people who use screen readers to avoid having to listen to all the links each time they move to a new page.**



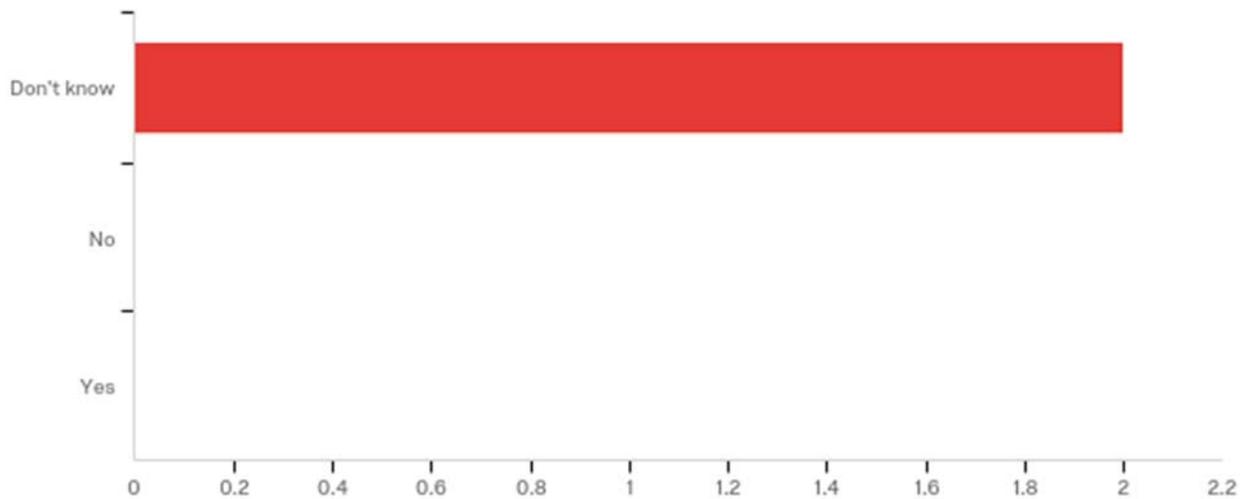
#	Answer	%	Count
1	Yes	0.00%	0
2	No	0.00%	0
3	Don't know	100.00%	2
	Total	100%	2

**Question - Is the web page content regularly (at least annually) tested for accessibility to ensure it is usable by people with disabilities, including those who use text to speech browsers?**



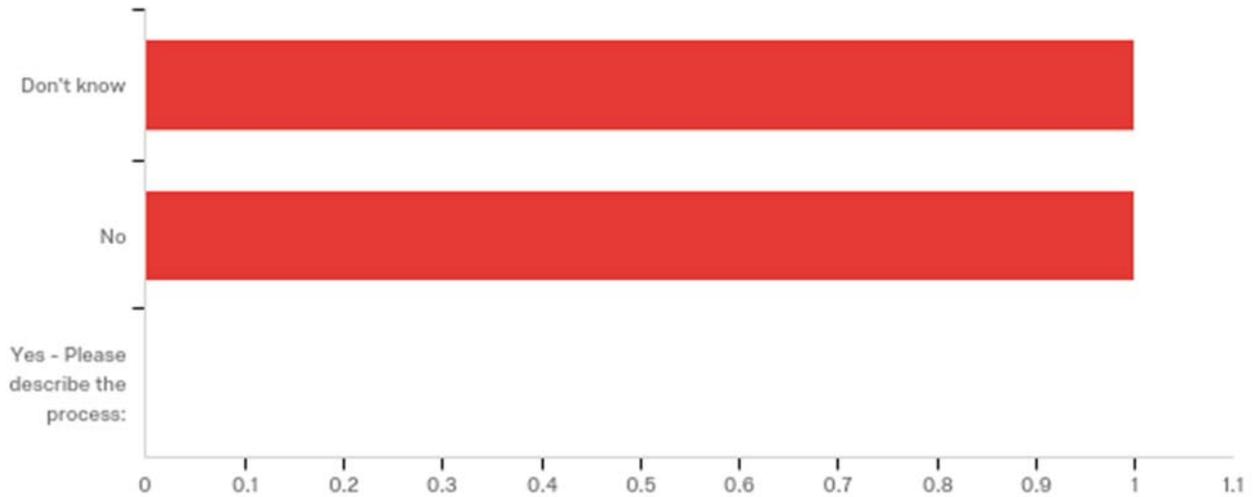
#	Answer	%	Count
1	Don't know	100.00%	2
2	No	0.00%	0
3	Yes - Please briefly describe how the content is tested for accessibility:	0.00%	0
	Total	100%	2

**Question - Is there a formal policy established to ensure the web pages will be accessible?**



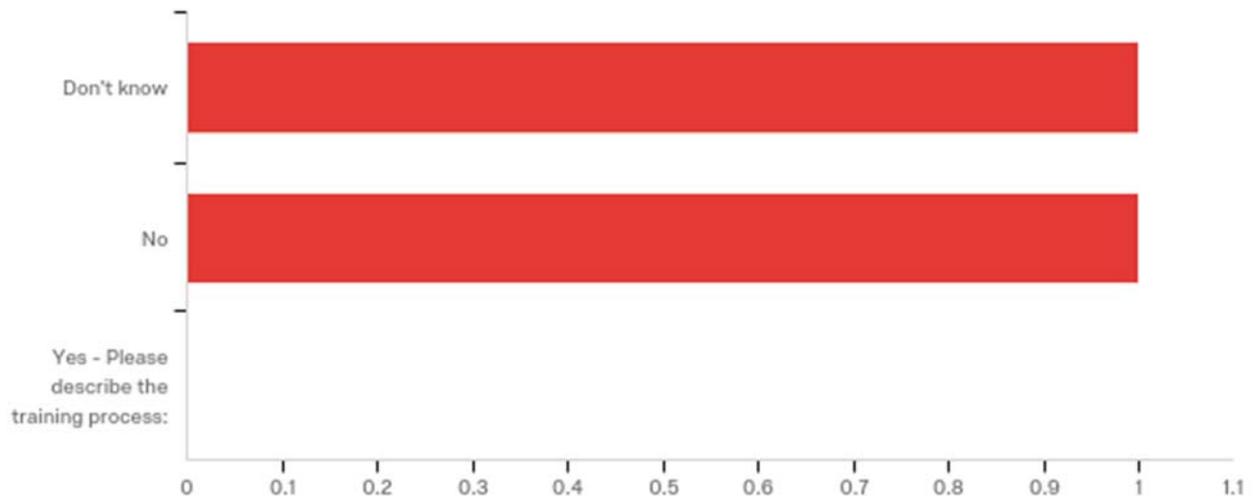
#	Answer	%	Count
1	Don't know	100.00%	2
2	No	0.00%	0
3	Yes	0.00%	0
	Total	100%	2

**Question - Is there a standard operating procedure in place to ensure that new and modified web pages and content are accessible?**



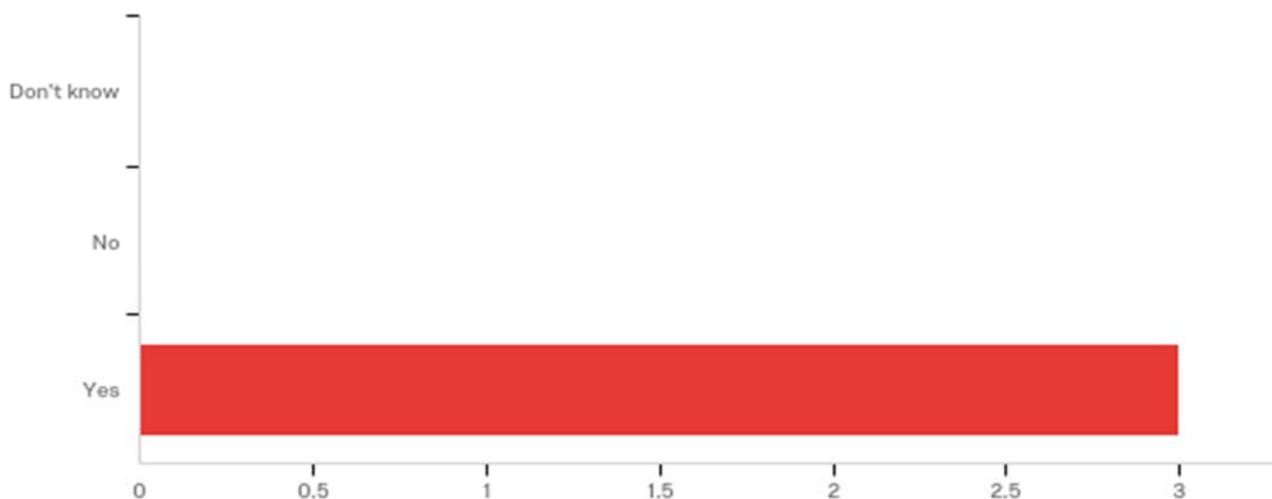
#	Answer	%	Count
1	Don't know	50.00%	1
2	No	50.00%	1
3	Yes - Please describe the process:	0.00%	0
	Total	100%	2

**Question - Do in-house staff and /or contractors responsible for web page content development receive training on the guidelines for website accessibility?**



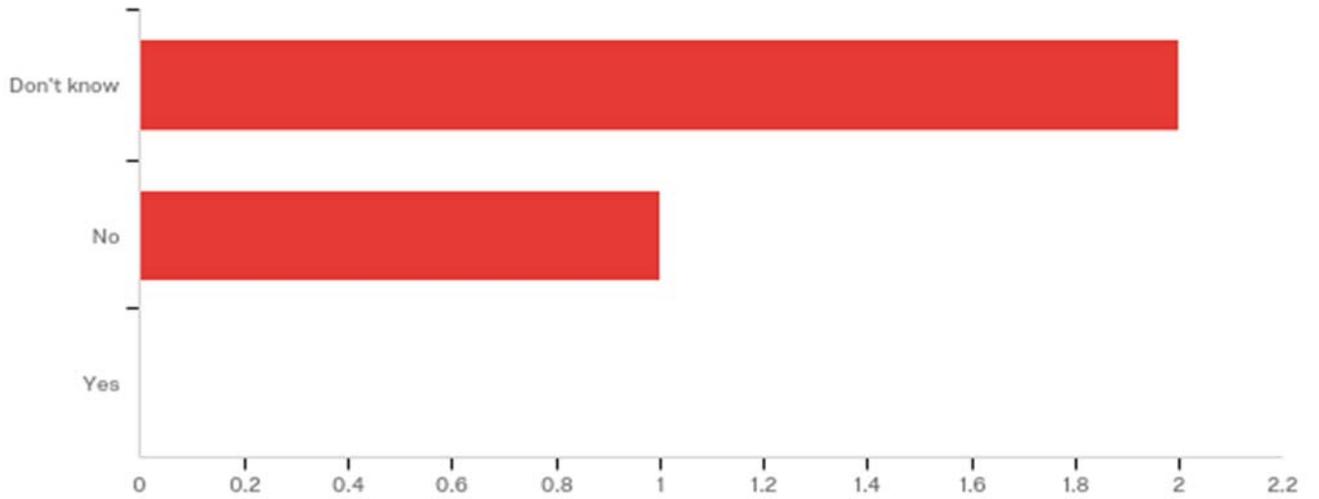
#	Answer	%	Count
1	Don't know	50.00%	1
2	No	50.00%	1
3	Yes - Please describe the training process:	0.00%	0
	Total	100%	2

**Question - Does the department/division main public access number have an automated phone menu service (i.e. press 1 for..., press 2 for...)?**



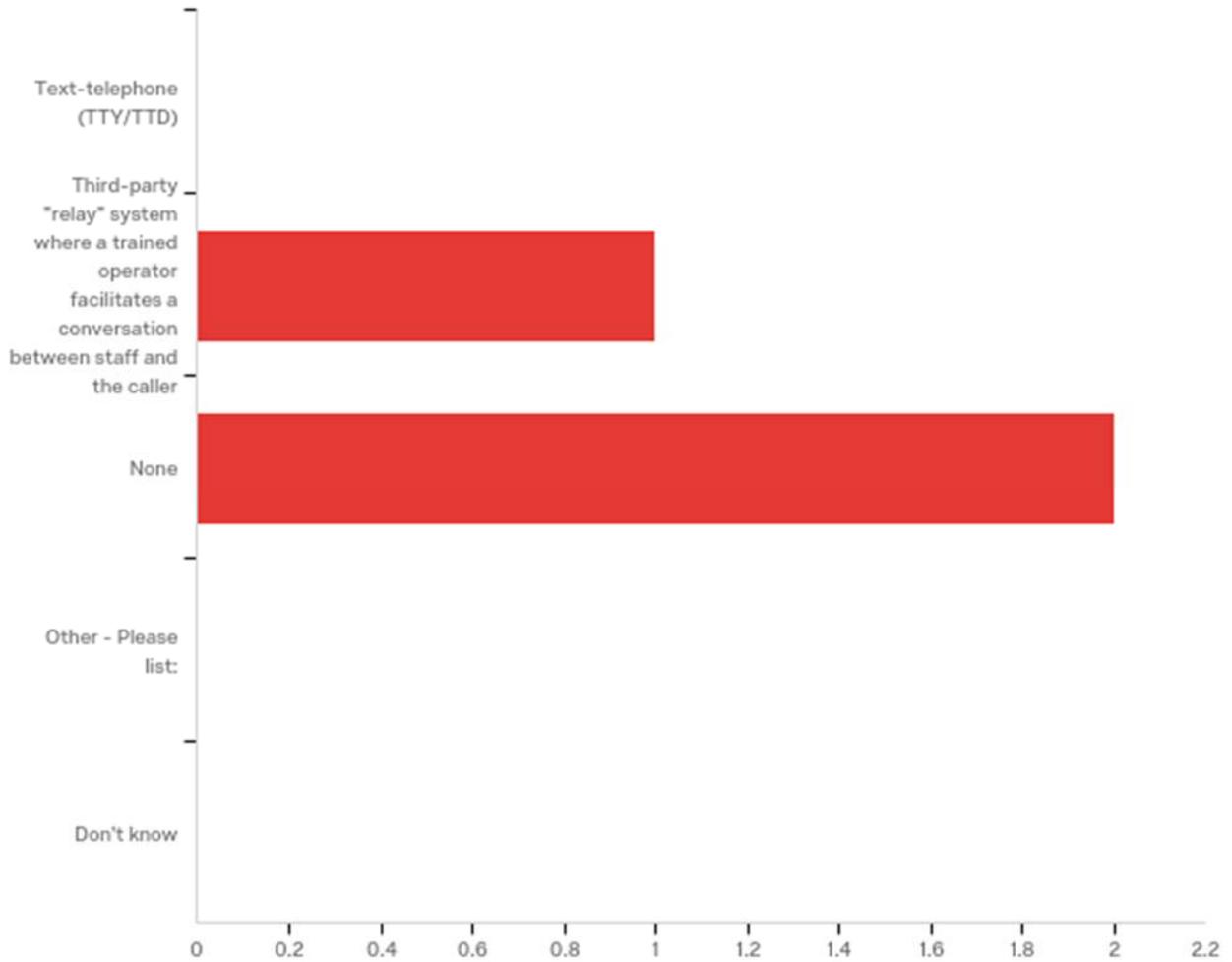
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	0.00%	0
3	Yes	100.00%	3
	Total	100%	3

**Question - Does the system offer a simple, 1-step way for a caller to bypass the menu and speak directly with a staff person during regular business hours?**



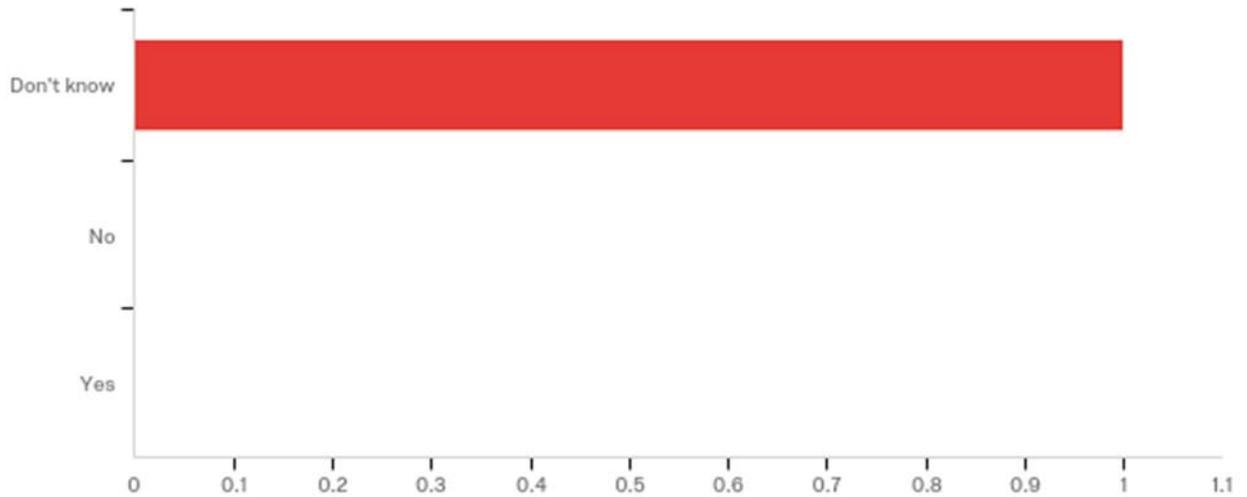
#	Answer	%	Count
1	Don't know	66.67%	2
2	No	33.33%	1
3	Yes	0.00%	0
	Total	100%	3

**Question - What tools does the department/division use to communicate by phone with people with speech or hearing difficulties?**



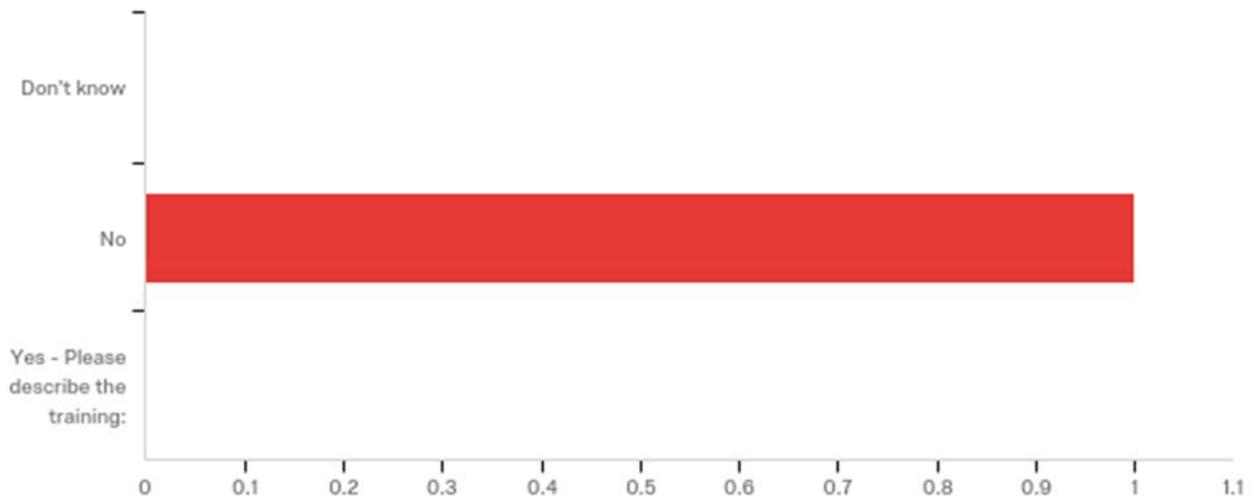
#	Answer	%	Count
1	Text-telephone (TTY/TTD)	0.00%	0
2	Third-party "relay" system where a trained operator facilitates a conversation between staff and the caller	33.33%	1
3	None	66.67%	2
4	Other - Please list:	0.00%	0
5	Don't know	0.00%	0
	<b>Total</b>	<b>100%</b>	<b>3</b>

**Question - Does the department/division publish the Town's (text telephone) relay service in all materials where a phone number is listed?**



#	Answer	%	Count
1	Don't know	100.00%	1
2	No	0.00%	0
3	Yes	0.00%	0
	Total	100%	1

**Question - If a third-party "Relay" system is used, does department/division staff receive training on how to place a Relay call to a customer, as well as receive one?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	1
3	Yes - Please describe the training:	0.00%	0
	Total	100%	1

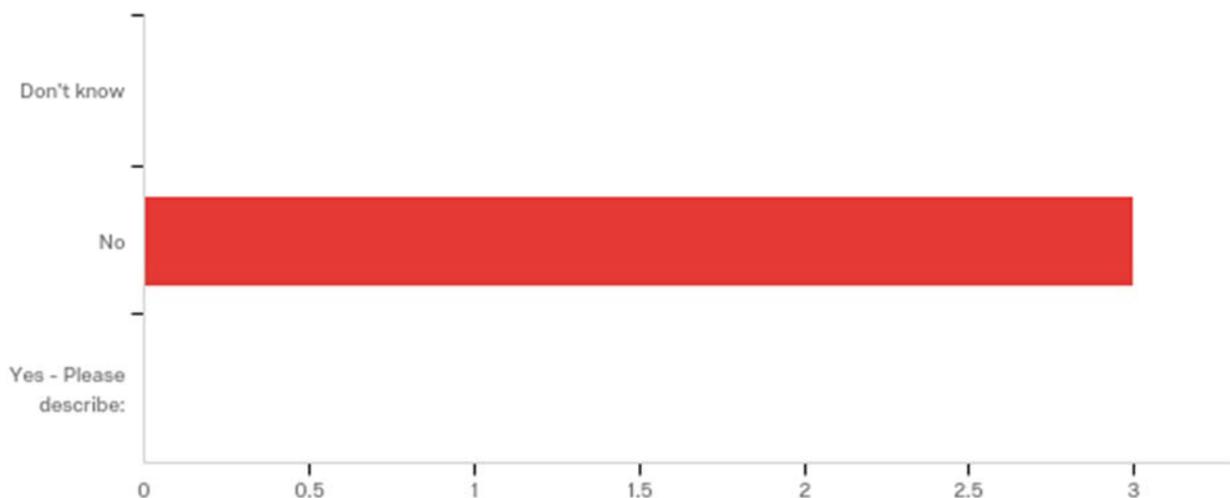
**Question - Does the department/division allow members of the public to use electronic equipment such as copy machines, kiosks, or computers?**

#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe the equipment which the public is allowed to use:	0.00%	0
	Total	100%	3

**Question - Does the department/division ensure that the electronic equipment is accessible to and usable by persons with disabilities? For example, is a public computer provided on a lowered counter or in an accessible workstation?**

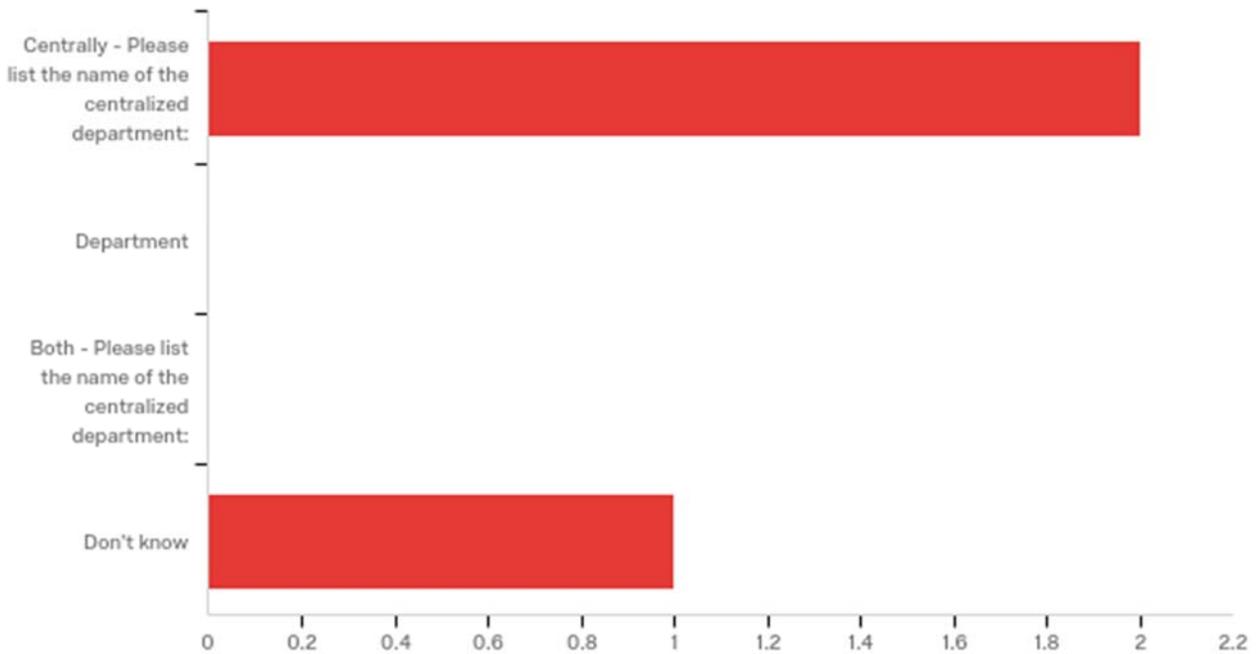
No responses.

**Question - Are auxiliary aids (such as a movable light source, adjustable worktable levels, paper and pen, magnifying glass, etc.) provided to assist persons with disabilities?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please describe:	0.00%	0
	Total	100%	3

**Question - Is purchasing of equipment and software managed centrally, departmentally, or both?**



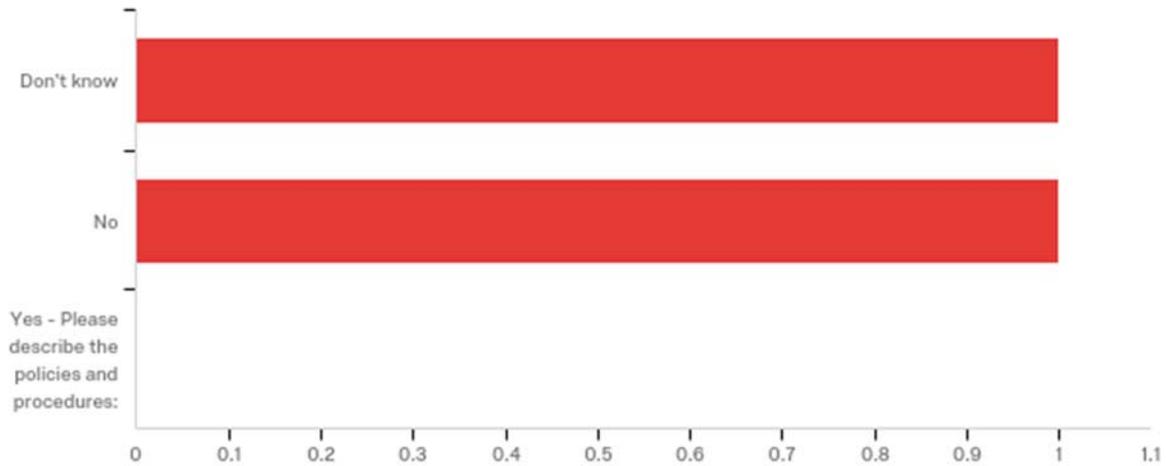
#	Answer	%	Count
1	Centrally - Please list the name of the centralized department:	66.67%	2
2	Department	0.00%	0
3	Both - Please list the name of the centralized department:	0.00%	0
4	Don't know	33.33%	1
	Total	100%	3

Centrally - Please list the name of the centralized department:

IT

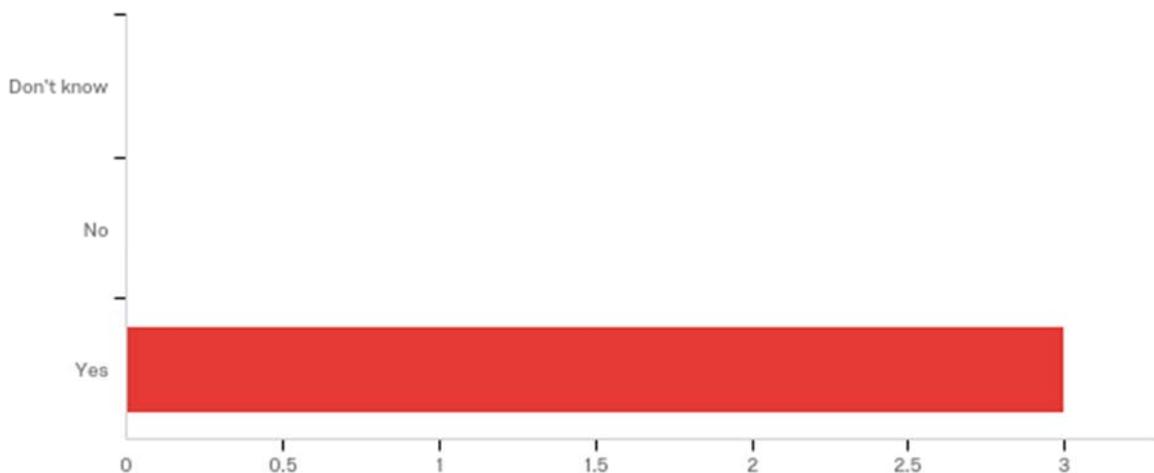
IT

**Question - Are policies and procedures in place to assure the purchase of accessible products where required?**



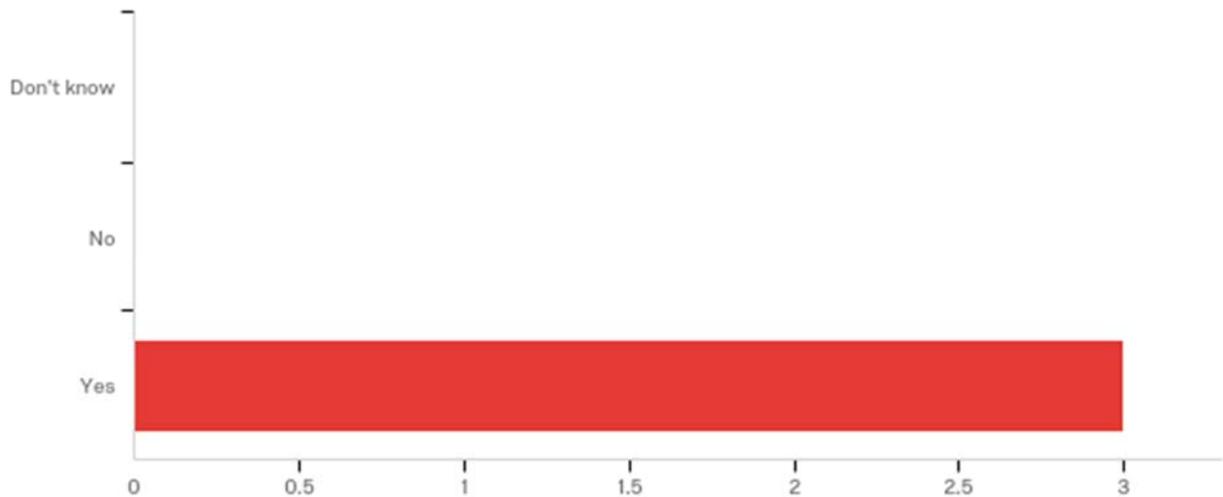
#	Answer	%	Count
1	Don't know	50.00%	1
2	No	50.00%	1
3	Yes - Please describe the policies and procedures:	0.00%	0
	Total	100%	2

**Question - Does the department/division hold public meetings, events, hearings or conferences?**



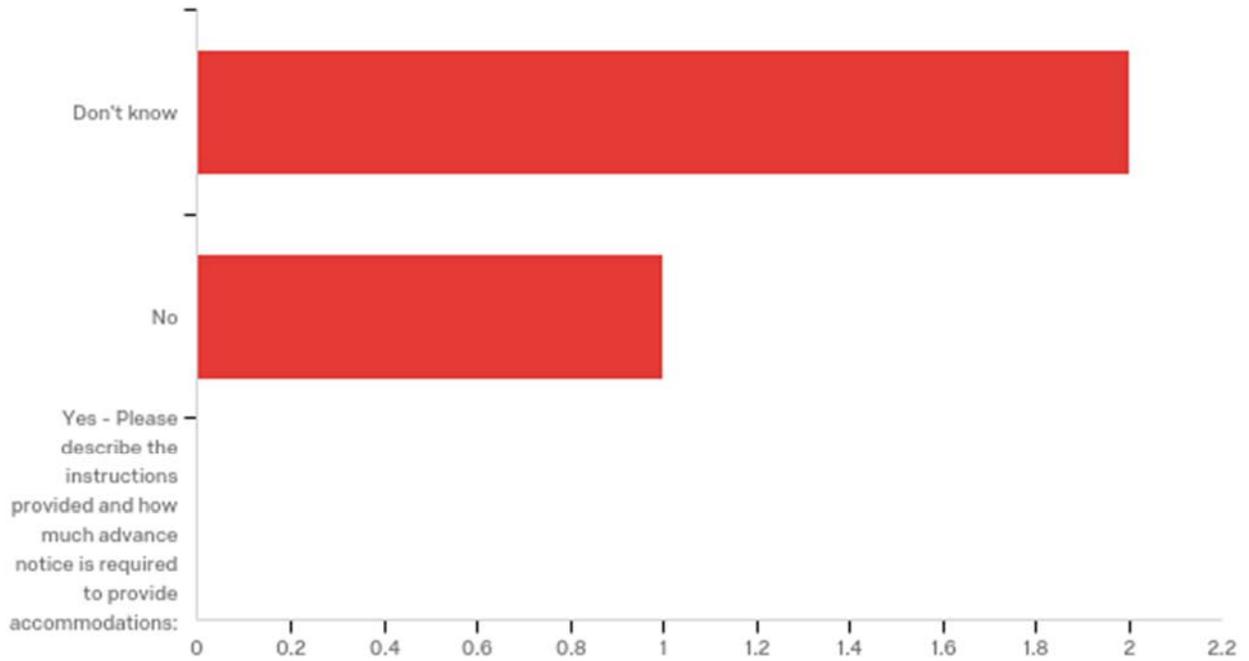
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	0.00%	0
3	Yes	100.00%	3
	Total	100%	3

**Question - Does the department/division require that public meetings, hearing, and conferences be held in accessible locations?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	0.00%	0
3	Yes	100.00%	3
	Total	100%	3

**Question - Do all printed or electronic materials about department/division sponsored/hosted public events, public meetings, public hearings, or public appearances by and with Town officials include instructions about how to request accommodations?**

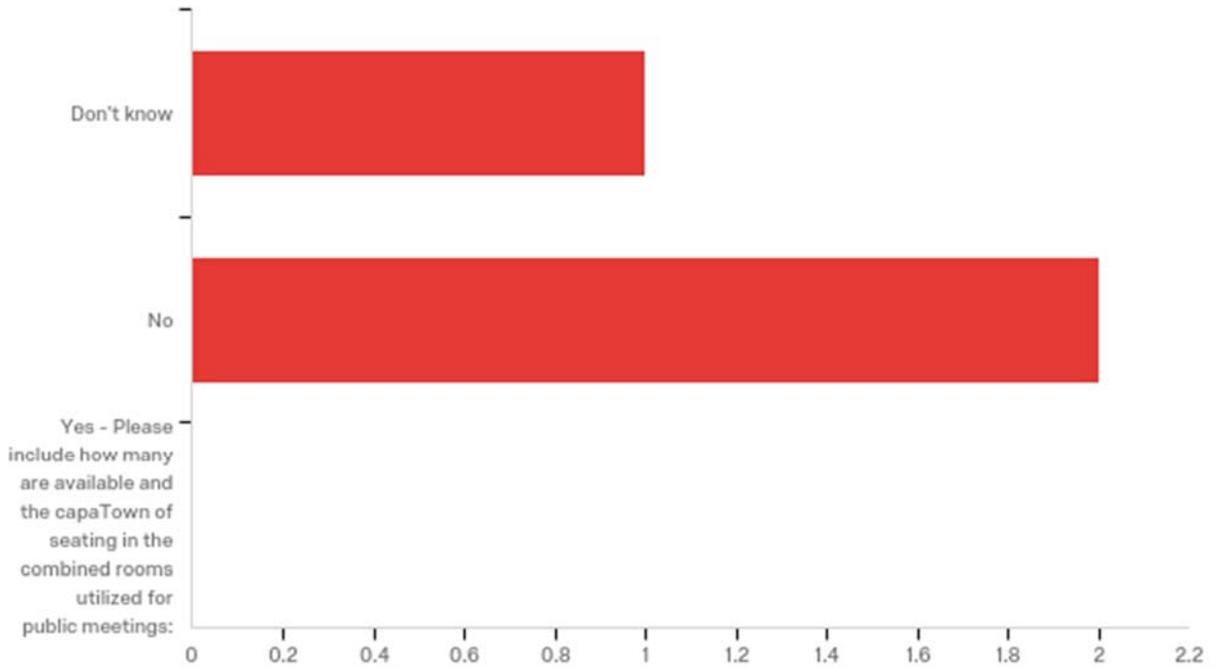


#	Answer	%	Count
1	Don't know	66.67%	2
2	No	33.33%	1
3	Yes - Please describe the instructions provided and how much advance notice is required to provide accommodations:	0.00%	0
	<b>Total</b>	<b>100%</b>	<b>3</b>

**Question - What types of accommodations can the department/division provide to the public when requested?**

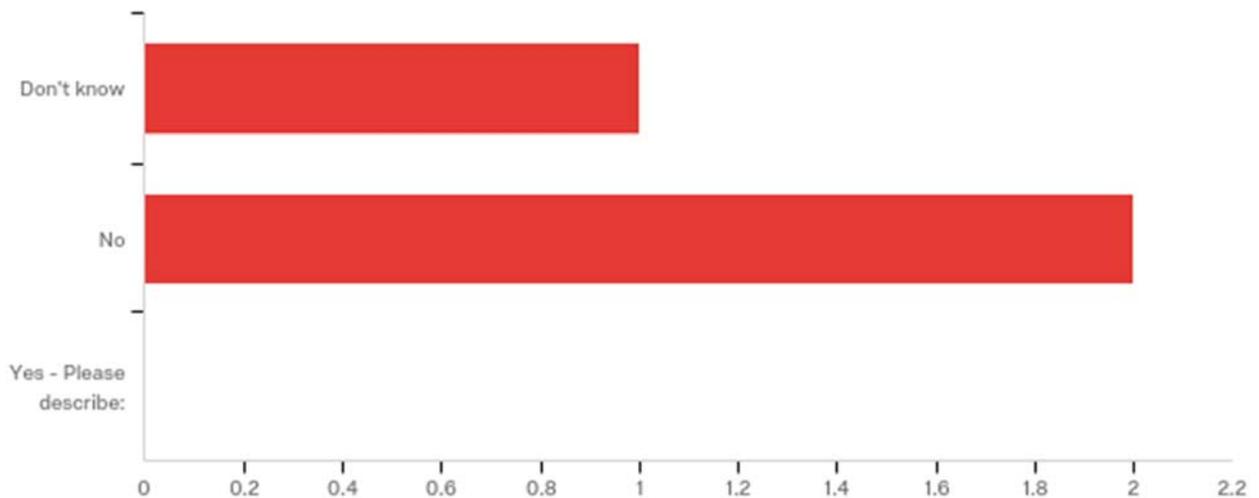
No responses.

**Question - Are Assistive listening devices or systems available for public meetings?**



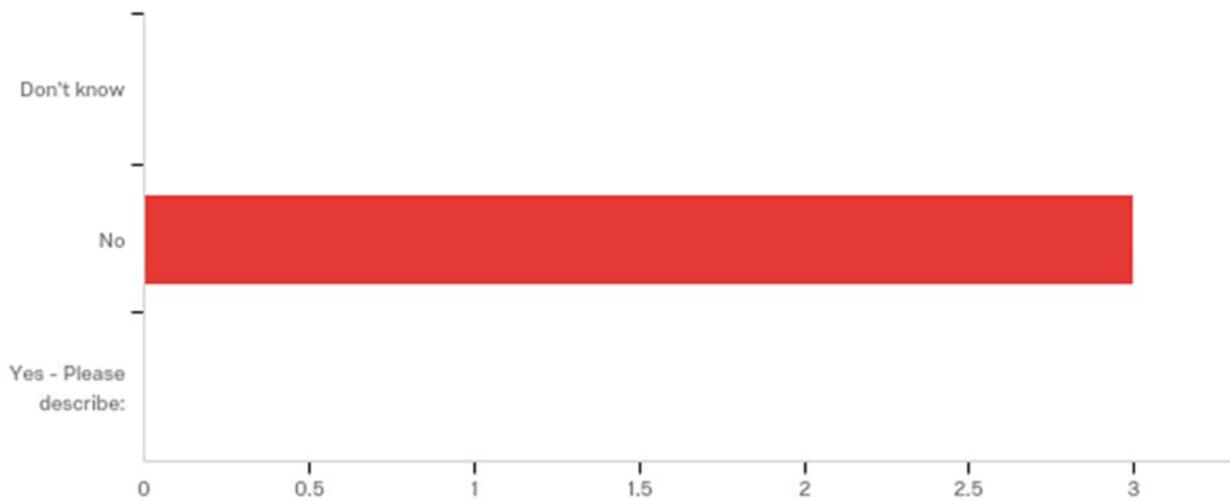
#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please include how many are available and the capacity of seating in the combined rooms utilized for public meetings:	0.00%	0
	Total	100%	3

**Question - Does the department/division charge an additional fee for providing accommodations for people with disabilities?**



#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe:	0.00%	0
	Total	100%	3

**Question- Does the department/division provide transportation to volunteers, visitors, or program participants?**

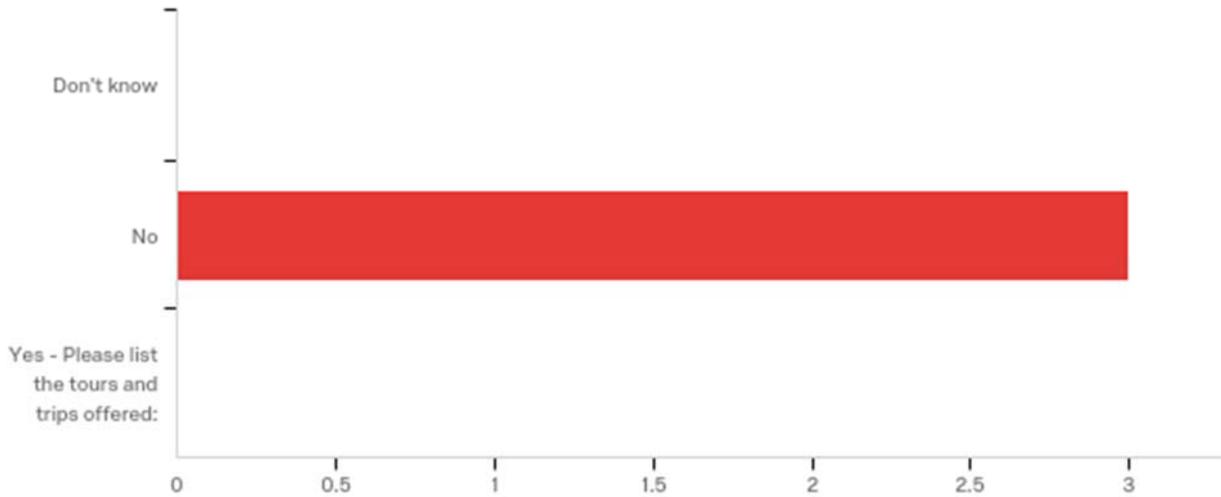


#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please describe:	0.00%	0
	Total	100%	3

**Question - Does the department/division have procedures to make transportation accessible to persons who have visual, hearing, mobility and learning disabilities?**

No responses.

**Question - Does the department/division provide facility tours or organize trips for members of the public?**

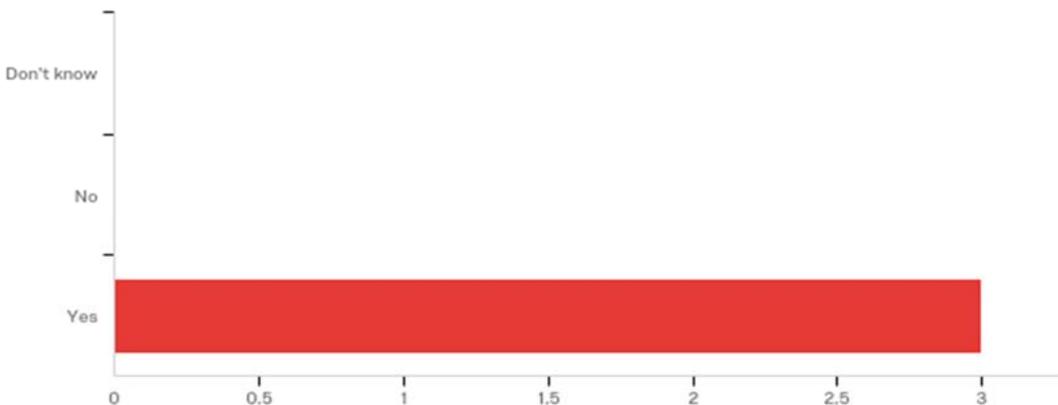


#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	3
3	Yes - Please list the tours and trips offered:	0.00%	0
	Total	100%	3

**Question - Does the department/division have procedures to make the tours or trips accessible to person who have visual, hearing, mobility and learning disabilities?**

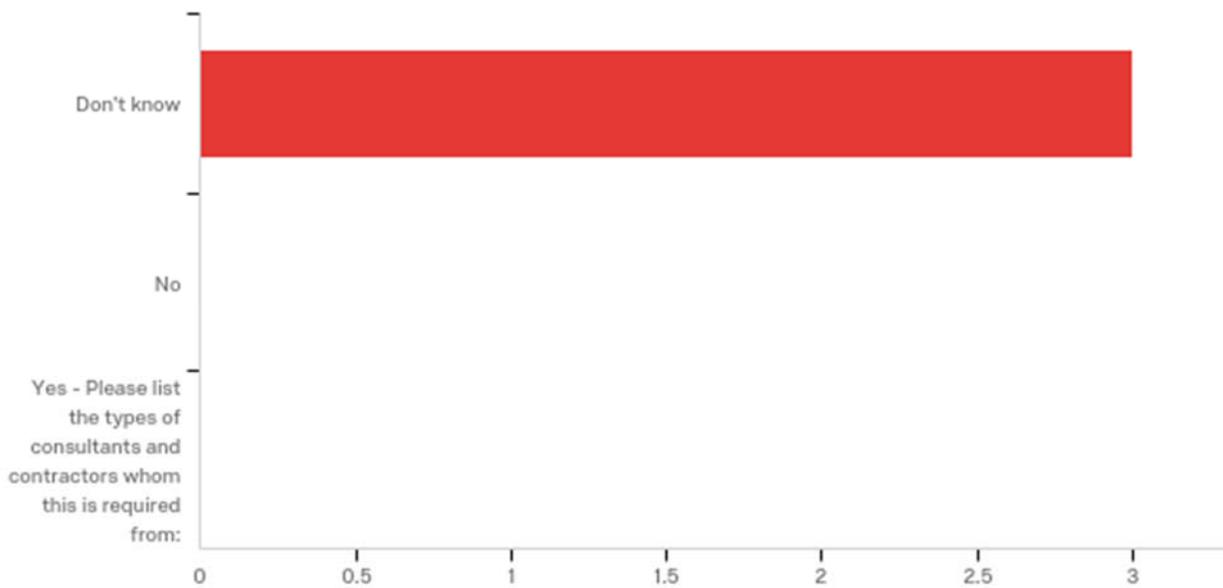
No responses.

**Question - Does the department/division hire consultants or contractors?**



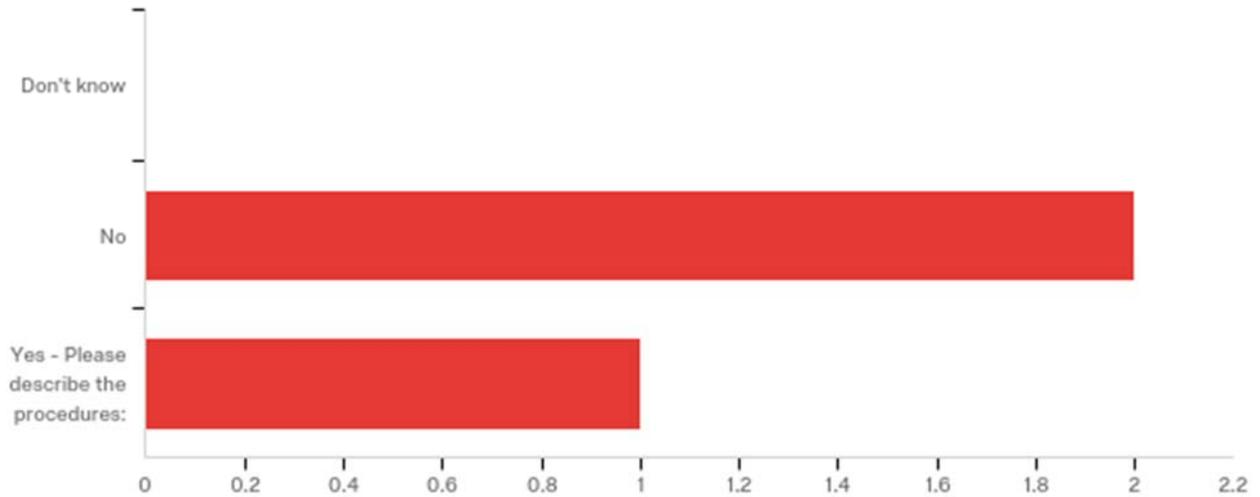
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	0.00%	0
3	Yes	100.00%	3
	Total	100%	3

**Question - Are consultants, contractors, or vendors who bid on capital projects or other contractual work requested to sign a statement of their intent to comply with the ADA and all applicable accessibility standards?**



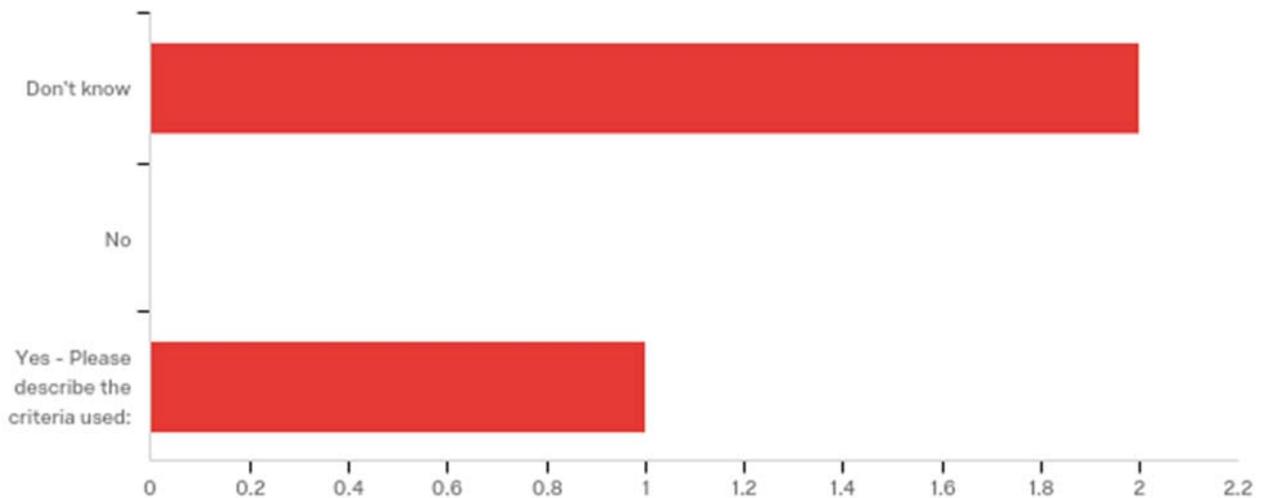
#	Answer	%	Count
1	Don't know	100.00%	3
2	No	0.00%	0
3	Yes - Please list the types of consultants and contractors whom this is required from:	0.00%	0
	Total	100%	3

**Question - Does department/division staff monitor consultants, contractors, or vendors to ensure equal participation of persons with disabilities?**



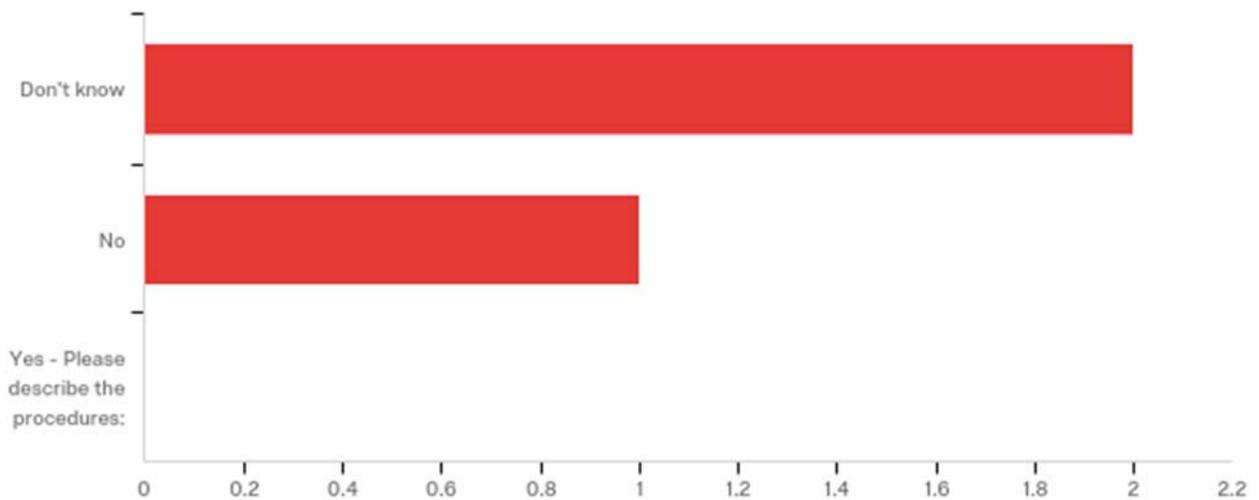
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	66.67%	2
3	Yes - Please describe the procedures:	33.33%	1
	Total	100%	3

**Question - When selecting contractors or vendors, does the department or division use criteria that does not discriminate based on ability?**



#	Answer	%	Count
1	Don't know	66.67%	2
2	No	0.00%	0
3	Yes - Please describe the criteria used:	33.33%	1
	Total	100%	3

**Question - Do department/division staff have an evacuation plan or procedures in place that describes how to evacuate people with disabilities from a facility during an emergency?**



#	Answer	%	Count
1	Don't know	66.67%	2
2	No	33.33%	1
3	Yes - Please describe the procedures:	0.00%	0
	Total	100%	3

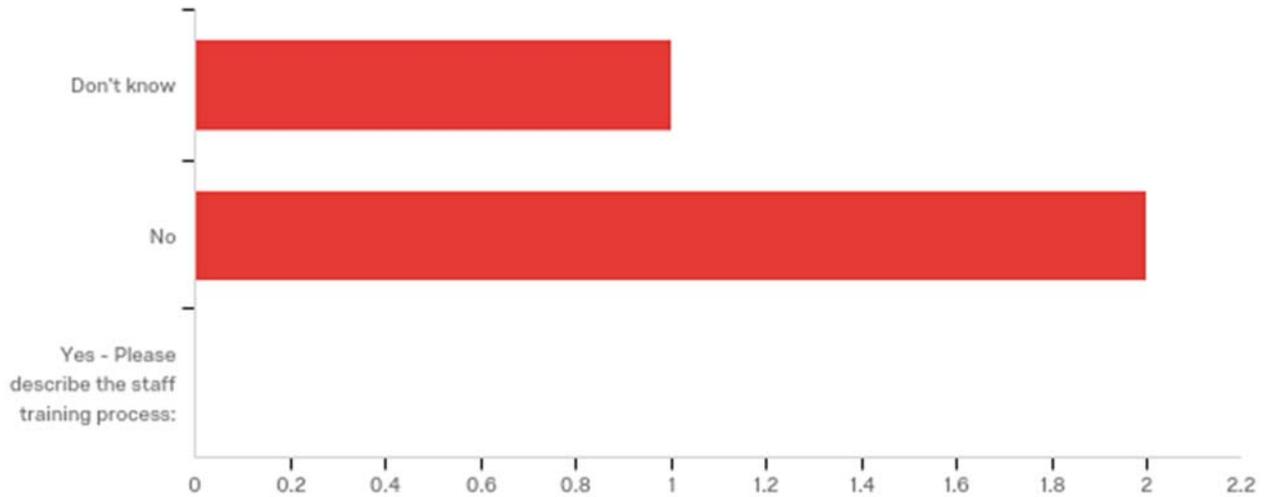
**Question - Is the evacuation route and/or instructions posted in a visible and accessible area of each floor in all facilities used by the department/division?**

No responses.

**Question - Is there staff at each department/division facility trained to carry out the instructions of the evacuation plan or procedures?**

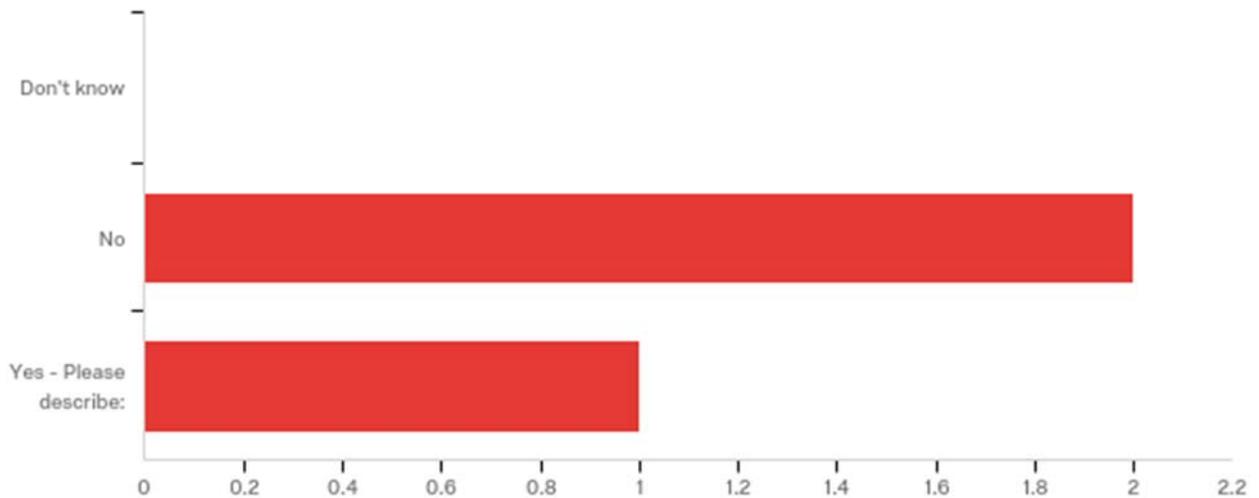
No responses.

**Question - Is there staff available whom have had training in American Sign Language or other means of communicating in emergency situations with people who have hearing or speech difficulties?**



#	Answer	%	Count
1	Don't know	33.33%	1
2	No	66.67%	2
3	Yes - Please describe the staff training process:	0.00%	0
	Total	100%	3

**Question - Does the department/division host any private or public special events on public property?**

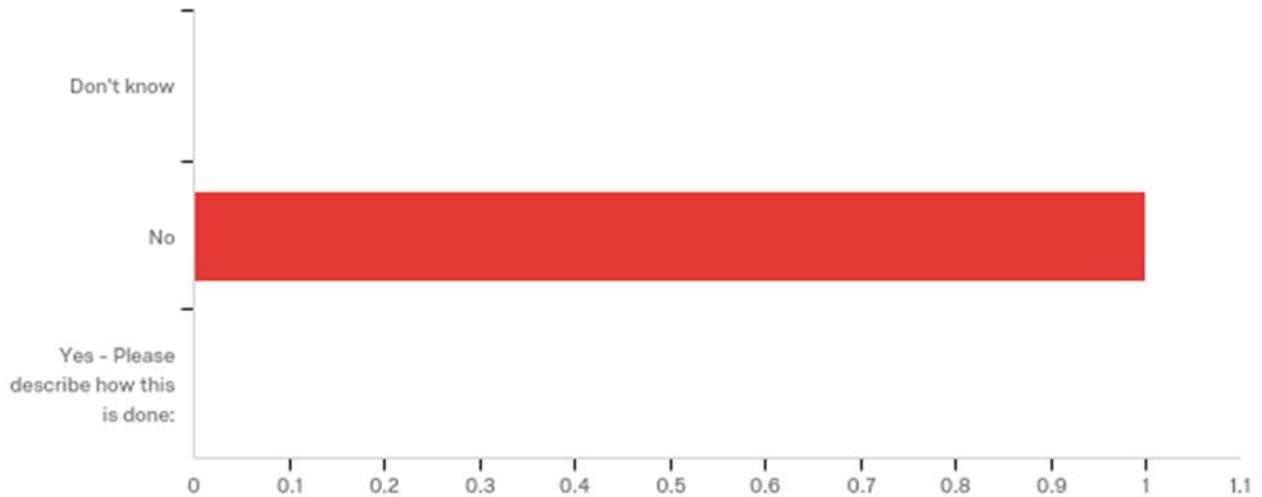


#	Answer	%	Count
1	Don't know	0.00%	0
2	No	66.67%	2
3	Yes - Please describe:	33.33%	1
	Total	100%	3

Yes - Please describe:

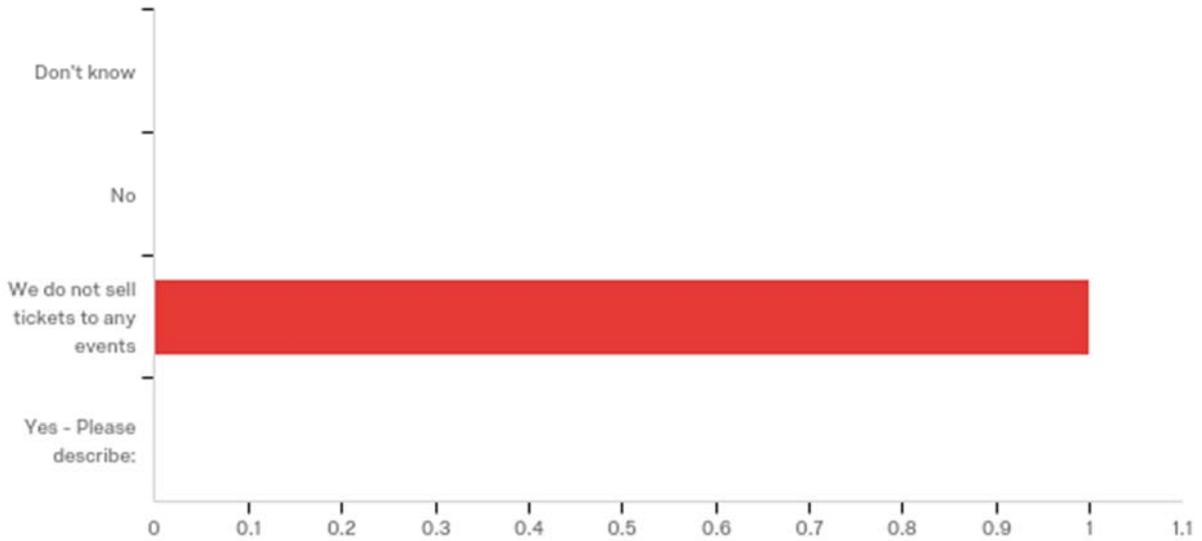
There are events in the parks and on beaches; fireworks, open market, beer festival, triathlon, etc.

**Question - Do department/division staff notify both private entities and staff of their obligations to facilitate participation of persons with disabilities in special events or private events held on public property?**



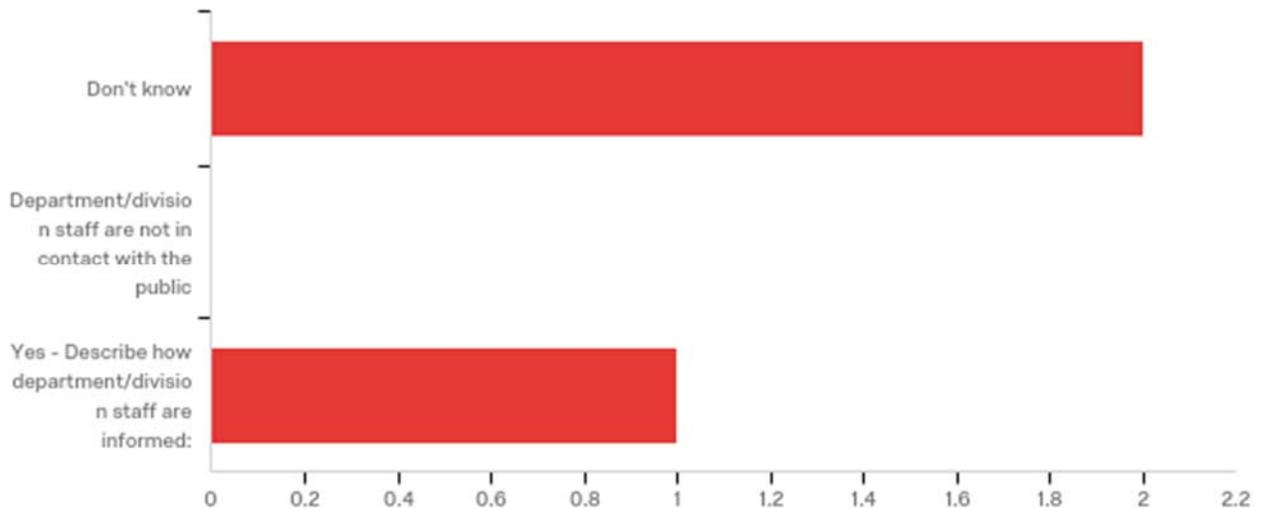
#	Answer	%	Count
1	Don't know	0.00%	0
2	No	100.00%	1
3	Yes - Please describe how this is done:	0.00%	0
	Total	100%	1

**Question - Are there policies and procedures in place for any events which you may sell tickets to with regards to accessible seating?**



#	Answer	%	Count
1	Don't know	0.00%	0
2	No	0.00%	0
3	We do not sell tickets to any events	100.00%	1
4	Yes - Please describe:	0.00%	0
	Total	100%	1

**Question - Are department/division staff whom have contact with the public informed of the department's obligations and policies that enables persons with disabilities to participate in the program?**

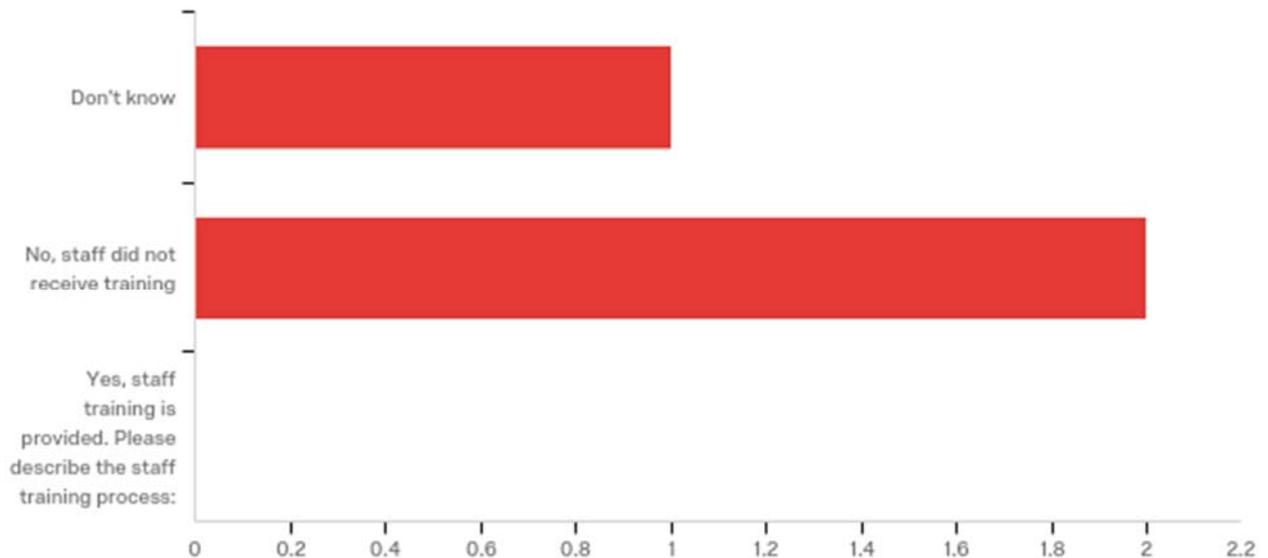


#	Answer	%	Count
1	Don't know	66.67%	2
2	Department/division staff are not in contact with the public	0.00%	0
3	Yes - Describe how department/division staff are informed:	33.33%	1
	Total	100%	3

Yes - Describe how department/division staff are informed:

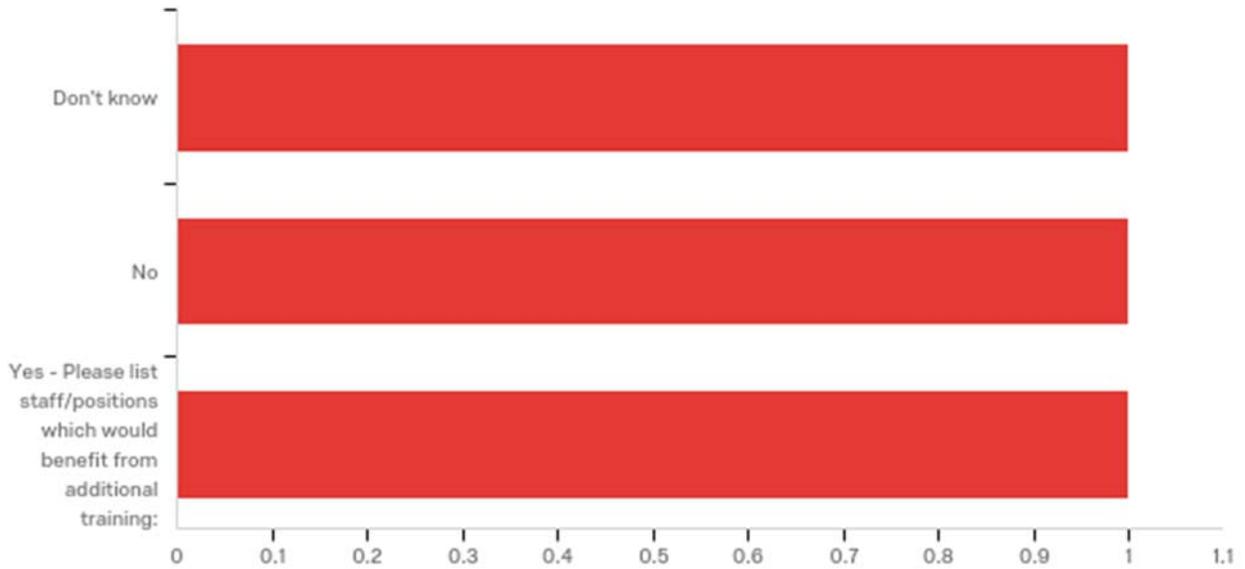
isn't this common decency?

**Question - Do department/division staff having contact with the public receive training on interacting with people with disabilities?**



#	Answer	%	Count
1	Don't know	33.33%	1
2	No, staff did not receive training	66.67%	2
3	Yes, staff training is provided. Please describe the staff training process:	0.00%	0
	Total	100%	3

**Question - Is there department/division staff whom would be able to provide better customer service if they had training in American Sign Language (ASL) or other means of communicating with people who have hearing or speech difficulties?**

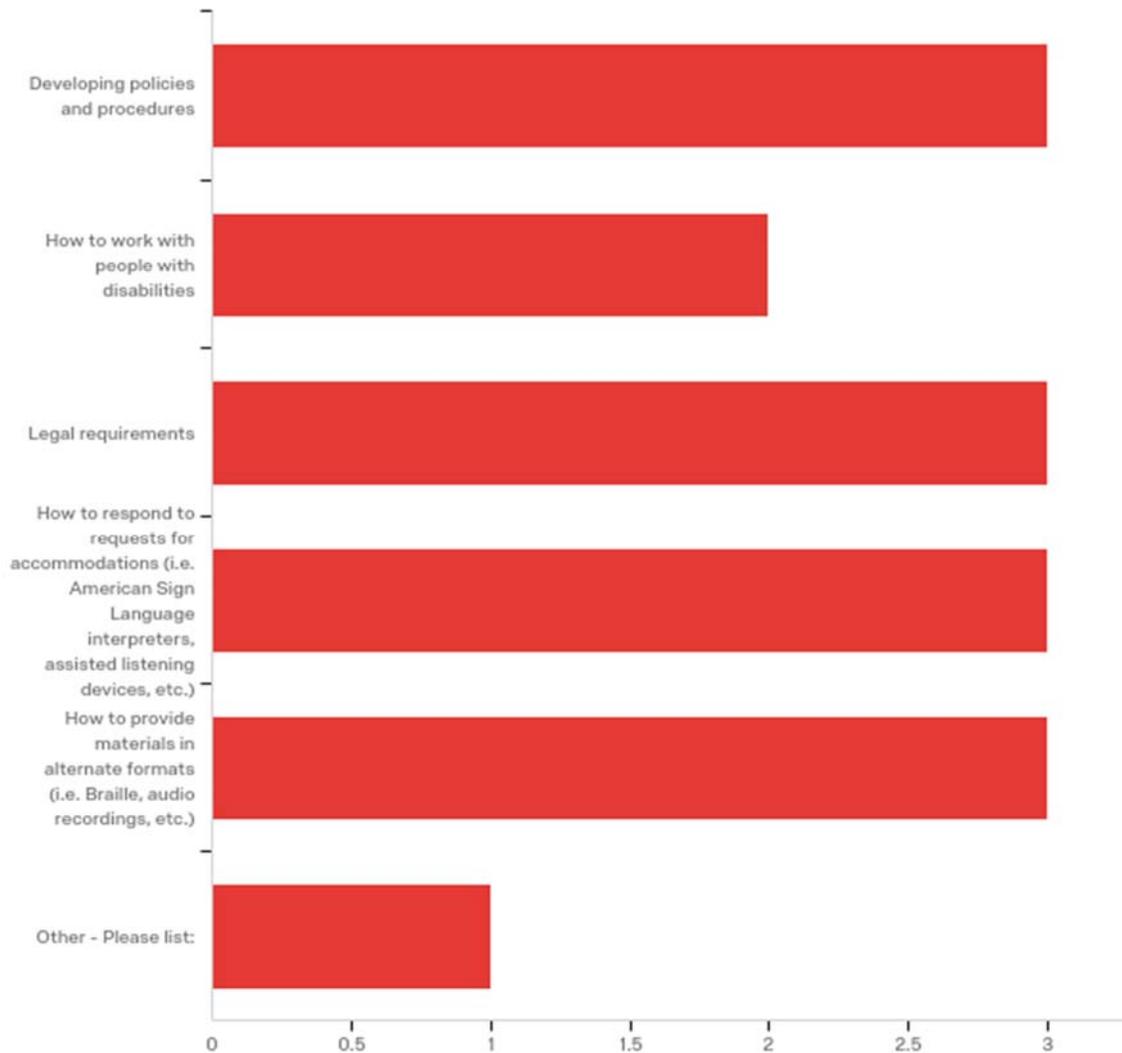


#	Answer	%	Count
1	Don't know	33.33%	1
2	No	33.33%	1
3	Yes - Please list staff/positions which would benefit from additional training:	33.33%	1
	<b>Total</b>	<b>100%</b>	<b>3</b>

Yes - Please list staff/positions which would benefit from additional training:

Office administrator, lifeguards, park attendants, recreation director, and landfill attendant.

**Question - Would other training or technical assistance services be helpful to department/division staff such as (check all that apply):**



#	Answer	%	Count
1	Developing policies and procedures	20.00%	3
2	How to work with people with disabilities	13.33%	2
3	Legal requirements	20.00%	3
4	How to respond to requests for accommodations (i.e. American Sign Language interpreters, assisted listening devices, etc.)	20.00%	3
5	How to provide materials in alternate formats (i.e. Braille, audio recordings, etc.)	20.00%	3
6	Other - Please list:	6.67%	1
	Total	100%	15

Other - Please list:

During my tenure we have had no formal requests for assistance. However we have assisted people to get access to shellfish beds, assist them to get catch into their vehicle etc. We have had four generations of one family fishing at the same time - the eldest used a walker to get into the water to shellfish. We have insisted that four wheel drive vehicles of shellfishermen be allowed on the pond side of state beach so people with mobility issues can have access to shellfish

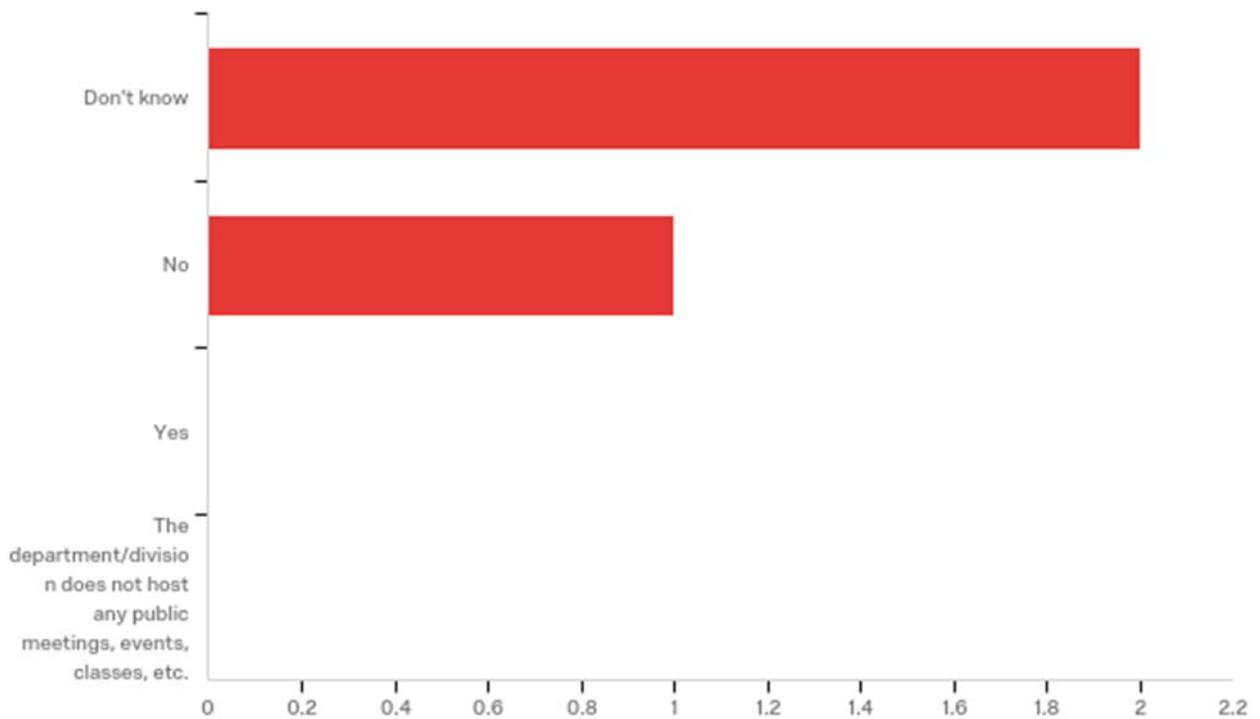
**Question- List all facilities, or portions of facilities, used by your department or division. For each facility, designate the type of activities (i.e. employee work space, classroom/learning space, meetings & conferences, retail, customer interaction) for which it is used.**

Highway office and garage; employee work space, storage of equipment and supplies. Niantic Park shed; work space and equipment storage for beach & basketball program.

Townhall and Fire Department, CoA

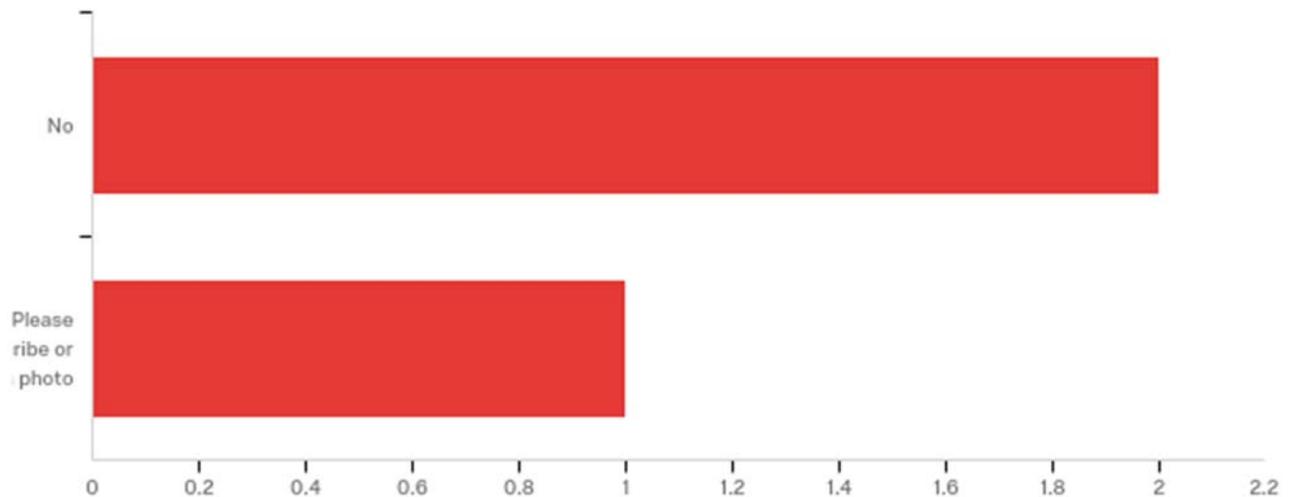
Office is in the Town Highway Barn that is handicapped accessible public shellfish advisory meetings are held here as well storage shed employee work space and storage most of the costumer interaction is on the shellfish beds or on the beach

**Question- Do department/division facilities have provisions for accessible seating at public meetings, events, classes, etc. for persons with mobility difficulties?**



#	Answer	%	Count
1	Don't know	66.67%	2
2	No	33.33%	1
3	Yes	0.00%	0
4	The department/division does not host any public meetings, events, classes, etc.	0.00%	0
	Total	100%	3

**Q117 - Are you aware of any areas or elements of the facilities which the department/division utilizes which are not accessible to persons with disabilities?**

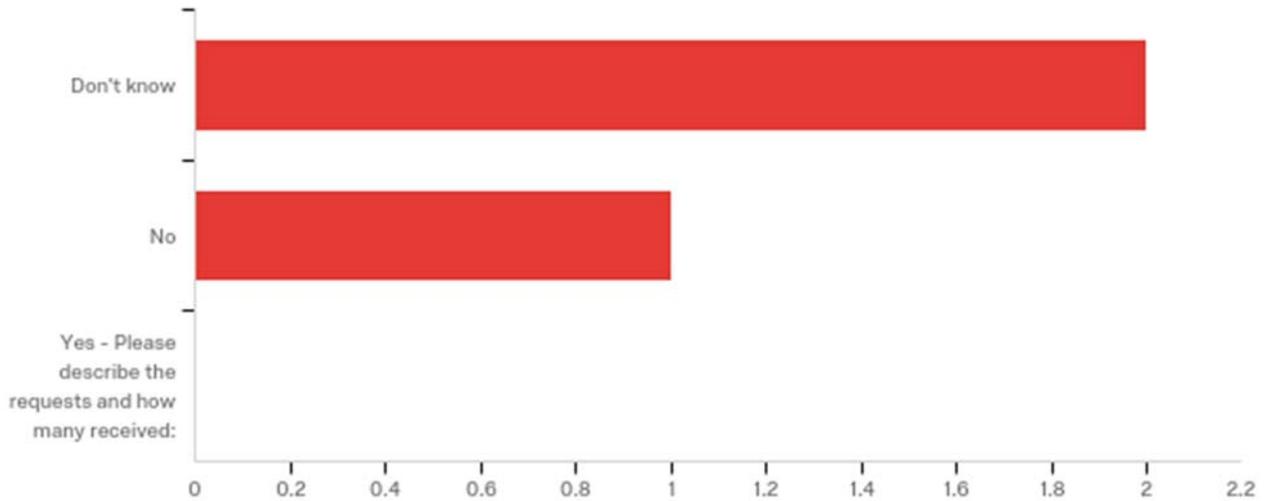


#	Answer	%	Count
1	No	66.67%	2
2	Yes - Please describe or upload a photo	33.33%	1
	Total	100%	3

**Yes - Please describe or upload a photo**

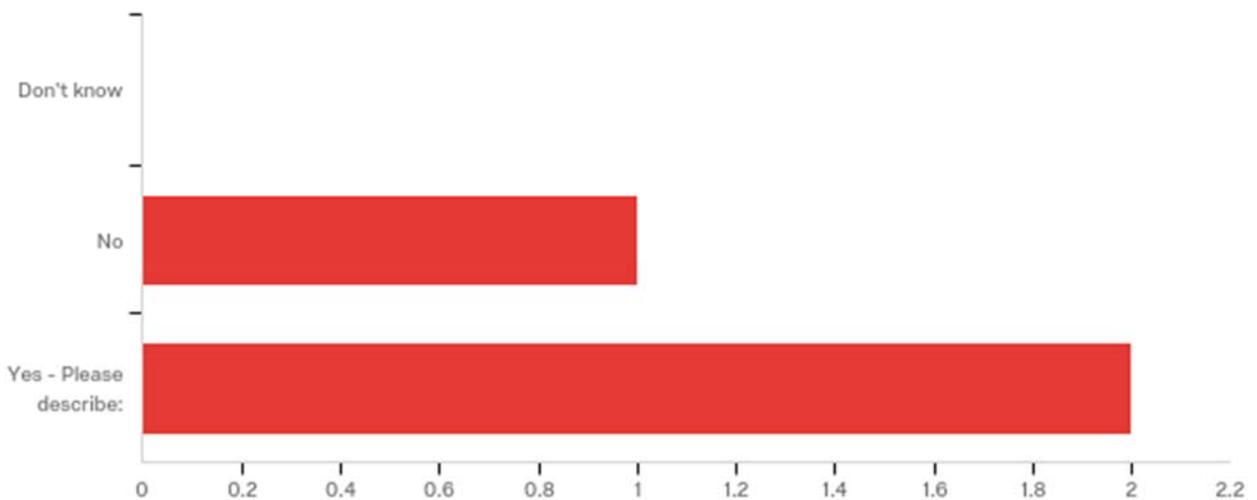
The container for recyclables at the Local Drop Off is not accessible to persons with disabilities. The attendant will assist people if requested.

**Question- Has the department/division received requests to improve facility accessibility in the past 3 years?**



#	Answer	%	Count
1	Don't know	66.67%	2
2	No	33.33%	1
3	Yes - Please describe the requests and how many received:	0.00%	0
	Total	100%	3

**Question - Is the department/division responsible for the maintenance of any facilities, parks, parking lots, streets, sidewalks or landscaping?**

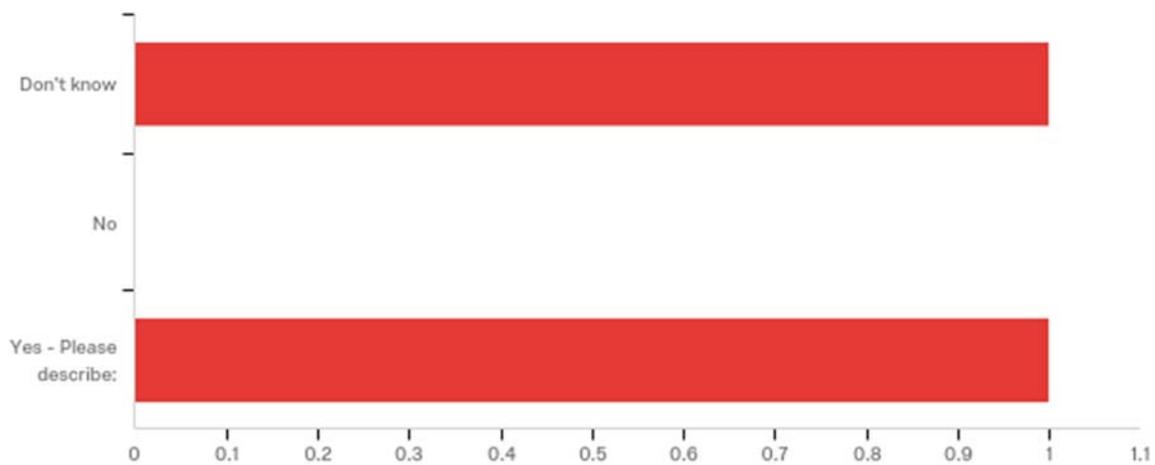


#	Answer	%	Count
1	Don't know	0.00%	0
2	No	33.33%	1
3	Yes - Please describe:	66.67%	2
	Total	100%	3

Yes - Please describe:

Yes, buildings, parking lots, sidewalks and landscaping.

**Question - Are there any procedures in place for monitoring and/or maintaining accessible features (i.e. adjusting door closer speed, repainting accessible parking spaces, repairing uneven curb cuts and sidewalks, trimming trees and hedges encroaching into a sidewalk, etc.)?**

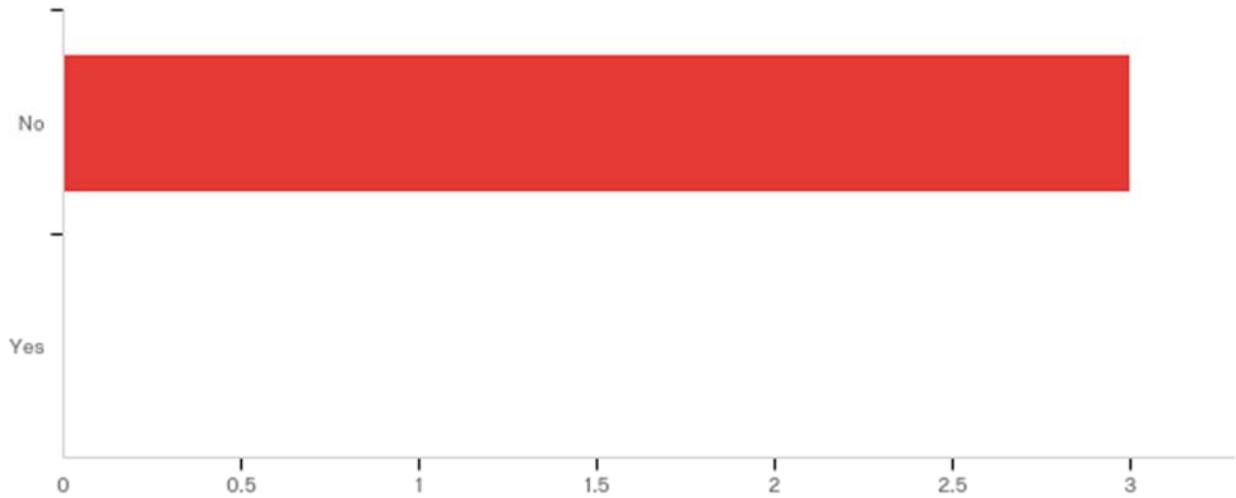


#	Answer	%	Count
1	Don't know	50.00%	1
2	No	0.00%	0
3	Yes - Please describe:	50.00%	1
	Total	100%	2

Yes - Please describe:

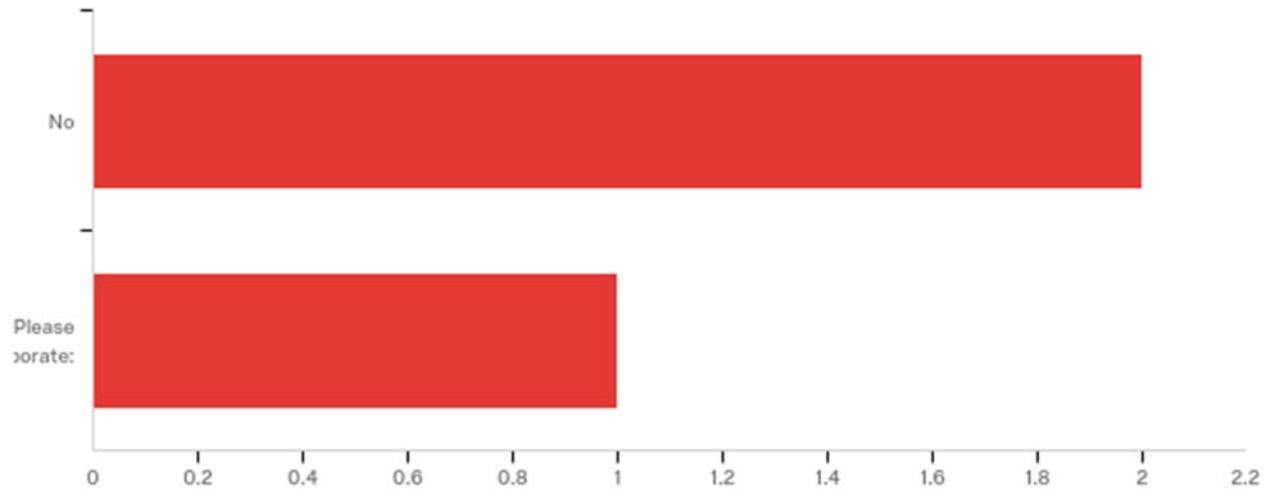
The Highway department trims the sides of the roads on a year-round basis as well as filling holes in sidewalks and roadways. The lines are repainted every year in the spring for accessible parking spaces. When a complaint is received at the office, the Superintendent & Foreman are advised to put it on the work schedule.

**Question - Does the department/division rent or lease facilities or space to individuals, groups or organizations?**



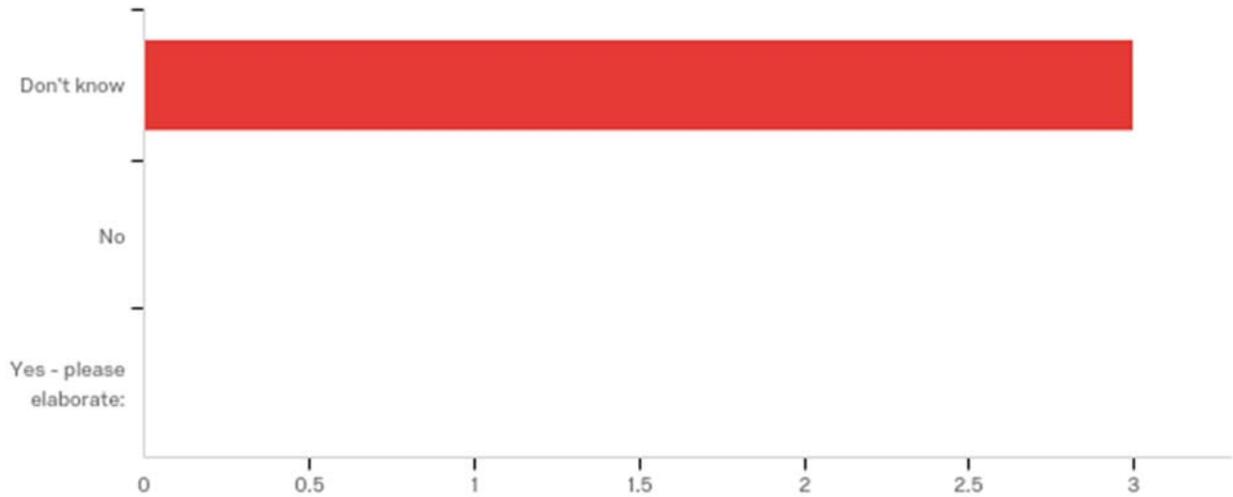
#	Answer	%	Count
1	No	100.00%	3
2	Yes	0.00%	0
	Total	100%	3

**Question - Do you have input or involvement with design and construction activities for new or altered space?**



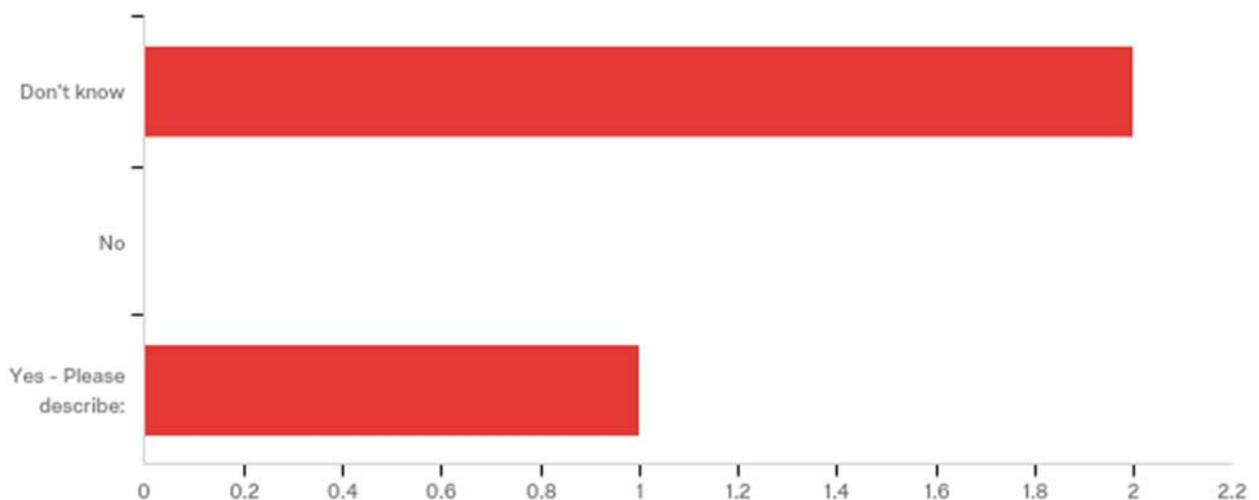
#	Answer	%	Count
1	No	66.67%	2
2	Yes - Please elaborate:	33.33%	1
	Total	100%	3

**Question - Are there procedures and/or standards in place which ensure accessibility compliance and best practices are incorporated into design and construction activities?**



#	Answer	%	Count
1	Don't know	100.00%	3
2	No	0.00%	0
3	Yes - please elaborate:	0.00%	0
	Total	100%	3

**Question - Does the Town plan and budget for improving accessibility to its facilities (i.e. buildings, parks, sidewalks, street crossings, parking lots)?**



#	Answer	%	Count
1	Don't know	66.67%	2
2	No	0.00%	0
3	Yes - Please describe:	33.33%	1
	Total	100%	3

## Facilities, Parks and Recreational Areas Surveyed by DAC

Chop Beach  
East Chop Drive  
Oak Bluffs, MA 02557

Lake Side Park  
Lake Side Park  
Oak Bluffs, MA 02557

Council on Aging Building (COA)  
21 Wamsutta Avenue  
Oak Bluffs, MA 02557

Leslie Park  
Moss Avenue & Summerfield Park  
Oak Bluffs, MA 02557

Eastville Point Beach  
Beach Road  
Oak Bluffs, MA 02557

Memorial  
Lake Avenue & Ocean Avenue  
Oak Bluffs, MA 02557

Fire Station  
6 Firehouse Lane  
Oak Bluffs, MA 02557

Nashawena Park  
Nashawena Park  
Oak Bluffs, MA 02557

Harbor (Circuit Avenue)  
30 Circuit Avenue Extension  
Oak Bluffs, MA 02557

Naushon Park  
Naushon Avenue & Katama Avenue  
Oak Bluffs, MA 02557

Harbor (Lake Avenue)  
95 Lake Avenue  
Oak Bluffs, MA 02557

Niantic Park  
Wamsutta Avenue & Tuckernuck Avenue  
Oak Bluffs, MA 02557

Hartford Park  
11 Massasoit Avenue  
Oak Bluffs, MA 02557

Oak Bluffs Public Library  
56R School Street  
Oak Bluffs, MA 02557

Hiawatha Park  
Hiawatha Avenue & Circuit Avenue  
Oak Bluffs, MA 02557

Oak Bluffs School  
50 Tradewinds Road  
Oak Bluffs, MA 02557

Highway Department Facility  
347 County Road  
Oak Bluffs, MA 02557

Ocean Park/Seaview  
Sea View Avenue  
Oak Bluffs, MA 02557

Kennebec Parking Lot  
17 Kennebec Avenue  
Oak Bluffs, MA 02557

Office/Housing  
82 Pennacook Avenue  
Oak Bluffs, MA 02557

Kennebec Public Bathrooms  
25 Kennebec Avenue  
Oak Bluffs, MA 02557

Park & Penn Field  
108 Concord Avenue  
Oak Bluffs, MA 02557

Parking  
25 Pacific Avenue  
Oak Bluffs, MA 02557

Wastewater  
Isaac Avenue  
Oak Bluffs, MA 02557

Pennacook Park  
Pennacook Avenue & Niantic Avenue  
Oak Bluffs, MA 02557  
Police Station  
2 Oak Bluffs Avenue  
Oak Bluffs, MA 02557

Sailing Camp Park  
177 Barnes Road  
Oak Bluffs, MA 02557

Sea View Beach  
Seaview Avenue  
Oak Bluffs, MA 02557

Skate Park  
111 Edgartown Road  
Oak Bluffs, MA 02557

Steamship Authority Restrooms  
2 Seaview Avenue  
Oak Bluffs, MA 02557

Town Hall  
56 School Street  
Oak Bluffs, MA 02557

Transfer Station  
16 Pennsylvania Avenue  
Oak Bluffs, MA 02557

Veira Park  
Viera Park  
Oak Bluffs, MA 02557

Waban Park  
Sea View Avenue & Tuckernuck Avenue  
Oak Bluffs, MA 02557

Washington Park  
Washington Park  
Oak Bluffs, MA 02557



# TOWN OF OAK BLUFFS

POST OFFICE BOX 1327, OAK BLUFFS, MA 02557  
TELEPHONE: 508 693 3554

## PUBLIC INPUT NOTICE AMERICANS WITH DISABILITIES ACT SURVEY

The Town of Oak Bluffs in keeping with its ongoing efforts to serve all members of the community, is updating its Americans with Disabilities Act (ADA) self-evaluation and transition plan.

The accessibility plan provides a comprehensive blueprint for access for individuals with disabilities to Town of Oak Bluffs facilities, parks, programs, services, activities and events.

The Town of Oak Bluffs is seeking input from agencies and organizations that represent individuals with disabilities, community members, Town employees, and other interested individuals who wish to participate in the evaluation.

Your comments and opinions are important and will provide valuable information regarding how the Town can better serve individuals with disabilities and help prioritize current and future needs.

If you wish to participate in the study, please complete the survey for residents and individuals by **June 30, 2019** and return to the Oak Bluffs ADA/ 504 Coordinator.

There are three ways to access the survey:

1. Contact the Town of Oak Bluffs' ADA/ 504 Coordinator  
Wendy Brough  
PO Box 1327, Oak Bluffs, MA 02557  
Phone: 508- 693 - 3554 ext: 149  
Email: [wbrough@oakbluffsma.gov](mailto:wbrough@oakbluffsma.gov)
2. Complete the survey online from the Town's website: [oakbluffsma.gov](http://oakbluffsma.gov).  
Click on the [Americans with Disabilities Act Survey](#) link on the homepage and select the appropriate survey.
3. Pick up a hard copy of the survey from the following locations:
  - Oak Bluffs Town Hall - Front Foyer table, Board of Selectmen or Town Clerk's office
  - Council of Aging – Oak Bluffs
  - Oak Bluffs Public Library
  - Oak Bluffs Fire Station

For all inquiries and for information regarding the Americans with Disabilities Act, please contact Wendy Brough, ADA/ 504 Coordinator: [wbrough@oakbluffsma.gov](mailto:wbrough@oakbluffsma.gov)

*The Town of Oak Bluffs complies with the Americans with Disabilities Act of 1990, Public Law 101-336, which prohibits discrimination on the basis of disability.*

**Town of Oak Bluffs - Americans with Disabilities Act Survey for Department Heads, Program and Facility Administrators**

Q A. Please list the programs, services, activities and special events for which you are responsible:

N/A

Q B. Are the events, programs or activities for which you are responsible provided at one location or at multiple locations in the Town of Oak Bluffs? For example, swimming lessons at several pools:

N/A

Q C. List the location where your office is located:

Wastewater main building at 17 Pennsylvania Ave.

Q D. How do recipients' access or request information about your programs, services or events (come to your office, call, email, other, etc.)?

All of the above.

Q E. Hours of operation by program (if applicable):

Office hours are 7:00am to 3:00pm Monday-Friday except holidays

Q F. What organizations or groups utilize all or part of your site? (Describe use and location):

N/A

Q G. Are there any recent or current complaints from employees, members of the public or other stakeholders regarding accessibility for individuals with disabilities at your site? (If so, please describe):

No

Q H. Are you aware of any barriers to program accessibility? Please describe:

No

Q I. What would you consider to be the highest priority to make programs, services, activities or events offered by the Town of Oak Bluffs more accessible for individuals with disabilities?

None

**Please respond to the following questions as it relates to you, or your program or administration.**

***DK = Don't Know    NA = Not Applicable***

<b>QUESTION</b>	<b>YES</b>	<b>NO</b>	<b>DK</b>	<b>NA</b>	<b>COMMENTS</b>
1. Do you know who the designated ADA Coordinator is for the Town of Oak Bluffs?		x			If yes, name person:
2. Have you posted and noticed the name and address of the ADA Coordinator?		x			If yes, where:
3. Have you posted and noticed the rights afforded to individuals with disabilities?		x			If yes, where:
4. Do you have access to current Town of Oak Bluffs policies, procedures or practices?	X				
5. Are grievance procedures or uniform complaint procedures noticed and posted at your site?		X			If yes, where:
6. Are accessibility grievance procedures available for employees and members of the public?		X			
7. Do you have emergency evacuation plans posted at your site that includes procedures for individuals with disabilities?	X				If yes, where: In a Red Binder in Lab
8. Are assistive listening devices available for individuals with hearing impairments at your site?	X				If yes, state location, number fixed or portable, and if they are operable: Main floor hallway
9. Do you have a Telecommunications Device for the Deaf (TDD/TTY) at your site?		X			If yes, state location, number, and if they are operable:
10. Is your staff trained regarding the use of a TDD/TTY?		X			If yes, state when and how:
11. Have you reviewed your website for accessibility for persons with vision impairments?		X			If yes, when:

<b>QUESTION</b>	<b>YES</b>	<b>NO</b>	<b>DK</b>	<b>NA</b>	<b>COMMENTS</b>
12. Do you have a statement of accommodations in your literature or on public notices?		X			
13. Are individuals with disabilities included in, or have an opportunity to participate in, all programs, activities, and services provided by your site?				X	
14. Are individuals with disabilities served or located in segregated areas of your facility?	X				Office and conference room
15. Do you require persons with disabilities to receive or participate in services at an alternate location?		X			If yes, describe:
16. Do you provide public transportation for your programs, services or activities?		X			If yes, describe transportation and its accessibility:
17. Do you offer programs at your site that are not offered at other sites in the Town of Oak Bluffs?		X			If yes, describe:
18. Do you follow a specific procedure or policy for use of the facility by organizations or members of the public?		X			If yes, describe:
19. Are you aware of any community members or recipients of services with disabilities who utilize your site?		X			
20. Have you made accommodations for individuals with disabilities (employees, patrons, members of the public, etc.)?				X	If yes, describe:
21. Do you have any employees, volunteers or interns with disabilities at your site (if known)?		X			
22. Have you provided training or information to your staff regarding the requirements of the Americans with Disabilities Act?		X			If yes, describe:

<b>QUESTION</b>	<b>YES</b>	<b>NO</b>	<b>DK</b>	<b>NA</b>	<b>COMMENTS</b>
23. Do you have any volunteers or interns?		X			
24. If you have volunteers or interns, have they received training on providing services or activities for individuals with disabilities?				X	
25. Would you like additional training regarding the Americans with Disabilities Act?		X			
26. Does your site offer any exemplary programs or services for individuals with disabilities?		X			If yes, describe:
27. Have you received any awards or special recognitions regarding programs or services for individuals with disabilities?		X			If yes, describe:
28. Do you have any construction or remodeling projects currently underway or planned for the next 5 years?		X			If yes, describe:
29. Do you already have an Accessibility Survey or report for your site or the sites for which you are responsible?		X			If yes, please attach to the survey.
30. Other Comments (if more space is needed, please write on the back of the survey or attach additional sheets):					

**Town of Oak Bluffs - Americans With Disabilities Act Survey For Island Residents, Individuals with Disabilities or Any Interested Individuals that Wish to Participate**

1. What is your relationship to the Town of Oak Bluffs? (check all that apply)
  - a. Resident and on the Personnel Board
  - b. Employee – Oak Bluffs Library
  - c. Employee - Oak Bluffs Library
2. Check all programs, services or activities in which you participate at the facility, site or location.
  - a. Meetings
  - b. Classes, meetings, seminars, recreation and work (Employee)
  - c. Work (Employee)
3. Do you know who to contact if you need assistance, have a concern or complaint, or need an accommodation to access a facility, service or event?
  - a. HR Director, Town Administrator
  - b. Yes – (No name listed)
  - c. Yes – (Illegible name listed)
4. Have you ever requested an accommodation for a disability from the Town of Oak Bluffs?
  - a. No
  - b. No
  - c. No
5. If an accommodation was requested, was your accommodation made by the Town of Oak Bluffs?
  - a. N/A
  - b. No response provided
  - c. N/A
6. Have you experienced any barriers, non-accessible areas, or non-accessible programs? (Examples: no accessible parking spaces, difficulty reaching an accessible entrance, steep ramps, uneven sidewalks, need for assistive listening device, large print, etc.)
  - a. No
  - b. No
  - c. No
7. Have you attended any special events in the Town of Oak Bluffs?
  - a. No response provided
  - b. Yes
  - c. Yes
8. Is accessible seating provided for individuals with disabilities at meetings, classes, programs, etc. held at the facility?
  - a. No response provided
  - b. Yes
  - c. Don't know

9. Are you aware of any programs, services or activities that are not accessible to individuals with disabilities?
  - a. No response provided
  - b. No
  - c. No
10. Are you aware of any areas or elements of the facility that are not accessible to individuals with disabilities?
  - a. No response provided
  - b. No
  - c. No
11. Is information provided regarding accommodations, auxiliary aids (such as assistive listening systems, interpreters, alternate formats, specialized equipment, or assisted services, etc.?)
  - a. N/A
  - b. Yes – “Information is provided but perhaps additional information could be provided. It’s hard for me to say”
  - c. Don’t know
12. Is there adequate directional and informational signage provided at the facility?
  - a. N/A
  - b. Yes
  - c. Yes
13. If you have requested auxiliary aids, an interpreter or specialized equipment, was your request accommodated?
  - a. N/A
  - b. N/A
  - c. N/A
14. Has the attitude of the staff of the Town of Oak Bluffs towards you or someone you know with a disability been generally helpful, supportive, positive and proactive in solving accessibility issues?
  - a. N/A
  - b. N/A
  - c. Yes
15. Other comments:
  - a. No response provided
  - b. “Lights are needed in the Oak Bluffs downstairs parking lot.” And “an automatic door should be put in for the outer door as well.”
  - c. No response provided
16. What do you feel is the highest priority in the Town of Oak Bluffs’ Accessibility Plan?
  - a. No response provided
  - b. No response provided
  - c. “Easy accessibility for folks with disabilities in terms of accessing our building and in accessing our resources.”



# TOWN OF OAK BLUFFS

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POST OFFICE BOX 1327, OAK BLUFFS, MA 02557  
TELEPHONE : 508 693 3554

## Americans with Disabilities Act Notice

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Oak Bluffs will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The Town of Oak Bluffs does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

**Effective Communication:** the Town of Oak Bluffs will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** The Town of Oak Bluffs will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a Town program, service, or activity, should contact the office of the Assistant Town Administrator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Oak Bluffs to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Town of Oak Bluffs is not accessible to persons with disabilities should be directed to Wendy Brough, Assistant Town Administrator  
Email: [wbrough@oakbluffsma.gov](mailto:wbrough@oakbluffsma.gov) Tel: 508 693 3554 ext: 149

The Town of Oak Bluffs, will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.