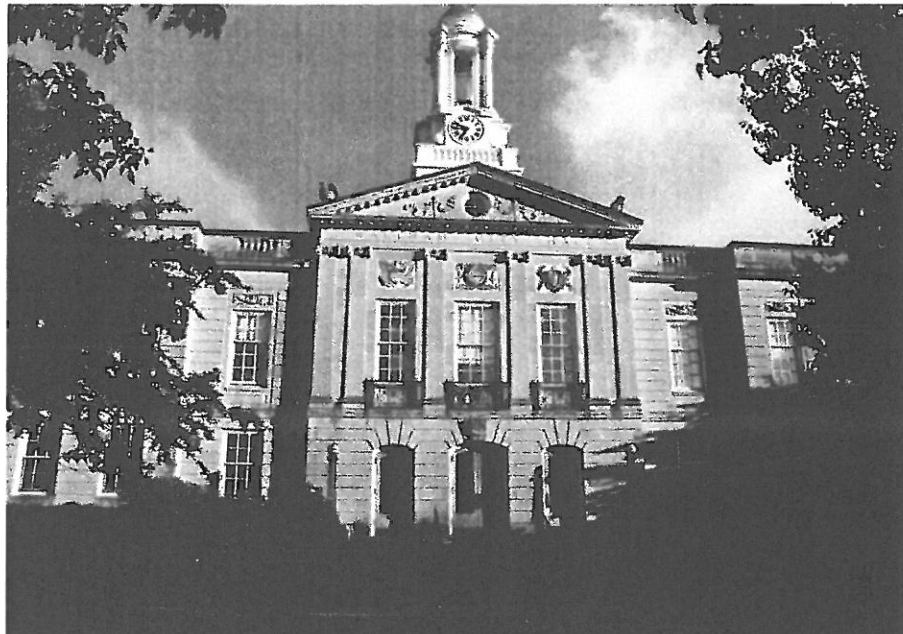
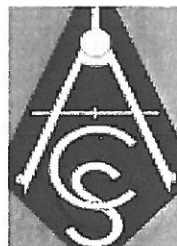


**CITY OF WALTHAM
SELF EVALUATION AND TRANSITION PLAN**



PRESENTED TO:

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Waltham, MA 02451



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City of Waltham’s
Self-Evaluation & Transition Plan

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1. Introduction

Based on its commitment to make its programs and services accessible to persons with disabilities, the City of Waltham (City”) has taken the steps to conduct a self-evaluation and prepare an ADA transition plan of select facilities and services, programs and activities offered in these facilities. The federal regulations require government agencies to review their programs, services and activities to ensure compliance. The goal is to ensure the City’s programs, services and activities, and policies and procedures comply with the requirements of Title II of the Americans with Disabilities Act, 28 C.F.R. Part 35.

Title II of the ADA has a general requirement of non-discrimination on the basis of disability. To achieve its goal of furthering accessibility, the City is taking a two fold approach, assessing services, activities, the policies and procedures addressing said programs, and assessing the facilities where such services are offered. The result of the assessment is specific non-structural (programmatic steps) and structural modifications to facilities. The scope of this assessment includes both non-structural and structural modifications, that imply changes to programs services and activities, policies and procedures, and facilities where the programs services and activities are offered.

The City’s policies and procedures, programs, services and activities, administered by the Divisions and Departments were assessed for compliance following the guidance provided by the Department of Justice – “ADA Toolkit for State and Local Governments” of Title II of the ADA. The self-evaluation highlights potential deficiencies and areas to be improved based on the checklist.

The areas included under the scope of the evaluation are:

1. City of Waltham Policies and Procedures
2. City of Waltham Divisions & Department’s - Programs, Services and Activities

During the transition plan development, proposals and alternatives are analyzed, selected, drafted, prioritized designating an official responsible, and establishing a schedule for compliance. The different steps of the process are to create an inventory of programs and services administered by the divisions and departments, evaluate the programs and services through a questionnaire, have meetings and interviews, to discuss the findings, issue comments, develop drafts, submit for review, finalize the DRAFT, submit for public comment and then incorporate comments into a final version.

1.1 PROJECT SUMMARY

The project goal was to update the ADA transition plan for the City of Waltham ("City"). The scope of work was limited to 4 Facilities listed in (Attachment A) provided by City of Waltham at the beginning of the project and the policies and procedures. The criteria utilized was based on the 2010 ADA Standards for Accessible Design, the survey followed the protocol established by the U. S. Access-Board utilizing the ADA Checklist for Existing Facilities issued by the Institute for Human Centered Design (www.ADAchecklist.org) and the DOJ ADA Best Practices Tool Kit for State and Local Government), and the ADA title II Action Guide. Title II of the ADA requires the following:

- Conducting a self-evaluation
- Designate an ADA coordinator
- Establish a complaint procedure
- Develop a transition plan. Retain the plan for 3 years (entities having more than 50 employees).

The Policy and Procedure Review included the following items:

General Policies and Procedures

Department Specific:

There were 4 City owned and/or maintained facilities included in the scope of work. The survey was performed by ACS trained and certified personnel on September 2014. The facilities were inspected for accessibility compliance and to provide a transition plan that describes the remedial work necessary for compliance.

The data gathered in the field was uploaded into the office network as raw data. An analysis of the information captured compared against the technical criteria contained in the ADA requirements determines the proposed correction that are based on said accessibility requirements. The data was analyzed to determine the remedial work necessary to mitigate the deficiency, the alternatives for the solution, the priority, severity of the deficiency, level of difficulty and reviewed through a quality control/quality assurance process to verify accurateness of the proposal.

Under ADA Title II requirements the City must make its programs and services accessible to persons with disabilities. A matrix evaluating the facilities was used determine the priority. Based on the priorities a schedule for mitigating the barriers has been established as short term, medium and long term. The deficiencies identified within the facilities are prioritized in 4 pre-defined categories established by the Department of Justice for barrier removal in facilities. The priorities are indicative of the level of difficulty and remedial work necessary to mitigate the barriers. The Deficiency Rating is structured as follows:

Priority 1: Access to the facility – i.e. accessible routes and accessible parking spaces, level of difficulty 1, implies A/E/C implies retaining the services or an architect, engineer or contractor to perform remedial work on exterior site grading, paving, asphalt, concrete work, etc.

Priority 2: Accessible route throughout the facility – changes of level in interior door threshold, removing protruding objects, maneuvering clearances at doors, implies miscellaneous work from A/E/C category to mitigate a maneuvering clearance at the door, to simple maintenance removal of protruding objects along corridors.

Priority 3: Accessible restrooms – implies Architect, Engineering or Contractor involvement if restrooms need to be reconfigured, maintenance work if it is relocating mirrors, wrapping pipes, etc.

Priority 4: Access to goods and services within the facility – generally implies maintenance work such as relocating furniture, lowering accessible elements such as coat hooks, dispensers, etc.

Based on these priorities a schedule was established. The schedule must be interpreted as a flexible schedule that serves as a guide, where depending on future Capital Improvements Projects the ADA improvements can be incorporated in a cost efficient manner. The schedule must be financially feasible to the City of Waltham. In addition if there is a resident that request ADA improvements, at any facilities, it should be addressed as a reasonable accommodation or be incorporated into the general schedule.

The Official Responsible for mitigating the barriers to access in the facilities is determined primarily by the type of facility and the type of the barriers. Barrier encountered within the recreational facilities are assigned to the Parks and Recreation Department. Within the facilities, the categories considered for the official responsible depend on the level of difficulty, for items the categories included are in-house, sub-contractors and A/E.

Basis of Cost Estimate

The preliminary budget for the transition plan was established based on information provided by the City, such as the facilities and standard prices for remedial work typical contractor cost to mitigate such work. The total cost is incorporated into the transition plan to determine the preliminary take-off budget. For the purpose of project planning, the cost can be isolated per segment/sidewalk to determine the funds allocated to each project. The Basis of the Cost Estimate is the following:

Estimate Class:	CLASS 5
Level of Project Definition:	0% to 2%
End usage:	Conceptual (Order-of-Magnitude)
Accuracy Range:	Low: -20% to 50%; High: +30% to +100%

The Source of the Cost Data is based on a combination of sources that include actual material take-offs and contractor quotes, but primarily from Means ADA Compliance Pricing Guide, Public Works Costbook (BNI), and FDOTD Master Pay Items.

Estimate Assumptions:
Description of Mark-up & Add-ons:

Design Contingency:	0.00%
Standard General Conditions:	0.00%
Government General Conditions:	0.00%
Contractor Overhead:	7.00%
Contractor Profit:	8.00%
State Tax:	7.00%
Contracting Method Adjustment:	0.00%
Annual Inflation escalation Factor:	3.00%

The City can utilize this budget as a baseline to determine the scheduling of the ADA transition plan. It is anticipated that the City must commit to allocating funds to mitigate ADA barriers identified in the transition plan within three phases, short term (0-1 years), medium term (1-2 years) and long term (2 -3 years). If other funding sources are available the schedule can be modified by incorporating it into upcoming projects. The City's goal should be to incorporate the transition plan with current and on-going Capital Improvements Projects, thus making the implementation cost efficient and feasible.

ADA Transition Plan

The ADA Transition plan incorporates the minimum features required by Title II of the ADA, identifying physical obstacles in the facilities that limit the accessibility of the programs and services offered in the facilities, describing the methods to mitigate the deficiencies, specifying a schedule for taking the steps to make the facilities accessible and indicating the official responsible for implementation of the plan. In addition to the minimum requirements, the ADA transition plan is complemented by a preliminary budget cost estimate for the remedial work that correlate all of the cost in a schedule for implementing the changes. The transition plan requires structural and non-structural changes. Structural changes are physical changes to facilities and non-structural changes are changes to policies and procedures to accommodate disabilities.

The ADA Transition Plan Update contains information to assist City in implementing the plan such as the name of the facility, the address, the location of the barriers, the description of the deficiencies, the code section and the proposed remedial work, the official designated, a schedule to implement the remedial work of deficiencies and a firsthand cost estimate for planning purpose. The following is a description of the information contained in the ADA transition Plan. The number in the first column is a unique identifier or reference number assigned to the physical obstacle, the Deficiency is the description of the architectural barrier to access identified in the City's facilities in Attachment 1. The barriers to access are based on the ADA standards. The code section refers to the code section of the ADA associated with the barrier to access. The proposed correction is the ADA requirement for the barrier. The reports have Photo Reference to complement the spreadsheet information. Additionally a typical ADA figure is included as referenced in the "Proposed Correction". It is understood that the ADA figures are simply a guide and shall not be interpreted as a final detail or construction document.

The Status column can be used while the plan is being implemented to monitor the improvement and update the improvements completed. The Status column can incorporate information such as Capital Improvement Projects for the purpose of assigning the improvement work with any on-going/future projects. The comments column can aide the City in documenting any technical

infeasibility/structural impracticability/ or undue financial and administrative burden reason relating to the improvements, or any general project comments.

The ADA transition plan for non-structural modifications is presented as recommendations for the general policies and procedures. The ADA Transition Plan for structural modifications is presented in 2 types of reports, one for the *Summary* of all the improvements for all of the facilities and one *Assessment* for each one of the facilities that contains the remedial work for that specific facility.

The *ADA Transition Master Plan* is a summary of the cost per each one of the facilities to schedule the remedial work per year and view the overall financial impact to the City. In addition it has columns for Status and Comments to include notes such as future Capital Improvement Projects. At the end of the report there is a cell that has the total dollar value of all the improvements for all of the facilities including an increment for Architectural and Engineering fees.

The *Accessibility Assessment Report* is a comprehensive inventory of deficiencies that describes the barriers to access in each one of the facilities. The Assessment Report includes the following: Identifier (ID), Location, Deficiency (a text description of each architectural barrier), Code, Proposed Correction (to mitigate the barrier), Photo Number, Cost, Priority, Schedule and Official Responsible. In addition it has columns for Status. At the end of the report there is a cell that has the total dollar value of all the improvements for the facility and an increment for Architectural and Engineering fees.

The ADA has a general prohibition against discrimination in programs and services. Section § 35.151(e)(1) and (2) specifically requires making programs and services accessible to persons with disabilities. This transition plan update is provided to fulfill the requirement to perform a self-evaluation of programs, services and activities. The measures imply structural and non-structural means to achieve compliance. The ADA Transition Plan focuses on the structural and non-structural means that are necessary to achieve compliance. This study is an assessment of the City facilities that contains the corresponding evaluations, proposed remedial work, and costs for the solutions. In addition to these steps the City has already taken non-structural steps to achieve compliance such as designating the ADA coordinator, establishing a grievance procedure/compliant procedure, and verifying that effective communication is achieved. The grievance procedures provides a mechanism for submitting complaints, a timely response, appeal procedures, recordkeeping and alternative solutions in the most integrated settings.

ACS verified compliance of City's programs and services policies and procedures, addressed reasonable accommodation request of barriers encountered in the City programs and services. The comments issued were related to general policies and department specific policies. The main recommendation is to establish alternative formats and methods to achieve effective communication with residents. The forms posted on-line for residents to submit request were reviewed as part of the policies and procedures and recommendations were provided as necessary. This does not imply that filling out the request form is the only means of requesting an improvement, it is only a tool to track the request, create a response and a solution to the barrier identified. It must be noted that the general findings in the facilities are:

- Many facilities had minor deviations from ADA technical requirements
- Older facilities require major improvements

Along with the ADA transition plan efforts the City is invited the public to meetings allowing residents to express their opinion and voice concerns. This provides feedback from the residents to be incorporated into the ADA transition plan. The plan should be available to the public, and it can be posted on the City's website for a period of three years if the facility has over 50 employees. The City should perform public outreach and support the creation of an ADA committee composed of advocacy groups, business community and interested parties that can have a positive impact on the ADA transition plan.

The City has the option of achieving compliance through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities. The City is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. In making alterations to existing buildings, shall meet the accessibility requirements of § 35.151. City of Palm Coast shall verify that all new construction is fully compliant with the ADA standards unless it is technically feasible. All alterations must meet the ADA to the maximum extent feasible. The existing facilities must meet program accessibility, that is when viewed in its entirety it must be accessible to persons with disabilities. In choosing among available methods for meeting the requirements of this section, the City shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate.

Based on program accessibility not all barriers within the facilities are required to be compliant when alternative program access solutions can provide. Remedial work proposed in the ADA transition plan may not be technically feasible due to site constraints and/or may represent an undue financial and administrative burden, in which case alternative solutions must be offered so long as it does not fundamentally alter the service and/or it does not represent an undue financial and administrative burden. In addition, because some items were part of existing construction the items were deemed within construction and manufacturing tolerances per ADA Section 104.1.1 When performing the remedial work outlined in the ADA transition plan the primary requirement established by the ADA for public entities are making its programs accessible to persons with disabilities. As such the programs and services should be the general priority and governing document. The ADA transition plan update is an indication of the current features of the facilities that need improvement, and it should be considered as a long term roadmap to achieve accessibility within the City's programs and services, that should be incorporated when performing alterations to the facilities as long as it can be included within the scope of work of the alterations. The City must document as necessary to determine what constitutes an undue financial and administrative burden.

Based on this study it is necessary for the City to allocate \$237,822.31 for the ADA Transition Plan Update during the Fiscal Years 2017 through 2020 towards accessibility improvements in the programs services and facilities. The goal of the ADA Transition Plan should be to mitigate all the barriers to access in the facilities in the shortest time feasible. Based on the financial resources of the city it has been determined that the transition plan will be phased in 3 years and some of the work will be done in-house while other work will be outsourced. For the complete breakdown of fund allocation please refer to the ADA Title II Transition Master Plan. The summary of the funds is as follows:

Period	Funding
Fiscal Year: 2017-2018	\$16,405.00
Fiscal Year: 2018-2019	\$155,445.37
Fiscal Year: 2019-2020	\$84,251.73
A/E Fees	\$21,620.21
Total	\$237,822.31

Finally the City should continue with ADA improvements on their programs and services depending on available funding, based on the number of years to complete the improvements as necessary. Areas not included in the scope of this work that should be considered are emergency management and public rights-of-way, where a self-evaluation of facilities and internal design standards, and an ADA transition plan for construction in compliance with standards promote achieving program accessibility within emergency management and public rights-of-way. It must be understood that the maintenance and upkeep of features in the public rights-of-way is a shared responsibility between the City, State and or local agencies.

Accessibility compliance is an on-going obligation, as part of that on-going obligation the accessible features on the facilities must be kept in operable working conditions. An assessment of services, programs and activities that are modified or new should be conducted on yearly basis. Temporary disruptions in programs and services should offer alternative programmatic solutions. The ADA transition Plan is a “living document” that should be monitored and updated at a minimum on yearly basis throughout the implementation thus ensuring new projects and completed projects are incorporated and to gauge accessibility improvements in the programs and services. The City has already initiated changes to improve accessibility throughout its programs and services; therefore the purpose of the transition plan is to channel the efforts towards the goal of increasing accessibility in its programs.

2. Legislative Mandate

The City of Waltham, as a Title II agency is subject to the regulatory framework of Title II of the ADA section 35.105 that requires the following:

- Designate an ADA Coordinator
- Establish a Grievance Procedure
- Provide effective communication and Telecommunication Devices for the Deaf (TDD)/Teletypewriter (TTY) (referred to in this document as TTY)
- Conduct a self-evaluation of services, policies, and practices for compliance with requirements with this part
- Provide opportunity to interested persons including individuals with disabilities or organizations representing individuals with disabilities to participate in the self-evaluation process by submitting comments
- If the agency has complied with the self-evaluation requirement implementing section 504, the requirements only apply to the policies not included in previous self-evaluation
- If the public agency has more than fifty employees it must maintain the evaluation available to the public for a period of three years
 1. The persons consulted
 2. Description of the areas examined and problems identified
 3. Description of modifications made

3. Services, Activities and Programs Evaluation

The City's services, activities and programs, and policies and procedures administered by the Departments were assessed for compliance following the guidance provided by the Department of Justice – "ADA Toolkit for State and Local Governments" of Title II of the ADA. The self-evaluation highlights potential deficiencies and areas to be improved based on the checklist. The facilities were inspected following the protocol established by the U. S. Access-Board following the ADA Checklist for Existing Facilities issued by the Institute for Human Centered Design (www.ADAchecklist.org)

The areas to be included under the scope of the evaluation are:

1. Non-Structural Barriers:
 - a. Programs, Services and Activities
 - b. Policies and Procedures
2. Structural Barriers (see accessibility compliance assessment reports):
 - a. Government Center Offices
 - b. Council on Aging
 - c. Public Library
 - d. City Hall

During the transition plan development, proposals and alternatives for the improvement areas are analyzed, selected, drafted, prioritized designating an official responsible, and establishing a timeframe for compliance. Throughout the different phases the process is to create an inventory, submit questionnaires to determine the current status, have

meetings and interviews to discuss the findings, issues comments, develop Drafts submit for review from Departments, finalize the DRAFT, submit for public comment and then incorporate into Final. Below is an analysis of non-structural barriers of services, activities and programs based on the response to questionnaires submitted per department.

The Americans with Disabilities Act, 28 C.F.R. Part 35, 35.101 *Purpose* has a general prohibition against discrimination on the basis of disability by public entities. The City has taken actions to comply with requirements of Title II of the ADA. To that effect the City has implemented policies at the City level that all Departments and personnel must adhere. The City has already taken the following steps:

- Created a City of Waltham Notice of Non-Discrimination
- Designated an ADA Coordinator
- Established a "Complaint and Grievance Procedure" with its corresponding Form
- Established a "Reasonable Accommodation Request Procedure" with its corresponding form
- Includes on its postings, publications and advertisements, a notice to provide reasonable accommodations
- Offering materials in alternative formats such as large prints and Braille that are available upon request
- Contract with a list of vendors that provide auxiliary aids and services
- The City's contract with third party vendors has language stating that vendors must comply with ADA requirements
- The City has appointed the Accessibility Task Force
- The City utilizes a TTY (781) 314-3439
- The City has implemented the "Waltham Emergency Alert Signup"

In an effort to comply with the Americans with Disabilities Act requirements, the City has issued the following Policies and Procedures, and Forms:

- City of Waltham ADA Policy DRAFT 2011 REVISED 101614
- Appearance Policy DRAFT
- Bereavement Policy DRAFT
- CORI Policy FINAL
- Drug and Alcohol Policy FINAL 2010

Government Center Offices: 119 School Street

Planning Department - Conservation Commission

The Waltham Conservation Commission is an appointed board of seven local residents whose primary charter is to protect the City's natural resources in a regulatory and advisory manner. The Commission is also concerned with environmental planning, accepting gifts of land and money for conservation purposes, acquiring grant money for acquisition of open space and advising other city boards on environmental concerns.

These are the programs and services provided:

1. Permits for the Massachusetts Wetlands Protection Act
2. Maintains Stored Conservation Land

The Waltham Conservation Commission prepares audiovisual or televised presentations for the public through the Waltham Cable Channel – MACC TV

Findings:

- It is unclear if closed captions are provided
- It was indicated that auxiliary aids and services are not provided
- The notice for accommodations is not provided for meetings
- The staff has not received training to accommodate persons with disabilities

Actions:

- Department must adhere to City policy and provide auxiliary aids upon request
- Implement training when hiring, and at least once a year addressing accessibility compliance.

Planning Department - Housing Division

The Housing Division is responsible to maintain the City's economic diversity to improve the physical, social, economic and housing environments for Waltham's low- and moderate-income residents.

These are the programs and services provided:

1. CDBG Housing Rehabilitation Loan Program
2. CDBG Housing Hazard Abatement Program

The following are the published documents: Rehab Loan application and guidelines, Home TBRA application and guidelines & Analysis of Impediments to Fair Housing.

Findings:

- There is no provision to provide these documents in an accessible format, and individuals with disabilities are not portrayed in publications
- Website does not include information about the accessibility of facilities where programs are offered, and it does not meet federal accessibility standards for electronic and information technology
- Auxiliary aids and services are not provided, and staff has not received any training regarding providing adequate customer service to the individuals with disabilities. The Housing Division does not notify persons about any special procedures used for individuals with disabilities

Actions:

- The Department should follow the City's general policy for providing alternative formats and auxiliary aids and services
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of documents in alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe
- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility

Planning Department – Community Development Block Grant Program (CDBG)

The Community Development Block Grant Program is responsible to enhance and preserve opportunities for healthy/sustainable environments that contribute to a high quality of life for all people who live, work and visit the City. The CDBG program, administered by the United States Department of Housing and Urban Development (HUD) provides funds around the country to develop viable urban communities.

These are the programs and services provided:

1. Community Development Block Grant: federal program to invest funds in eligible projects or services that fit within HUD goals & five year plan for Waltham
2. General Planning Requests from the Mayor or City Council
3. General Customer Support

Findings:

- The website doesn't meet federal accessibility standards for electronic and information technology
- The notice to provide accommodations does not stipulate any time frame to meet accommodations

Actions:

- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility
- Verify that accommodations can be met in a timely manner

Planning Department - Stonehurst, The Robert Treat Paine Estate

Stonehurst, the Robert Treat Paine Estate, owned by the City of Waltham, is an icon of American design, and is open to the public for tours or event rentals. The building is an accessible public facility with two levels of exhibits.

These are the programs and services provided:

1. Rental of a municipally owned National Historic Landmark property for weddings and other special events
2. Self-guided and guided tours of the property to the public. Brochures and text panels provide information on the property to self-guided visitors
3. Public educational programs and school programs on site at the property
Educational lectures such as lectures or family events with children's activities
Partners with Public School on field trips for every third-grade student each Spring
4. Civic events on site at the property

The following are the published documents: Agreement for the Use of Stonehurst, the Robert Treat Paine Estate (rentals), Application to Request Permission for Site Use/Project, Stonehurst, the Robert Treat Paine Estate and Storer Conservation Lands (grounds) & Volunteer Release and Agreement to Indemnify the City of Waltham (volunteers).

Findings:

- Website doesn't include information about the accessibility of facilities where programs are offered, and it doesn't meet federal accessibility standards for electronic and information technology
- Individuals with disabilities are not featured in publications
- Auxiliary aids and services are not provided and staff has not received any training regarding providing adequate customer service to the disabled community
- There is no provision to provide documents in alternative formats

Actions:

- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility
- The Department should follow the City's general policy for providing alternative formats and auxiliary aids and services
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of document sin alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe
- Establish outreach to organizations and members of the community with disabilities

Planning Department - Historic Preservation

The Waltham Historical Commission is a seven member board that works to preserve, promote, and develop the historic assets of Waltham for present and future use. The commission reviews potential alterations and demolitions of historic properties, assessing their impact on the historic landscape of the city.

These are the programs and services provided:

1. Supports Waltham Historical Commission (WHC)
2. Intake for WHC
3. Office Customer Service
4. Responds to customer requests via email, phone or onsite. If approvals are required by WHC, an information packet is provided to WHC Chair.
5. The Waltham Demolition Delay Permit is also customer active from the Building Department requesting WHC review the address for a determination of historical significance to trigger demo delay.
6. Historical team responds to a wide range of customer queries and provides information and assistance as required

Findings:

- Website doesn't include the programs provided, and it does not include information about the accessibility of facilities where programs or services are offered. It doesn't meet federal accessibility standards for electronic and information technology
- Additionally persons with disabilities are not featured in publications
- Auxiliary aids and services are not provided and staff has not received any training regarding providing adequate customer service to the disabled community

Actions:

- The Department should follow the City's general policy for providing alternative formats and auxiliary aids and services
- The website should follow section 508 guidelines for web accessibility
- Implement training when hiring, and at least once a year addressing accessibility compliance
- Establish outreach to organizations and members of the community with disabilities

Health Department

The Health Department is responsible for protecting and improving the health of all Waltham residents.

These are the programs and services provided:

1. Food Service Inspections
2. Housing Inspections
3. Environmental Inspections
4. Infectious Disease Monitoring
5. Ensuring compliance of all state and federal regulations.

The Board of Health Agenda is the only published documents. There is no provision to provide this document in an accessible format, and individuals with disabilities are not portrayed in publications.

Findings:

- Auxiliary aids and services are not provided and staff has not received training regarding providing accommodations to the disabled community
- The website doesn't meet federal accessibility standards for electronic and information technology

Actions:

- Department must adhere to City policy and provide auxiliary aids upon request.
- Implement training when hiring, and at least once a year addressing accessibility compliance
- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility

Engineering Department; Water, Sewer & Drain

The Engineering Department has record plans of the city's infrastructure, water, sewer and drain systems. This department administers the Infiltration and Inflow Mitigation Ordinance, the Illicit Discharge Detection Elimination Program, Stormwater Management Program and the Sump Pump Amnesty Program for the City.

These are the programs and services provided:

1. Provides water, sewer & drain service
2. Provides water & sewer billing
3. Permitting, drainage/storm drain, infiltration & inflow
4. Provides technical expertise, maintains records and plans for other city departments
5. Public service provider responds to constituent, customer requests, and works with other departments on city projects

6. Publishes the following documents: permit applications & water and sewer bills

Findings:

- There is no provision to provide these documents in an accessible format
- Auxiliary aids and services are not provided and staff has not received training regarding providing adequate customer service to individuals with disabilities
- Additionally, this department uses outside consultants, but it is unclear if these consultants are aware of their obligation to facilitate participation of individuals with disabilities in programs or activities operated on behalf of the department. This only applies if these consultants interact with the public

Actions:

- Prepare a toolkit for vendors so that in addition to the language that is currently included in contracts, vendors are aware of requirements of the ADA

Traffic Department & Parking Meters Division

Traffic Engineering is responsible for traffic control through the use of traffic signs and pavement markings; planning and design of operational improvements; investigation and improvement of safety and capacity needs as identified through public contact and staff studies; collection of transportation data; monitoring and improving traffic signal system. This office works under the direction of the Waltham Traffic Commission.

Parking Meters is responsible for the installation and collection of parking meters, enforcement of all metered on-street parking and all City owned parking lots. They ensure the availability of short-term, on street parking spaces to support retail and commercial business throughout the City of Waltham. Enforce parking meter, loading zone, bus stop, crosswalk and handicap parking violations. This division is under the direction of the Traffic Engineer. These departments produce the Traffic Commission Rules & Regulations.

Findings:

- There is no provision to provide documents in accessible formats. Persons with disabilities are not featured in publications
- Traffic commission meetings are televised on local TV cable channel, but closed captions are not provided
- Auxiliary aids and services are not provided and staff has not received any training regarding providing adequate customer service to the disabled community
- Website does not include information about the accessibility of facilities where programs or services are offered, and it does not meet federal accessibility standards for electronic and information technology

Actions:

- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility

Veteran's Services Department and Licensing Department

The Veterans' Services Department aids, assists, advises, counsels, files claims and explores every avenue of resources and revenue available to the veteran and their dependents. The office of the Waltham Board of License Commissioners assists

applicants for licenses, as well as existing licensees, with any matters pertaining to licenses, rules and regulations of the Waltham Board of License commissioners and the Alcoholic Beverages Commission. It also issues One-Day Alcohol Permits, Coin Operated Amusement Device Licenses and Entertainment Licenses.

These are the programs and services provided:

1. Chapter 115: veterans financially indigent homeless
2. Liquor Transfers & new licenses: licenses alcohol, food, entertainment

Findings:

- Website doesn't meet federal accessibility standards for electronic and information technology, and persons with disabilities are not featured in publications
- Auxiliary aids and services are not provided and staff has not received any training regarding providing adequate customer service to the disabled community
- All public events need to ensure full participation of individuals with disabilities
- There is no process in place to respond to requests for modification that would allow individuals with disabilities to participate in programs

Actions:

- The Department should follow the City's general policy for providing alternative formats and auxiliary aids and services
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of document sin alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe
- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility

Building Department

The Building Department provides state building code, City zoning, and architectural access board enforcement. The Building Department is also a keeper of public records. The Department stated that it can on a case-by-case basis alter policies that can limit participation by individuals with disabilities.

Findings:

- The Department indicated that it does not have a process for responding to request for modifications
- The Department does not notify persons of the right to participate in programs
- The Department's documents that are available for download are not available in accessible formats
- The Department does not utilize TTY or relay service to communicate with persons with hearing disabilities

Actions:

- The Department should follow the City's general policy for providing alternative formats and auxiliary aids and services
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of

document in alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe

Buildings Maintenance Department

The Public Building Department is responsible for maintenance of public buildings, capital improvement, repair, cleaning and operation of buildings and facilities. The Department does not have much interaction with the public.

Findings:

- The department is responsible for maintenance of public buildings
- The department does not receive request for accommodations from public

Actions:

- Establish a process to streamline request for accommodations that are feasible for the Department to make modifications to facilities as received from the public
- Train maintenance personnel in how to maintain in operable working conditions and compliance with accessibility standards. For example, when replacing hardware, install accessible hardware, install accessories such as paper towel dispensers and soap dispensers at accessible location and within accessible reach ranges, when replacing equipment, ensure new equipment provides accessibility features

Law Department

The Law Department, consisting of the City Solicitor and Assistant City Solicitors, acts as the legal advisor for the Mayor, City Council, School Committee, and all departments, boards and commissions of the City of Waltham. The Law Department **does not** provide legal advice to private citizens.

Personnel Department

The Personnel Department establishes and maintains all procedures for hiring of City employees; develops and submits recommendations for employment-related policies and procedures; maintains employment-related records; maintains compliance with all applicable federal/state and local laws.

The Human Resources Director shall perform all duties required of the Affirmative Action Office/Equal Employment Opportunity Officer and ADA Coordinator. The Human Resources Director, also acts as the Workers Compensation Agent, responsible for all administration and oversight of the of the City's Workers Compensation program.

Wires Department

The primary mission of the Wires Department is to protect the citizens of Waltham by inspecting all wiring performed by licensed electricians, under permit. Those installations are required to meet the standards set forth in the Massachusetts Electrical Code.

The Wiring Inspectors works with licensed electricians as well as homeowners to provide the citizens and properties in Freetown with the highest level of public safety possible.

Council on Aging – 488 Main Street

Waltham Council on Aging coordinates and carries out programs designated to meet the problems of the aging in coordination with the programs of the Department of Elder Affairs.

These are the programs and services provided:

1. Fitness
2. Social Programs
3. Education
4. Nutrition
5. Crafts
6. Recreation
7. Transportation
8. Information and Referral

Findings:

- Website doesn't include information about the accessibility of facilities where programs are offered, and it doesn't meet federal accessibility standards for electronic and information technology
- Individuals with disabilities are not featured in publications
- Council on Aging staff has only received informal training regarding obligations and policies that enable persons with disabilities to participate in department programs and/or activities
- Additionally Council on Aging does not provide TTY

Actions:

- The Department should follow the City's general policy for providing alternative formats, auxiliary aids and services, and effective communication
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of documents in alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe
- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility
- Establish outreach to organizations and members of the community with disabilities

Public Library – 735 Main Street

The Waltham Public Library is a fully-funded community hub, fostering a healthy democratic society by providing a wealth of current informational, educational and recreational resources free of charge to all members of the community. A variety of formats have been selected to meet known and anticipated demand, strives to make the community aware of library services and materials, and endeavors to make those resources accessible to the community.

These are the programs and services provided at the Library:

1. Informational, recreational and educational materials and sources at no charge to library users

2. Informational, recreational and educational events & programs for all ages at no charge to library users
3. Assistance finding and using information and materials on all topics

Findings:

- The Library offers screen reading programs on PC's, closed circuit magnifier and has headphones that tap into an amplification system in Lecture Hall. The staff is trained in the use of TTY
- Some of the Library's policies might have an indirect effect of excluding or limiting the participation of individuals with disabilities. Current policies do not allow shouting, talking or singing loudly, and individuals with untreated mental illness that cannot stop behaving destructively
- Library's print mailings, emails, social media, news outlets, signs & library brochures states "Completely Handicapped Accessible", which is a derogative term.
- Documents and publications do not portray individuals with disabilities
- Printed material is only available to individuals with disabilities by screen reading program on PC's and closed circuit magnifier. It is unclear if electronic equipment available to the public is accessible
- The Library does not provide TTY, American Sign Language (ASL) interpreters, or Communication Access Real-time Translation (CART) services
- Website doesn't meet federal accessibility standards for electronic and information technology
- It is unclear for users how and who to contact to request auxiliary aids and services
- Library uses vendors to provide services to the community on their behalf; however, it is unclear if these consultants and staff are aware of their obligation to facilitate participation of individuals with disabilities in programs or activities operated on behalf of the library

Actions:

- The Department should follow the City's general policy for providing alternative formats, and auxiliary aids and services
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe
- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility
- Establish outreach to organizations and members of the community with disabilities
- Modify library policies to allow individuals with disabilities more time when using computer, use of special rooms so they do not interrupt others by being too loud, the use of headphones that amplify audible formats, the use of magnifiers and/or reading software or accessible technology such as JAWS, Open Book Computer Software, Duxbury Computer Software, Braille Embosser, audio files, readers, tablets, etc.

City Hall - 610 Main Street

Assessor's Department

Assessor's Office issues exemptions to City of Waltham residence according to chapter 59 and state guidelines. Elderly and disabled committee reviews applications which funds are awarded to home owners to be applied against their real estate tax bill.

These are the programs and services provided:

1. Elderly and disabled committee
2. Disabled veterans exemptions
3. Blind exemptions
4. Motor vehicle disability abatements

Findings:

- Some of the Assessor's policies might have an indirect effect of excluding or limiting the participation of individuals with disabilities, and due to state guidelines, these policies cannot be altered or eliminated
- This department prepares audiovisual or televised presentations for the public such as various city council meetings, Waltham cable access, mail and personal home visits. The presentations do not include captions
- Individuals with disabilities are not featured in publications

Actions:

- The Department should follow the City's general policy for providing alternative formats, and auxiliary aids and services
- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of document sin alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe
- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility
- Establish outreach to organizations and members of the community with disabilities

Auditor's Department

The Auditor's Department provides overall financial planning, accounting and budgeting for the City. The City Auditor is also responsible for the processing and the management of the payroll and accounts payable systems, including approvals of all bills/payrolls and contracts. The following are the published documents by this department: City annual budget and independent annual audit report

Finding:

- There is no provision to provide documents published in accessible formats, and individuals with disabilities are not featured in publications

Actions:

- The Department should follow the City's general policy for providing alternative formats, and auxiliary aids and services

- Documents issued by the Department should include a note stating that auxiliary aids and services, and alternative formats are offered upon request. Create a database of document sin alternative formats, such as electronic files. For lengthier documents establish a turnaround time with vendors to provide documents in a reasonable timeframe

Purchasing Department

The Purchasing Department purchases goods and services for all municipal departments including schools. The Purchasing Department establishes and administers the purchasing policies and procedures of the City and ensures that all purchases are made in accordance with state law and city ordinance, are open, fair and competitive, and are made at the lowest cost consistent with the quality and delivery required.

Finding:

- Website doesn't meet federal accessibility standards for electronic and information technology

Action:

- The website should follow Department of Justice Title II Checklist Chapter 5: Website Accessibility and section 508 guidelines for web accessibility

Treasurer/Collector Department

The City Treasurer/Collector is responsible for the daily management of all of the City's financial obligations as well as the administration of various programs and services.

Findings:

- There is no provision to provide tax bills in an accessible format, and staff has not received training regarding their obligation to facilitate participation of individuals with disabilities in programs or activities

Actions:

- The Department should follow the City's general policy for providing alternative formats and auxiliary aids and services
- Implement current training when hiring, and at least once a year addressing accessibility compliance

City Clerk

The City Clerk is the official record keeper for the City of Waltham. Records kept by the Office of the City Clerk include vital statistics (including birth, marriage, domestic partnerships and death) and business and professional certificates.

The City Clerk is also Clerk of the City Council and Chairman of the Board of Registrars of Voters. The Clerk is also responsible for overseeing the elections. The City Clerk is the official keeper of the City Seal and maintains general Ordinances and Zoning Ordinances as enacted by the City Council.

Mayor's Office

The Office of the Mayor coordinates and administers the operations of City government. The Mayor as the Chief Executive of the City is responsible for formulating policy with the advice of department heads, developing and improving organization and procedure to maximize effective performance of municipal government operation. The Office responds to all resident inquiries and issues regarding all aspects of city government. The Mayor also prepares the annual city budget, serves as the Chair of the School Committee, and represents the City in dealing with citizens, government agencies and other municipalities.

4. Policy and Procedures Evaluation

Americans with Disabilities Act (ADA) Policy DRAFT

Findings:

- The policy requires the grievant to submit the grievance to the Personnel Director if the grievant is not satisfied. The policy should not require the grievant to resubmit the grievance to a higher authority
- It is not clear if the City has contracted with vendors to provide alternative formats.
- It is not clear if all documents contain language stipulating that accommodations for persons with disabilities are available
- Under section *VI Complaints and Grievance Procedure* the procedure stipulates that "Anyone who feels that he or she has been discriminated against by the City of Waltham on the basis of race, color, national origin, sex, age, religious or political affiliation, physical disability" should be rephrased to "disability" as some disabilities are not physical

Actions:

- There should be an internal mechanism for forwarding the grievance to the superiors and the ADA Coordinator to handle all grievances
- Establish a pool of vendors that can accommodate request such as interpreters, Braille documents, American Sign Language, Communication Access Real-time Translation (CART), and other type of accommodations
- Include statement on all publications, invitations to meetings, website, brochures that states the following:
"If you are a person with a disability who needs special accommodations please contact the ADA Coordinator at _____, no later than _____ () calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "TTY number". And/or please submit the "Accommodation Request Form."

City of Waltham – Notice of Non-Discrimination

Findings:

- There are accommodations that require longer lead times, such as providing information in Braille
- It is not clear if the City has contracted with vendors to provide alternative formats

Actions:

- Providing Braille documents usually requires a longer time, so the time stipulated in the Notice might need to be reconsidered to allow for providing such information
- Establish a pool of vendors that can accommodate request such as interpreters, Braille documents, sign language, CART, and other type of accommodations

City of Waltham - Reasonable Accommodation Request Form

Findings:

- Per question 1, the form is primarily intended for employees and or applicants.
- The Form is entitled “Reasonable Accommodation Request Form”, it is understood that request should be reasonable. Under “Certification” the paragraph should be revised removing the term “reasonable”

Actions:

- There should be a Form for individuals with disabilities to submit an accommodation request, not only employees or applicants
- Consider modifying policy to inquire only functional limitation only if disability is not apparent
- The Form should be rephrased as Accommodation Request Form.
- It is convenient to maintain a log of requests made so the department knows how to handle request in the future

Effective Communication and Website Accessibility

Findings:

- The City does not have an effective communication policy
- The City does not have a web accessibility compliance policy
- Each page does not have “Skip” key/feature
- The illustrations do not contain appropriate text description/Alt tags
- Use of derogatory terms: handicap:
<http://www.city.waltham.ma.us/where>
Document: “Policy for Designated handicap Parking Spaces On Public Streets in Residential Areas”. The document consistently uses the term “handicapped” throughout
- Some of the videos do not include closed captions. For example the City Council videos located at: <http://www.city.waltham.ma.us/home/pages/streaming-video>
- There is no information regarding resources for residents with disabilities

Actions:

- The City should develop an effective communication policy
- The City should develop and post a web accessibility compliance policy
- The City’s website should be reviewed for accessibility based on ADA Title II Checklist for Accessible Website, Section 508 checklist
- Add appropriate alternative text that represents the content of the images and/or the function of the link
- Consider providing accessible documents in Word, HTML and PDF alternatives

- The website should designate and advertise an email address that allows individuals with disabilities the opportunity to post concerns or make requests for website accessibility
- Rephrase derogatory words and sentences used throughout the website and miscellaneous documents. Consider providing a resource toolkit for vendors that provides guidance on accessible policies and features

City of Waltham Policy Regarding Service Animals for People with Disabilities

- The Form is entitled “City of Waltham’s Police ...” correct as “policy”
- The policy is good, no other comments

5. Summary of Findings

This section of the Self-evaluation contains a summary of findings about the extent to which the City of Waltham’s policies and practices provide access to the City’s programs, services and activities.

Training

Not every City of Waltham employee who interacts with the public has been properly trained on the correct procedure to follow when an auxiliary aid & service is requested. Additionally employees and contractors have not been trained or are not familiar in operating TTY and Telephone Relay Service calls and in any other means of communicating over the telephone with individuals with a speech/hearing disability.

Policy & Procedures

Some Departments are not aware or do not have a clear understanding of the current policies and procedures for effective communication. Please refer to model policies.

Auxiliary Aids & Services

Not every department provides auxiliary aids and services. Some department heads indicated that TTY calls are not available within their department, and most departments do not have handsets, but it can be made available upon request. Also, a few departments provide electronic equipment to the public, which is not accessible.

Publications

City of Waltham does not provide closed caption or audio description for televised and broadcasted material which is intended for the public. Some of the departments/divisions indicated that documents and/or publications are not and could not be available to individuals with visual disabilities. The publications do not portray individuals with disabilities.

Vendors

Some of the departments utilize vendors, but it is unclear if these vendors are trained on how to provide accessible services when requested.