

# Evansville Metropolitan Planning Organization



## **Self-Evaluation and Transition Plan** Title II of Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973

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## **Purpose of the Self-Evaluation and Transition Plan**

The purpose of this document is to review the Evansville Metropolitan Planning Organization's (MPO) policies and practices for compliance with applicable provisions of Title II of the Americans with Disabilities Act (ADA) 1990 and Section 504 of the Rehabilitation Act of 1973.

## **About Evansville Metropolitan Planning Organization**

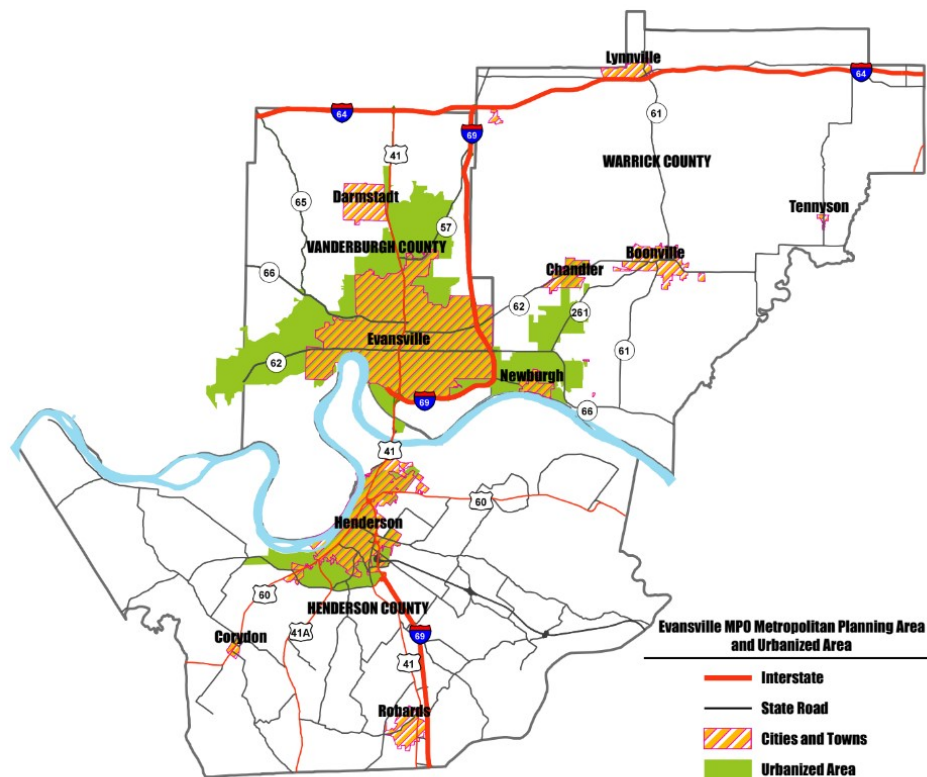
The Evansville MPO was established in 1969. Federal law requires that all urbanized areas over 50,000 residents establish Metropolitan Planning Organizations (MPOs) to undertake a Continuous, Cooperative and Comprehensive ("3-C") transportation planning process. As the designated agency responsible for conducting this planning process in the Evansville-Henderson urbanized area, the Evansville MPO facilitates transportation policy development, planning and programming in Vanderburgh, Warrick and Henderson counties, plus a small area of eastern Posey County. The planning process results in a long range (25+ year) Metropolitan Transportation Plan (MTP), and a short term (4 year) Transportation Improvement Program (TIP). The MPO transportation planning process undergoes a certification review by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) every four years.

The MPO is an independent policy body that is comprised of elected or appointed officials from the metropolitan area and representatives from state and local transportation agencies. The MPO Staff works alongside elected officials and staff from the member jurisdictions, as well as the Indiana Department of Transportation (INDOT), Kentucky Transportation Cabinet (KTYC), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA), to ensure that the transportation process is executed properly and the required planning documents are developed and implemented

## **Evansville MPO Jurisdictions**

City of Evansville  
City of Henderson  
Town of Newburgh  
Henderson County  
Vanderburgh County  
Warrick County

## **Evansville MPO Planning Area**



## **Introduction and Statement of Commitment**

ADA Title II regulations prohibit discrimination by public entities on the basis of disability. Section 504 regulations prohibit discrimination on the basis of disability in programs or activities receiving Federal financial assistance. As a recipient of federal funding, the Evansville MPO must comply with federal and state legislative regulations. Specifically, Title II of ADA and Section 504 of the Rehabilitation Act apply to all activities of state and local governments, including MPOs, and requires that government entities provide people with disabilities equal access to all programs, services, and activities. To ensure nondiscrimination and access for individuals with disabilities in MPO programs, services, and activities, the MPO must:

- Apply ADA Law and Section 504 Law, including providing accessibility to buildings and meetings, as well as policies, practices, and procedures
- Make reasonable changes to policies, practices, and procedures where necessary
- Make reasonable accommodations in order to communicate effectively with people who have hearing, vision, or speech impairments
- Appoint an ADA/504 Coordinator
- Provide an agency nondiscrimination statement
- Perform an agency self-evaluation of 1) policies and practices; 2) physical premises
- Develop a Transition Plan
- Provide assurance of compliance

The Evansville MPO is committed to complying with both the letter and spirit of the requirements set forth in Title II of the ADA and Section 504 of the Rehabilitation Act (ADA/504).

## **Non-Discrimination Policy Statement**

It is the policy of the Evansville MPO to ensure that no person shall, on the grounds of race, color, sex, age national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the MPO in accordance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and any other related non-discrimination Civil Rights laws and authorities.

## **Methodology for Self-Evaluation**

The Evansville MPO Title VI and ADA Coordinator, in consultation with the MPO staff developed this document. The Title VI and ADA Coordinator and MPO staff completed an evaluation of the MPO's premises and meeting locations, as well as an evaluation of the MPO's policies and practices. The Executive Director reviewed and made recommendations to the evaluation.

Mr. Matt Schriefer, AICP, Title VI and ADA Coordinator  
Mr. Seyed Shokouhzadeh, Executive Director  
Ms. Pamela Drach, Deputy Director

This document outlines the policies and procedures that the MPO uses to comply with ADA/504.

### **Title VI and ADA Coordinator**

The Evansville MPO's Title VI and ADA Coordinator performs the following tasks:

- Collaborates and coordinates Title VI and ADA compliance efforts with the rest of the MPO staff.
- Provides the annual Title VI and ADA compliance training to the rest of the MPO staff.
- Serves as the point of contact to the public on Title VI and ADA compliance issues. Contact information is provided in the publications and on the website.
- Monitors policies and procedures, practices and processes with respect to Title VI and ADA Compliance and identifies shortcomings in compliance and develops remedies.
- Investigates and resolves complaints filed under the Title VI and ADA grievance procedures.
- Monitors and updates the implementation of MPO's ADA/504 Self Evaluation.
- Provides or coordinates the provision of requested auxiliary aids and reasonable accommodations to individuals with disabilities.
- Performs ADA/504 program, process or compliance reviews, and inspects facilities for accessibility.

### **Grievance Procedure for MPO Employees**

It is the intent of the Evansville MPO to ensure that no qualified individual, because of a disability, is discriminated against with regard to any term or condition of employment, provided that such individual can perform the essential functions of the job with or without reasonable accommodation.

**A disability** is defined as (1) a physical or mental impairment that renders the individual unable to perform, or significantly limits the individual's ability to perform one or more major life activities as compared to an average person in the general population, (2) a record of such an impairment, or (3) being regarded as having such an impairment.

**Qualified individual** is defined as an individual with a disability who satisfied the requisite skill, experience, education and other job-related requirements of the employment such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

**Reasonable accommodation** is defined as a modification or adjustments to the job, the work environment, or the way things usually are done that enable a qualified person with a disability to enjoy an equal employment opportunity. The MPO is not required to take such actions to accommodate that would result in undue financial and administrative burdens. The MPO, upon request, will provide reasonable accommodation to any/all employee(s) in compliance with the ADA. Any employee who believes they need an accommodation in order to perform the essential functions of the job should notify their immediate supervisor. Requests will be handled on a case-by-case basis.

Any employee who believes he/she has been or is being discriminated against because or as a result of a disability should first contact the MPO Executive Director. If the employee is not satisfied with the conclusion of that interview, then they may file a grievance with the Title VI and ADA Coordinator.

The Grievance Procedure consists of the following:

- A written complaint containing the name and address of the person filing it as well as a brief description of the alleged violation of the regulations or discriminatory act should be filed within 180 calendar days after the complainant becomes aware of the alleged violation. (Note: The complaint can be submitted in alternate format depending on the needs of an individual's disability.)
- Within ten working days upon receipt of a complaint, a written acknowledgement will be delivered to the complainant acknowledging receipt of the complaint and an estimated timeline for a response to be sent to the complainant.
- An investigation will be conducted by the Executive Director and the Title VI and ADA Coordinator
- The Executive Director will then respond to the complainant in writing within a reasonable time frame that is not to exceed ten days from completion of the investigation. The response will provide information concerning the resolution of the complaint.
- A record of all ADA/504 complaints will be maintained by the Title VI and ADA coordinator for a minimum of five years.

### **Complaint Procedures for the General Public**

The MPO has established a process for investigating and resolving complaints alleging disability discrimination related to MPO services, programs and its office. Regulations implementing provisions of Section 504 and Title II of the ADA can be found at 49 CFR Parts 27 and 37, and 28 CFR Part 35.

The MPO Title VI and ADA Coordinator is responsible for overseeing investigations and responses to complaints of discrimination based on disability. An ADA Complaint Form is available on the MPO website. A complaint may be filed without using a complaint form as long as all the following are included:

- Complainant's name, mailing address and contact phone number
- Specific information relating to the incident in question such as date, time, location, how the person was discriminated based upon disability, and any other applicable details.

Complaints submitted with incomplete information may result in delayed investigations and responses. The MPO will not respond to complaints without the complainant's name and mailing address.

Complaints may be submitted to the MPO as follows:

- By email to [mschriefer@evansvillempo.com](mailto:mschriefer@evansvillempo.com)
- Mailed to the Title VI and ADA Coordinator, Evansville Metropolitan Planning Organization, ATTN: Matt Schriefer, 1 NW Martin Luther King, Jr. Blvd., Civic Center Complex, Room 316, Evansville, IN 47708.
- Hand Delivered at the Evansville MPO office, 1 NW Martin Luther King Jr, Blvd, Room 316, Evansville, Indiana 47708. Normal office hours are from 8:00am-4:30pm, Monday through Friday.
- If any person requires reasonable accommodations to file the complaint, contact Title VI and ADA Coordinator Matt Schriefer at any of the above addresses or by phone at (812) 436-7833.

Within ten working days upon receipt of a complaint, a written acknowledgement will be mailed to the complainant with the following information:

- Acknowledgement that the complaint has been received and is pending investigation.
- Estimated date by which a response will be sent to the complainant.

As listed above, upon receipt of the formal grievance, the Title VI and ADA Coordinator will collect information, investigate the complaint, and make a recommendation to the MPO Executive Director. The MPO Executive Director will then respond to the complainant in writing within ten (10) working days of completion of the investigation. The response will provide information concerning the resolution of the complaint. A copy of the decision will be forwarded to FHWA and/or FTA. The MPO Executive Director shall further notify the complainant of his or her right to appeal the decision to the FHWA and/or FTA if the decision is not acceptable.

A record of all ADA/504 complaints will be maintained by the MPO for a minimum of five years. Each record will include the name and address of the complainant, nature of the complaint, problems identified, resolution of the complaint, and any resulting modifications made to an MPO program, service or office facility.

#### **Evaluation of MPO Premises**

The Evansville MPO leases office space/meeting space within the Evansville/Vanderburgh County Civic Center Complex at 1 NW Martin Luther King, Jr. Blvd., Room 316, Evansville, Indiana, 47708. The building, conference room, and restrooms are accessible. The Civic Center is located along the bus route.

All meetings are held within the Civic Center or a publicly owned library within Henderson, Vanderburgh, or Warrick Counties, which are also accessible.

The MPO also identifies on the website and meeting notices that reasonable accommodations to individuals with a disability or who require language assistance that wish to attend a meeting will be made. Reasonable accommodations shall be requested at least a week in advance of the meeting by calling the MPO office, emailing the Title VI and ADA coordinator, or by writing.

#### **Conclusion**

The attached ADA/504 Self-Evaluation Questionnaire and Transition Plan are updated every three years by the Title VI and ADA Coordinator. Deficiencies noted within the Self-Evaluation are recorded, along with recommended remedies and a time frame for making the recommended improvements.

**ADA/504 SELF-EVALUATION QUESTIONNAIRE**

**Evansville Metropolitan Planning Organization**

**Address: Civic Center Complex, Room 316, 1 NW Martin Luther King Jr. Blvd., Evansville, Indiana 47708**

**Person Completing This Form:** Brooke Vorbeck

**General Requirements**

Please check the appropriate answers. If necessary, attach additional pages of explanation.

- 1. Do you have an ADA/504 coordinator? Yes  No  N/A   
If so, who?  
Name Matt Schriefer  
Title Chief Transportation Planner Phone 812-436-7833
- 2. Do you have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with ADA/504? Yes  No  N/A
- 3. Do you have a policy that provides for notifying participants, applicants, employees, unions, and professional organizations holding collective bargaining or professional agreements that you do not discriminate on the basis of disability? Yes  No  N/A
- 4. Have you notified these individuals of your nondiscrimination policy? Yes  No  N/A
- 5. Do you provide ongoing staff training to ensure that staff fully understand your policy of nondiscrimination on the basis of disability and can take all appropriate steps to facilitate the participation of individuals with disabilities in agency programs and activities? Yes  No  N/A

**Program Access**

- 1. Do you notify the public and other interested parties that agency meetings board of director meetings, hearings, conferences, public appearances by elected officials, and interviews will be held in accessible locations? Yes  No  N/A
- 2. Do you advertise your programs and activities in multiple media so that visually, speech, or hearing impaired people can learn of your program independently? Yes  No  N/A
- 3. Are printed posters, announcements, and printed materials (including graphics) clearly legible and placed in physically accessible locations where print can be read from a wheelchair? Yes  No  N/A
- 4. If you have a mailing list for the purposes of information dissemination, does it include various disability groups? Yes  No  N/A
- 5. Do you have a policy and procedure for safe emergency evacuation of people with disabilities from your facility(s)? Yes  No  N/A

**Employment and Reasonable Accommodation**

- 1. When gathering affirmative action data regarding disabilities, do you make it clear that:
  - a) the information requested is intended for use solely in connection with reporting requirements;
  - b) the information is voluntary;
  - c) the information will be kept confidential; and

- d) refusal to provide or providing the information will not subject the applicant or employee to any adverse treatment?  
Yes  No  N/A
2. If you make pre-employment medical inquiries or conduct preemployment medical examinations:
- a) Is the inquiry related to the applicant's ability to perform the job? Yes  No  N/A
- b) Do you condition offers of employment on the results of these examinations? Yes  No   
• N/A
- c) Is the examination required for all employees in the same job classification?  
Yes  No  N/A
- d) Are all applicants in the same job classification asked the same medical and/or interview questions? Yes  No  N/A
3. During the application, interviewing, hiring, and employment process, do you provide reasonable accommodations to applicants and employees with disabilities? Yes  No  N/A
4. Do you have a written policy stating the following?  
ADA/504 requires that information concerning an applicant's medical condition or history must be kept separate from personnel records and may be shared in only three ways:
1. supervisors and managers may be informed of restrictions on the work or duties of individuals with disabilities and informed of necessary accommodation(s);
  2. first aid and safety personnel may be informed if the condition might require emergency treatment; and
  3. government officials investigating compliance with ADA/504 shall be provided with relevant information upon request. Yes  No  N/A

**Physical Accessibility (answer after the "Quick Look" Barriers Checklist)**

1. Is the building(s) where your business is located barrier-free? Yes  No  N/A
2. If you checked NO to any of the items on the Employment and Reasonable Accommodation checklist above, would these areas prevent an individual with a disability from accessing your program(s) or service(s)? Yes  No  N/A

If access would be impacted, describe on the Transition Plan what steps will be taken to eliminate the barrier(s). If there are extenuating circumstances which would make barrier removal a financial or administrative burden, please explain in the Transition Plan.

**"Quick Look" Barriers Checklist**

**Reception and Personnel Office**

- Lower counter space in reception, customer service areas? Yes  No  N/A
- Do doors have at least 32" wide clearance? Yes  No  N/A
- Is the door easy to open (max. 5 lbs. opening force)? Yes  No  N/A
- Door threshold is maximum ¼" high (½" if beveled)? Yes  No  N/A
- Is the path of travel between furniture at least 36"? Yes  No  N/A



## Transition Plan

As a recipient of federal funding, the MPO must comply with a variety of federal and state legislative regulations. Regarding matters of discrimination, the MPO falls under two federal laws, Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 (ADA/504). These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities.

The MPO conducted a Self-Evaluation of its policies and practices, in addition to its physical premises. This Transition Plan was developed as a result of the Self-Evaluation.

Prepared By: Matt Schriefer Date: 9/7/2022

### **General Requirements**

<b>Actions To Be Taken</b>	<b>Completion Date</b>

### **Program Access**

<b>Actions To Be Taken</b>	<b>Completion Date</b>

### **Employment and Reasonable Accommodation**

<b>Actions To Be Taken</b>	<b>Completion Date</b>
Update employee handbook to expand non-discrimination policy and add written policy on applicants medical records. (completion date: 12/31/22)	

### **Physical Accessibility**

<b>Actions To Be Taken</b>	<b>Completion Date</b>
The Evansville MPO leases office space from the Evansville/Vanderburgh County Building Authority, who maintains the building's evacuation policy. The MPO will work with the Building Authority regarding the evacuation policy to ensure it includes provisions for individuals with a disability. (completion date: 12/31/22)	

The self-evaluation and this transition plan were prepared with the assistance of employees and citizens from the Metropolitan Transportation Organization. No handicapped persons were involved with the development of the plan in that none volunteered to participate.