

Pleasant Valley Recreation and Park District EXECUTIVE SUMMARY



**Pleasant Valley
Recreation & Park District**

SELF-EVALUATION AND TRANSITION PLAN

**Americans with Disabilities Act
Section 504 of the Rehabilitation Act**

2022



**Prepared by
Disability Access Consultants, LLC**



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The Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan was prepared by Disability Access Consultants, LLC with the collaboration and assistance of Pleasant Valley Recreation and Park District staff and input by other interested individuals and community members.

Jessica Puckett, Administrative Analyst for the Pleasant Valley Recreation and Park District, provided the overall project coordination and direction.

Jessica Puckett also serves as the designated ADA/504 Coordinator.

A copy of the ADA/504 self-evaluation and transition plan is available from the ADA/504 Coordinator. Accessible alternate formats are available.

Disability Access Consultants, LLC (DAC)

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ADA/504 Self-evaluation and Transition Plan Purpose and Summary

As the Pleasant Valley Recreation and Park District has made an ongoing commitment to provide programs, services and activities in a nondiscriminatory manner for individuals with disabilities, the Pleasant Valley Recreation and Park District (District) conducted an updated Americans with Disabilities Act (ADA) and Section 504 Self-evaluation and Transition Plan of programs, services, activities, parks, facilities and public rights-of-way. The Pleasant Valley Recreation and Park District Americans with Disabilities Act (ADA) Title II and Section 504 (504) self-evaluation documents the results of the District's review of access to programs, services, activities, events, facilities, parks, and facilities by persons with disabilities to determine if any discriminatory or potentially discriminatory practices, policies or procedures exist that may deny access for individuals with disabilities.

The 2022 updated ADA/504 self-evaluation and transition plan provides a current benchmark of accessibility activities by the District and provides an updated framework for remediation and implementation and updates prior accessibility ADA self-evaluations and transition plans. The goal of the District is that potential physical and programmatic barriers for accessibility for persons with disabilities are identified and removed. As evidenced by this study and update, the District 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 accessibility for persons with disabilities. The update further serves to demonstrate the ongoing compliance efforts by the District in addition to findings and recommendations and a roadmap to assist the District with ongoing compliance.

Current District accessibility initiatives, related documents such as master plans, findings from regulatory audits, federal and state funding and Community Development Block Grant (CDBG) were reviewed and as appropriate were incorporated into the findings and recommendations of the Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan. Findings and recommendations are based on the ADA/504 review of the Pleasant Valley Recreation and Park District and includes a review of potential programmatic and physical barriers that may deny access for persons with disabilities.

The Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan Executive Summary details accessibility findings and recommendations for the District. The ADA/504 Self-evaluation and Transition Plan Executive Summary includes a review of potential "programmatic" and "physical" barriers that may deny access for persons with disabilities. Noncompliant findings regarding "physical" barriers that may deny access for persons with disabilities are contained in the online DACTrak Accessibility Management software used by the District. DACTrak contains detailed findings of potential physical barriers that may deny access and includes actual findings, recommendations, photographs, references to accessibility code requirements and is a tool for the District to manage and update the District's transition plan for the removal of physical barriers. Access to information contained in the DACTrak program is available from the District's ADA/504 Coordinator. Programmatic and potential policy barriers are identified in the ADA/504 Self-evaluation and Transition Plan Executive Summary.

As evidenced in the current updated ADA/504 self-evaluation and transition plan, the District understands that the ADA/504 self-evaluation and transition plan is not a static document but requires ongoing implementation and periodic updates. The ADA/504 self-evaluation and transition plan provides a current benchmark for accessibility efforts by the District and provides an updated framework for implementation.

The current study also incorporates recent code changes, updates in accessibility standards and regulations in addition to accessibility trends. The ADA self-evaluation and transition plan activities

work together to address the requirements of the ADA. Additional accessibility requirements that were added with the 2010 ADA for areas such as recreational sites, golf facilities, play areas, recreational boating sites, fishing piers, swimming pools, wading pools, and judicial facilities. Accessibility requirements were also changed for items such as reach range, water closets, assembly areas and other areas. The District's current plan updates standards and provides safe harbor for those areas and items that were compliant under prior accessibility codes. As such, it was prudent for the District to update their ADA/504 Self-evaluation and Transition Plan. In addition, the current ADA/504 Self-evaluation and Transition Plan incorporates recent updates in the California Building Code, the Manual on Uniform Traffic Control Devices and the Public Right-of-Way Accessibility Guidelines (PROWAG). PROWAG was adopted by the California Department of Transportation (Caltrans). As remodeling and remediation of physical barriers would in most cases require scoping and compliance with newer accessibility regulations and requirements such as the 2010 ADA Standards and the 2019 California Building Code, the ADA plan needed to be updated to maintain compliance.

As public input is important to develop and prioritize the plan, the District conducted public outreach as described in the public outreach portion of this document. In addition to being required, it is recognized that input from stakeholders is a valuable component of an updated, usable, and realistic plan. In addition to input from the public, input was solicited from District staff. As additional input from stakeholders is received, the ADA Coordinator or designated person is responsible to evaluate the input and incorporate it into the ADA plan as appropriate.

The Pleasant Valley Recreation and Park District 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 current updated ADA/504 report, the Pleasant Valley Recreation and Park District understands that the ADA/504 compliance plan is not a static document but requires ongoing implementation and periodic updates. The ADA/504 self-evaluation provides a current benchmark for accessibility efforts by the District and provides an updated framework for implementation. The current study also incorporates recent code changes, updates in accessibility standards and regulations in addition to accessibility trends. The ADA/504 self-evaluation and transition plan activities work together to address the requirements of the ADA.

Methodology for the Development of the Self-evaluation and Transition Plan

Disability Access Consultants, LLC (DAC) was contracted to conduct a comprehensive accessibility review of all District programs, services, activities, policies, buildings, parks and public rights-of-way in order to develop an updated Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan.

Jessica Puckett, Administrative Analyst for the Pleasant Valley Recreation and Park District, provided the overall project coordination and direction. Jessica Puckett also serves as the designated ADA/504 Coordinator.

Methodology included, but was not limited to:

- A kick-off meeting was held on November 12, 2021 with DAC and District staff
- A project start date of November 30, 2021 was confirmed to begin the onsite surveys
- A website accessibility review was conducted for compliance with WCAG 2.0 Level AA
- Multiple methods and opportunities were provided for public input
- Surveys were available for the public, community members and organizations representing persons with disabilities

- Surveys were distributed to District staff
- Letters and emails were sent out to targeted area organizations that serve persons with disabilities
- Information and links to respond to a survey was placed on the District's website
- Information requesting input from the public and organizations regarding the District's ADA self-evaluation and transition plan update was posted on the website
- Public postings and notices requesting input were displayed on the District's website, in District facilities, on the District's social media accounts and included in the District's electronic newsletter
- A review was conducted of the previous accessibility activities and efforts by the District
- A review was conducted of accessibility related District policies and other documents
- A review was conducted regarding the accessibility of District programs, services, activities, and events
- Accessibility surveys were performed by DAC of District buildings, facilities and parks
- Training was provided on March 3, 2022 for District staff regarding the use of the DACTrak accessibility management and software program to manage, update and implement the District's transition plan
- Possible implementation strategies have been discussed for barrier removal

The District is using the DACTrak accessibility management software to manage and implement the transition plan. Using DACTrak, the District can generate compliance assessment reports that provide at a minimum the following information:

- A description of the noncompliant physical element
- Identification of the reason(s) a physical element is considered noncompliant
- Applicable federal and state accessibility code references that apply to the element
- Digital photographs of the noncompliant physical element
- Recommended method to bring the item into compliance
- A construction cost estimate when applicable

The Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan Executive Summary documents findings and recommendations by categories or areas reviewed for compliance and not necessarily by individual departments. Compliance areas are reported with findings followed by recommendations. Some findings and recommendations are Districtwide and others to specific departments. If findings or recommendations are specific for a department, then they are reported as such. For example, if accommodation statements or procedures for requesting a reasonable accommodation by a person with a disability is not available, then access to programs, services and activities may not be available. Certain departments may have developed specific reasonable accommodation statements related to their department.

In addition to programmatic and policy barriers, physical barriers may exist and are reported in the transition plan using DACTrak. Noncompliant findings and recommendations for the removal of physical barriers that may deny access for persons with disabilities are contained in the secure, online DACTrak accessibility management software used by the District. DACTrak contains photographs of physical barriers, GIS information, findings, recommendations, estimated costs, and other information. Custom reports and transition plan information can be generated from DACTrak to monitor and track the implementation of the plan.

The Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan Executive Summary serves as a roadmap to assist the District with ongoing compliance. The results from the ADA/504 self-evaluation demonstrate not only the commitment by the District to provide access to District programs, services, and activities, but documentation of the overall compliance by the Pleasant Valley Recreation and Park District and outlines a framework for enhancing compliance. Access to information contained in the DACTrak program is available from the Pleasant Valley Recreation and Park District ADA/504 Coordinator.

Requirements to Conduct an ADA Self-evaluation and Transition Plan

Part 35.102 of Title II of the ADA describes the application of the ADA and Section 504 of the Rehabilitation Act which requires state and local governments, such as town, city and county governments (referred to as public entities in this document) to ensure that their facilities, public rights-of-ways, policies, procedures and practices are accessible and do not discriminate against persons with disabilities. The ADA and Section 504 require the District to provide access to District programs, services, and activities. Buildings and public rights-of-way are assessed for compliance with accessibility standards and regulations as a noncompliant building may, for example, deny access to a program, service, or activity of the District. The transition plan is to identify the physical barrier in detail, the proposed method to remove the barrier, the designated responsible person to oversee the plan and the projected (estimated) dates of barrier removal.

The ADA has five (5) 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

The focus of the Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan is Title II (owned by the public and open to the public) of the ADA to provide access to public areas of facilities and access to all District programs, services and activities. Title III (privately owned and open to the public) requirements are reviewed in selected cases due to the District's use of outside vendors, private groups and agencies during the provision of District programs, services, and activities. Thus, requirements of Title III do overlap and integrate into the current study in cases where the District contracts with outside vendors. Title I of the ADA provides requirements for employees and is not the focus of this study. Individual employee access accommodations are handled on a case-by-case basis.

Section 504 requires public entities that receive federal or state funding to ensure that they do not have any discriminatory practices. As such the requirements of Section 504 are very similar to those of the ADA that was passed by congress in 1990. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) prohibits discrimination based on disability in federally assisted programs and the flow through sub-recipients, including contractors. The Americans with Disabilities Act passed in 1990 (Public Law 101-336) is a broader civil rights statute that prohibits discrimination against people with disabilities. In addition to the Department of Justice (DOJ), the Federal Highway Administration's (FHWA) and the United States Department of Transportation (USDOT) have requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) and Section 504. Pedestrians with disabilities should have an equal opportunity to use the pedestrian access routes 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 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 the California Department of Transportation (Caltrans) is a recipient of federal funds and 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 DOT requests is the development of a comprehensive ADA/504 self-evaluation and transition plan. As such, completion of a comprehensive ADA/504 self-evaluation and transition plan is an accepted practice to take the place of an updated Section 504 plan. As such, the District's ADA/504 Self-evaluation and Transition Plan meets the requirements of not only the ADA plan, but the Section 504 plan as well. By completing this comprehensive plan, the District will not only meet its ADA and Section 504 compliance requirements but will have a sustainable plan that can be updated, monitored, managed and will document progress for ongoing accessibility compliance.

Several regulatory agencies require the development and implementation of an Americans with Disabilities (ADA) plan and a Section 504 Rehabilitation Act plan. The United States Department of Housing and Urban Development requires an ADA/504 self-evaluation and transition plan that includes the oversight of the use of Community Development Block Grant (CDBG) program funds in a nondiscriminatory manner. The CDBG program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The CDBG program requires public agencies to develop, maintain and implement an Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act ADA/504 self-evaluation and transition plan to ensure that programs, services, activities and facilities are accessible for persons 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. To ensure compliance, the California Department of Transportation 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 comply 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.

California law provides similar protections to Title II and Section 504. Government Code Section 11135 prohibits discrimination by state and local governments. The Unruh Civil Rights Act (Civil Code Section 51) and the Disabled Persons Act (Civil Code Sections 54-55.32) prohibit disability-based discrimination by business establishments also applies to government entities in some circumstances. State law or other federal laws such as Section 504 may provide a higher level of protection than Title II of the ADA. The higher standard should be applied, whether state or federal.

Differences Between a Self-evaluation and a Transition Plan

The self-evaluation component of the ADA/504 plan identifies any barriers or potential barriers for persons with disabilities and includes a review of policies, programs, activities, services, and facilities. Barriers identified may include policies or procedures that could inadvertently discriminate against persons with disabilities. An example of a self-evaluation component that was reviewed is the District's website. The accessibility review of the website was conducted to determine if changes are needed to make the website more accessible. Many persons with disabilities use the information on the website to view activities, enroll in courses or to provide input. Another example may be the use of inappropriate terminology such as the word "handicapped" instead of the term person with a disability. A key and required component of the self-evaluation is the opportunity for input by the public, organizations that represent persons with disabilities, staff, and other interested persons. The District conducted activities to solicit comments and input by the public using a variety of methodologies to incorporate comments into the overall content and prioritization of the plan. Public outreach activities are discussed in the public outreach portion of this report.

The transition plan on the other hand, assigns estimated (projected) dates for the removal of physical barriers identified in the plan as required by the ADA for public entities with more than fifty (50) employees and for (fifteen) 15 or more employees in accordance with Section 504 of the Rehabilitation Act. The District, using DAC's recommended priority worksheet as one method for prioritization, is assigning dates for barrier removal in the District's transition plan and is developing an implementation plan over time that will incorporate priorities identified by the public and staff, concerns or complaints, prevalence of use by persons with disabilities, current remodeling and construction projects, funding sources, resources and other variables related to the removal of physical barriers.

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 barrier that may deny access to goods and 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 transition plan provides a schedule for the removal of barriers with estimated projected timelines. The self-evaluation, on the other hand focuses on the identification of physical and programmatic barriers that may deny access to programs services and activities. The two plans work congruently to remove the structural and programmatic barriers.

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 people 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 that limit the accessibility of its programs, activities, or services to persons 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 and the plan should identify the interim steps that will be taken during each year of the transition period
4. The name of the designated person responsible for the plan's implementation (usually referred to as the ADA Coordinator or ADA/504 Coordinator)

Structural changes are not always required where there are other feasible solutions such as moving a service from a nonaccessible location to an accessible location. However, structural changes leading to increased integration should be considered where feasible. Where structural modifications are required to achieve program accessibility, a town government with fifty (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 and are required to be in the District's transition plan.

Duties and Fundamental Alteration

ADA Part 35.164 does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. If the public entity believes that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity and must be accompanied by a written statement of the reasons for reaching that conclusion.

Classification of the Pleasant Valley Recreation and Park District

The Pleasant Valley Recreation and Park District 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 covered by Title II is defined as a state or local government. As defined, the term "public entity" does not include the federal government. Title II, therefore, does not apply to the federal government, which is covered by Sections 501 and 504 of the Rehabilitation Act of 1973. Title II is intended to apply to all programs, activities, and services provided or operated by state and local governments. It also applies to contractors and vendors of the public entity. As Section 504 of the Rehabilitation Act applies to programs or activities receiving federal financial assistance, the District understands that compliance with Section 504 is required.

Title II of the ADA covers programs, activities, and services of public entities. Title II is divided into two subtitles. This study focuses on subtitle A of Title II, which is implemented by the Department of Justice's Title II regulation. Subtitle B, covering public transportation is implemented by the Department of Transportation's regulation implementing Subtitle B, are not addressed in this study.

Subtitle A, the focus of the Pleasant Valley Recreation and Park District Self-evaluation and Transition Plan, is intended to protect qualified persons with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. It additionally extends the prohibition of discrimination on the basis of disability established by Section 504 of the Rehabilitation Act of 1973, as amended, to all activities of state and local governments, including those that do not receive federal financial assistance. By law, the Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination from the ADA.

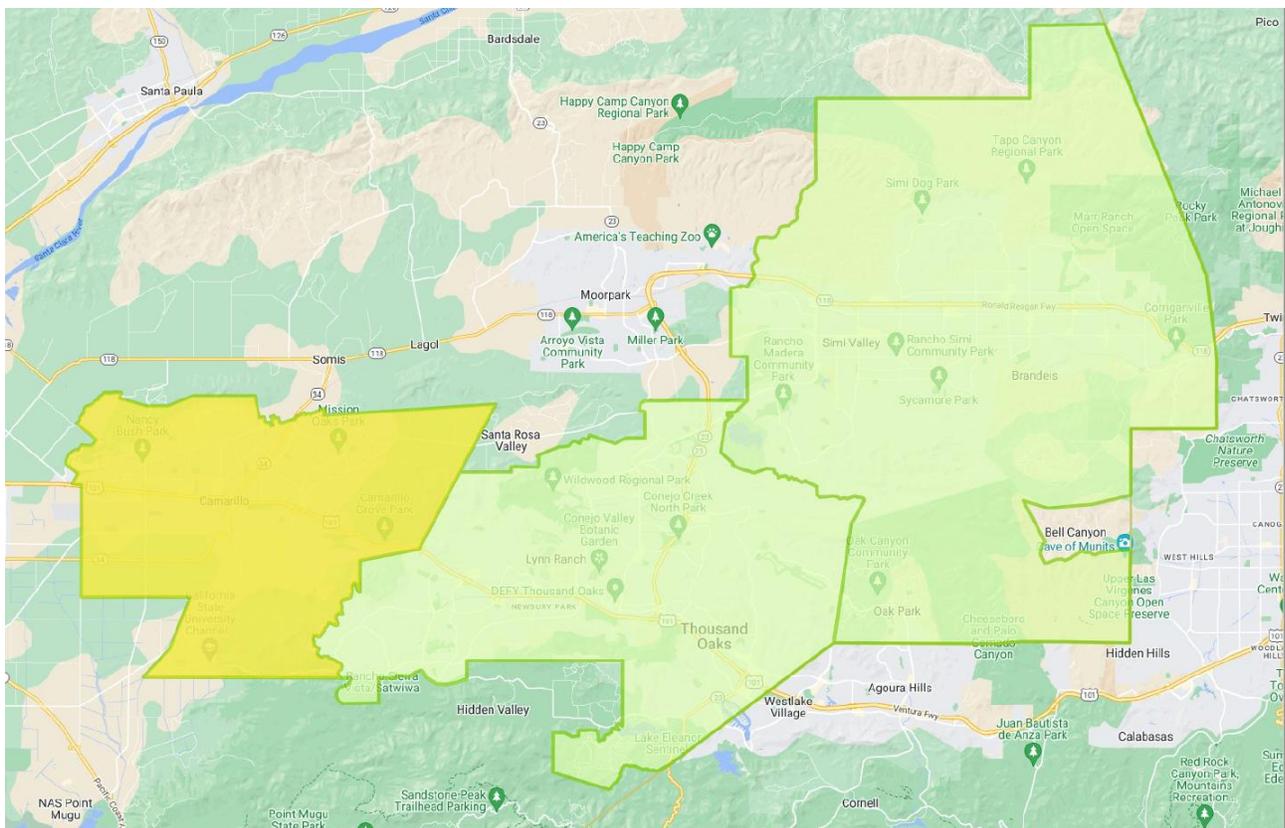
General Information About the Pleasant Valley Recreation and Park District

The following information about the District is found on the "About Us" page of the District's website:

Pleasant Valley Recreation & Park District, an independent special district, was formed in January 1962 under the State Public Resource Code of California. The birth of the District was approved by voters in the Camarillo community to provide quality programs, parks and facilities that can be enjoyed by everyone.

The District is located in and around the City of Camarillo, serves a population of over 70,000 and covers an area approximately 45 square miles. It has grown from one park and 30 acres to 28 parks and over 300 acres since its inception over 50 years ago.

The District is a separate government agency from the City of Camarillo. The boundaries of the District also vary from the City of Camarillo.



District Government

The Pleasant Valley Recreation and Park District is governed by a publicly elected Board of Directors and is managed by the District's General Manager. Pleasant Valley Recreation & Park District elections are in November of even number years and are consolidated with the General Election. Board Members are elected by district to staggered four-year terms.

District Departments and Divisions

Per the District's 2021-2026 Strategic Plan document, the District has three main departments.

- Administrative Services
- Park Services
- Recreation Services

Prior ADA Self-evaluation and Transition Plan

The 2022 Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan update was conducted by DAC and updates accessibility surveys and studies that were conducted previously.

Location of Self-evaluation and Transition Plan

The Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan will be maintained and made available for public review by the District's ADA/504 Coordinator. The Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan is available in alternate formats as requested.

Regular Self-evaluation and Transition Plan Updates

The ADA/504 plan is a living, ongoing document and requires regular updates to keep it current. As barriers are removed it is important to update the plan to reflect the current barrier removal progress. If for some reason existing sites are acquired by the District, new facilities are built or acquired or no longer used by the District, the District will need to update the ADA/504 plan. Many town, city and county governments have a practice of updating their plan on an ongoing basis to prepare a progress update.

In its continuing efforts to maintain compliance, the District has several mechanisms in place to provide for an ongoing update of the self-evaluation and transition plan to provide a realistic and manageable plan to remove barriers. The District has the use of a secure online accessibility management software called DACTrak, to update, document and track the findings and the implementation of the plan, including progress reports. The District understands that the ADA/504 self-evaluation and transition plan is a living, ongoing document and requires regular updates to keep it current.

In accordance with Part 35.150 of Title II of the ADA, the District's designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA and related accessibility standards and regulation.

Accessibility standards and regulations may change and will be incorporated into the plan as appropriate. Updates may also be necessitated by changes in the ADA, the California Building Code, Proposed Right-of-Way Accessibility Guidelines (PROWAG), Caltrans Standards and the Manual of Uniform Traffic Control Devices (MUTCD). An example requiring updates that was facilitated by litigation is on-street parking. Another example is the FHWA and DOT memorandum clarifying what is maintenance and what is an alteration and when alterations trigger curb ramp installations. Due to the intake methodology for the site inspections that captured actual and detailed field measurements, DACTrak can be updated as codes change, which allows the ADA/504 plan to stay current without the need to do any re-inspections.

Although the District actively solicited comments and surveys of programs, services and activities from District staff, community organizations and members of the public, it is anticipated that additional comments and input may be received and incorporated into the plan as appropriate. As public input is important to develop and prioritize the plan, the District solicited input from the public and staff as described in the public input portion of this document. It is recognized that input from stakeholders is a valuable component of an updated, usable, and realistic plan.

Designated ADA and 504 Coordinator

The regulations implementing the ADA require any public entity with fifty (50) or more employees to designate at least one employee to coordinate ADA 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.

Although the law does not refer to this person as an “ADA Coordinator,” this term is commonly used in state and local governments across the country and will be used in this chapter. Part 35.107 states that “a responsible person should be designated” to oversee and implement the plan. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and the investigation of complaints. A government entity may elect to have more than one ADA Coordinator; however, this may be confusing for the public. Another option is to designate “ADA Liaisons” for departments or key areas of government in addition to the District’s ADA Coordinator.

The requirement for designation of a particular employee and dissemination of information about how to locate that employee helps to ensure that members of the public, organizations and staff can easily access the ADA Coordinator who is familiar with the requirements of the ADA.

The information below in the indented paragraph is extracted from the Department of Justice (DOJ) publication entitled “ADA Best Practices Tool Kit for State and Local Governments” regarding the requirements to designate a responsible person to oversee the ADA plan and initiatives, known as the ADA Coordinator.

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance in accordance with 28 C.F.R. part 35.107. A government entity may elect to have more than one ADA Coordinator. Although the law does not refer to this person as an “ADA Coordinator,” this term is commonly used in state and local governments across the country and will be used in this chapter. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II. The name, office address, and telephone number of the ADA Coordinator must be provided to interested persons.

According to the DOJ Publication, an effective ADA Coordinator has, but is not limited to, the following skills:

- Familiarity with the state or local government’s structure, activities, services
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act 29 U.S.C. § 794
- Experience and understanding of a broad range of disabilities and acceptable terminology regarding disabilities

- Knowledge of effective communication for persons with disabilities, accessible alternative formats, technologies that enable people with disabilities to communicate, participate, and perform tasks
- Ability to work cooperatively with the local government and people with disabilities
- Familiarity with any local disability advocacy groups or other disability groups
- Skills and training in negotiation and mediation
- Organizational and analytical skills

Since the responsibilities are very similar, public entities may choose to designate a single staff member as both the ADA Coordinator and the 504 Coordinator and refer to the position as the ADA/504 Coordinator. Public entities may also choose to appoint the positions of ADA Coordinator and 504 Coordinator to separate staff members. Recommendations to enhance compliance with the Americans with Disabilities Act throughout this document will refer to the "ADA Coordinator", although an entity may have an ADA/504 Coordinator designated. The 504 Coordinator is required to sign the project assurances for projects that receive federal and state funding, such as Housing and Urban Development (HUD) grants.

FINDINGS

The findings are primarily compliant with a few recommendations to enhance accessibility.

- ✓ The identity of the ADA/504 Coordinator is posted on the District's Americans with Disabilities Act (ADA) webpage.
- ✓ Requests for information from the ADA/504 Coordinator can be sent by multiple methods and include telephone, TTY through California Relay, email and postal mail.
- ✓ The District's ADA page states that information is available and can be provided in alternate formats upon request.
- ✓ Information taken from the District's ADA page states that the ADA Coordinator is also the designated Section 504 Coordinator.

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RECOMMENDATIONS

Additional recommendations listed will maintain and enhance the requirements and do not reflect corrective action.

- The identity of the ADA Coordinator should be maintained and updated to correctly identify the current identity of the ADA Coordinator if the District staff member holding that position changes.

- Information regarding the identity of the District’s ADA Coordinator should continue to be provided to staff, posted at all District locations, incorporated into new employee orientation and volunteer packets, and placed in frequently used publications, on the website and in staff and public directories.
- It is recommended that the District publish the name, address, email address and phone number of the District’s ADA Coordinator using multiple methods in appropriate public notices, brochures, pamphlets, press releases, the website and other documents frequently distributed to the general public. Publications should also include a TDD/TYY and/or the California relay phone number.
- Publications should be updated if the identity of the ADA Coordinator changes or if more than one ADA Coordinator is designated.
- If additional District staff are assigned ADA duties specific to each department, the District could consider designating “ADA Liaisons” for certain areas in addition to the overall ADA Coordinator. This method will avoid confusion by the public regarding who to contact and may increase the communication between departments.
- District staff should receive information or training regarding the requirements and role of the ADA Coordinator and the 504 Coordinator.

Grievance and Complaint Procedures

A public entity that employs fifty (50) or more people must adopt and publish grievance procedures and forms which provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA (28 CFR § 35.107(b)). Seasonal, part-time and contracted employees are included in the total count. If the District is a recipient of federal or state funds, Grievance procedures are required if the District employs fifteen (15) or more people. As such and in accordance with the ADA and Section 504, the District is required to have grievance procedures available to the public. The term “grievance procedure” is used by the Department of Justice. District governments may use the term “complaint” or “uniform complaint procedures” which may be identical or very similar.

A public entity that employs fifty (50) or more people 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. This person is frequently named the ADA Coordinator. 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

- ✓ A statement on the District’s Americans with Disabilities Act (ADA) webpage states that the District is in the process of adopting a formal grievance procedure. The identity and contact information for the District’s ADA/504 Coordinator is included on the page if there are questions, complaints or requests for reasonable accommodations.
- ✓ The statement on the ADA webpage also notes that the District will be providing a grievance form that will assist in prompt and equitable resolution of complaints.

RECOMMENDATIONS

- The District's grievance procedure should include contact information such as mailing address, phone number, TDD number and an email address.
- The District's grievance procedure should include a reasonable timeframe for responses from the District to help ensure grievances can be resolved promptly. A period of not more than fifteen (15) days for response from the District following receipt of the grievance is recommended.
- The District's grievance procedure should include the contact information for a District staff member who should be contacted for appeal if the grievant is not satisfied with the resolution provided by the ADA Coordinator.
- The District should provide a grievance form to accompany the grievance procedure.
- The District should continue to make efforts to inform staff and the public of the existence of the District's ADA Coordinator, grievance procedures, the steps for handling grievances and the District policies for remediation of grievances.
- Information regarding complaint procedures should be readily available to members of the public, as well as to employees and applicants. Procedures should outline the steps needed to resolve a complaint.
- The District can provide the grievance procedure and form in accessible alternate formats on the District's website.
- The District should implement tracking procedures to document grievances and their resolution specifically for ADA related grievances. Correspondence and documentation related to resolution of grievances should be retained by the Pleasant Valley Recreation and Park District for at least three years.
- A method to collect data and collect a profile of complaints and grievances should be developed. 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.
- Complaint procedures and forms should be available at all District buildings and in all departments in addition to the website.
- Training should be provided to staff regarding the requirement and purpose of the grievance procedure.
- The District might consider the centralization of complaint handling to assist with the tracking of complaint resolution. A centralized database and analysis of types and locations of complaints may also assist with developing profiles to assist with targeting quality control and training measures. Centralized record keeping of such information will help the District to regularly update its compliance efforts, and plan for additional compliance implementation for training and budget considerations.
- The ADA Coordinator or designated staff can develop updated reports based on a profile of concerns or complaints to determine the needs for proposed training materials, agenda items, and proposed budget expenditures.

- Procedures should continue to be developed, implemented, and institutionalized to provide consistency for complaint resolution and record keeping.

ADA Notice of Rights Afforded to Persons with Disabilities

In accordance with Title II of the ADA, the ADA notice is required to be posted and disseminated and should include the rights afforded to persons with disabilities. Public entities, such as the Pleasant Valley Recreation and Park District, 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, the District must comply with the requirements for effective communication in Section 35.160. The notice of rights afforded to persons with disabilities includes a nondiscrimination statement and the method to request a reasonable accommodation.

The notice is required to include relevant information regarding Title II of the ADA and how it applies to the programs, services, and activities of the public entity to provide access for persons with disabilities in a nondiscriminatory manner. The notice should include the contact information for the ADA Coordinator.

FINDINGS

The findings are primarily compliant with a few recommendations to enhance compliance and accessibility.

- ✓ The District's "Notice Under the Americans Disabilities Act and Section 504 of the Rehabilitation Act of 1973" also known as the "Notice Under the Americans with Disabilities Act" states:
 - The District "will neither discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities, nor exclude or deny individuals with disabilities an equal opportunity to receive program benefits or services".
 - "If you need accommodations to access information or participate in Pleasant Valley Recreation & Park District public meetings, programs or services, please contact the ADA/Section 504 Coordinator at the contact information listed below."
- ✓ The Americans with Disabilities Act (ADA) page where the notice is found includes the identity and contact information for the District's ADA/504 Coordinator.
- ✓ Contact information for the ADA/504 Coordinator to request an accommodation and/or to file a complaint is available and is posted on the District's website, in addition to posting in frequently visited locations throughout the District.
- ✓ The notice is located on the District's website on the ADA page found under the "About Us" menu that is available at the top of each page reviewed.

RECOMMENDATIONS

Additional recommendations listed will maintain and enhance the requirements and do not reflect corrective action.

- A statement should be added to the notice that the District will provide auxiliary aids or services for effective communication, or a modification of policies or procedures to participate in a program, service or activity of the District. The statement should also include a timeframe for making a request to ensure the District has an opportunity to provide the reasonable modification, such as "as soon as possible but no later than 48 hours before the scheduled event".
- A statement should be added to the notice that the District will not place a surcharge on a particular individual with a disability or any group of persons with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.
- Information regarding the identity and contact information of the District's ADA Coordinator should continue to be provided to staff, posted at all District locations, incorporated into new employee orientation and volunteer packets, and placed in frequently used publications, on the website and in staff and public directories.
- The notice should also be provided using multiple methodologies, such as in applicable newspaper advertisements, on applications, at program sites, in program handbooks, in regular mailings, on legal notices, in requests for proposals/qualifications, on facility use agreements, and in contracts.
- The notice should continue to include the name, title, address, and phone numbers of the ADA Coordinator. The notice should include a TDD/TTY number and/or California Relay number to ensure equally effective communication. Although not required, it is recommended that the notice include the email address for the ADA Coordinator.
- Notices should be posted in conspicuous, high use locations on a regular basis in addition to the District's website.
- Information regarding the requirement to post the identity of the ADA Coordinator, notice of rights in accordance with the ADA/504 and related information should be sent to each department by the ADA Coordinator or other appropriate official. A standard notice should be given as an example. Each department could add specific information applicable to the provision of programs, services, and activities.
- Posting and notice requirements should be updated if the identity of the ADA Coordinator changes or if more than one ADA Coordinator is designated.
- Nondiscrimination statements should be posted on frequently used publications for the public.
- Policies, practices, and procedures for nondiscrimination should refer to members of the public, in addition to employees, and address nondiscrimination regarding access to all programs, services and activities for persons with disabilities and not be limited to employment. The District should consider adopting a general nondiscrimination policy for access to programs, services, activities, applicants, and employees.
- Statements of nondiscrimination should be included on selected publications, brochures describing programs, services and activities offered by the District, new employee materials, recruitment materials, publications and frequently used forms and documents.
- Contracts and vendors that provide printing and publication services should be notified of required statements, required font, and required contrast for accessible publications.

- The District should consider adding contacting the ADA Coordinator to the “How do I” section to the website to assist with finding items such as the identity of the ADA Coordinator, how to request a reasonable accommodation and other items such as providing accessibility input regarding a concern or compliment.
- Training should be provided to not only the ADA Coordinator, but to ADA departmental liaisons.
- District staff should receive information or training regarding the requirements and role of the ADA Coordinator and the 504 Coordinator.
- The new employee orientation packet and volunteer information should include a statement of nondiscrimination by the District regarding the public’s access to programs, services, activities, recruitment, and employment.
- In addition to the designated ADA Coordinator, the District might consider the designation of “ADA liaisons” for District Departments that would be designated for the majority of the departments as the District grows in size. The designation of ADA liaisons may increase the communication between departments and the ADA Coordinator. The designation of one ADA Coordinator with ADA Liaisons will assist with the requirement to track complaints and their resolution (ADA and 504 requirement) and facilitate timely communication.

Opportunities for Input

The regulations which implement the ADA require public entities to provide an opportunity to interested persons and organizations to participate in the self-evaluation process. For three years after completion of the self-evaluation, the public entity must keep records of any problems identified (28 CFR §35.105 (a)(b)).

Findings

The District provided multiple and comprehensive opportunities for the public and staff using multiple methodologies. As such, there are no additional recommendations for opportunities for input.

- ✓ For the purpose of developing an updated ADA/504 self-evaluation and transition plan and to provide opportunities for input, public notices regarding the Pleasant Valley Recreation and Park District’s ADA/504 Self-evaluation and Transition Plan were developed and disseminated for public and staff soliciting input into the development of the District’s Plan.
- ✓ The District provided a comprehensive process for input by the public, organizations and staff using multiple methodologies to reach a large group of diverse stakeholders.
- ✓ Multiple types of surveys were developed and disseminated to solicit input into the Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan. Surveys were developed to encourage input from the public, organizations and District staff.
- ✓ Surveys and postings were used to solicit input from the public, organizations, and District staff. Select responses are included throughout this report. The complete surveys and responses are available as supplementary records. Survey comments are the actual comments submitted and have not been redacted for spelling or grammar. The summary of the number of responses that the District received to each survey is as follows:

- Survey for Staff and Administrators: 29 online survey responses
 - Survey for Public Input: 68 online survey responses
6 hard copy responses
 - Survey for Area Organization Input: 1 online survey response
3 hard copy responses
- ✓ The District’s public input timeframe for the public and organizations took place from January 5, 2022 to February 28, 2022. The District’s public input timeframe for staff took place from February 2, 2022 to February 18, 2022.
 - ✓ The District provided public notice through a variety of methods that included:
 - Public input information placed on the District’s website.
 - Notices were also made through social media accounts.
 - Multiple announcements were made in the District’s electronic newsletter and email notifications that are sent to approximately ten thousand subscribers.
 - Area organizations who provide services for persons with disabilities were directly contacted by mail or email to provide comments.
 - The District provided online and hard copy survey options for the public and organizations.
 - Emails regarding the staff survey were sent to District employees.
 - Hard copies of notices were placed in high traffic areas throughout the District.
 - ✓ Survey questions and responses collected during the public input process have been compiled and will be maintained by the ADA Coordinator in a supplementary documentation file. Selected survey responses are included in this summary.

Input from the Public

Selected survey responses that have a higher prevalence and relevance are reported in this summary. Most comments are verbatim. A few comments have been edited for clarity and spelling. It is important to note that some of the comments may not directly relate to programs, services and activities of the District, but may be located within the Pleasant Valley Recreation and Park District service area or adjacent to a District park or facility. Respondents were asked what they considered to be the highest priorities for accessibility and to provide comments and suggestions. A summary of the responses from the public include:

- Make things accessible for all
- Not sure. Entrance into buildings?
- Public input
- Restrooms
- Restroom and building access
- Kindness!!!
- teams that give kids as much access as possible
- Ensuring playgrounds and facilities are safe and inclusive with ramps and bathrooms

- As parks are being updated, I would like to see play equipment add that is accessible for all such as swings designed for wheelchairs, etc.
- Offering classes for intellectually disabled adults/adolescents. Having a special park/playground equipment and area specific for older teens and adults with disabilities. Sensory area in the park for all ages with disabilities. Having a special designated swimming time during the week for adolescents/adults with developmental/intellectual disabilities.
- Maybe just a restroom for both genders to use. But do not change your current restroom situation. If you could put an additional one for just ADA. I do not like men using the ladies restroom. They are not as respectful as women are in the restroom. (But that's just my option)
- communication
- Provide as much information as possible to everyone who might want to use the services. Perhaps on TV or radio or computer or phone. Sometimes mailers are just tossed away. The information might be pertinent to someone needing the services. I belong to a Bereavement Group at Padre Serra Church. Perhaps publishing in the Sunday Bulletin or on line to all religious organizations would help.
- Wheelchair automatic door openers
- Please look at Conejo Recreation and Park Districts program. It's fantastic! Camarillo is long overdue for a program like this.
- Update equipment for children is the one I see regularly but I am sure you will receive responses from other community members with their specific needs. I am happy you are asking the community about this.
- more handicapped parking close to classrooms
- Playground accessibility for toddlers up. Examples are Courtneys Sandcastle in San Clemente or the park in Durango CO. I have a child whom as a toddler didn't and couldn't walk. She could booty scoot. No play equipment in Camarillo was low enough or even inviting/stimulating.
- Awareness - 1. That you offer accommodations, 2. What they are. 3. Who to contact. Like in the mailer, the emails etc. info should be there all the time. I scan that stuff every time and had no idea there is someone in charge or this and that it is available
- As a mother with a child who has special needs, I would like to see classes be more inclusive. I have enrolled my son in a number of activities (KinderMusik, Parent&Me Swimming), however, we usually are the only family with a child with special needs and my son often needs help to participate in activities. It would be wonderful if descriptions in the activity guide can state something along the lines of, "open to all abilities." As a mother and special education teacher, I know parents often feel more inclined to enroll children in activities that is open to everyone rather than just looking for the "adaptive" or "private" classes which currently is only swimming and basketball. Thank you.
- Disability accessible senior center with adequate parking and better and less expensive programs.
- New senior building is needed
- Have more programs for developmentally disabled individuals. Many years ago, they had monthly dances/ activities for this population. Arts/crafts, etc. And accessible for those with limited resources (since most are on SSI).
- Care and support
- Perhaps creating an email notification list specifically for sending out information on activities for individuals with disabilities.
- Listen to the community members and stop focusing on only sports and the needs of the physically active community members.
- There are no adaptive sports available right now. If there are offerings, the schedule is not friendly for working families. There are also no sensory friendly events offered.

- My husband is recently disabled. One of his joys in life is watching his grandkids play AYSO soccer. He cannot do this any longer because wheel chairs cannot maneuver on the turf. Plus, the distances between the fields for 3 children of different ages is really unimaginable. I often see golf carts easily driving over PV Fields. I'm suggesting that some type of busing service could be developed for the disabled. I believe many would benefit from this service. Free, if possible, or a seasonal fee might work. Thank you for your consideration. I hate leaving my husband at home while I enjoy watching our 3 grandkids play soccer.
- Appropriate services, programs and communication to promote these opportunities
- Wheelchair accessibility as I believe there were stairs to enter (it has been a few years since I have been there)
- more programs for disabled young adults
- Parking, pave parking area near Blue parking spaces- the cracked & broken blacktop is dangerous, ADA doors for office access
- More events for highly educated professional seniors who are also handicapped. Perhaps online zoom discussions of current events, literature, history, foreign language, etc.
- Communication to residents
- District should continue providing access and accommodation
- I have not heard issues of concern at all
- Wheelchair access & handrails
- Not necessary – but maintain the therapeutic swim time – access to exercising for my spouse with dementia is just as critical as access to a particular facility.

Input from Organizations

Respondents were asked what they considered to be the highest priorities for accessibility and to provide comments and suggestions. A summary of the responses from organizations include:

- To find reliable medical transportation who are caring and are on time.
- Intentional inclusivity in all activities, options for participants
- Wheelchair access and handrails
- Transportation within the community – CAT bus cost increase

Input from Staff

Respondents were asked what they considered to be the highest priorities for accessibility and to provide comments and suggestions. A summary of the responses from the staff include:

- Awareness; making it a priority for all staff
- unknown
- Communication and staff training
- Adequate access to parks and restrooms and addressing the condition of aging facilities or parking lots with cracks
- I have no opinion on this matter. I do not have enough information.
- Making sure all of the sites are ADA accessible
- Finalize the ADA plan and work to incorporate into a CIP budget.
- Accessibility should be higher priority than expanding parks and facilities.
- Safety.
- making sure facilities are up to code 2. more accessible programs, but administered by a certified Recreation Therapist
- more playgrounds that are fully for the disabled

RECOMMENDATIONS

- As the District met and exceeded the requirements for soliciting input into the development of the plan, no additional activities are required. However, the District may wish to conduct periodic customer satisfaction surveys targeted for persons with disabilities or gather input from recipient of services as an ongoing activity. An additional emphasis may include outreach activities to collect and integrate input from persons with disabilities and organizations representing persons with disabilities on an ongoing basis.

Accommodations for Persons with Disabilities

A public entity must administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified persons with disabilities, *i.e.*, in a setting that enables persons with disabilities to interact with nondisabled persons to the fullest extent possible, and that persons with disabilities must be provided the option of declining to accept a particular accommodation (§ 35.130(d)(e)).

Statements of accommodations should be available on public notices, agendas, and other documents. A statement regarding reasonable accommodations or modifications that can be provided by the District generally affords persons with disabilities an opportunity to participate in meetings, events, and programs of the District. For example, a sign language interpreter or assistive listening device may be needed in order to participate.

FINDINGS

The majority of the findings for accommodation statements are compliant, but a few recommendations are made to enhance compliance.

- ✓ The District's Notice Under the Americans with Disabilities Act contains an accommodation statement and states that The "Pleasant Valley Recreation & Park District will neither discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities, nor exclude or deny individuals with disabilities an equal opportunity to receive program benefits or services."
- ✓ The District's notice states, "If you need accommodations to access information or participate in Pleasant Valley Recreation & Park District public meetings, programs or services, please contact the ADA/Section 504 Coordinator at the contact information listed below."
- ✓ Statements of accommodation were found on the sample of public meeting agendas that were reviewed. Of the agendas reviewed, the statement was consistent as shown in the following examples from Board meeting and Policy Committee meeting agendas:

Should you need special assistance (*i.e.* a disability-related modification or accommodations) to participate in the Board meeting or other District activities (including receipt of an agenda in an appropriate alternative format), as outlined in the Americans With Disabilities Act, or require further information, please contact the General Manager, at (805) 482-1996, extension 114. Please notify the General Manager 48 hours in advance to provide sufficient time to make a disability-related modification or reasonable accommodation.

Should you need special assistance (i.e. a disability-related modification or accommodations) to participate in the Committee meeting or other District activities (including receipt of an agenda in an appropriate alternative format), as outlined in the Americans With Disabilities Act, or require further information, please contact the General Manager at 482-1996, extension 114. Please notify us 48 hours in advance to provide sufficient time to make a disability-related modification or reasonable accommodation.

- ✓ The District offers a program for children ages five (5) to eleven (11) years of age called Camp Funtastic. The enrollment packet for the program states that children with special needs are welcome and that any accommodation requests can be noted on the registration form.

RECOMMENDATIONS

- To provide consistent and accurate statements of accommodation, it is recommended that a standardized "statement of accommodation" be included on postings (hard copy and on the website) of agendas, meetings, events, programs, and activities for public facing documents. The standardized accommodation statement should include language regarding a minimum timeframe to request an accommodation and includes the contact person, address or location, phone number and email address.
- Information regarding the purpose and requirement for an accommodations statement and training should be developed and disseminated to all District departments.
- Accommodation statements and procedures should be added for public records requests.
- Alternate methods for requesting an accommodation should be added to all statements of accommodation and should include phoning in the request, postal mail, email, or dropping off the request for accommodation at District sites.
- Contact information including a TDD/TTY or California Relay number for requesting an accommodation should be included on all statements of accommodations.

Access to Programs, Services, Activities and Events

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)). Title II of the ADA requires public entities to ensure that all public meetings and events sponsored are readily accessible to persons with disabilities and provide opportunities for participation. Policies and procedures need to ensure that persons with disabilities are provided equal opportunity to access programs, services, and activities of the District. Part 35.149 specifically requires nondiscriminatory practices in order to have program accessibility. The ADA/504 does not specifically state how a public entity provides for accessibility to programs, services, and activities.

Under the ADA, the District 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 District is required to do so unless it can demonstrate "that making the modifications would fundamentally alter the nature of the service, program, or activity" [28 CFR § 35.130 (7)]. Public entities are subject to all applicable state and federal laws that govern accessibility for persons with

disabilities. These laws include the Americans with Disabilities Act, the federal Section 504 of the Rehabilitation Act of 1973, and state constitutional provisions.

Except as otherwise provided in § 35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by persons with disabilities, 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 public entity.

FINDINGS

Overall access to programs, services, activities was found to be compliant.

- ✓ No intentional discriminatory practices were found regarding access to programs, services, and activities, however a recommendation to revise the wording of a District Ordinance is suggested to increase accessibility:
 - Section 234 of District Ordinance No. 8 states in part that "skateboarding, in-line skating, roller skating, scooters, bicycles, wheelchairs or similar non-motorized devices are permitted only at designated District facilities." It is recommended that wheelchairs not be included in a policy designed to address or limit the use of recreational devices.
- ✓ Many examples and evidence were found of the District providing access to programs, services and activities for compliance with the ADA, Section 504, housing, facilities and public rights-of-way.
- ✓ The District's Notice Under the Americans with Disabilities Act states, "In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973 ("Section 504"), Pleasant Valley Recreation & Park District will neither discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities, nor exclude or deny individuals with disabilities an equal opportunity to receive program benefits or services."
- ✓ The District's Notice Under the Americans with Disabilities Act states, "If you need accommodations to access information or participate in Pleasant Valley Recreation & Park District public meetings, programs or services, please contact the ADA/Section 504 Coordinator at the contact information listed below." The contact information for the ADA/504 Coordinator is noted on the webpage where the notice is located.
- ✓ The District's Activity Guides states the Pleasant Valley Aquatic Center offers therapeutic swim time for individuals who cannot participate in lap swim or advanced classes for physical reasons. Therapeutic swim is offered as a drop-in program and no advanced registration is needed.
- ✓ Information on the District's website regarding the Pleasant Valley Aquatic Center includes a hydraulic lift in the list of facility features.
- ✓ At the time of the evaluation, the Community Center Park was being used as a food distribution site for eligible residents of the City of Camarillo who were financially impacted by the COVID-19 pandemic. Application forms were available online as fillable PDFs as well as in hard copy at the distribution site.

- ✓ In addition to the hard copy of the seasonal Activity Guide that is mailed to residents, the District's website offers an online database to browse upcoming classes and events. Online registration is also available.
- ✓ The District's Activity Guides for Spring and Summer of 2022 both contain a notice that the District is making updates to increase accessibility of their services.



- ✓ District Board meetings are able to be viewed live via YouTube and on television. Past meetings are also able to be viewed from an archive of recorded meetings on the District's website. Meeting recordings offer closed captioning.

RECOMMENDATIONS

- A few general examples to increase access to programs, services and activities include, but are not limited to:
 - Public entities that adopt website postings as an alternative method of notice must ensure that the website is readily accessible to people with disabilities, including persons who use screen readers.
 - Applications should be available in other methods and not only online.
 - All open meetings of public entities must be accessible to persons with disabilities. Meeting locations must be accessible without the need for special assistance.
 - Sign language interpreters for deaf or hearing-impaired persons must be provided, subject to reasonable advance notice.
- The District should continue to disseminate information in a variety of locations and methodologies with accessible formats to enhance the access to programs, services, and activities.

- 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.
- Social media platforms should be reviewed on a regular basis to make sure that they are accessible for persons with disabilities.
- The ADA Coordinator should continue to monitor programmatic access and the removal of structural barriers in the transition plan.
- Additional and ongoing training should be provided regarding the requirements of the Americans with Disabilities Act and accommodations that provide equal access to programs, services, and activities.
- Meetings and events open to the public should 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.
- Information regarding a 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 persons with disabilities. A contact number and email address should be provided for additional assistance.
- Information about how to request accommodations should appear on public-facing notices, announcements, flyers, publications and agendas. Information should be disseminated to all departments and divisions regarding the statement for accommodations requirement.
- The District should provide training for staff and volunteers regarding accommodations for persons with disabilities. All staff, and in particular frontline staff such as receptionists and staff with high public contact, should receive training on interacting and accommodating persons with disabilities.
- Additional training materials and videos should be purchased or developed to assist with training efforts and to allow for access by District staff as schedules permit.
- The District's ADA Coordinator should assist departments with planning and budgeting for selected accommodations, such as large print, Braille materials and other accessible formats.
- A centralized method for producing alternate formats, such as Braille, may provide a cost savings and reduce the timelines to produce alternate formats.

Outreach Materials and Activities

The ADA does not specifically state how a public entity provides for accessibility to the District's 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 of the District.

FINDINGS

- ✓ Multiple methods of communicating with the public who take advantage of the District's programs, services and activities were found during the assessment.

- ✓ Numerous examples of outreach to the community to request comments and feedback on District projects were found. A recent example is a facility needs study for the Senior and Community Recreation Facility. The District communicated with the community and invited feedback for multiple phases of the project development and design. At the time of the evaluation, the District was in the process of selecting vendor services to conduct opinion polls from a wide and diverse audience so that collected feedback could be used to prepare a ballot measure.
- ✓ The job description for a District Marketing Specialist states that the staff member performs community outreach for District marketing efforts.
- ✓ The District's 2021-2026 Strategic Plan includes the following goals:
 - 4.2 GOAL: Implement an updated Recreation Management System tailored for the District's size, facilities, and programming needs.
 - Strategy: Develop and implement a communications and outreach plan to the public informing of the installation of a new system and educating on how to take advantage of it.
 - 4.3 Goal: Provide easily accessible information and effective community outreach through a strategic marketing and community engagement program.
 - Strategy: Create and implement inclusive communication strategies to provide timely, accurate information to residents and park visitors.
- ✓ Community members can subscribe to the District's emailed newsletter to receive regular notices and information about District events, programs and projects.

RECOMMENDATIONS

- The District should consider including additional pictures and references to persons with disabilities in publications, brochures and materials.
- Organizations representing persons with disabilities and areas with an increased population of persons with disabilities could be targeted for input regarding additional methods to disseminate information regarding programs, services and activities of the District.
- The District should consider targeted methods to increase the inclusion of persons with disabilities on commissions and committees.
- In District publications or on the website, areas or services that are accessible should be indicated with descriptive text and the International Symbol of Accessibility (ISA). For example, accessible restrooms and routes can be designated on the website, on maps and in publications.

Service Animals

Persons with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go (28 CFR § 35.136(g)).

The Department of Justice (DOJ) published revised final regulations implementing the Americans with Disabilities Act (ADA) for Title II (State and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Beginning on March 15, 2011, only dogs and miniature horses are recognized as service animals under Titles II and III of the ADA. A service animal is a dog (in some cases a miniature horse) that is individually trained to do work or perform tasks for a person with a disability. Public entities, such as the District, must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

FINDINGS

- ✓ While not specifically providing an exception for service animals, District Ordinance No. 8 Section 221 governing the use of parks, recreation areas and facilities states that "Pets not properly leashed may be impounded by Animal Control and the owner cited." Under the ADA, service animals are not considered pets.
- ✓ Information on the District's website regarding amenities and programs at Camarillo Grove Park states that dogs are not allowed in the Nature Center. The statement does not include an exception allowing service animals.
- ✓ No policy or procedure was found to be discriminatory to persons with disabilities who use service animals, however, no overall policy or statement confirming that service animals are permitted to accompany people with disabilities in all areas where the public are allowed to go was found.

RECOMMENDATIONS

- Staff should be provided information regarding service animals to understand the definition of a service animal and that service animals must be permitted to go to all public areas with a few exceptions such as spas. Information should be provided to staff to assist them to recognize a service animal and to understand the questions that they can ask. It should be clarified that it is never acceptable to ask about the person's disability.
- The District should develop policies regarding service animals for all applicable programs, services and activities of the District.
- The District should not exclude certain breeds of dogs as restrictions for a particular breed may be discriminatory and may exclude a qualified, trained service animal.
- Information about service animals should be provided to District staff in addition to training regarding service animals and in publications.
- Language in any pet ordinance should be modified or updated to ensure it is inclusive and not limited to only dogs or guide dogs or to a specific type of disability.

Other Power-Driven and Shared Mobility Devices

According to the Department of Justice: "Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines whether or not designed primarily for use by

persons with mobility disabilities that is used by persons with disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section.”

A public entity is required to make reasonable modifications to their policies, practices, and procedures when necessary to enable an individual with a disability to use a power-driven mobility device to participate in its services, programs, or activities unless doing so would result in a fundamental alteration of their services, programs, or activities (28 CFR § 35.137(b)).

A public entity shall permit persons with mobility disabilities to use wheelchairs and manually powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by persons with mobility disabilities in any areas open to pedestrian use, 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.

In determining whether a particular other power-driven mobility device can be allowed in a specific facility as a reasonable modification, a public entity may consider:

- The type, size, weight, dimensions, and speed of the device;
- The facility's volume of pedestrian traffic;
- The facility's design and operational characteristics (*e.g.*, whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary equipment, furniture or devices);
- If legitimate safety requirements can be determined to permit the safe operation of the other power-driven mobility device; and
- If the use of the other power-driven mobility device creates a substantial risk of serious harm to the environment.

FINDINGS

- ✓ No Districtwide policies or procedures were found regarding other power-driven mobility devices (OPDMD).

RECOMMENDATIONS

- It is recommended that the District develop a policy for other power-driven mobility devices (OPDMD) that are owned and operated by persons with disabilities and disseminate the information Districtwide.
- Contracts and agreements for shared mobility device programs should be monitored for accessibility. Vendors and operators should be notified that the programs are required to be accessible for persons with disabilities.

Ticketing and Seating

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain

new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Providing equal opportunity to people with disabilities is the fundamental principle of the Americans with Disabilities Act (ADA). This publication provides guidance on the Department's new nondiscrimination requirements that apply to selling tickets for assigned seats at events such as concerts, plays, and sporting events. The requirements, which are identical for title II and title III entities, apply to tickets sold for single events and those sold for a series of events (e.g., subscriptions or season tickets).

A public entity that sells tickets for a single event or series of events shall modify its policies, practices, or procedures to ensure that persons with disabilities have an equal opportunity to purchase tickets for accessible seating (28 CFR § 35.138).

FINDINGS

- ✓ The District's Notice Under the Americans with Disabilities Act states that "Pleasant Valley Recreation & Park District will neither discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities, nor exclude or deny individuals with disabilities an equal opportunity to receive program benefits or services."
- ✓ Information regarding accessible seating and companion seating was limited. There were no overall policies found for ticketing or accessible and companion seating.

RECOMMENDATIONS

- The District should develop policies regarding ticketing and seating for persons with disabilities.
- The District should continue to provide ADA accommodation notices and other documents that it will make all reasonable accommodations and modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.
- The District should describe the features of available accessible seating to permit a person with a disability to assess independently whether or not a given accessible seating location meets their accessibility needs.
- The District should provide materials, such as seating maps, plans, brochures, pricing charts, or other information to identify the location and type of accessible seating.

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

- ✓ There was no evidence of discriminatory practices regarding eligibility criteria for access to programs and services.

RECOMMENDATIONS

- Program eligibility criteria should be reviewed on an ongoing basis as policies are drafted or modified to ensure that eligibility criteria do not put additional burdens or requirements on persons with disabilities.
- The District should continue to ensure that all eligibility criteria allow for accommodations for persons 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

- ✓ There was no evidence of additional surcharges or fees charged to persons with disabilities that were not charged to individuals without disabilities to access programs, services and activities.
- ✓ The District's 2022 ADA Plan webpage includes the statement that the District "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."
- ✓ The District's public notice stating that the District is updating its ADA self-evaluation and transition plan and inviting input from the public includes the statement that "The Pleasant Valley Recreation and Park District 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."

RECOMMENDATIONS

- The District's ADA Coordinator should continually review fee policies and practices for consistency and to ensure that fees and surcharges are not charged to persons with disabilities that are not charged to persons without disabilities.
- The statement that the District does 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 and services or reasonable modifications of policy should also be added to the District's Notice Under the Americans with Disabilities Act.

Emergency Procedures

Under Title II of the ADA, emergency programs, services, activities, and facilities must be accessible to people with disabilities and generally may not use eligibility criteria that screen out or tend to screen out people with disabilities. The ADA also requires making reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination against a person with a disability and taking the steps necessary to ensure effective communication with people with disabilities. The ADA generally does not require state or local emergency management programs to take actions that would fundamentally alter the nature of a program, service, or activity or impose undue financial and administrative burdens (28 CFR § 35.130(b)(1)) (28 CFR § 35.149).

The District is required to plan to meet the needs of persons with disabilities in an emergency and provide access to emergency shelter services.

FINDINGS

- ✓ District wide policies describing the procedures for emergency evacuation were not found, however the District has two resolutions related to emergency response:
 - Resolution No. 603 which authorizes the Board of Directors to declare a state of local emergency.
 - Resolution No. 635 which designates the Administrative Services Manager, General Manager and Park Services Manager to act as agents to engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services.
- ✓ While not a policy regarding emergency procedures or evacuation, the District offers public classes online and at the Pleasant Valley Aquatic Center that instruct participants in emergency response. Classes are offered for CPR and first aid, lifeguard training and water safety instructor training.
- ✓ The District's Park Ranger Procedures and Operations Manual includes a statement under General Conduct that "A Park Ranger will know the means and procedures for seeking the services of other agencies such as fire, police, sheriff, health, civil defense, ambulance, hospital, and other services which may be needed in emergencies."
- ✓ The District's Draft Special Event Policy states that an Emergency Action Plan and site maps are required to be submitted to the District at the time of the special event application.
- ✓ Emergency evacuation maps were found in surveyed District facilities.

RECOMMENDATIONS

- The District should provide additional training and information regarding emergency evacuation procedures, particularly regarding the evacuation of persons with disabilities.
- The District should post evacuation routes and procedures at all District sites and on the website.
- The District should develop procedures and a mechanism to monitor the posting of emergency evacuation routes and procedures.
- District facilities that are used as emergency shelters should be surveyed to determine that they are accessible for persons with disabilities prior to be designated as an evacuation shelter. 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.
- 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.

Policies for the Use of District Facilities

The use of District facilities cannot discriminate against persons with disabilities and applications for the use of District facilities should include nondiscrimination statements. District facilities that are leased should be accessible for persons with disabilities.

FINDINGS

- ✓ The District provides opportunities for the public, organizations and businesses to lease recreational facilities for private events. The District's General Use Policy for facilities and parks includes the following statement of nondiscrimination:

VII. NON-DISCRIMINATION

No organization or person will be discriminated against based on belief or affiliation, religion, age, ethnicity, native origin, medical condition, physical or mental disability, gender, gender orientation or marital status. Any person or organization entering into a rental agreement with the District is required to comply with this non-discrimination policy. Any person or organization entering into a rental agreement with the District will be required to execute a statement agreeing to indemnify and hold harmless the Pleasant Valley Recreation & Park District, its Board of Directors, and the officers, agents and employees of these agencies for any failure to comply with this non-discrimination policy.

- ✓ District Ordinance No. 8 "Governing Use of Parks, Recreation Areas and Facilities" includes the following statements:
 - The General Manager may enter any reserved park area or recreation facility to inspect the premises for safety and compliance of use.
 - It shall be unlawful for the operator of any vehicle other than a vehicle bearing a distinguishing license plate defined by the California State Vehicle Code to stop or park a vehicle in a parking zone identified as reserved for disabled or handicapped persons. The fine for this violation shall be as prescribed by the California Vehicle Code.
 - When an athletic team that is a member of a community service organization and admits all members of the general public to the extent of capacity without discrimination and without charge to any game played, such athletic team may solicit voluntary contributions from the spectators attending such game.
 - No person shall engage in boisterous, threatening, intimidating, abusive, insulting, discriminatory, profane or indecent language; threaten or engage in fighting or physical altercation or engage in any disorderly conduct or behavior tending to a breach of the peace and interfering with the enjoyment of other persons on the premises. Person(s) exhibiting these behaviors will be required to leave the premises immediately. The District reserves the right to refuse services and prohibit entry on District property.
- ✓ The District offers hard copy and fillable PDF options of rental application to reserve a facility.

- ✓ The District offers the Pleasant Valley Aquatic Center for reservation to hold parties and events. A list of features for the pool includes a hydraulic lift for entry and exit of the pool.
- ✓ The District's website provides brochures noting amenities at park picnic sites and indoor facilities, however limited information was available regarding accessibility of facilities eligible for rental.

RECOMMENDATIONS

- The District should continue to include a nondiscrimination clause in their facility rental policy. The inclusion of nondiscrimination language in the policy and on forms helps ensure that outside groups and organizations agree to abide by all applicable local, state, and federal laws and District policy regarding nondiscriminatory practices during the utilization of District facilities.
- 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 District's website.
- The District should continue to provide the application form and facility use agreement in multiple formats, ensuring at least one is accessible, and offer multiple methods to submit the application. Use policies should be reviewed to ensure they are not discriminatory, such as a policy that would prohibit pets in a facility but does not include a statement allowing service dogs, when appropriate.

Lease and Joint Use Agreements

Under Title II of the ADA, the District is responsible for providing access to its programs, services, and activities in both owned and leased facilities. Leased sites should be accessible and have provisions in the lease to ensure accessibility.

FINDINGS

- ✓ Selected joint use and lease agreements were reviewed. Most agreements contained accessibility provisions.
- ✓ Several of the joint-use agreements provided by the District for review between the District and Oxford Union High School District and the Pleasant Valley School District have been in effect since 1973 and 1985 and do not reference ADA accessibility or nondiscrimination on the basis of a disability. No renewed or more recent joint-use agreements with updated language or compliance requirements between the District and the school districts were found.
- ✓ A lease agreement between the District (lessor) and Miracle League 805 (permittee) includes the following statement of nondiscrimination:

Non-Discrimination: Permittee shall not discriminate against any employee or customer for employment or access to District Properties because of race, religion, color, handicap, sex, or national origin.
- ✓ Policies and practices to ensure that the District leases accessible space from others were not found.

RECOMMENDATIONS

- The District should review the accessibility of sites that are and may be leased in the future prior to engaging in a lease or renewal and establish a procedure for a pre-lease inspection.
- When considering a leased space, the ADA Coordinator, or designated staff member, 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 District is considering a lease. A more comprehensive inspection could be conducted if the initial review appears to be favorable.
- 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.
- A pre-lease inspection process should be implemented for buildings that are not District owned but may be leased by the District.
- Language in lease agreements should be reviewed for ongoing compliance standards.
- Joint use agreements should outline accessibility provisions.

Special Events and Activities

Special events sponsored by the District are considered a program, service or activity of the District and are required to be accessible in accordance with ADA requirements.

FINDINGS

- ✓ Information pertaining to accessibility of special events was limited.
- ✓ The District's Special Event Permit application does not specify requirements for accessibility but does state that a site map and event plan are required for review by the District's General Manager prior to approval of an application.

RECOMMENDATIONS

- ADA accessibility information should be added to the Special Events section of the District's website.
- Accessible features and elements for special events and activities should be indicated in publications, brochures and on the website. Accessible features may include accessible parking and restrooms, for example.
- The District's special events policies, procedures and applications should be updated and maintained to include ADA accessibility information and provisions that the event will comply with federal, state and local accessibility requirements for persons with disabilities. ADA accessibility requirements should be included in event applications and procedures clarified for event organizers. For example, information regarding accessible parking, accessible restrooms and accessible emergency communications should be included in the special event application.

- Planning for accessible provisions should include a checklist and training for District staff regarding the ADA requirements for special events.
- A statement of accommodation should be included on the website and on flyers and publications regarding the special event or activity.

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 District employees.

FINDINGS

- ✓ Sample contract agreements reviewed included requirements for nondiscrimination for consultants, vendors and contractors, however nondiscrimination on the basis of a disability is not included in the text:

Covenant Against Discrimination. Consultant covenants that, by and for itself, its executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin or ancestry.

- ✓ The General Provisions of a contractor agreement for the Valle Lindo Restroom Remodel project states:

PENALTIES FOR DISCRIMINATION IN EMPLOYMENT: Any Contractor who shall be found in violation of the nondiscrimination provisions of the State of California Fair Employment Practices Act or similar provisions of federal law or executive order in the performance of any contract with the District shall be found in material breach of such contract and the District shall have power to cancel or suspend the Contractor, in whole or in part, or to deduct from the amount payable to such Contractor the sum of twenty-five dollars (\$25.00) for each person for each calendar day during which such person was discriminated against, as damages for said breach of contract; or both.

- ✓ Sample standard service agreements provided as part of requests for proposals were reviewed and included the following statement of compliance:

Compliance with Laws: Consultant will be solely responsible for giving all notices and complying with any and all applicable laws, ordinances, rules, regulations and lawful orders of any public authority relating to Consultant's work, including but not limited to those relating to copyright, trademark or other intellectual property matters.

RECOMMENDATIONS

- The District should review nondiscrimination statements in terms and conditions of agreements to ensure nondiscrimination on the basis of a disability is included.

- The District should review terms and conditions of agreements to find references to physical handicap and consider revising the wording to “disability” to be more inclusive and to not use outdated language such as “handicap”.
- The District should continue to monitor use of standard agreements and contracts by all District departments, as well as monitor agreements that are not standardized.
- It is recommended that the District consider one or more of these avenues to maintain compliance when contracting for services or when leasing facilities:
 - Include ADA/504 compliance requirements in new requests for proposals.
 - Review ADA/504 requirements when contracts or leases are negotiated, revised, or renewed.
- The District should consider including requirements for the purchasing or licensing of accessible information technology hardware and software when the program or devices will be available for use by the public.

Building and Construction

Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities, if the construction was commenced after January 26, 1992 (35.151). Building and construction policies require 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 state accessibility standards and requirements at the time of construction.

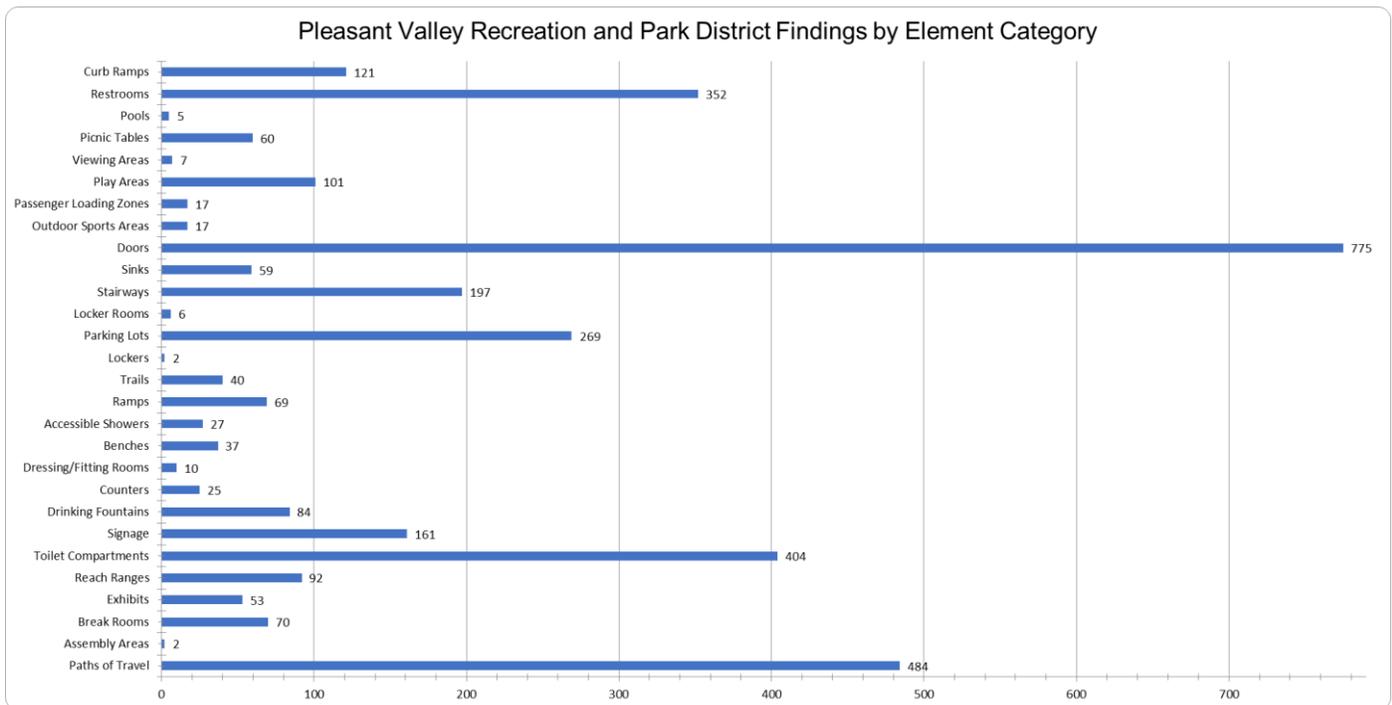
Existing buildings are defined as those buildings or sites that were constructed prior to 1992 and that have not had any major remodeling or renovation. If an existing building has had major remodeling or renovation, portions of the building would need to be brought up to the new standards. In addition, the path of travel to the building may be “triggered” and require renovation or remodeling to meet the current accessibility standards. A public entity may comply with the requirements for “existing buildings” by making programmatic changes. Full compliance of existing buildings may not be required where a public entity can demonstrate that it is structurally impracticable to meet the requirements.

FINDINGS

- ✓ The District applies accessible standards in accordance with state and federal requirements.
- ✓ The District has adopted applicable state accessibility policies, standards and regulations.
- ✓ District Ordinance No. 8 governing the use of parks, recreation areas and facilities states that vehicles are subject to removal from District property if a vehicle not bearing a distinguishing accessible placard or license plate is parked in a reserved accessible parking space, per the California State Vehicle Code.
- ✓ The District’s 2021-2026 Strategic Plan states that a goal is to develop a Community Center Plan that lays the foundation for both operational and facility programming. Strategies to

achieve this include “Identify features and amenities within the existing Community Center facility to be updated or improved (Fire Codes/ADA/etc.) as part of the larger project.

- ✓ A June 5, 2019 Board of Directors meeting agenda included specifications and approved plans for the installation of ADA compliant restrooms at Valle Lindo Park.
- ✓ Although not uncommon with public entities, noncompliant findings in accordance with Title II of the ADA, the California Building Code (CBC) and other accessibility standards and provisions were found during the on-site accessibility review of buildings, parks and other District facilities. Detailed findings and photographs are included in the online DACTrak software program that contains the findings from the on-site field surveys conducted by DAC. A summary of noncompliant findings based on recent on-site field assessments is indicated in the following bar chart graph:



RECOMMENDATIONS

- Due to the number of noncompliant findings of new construction and remodeling, the District should enhance their oversight of projects to ensure that remodeling and new construction meet applicable accessibility standards.
- The District should consider contracting for an independent review of plans, remodeling efforts and new construction for accessibility requirements for the Americans with Disabilities Act Standards (ADA), the California Building Code and other applicable building standards and regulations to provide additional oversight. It is important and required that the accessibility barrier removal efforts for new and remodeled buildings, parks and other facilities meet federal and state accessibility codes.
- As privately developed commercial publications are placed on the District’s website the District may want to consider placing disclaimers on their website that the publications were developed by private sources and not governing authorities. In addition, the site should be monitored to remove any outdated publications that do not reflect current standards.

- The District should review policies, practices, and procedures to review remodeling and construction activities to ensure that they meet the applicable accessibility standards.
- Internal policies and procedures focusing on the review of design and construction activities specific to ADA compliance and accessibility compliance should be added.
- The District should ensure that accessibility inspections are conducted as work progresses and is completed.
- Language in contracts with outside vendors should state that work will be performed with all applicable state and federal accessibility standards and regulations.
- The District should ensure that contractors are informed when performing construction activities adjacent to or within the public right-of-way that accessible and safe pedestrian routes must be maintained throughout the project. Information on alternate accessible pedestrian routes and detours should be posted on the District's website, as well as at the site during construction.
- Procedures should be established to ensure alteration projects which affect usability of facilities containing a primary function, that the path of travel to the altered area including restrooms, telephones, and drinking fountains serving the altered area be brought into compliance with ADA standards to the extent of 20% of the cost of the alteration.
- The District should continue to remove barriers identified in the District's ADA/504 self-evaluation and transition plan.
- As barriers are removed, they should be documented in the District's transition plan.
- The District should keep the transition plan current and produce progress reports on a regular basis.

Maintenance of Accessible Features

The ADA requires that accessible features be maintained (35.133). 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.

The ADA requires that, to the maximum extent feasible, facilities must be accessible to, and usable by, persons with disabilities. This section recognizes that it is not sufficient to provide features such as accessible routes, elevators, or ramps, if those features are not maintained in a manner that enables persons with disabilities to use them. Inoperable elevators locked accessible doors, or "accessible" routes that are obstructed by furniture, filing cabinets, plants or displays, for example, are neither "accessible to" nor "usable by" persons with disabilities.

FINDINGS

- ✓ District Resolution No. 353 formally initiated proceedings for the formation of a "Park Maintenance and Recreation Improvement District" for the Pleasant Valley Recreation and Park District. While not specifically stating maintenance of accessible features, the duties of the staff members are broad and extensive:

The existing and proposed improvements to be undertaken by the Recreation Improvement and Maintenance District are described as installation, maintenance and servicing of public facilities, including but not limited to, playing fields, playground equipment, hard court surfaces, irrigation and sprinkler systems, landscaping, turf and track facilities, gymnasiums, swimming pools, landscaping, sprinkler systems, park grounds, park facilities, landscape corridors, and trails, as applicable, for property owned or maintained by the Pleasant Valley Recreation and Park District. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.

- ✓ The District also demonstrated a practice of maintaining accessible features in accordance with a work order process.

RECOMMENDATIONS

- The District should continue to monitor accessible items and elements that are required to be accessible and therefore need to be maintained in an accessible manner.
- The District should continue to interface with other local jurisdictions to coordinate ADA efforts and staff training.
- The District 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.

Equally Effective Communication

Public entities, such as the Pleasant Valley Recreation and Park District, must ensure that applicants, participants, and members of the public with disabilities have communication that is equally effective as that provided to persons without disabilities in accordance with 35.160. The ADA requires that a public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

A public entity is required to furnish appropriate auxiliary aids and services where necessary to afford qualified persons with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity. When determining what types of auxiliary aids and services are necessary, a public entity is required to give primary consideration to the requests of persons with disabilities. Auxiliary aids and services should be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Effective communication methods may include:

- Auxiliary aids and services
- Qualified sign language interpreter services
- Video remote interpreting (VRI)
- Communication Access Real Time (CART)
- Telecommunications services for the deaf and hard of hearing (TTY/TDD)
- Assistive listening systems
- Alternative formats
 - Recordings
 - Videos
- Accessible fonts and documents
 - Braille
 - Large print

FINDINGS

- ✓ While not specifically addressing effective communication, the District's Notice Under Americans Disabilities Act and Section 504 of the Rehabilitation Act of 1973 states that the District will neither discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities, nor exclude or deny individuals with disabilities an equal opportunity to receive program benefits or services. The notice also states, "if you need accommodations to access information or participate in Pleasant Valley Recreation & Park District public meetings, programs or services, please contact the ADA/Section 504 Coordinator."
- ✓ The notice is posted on the District's website.
- ✓ A sampling of archived videos of public meetings were reviewed and were found to have closed captioning options for the viewer, such as in the following screen shot of a March 2, 2022 Board meeting.



- ✓ A description of features for the Nature Center at Camarillo Grove Park state that Braille signage is located in the native gardens.
- ✓ The statement of accommodation that is found on District meeting agendas states that agendas can be provided in an alternative format upon request.
- ✓ District budget documents show a line item description for available budget expenditures for the category of "7170 Sign Language Services".
- ✓ Posting of TDD/TTY numbers on District publications was limited.

RECOMMENDATIONS

- The District should consider training for staff to assist users of the assistive technology.
- The District should provide staff with information regarding assistive technology that is available.
- Persons with disabilities may not participate in or participate as frequently in District sponsored programs, services, or activities if they do not understand what is being communicated. Information on the availability of auxiliary aids and services should be included in departmental policies, procedures and guidelines.
- When equipment is used as part of a public entity's program, activity or service, an assessment should be completed to safeguard that the equipment is usable by persons with disabilities, particularly persons with hearing, visual, and manual impairments. In addition, a public entity should have policies in place to ensure that its equipment is well maintained and in operable working order.
- Training should be provided so that staff are aware of and understand how to arrange for auxiliary aids and services, such as sign language interpreters, material in Braille and assistive listening systems; to support effective communication with persons with disabilities.
- Notices for public input should include information on the availability of interpreter services and other 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.
- Interpreters should be provided as determined through a request for accommodation process or in circumstances where an interpreter is known to be required.
- The District must ensure that those persons utilizing a language other than English and are deaf, are also provided interpreter services that specialize in signing for that language.
- The District may consider the use of a video relay interpreter system to augment contracts and arrangements for interpreters.
- 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

persons using auxiliary aids and services, including TTYs and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.

- 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.
- 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.
- The District should post the number of the California Relay when other methods are not available.
- Information regarding assistive listening systems should be readily available.
- Signs should be posted in prominent places at or near the assembly area entrance stating "Assistive-Listening System Available" and include the International Symbol of Access for Hearing Loss.
- The District should provide notice regarding the method and availability for alternate formats.
- The District 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.
- The District 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, CDs, large print, information sent via email, screen readers, Braille, and pictograms.
- Online public notices and publications should have a statement of accommodations which includes who to contact for an accommodation.
- A TTY/TDD and/or Relay number should also be included on District notices which allow for public input.
- The District should continue to provide information on its website and publications regarding the District's branding policy, if available. The District might consider adding information to the District's branding policy regarding accessible fonts and documents.
- The possibility of a central Districtwide department or method to provide Braille and other accessible documents should be assessed to assist with providing accessible alternate formats.
- The District should have an existing contract with one or more firms or organizations to provide accessible documents, such as Braille, in a timely manner.

Website Accessibility

Websites are required to meet accessibility standards and comply with Web Content Accessibility Guidelines (WCAG 2.0) standards for compliance. Websites for Title II of the ADA public entities such as the District currently required to comply with WCAG 2.0 Level AA.

Persons with disabilities frequently use the internet to access information about the District. 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. 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 of 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 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.

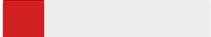
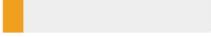
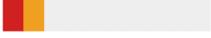
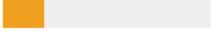
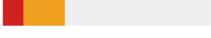
An updated version of the guidelines (WCAG 2.1) was published on June 5th, 2018. The updates are mainly related to mobile devices, disabilities that affect vision and cognitive function, criteria addressing text spacing, and criteria addressing timeouts and animations from interactions. While public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

While Section 508 *directly* applies to federal organizations, its impact is much farther reaching. Section 508 is extended to any company that conducts business with a federal agency, including private contractors, the financial industry, healthcare, many legal organizations, and others, and may also be extended to universities (including private universities) that receive funding through grants.

FINDINGS

- ✓ The review of the District's website was performed in April of 2022 using the SortSite Website Accessibility Testing Software to evaluate the website's HTML content by testing against published website accessibility guidelines. The Pleasant Valley Recreation and Park District's home page, major web pages, links and sub-links were reviewed for accessibility for persons with disabilities. Links that direct users to external sites and web pages were not evaluated.
- ✓ The District's website has a consistent general layout of each page that has menu, link and search box options in the same location on each page in the header.

- ✓ The District’s 2022-2023 Annual Budget Detail Expense Worksheet shows monthly expenditures to the service Streamline for ongoing website maintenance.
- ✓ No website accessibility statement was found on the District’s website.
- ✓ The most prevalent error found during the review was numerous instances of broken links. Broken links frequently occur when the page, document or file has been removed from the site, or possibly renamed, which prevents the link from taking the user to the correct target. A website user would receive an error message when clicking the link.
- ✓ The accessibility evaluation also returned numerous findings for images that do not contain alternative text descriptions or where the alternative text is a placeholder or file name and not actually a description of the image. This would result in meaningless or confusing image descriptions when read aloud by a screen reader.
- ✓ The accessibility evaluation also returned multiple findings for PDF documents available on the District website that are not accessible. PDF documents were found to be missing tags titles and language attributes which are needed in order to be read by screen reader software. Images on PDF documents were also found to be missing alternative text.

Category	Results	
Overall Quality		2,788 pages with quality issues
Errors		810 pages with broken links or other errors
Accessibility		2,291 pages with accessibility problems
Compatibility		270 pages with browser specific issues
Search		1,026 pages with search engine issues
Standards		800 pages have W3C standards issues
Usability		1,267 pages with usability issues

Totals 4,104 pages and images checked

RECOMMENDATIONS

- Correct accessibility errors in the District’s website and regularly review the website for compliance, especially in situations where District staff may be adding information to the District’s website.
- Develop procedures to maintain the accessibility of the District’s website and provide training to staff.
- If the accessibility and maintenance of the District’s website is contracted to an outside vendor, contractual language should be included regarding the website accessibility requirements and that the responsibility for the development of and maintenance of an accessible website.

Social Media

Website accessibility also extends to social media platforms that are used by a Title II entity to deliver information and notices to the public. Content and information created and shared via social media by a Title II entity is required to comply with WCAG 2.0 Level AA requirements. Level AA requirements include all minimum standards of Level A as well.

Although the information shared by the District may be designed by the District to be accessible, the District may not be able to assure that it is accessible when placed in a third-party social media platform.

FINDINGS

- ✓ The District uses social media as an additional communication tool for its stakeholders. As social media platforms use third-party vendors, the District usually cannot be responsible for content that may not be accessible.
- ✓ The District has a Social Media Policy which includes the following statements related to nondiscrimination and obligations for the District's social media posts to be compliant with applicable laws:
 - All District-managed social media shall adhere to applicable federal, state, and local laws, regulations and policies.
 - The District reserves the right to deny access to District-managed social media for any individual who violates the District's Social Media Policy, at any time and without prior notice.
 - The Pleasant Valley Recreation & Park District reserves the right to review, edit, and/or delete, in its sole discretion, submissions for any reason, including but not limited to:
 - Comments that contain offensive remarks that perpetuate discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws.
- ✓ The District's Social Media Policy also states that the District website (www.pvrpd.org) will remain the District's primary and predominant internet presence.
- ✓ The District's Employee Technology Use Policy also includes the following statements in a section entitled "Social Media":
 - All District social networking sites shall adhere to applicable state, federal and local laws, regulations and District policies.
 - The District reserves the right to restrict or remove any content that is deemed in violation of the policy or any applicable law.

RECOMMENDATIONS

- Provide the information through more than one platform.

- Avoid using acronyms and abbreviations that would not be understandable if read by a screen reader.
- Post or upload a captioned video instead of relying on automatic captioning tools that may be inaccurate.
- Before linking to content that was created by a third party, test the content for accessibility, such as videos that start automatically, missing alternative text for photos and available captioning. If the content is not fully accessible, but the entity chooses to link the content regardless, a disclaimer should be added that explains the limitations for the linked content to the user.
- Review third-party social media terms, conditions and limitations for accessibility compliance when determining whether to use the platform.

Acceptable Terminology

Terminology should be in "person first language" such as person with a disability or individual with a disability instead of "disabled person" or the term "handicapped." Other negative terms such as retarded, confined to a wheelchair, crippled and handicapped should not be used.

FINDINGS

- ✓ References to "handicapped parking", "handicapped persons" and "mentally and physically disabled" are found in District documents or publications. Phrases such as "accessible parking" and "persons with disabilities" should be used.
- ✓ No negative or discriminatory references using the terms "retarded", "confined to a wheelchair" or "crippled" were found in any District documents or publications.

RECOMMENDATIONS

- District publications should be reviewed to see if the word "handicapped" is used. The words "individuals with disabilities" or "persons with disabilities" should replace "handicapped." The term "disabled person" should also be avoided. Information regarding acceptable terminology in "people first language" should also be provided to District staff. Publications should be updated as they are reprinted. It is understood that the District does not have control over documents that are generated from other jurisdictions.
- It is recommended that the ADA Coordinator disseminate information or provide training regarding acceptable terminology to be utilized by departments and staff.
- Branding policies or policies regarding document development and publications should include alternate language recommendations that do not use the term "handicapped."

Training

Ongoing compliance with the ADA/504 can only be achieved if District staff and officials receive ongoing and updated training about the rights of persons with disabilities and the obligations of public employees under the ADA/504. Although training is not required by the ADA/504, training regarding the requirements of the ADA/504 is recommended. Staff that understand the requirements of the ADA and how to assist persons 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 District employees, appropriate terminology, and specific methods to assist persons 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."

Although the focus of the ADA/504 self-evaluation was not on employment, it is important to 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 applications, interviewing, testing, hiring, evaluating, compensation, benefits, promotion, discipline and termination.

Findings

- ✓ The District has a record of staff training regarding federal and state accessibility requirements.

- ✓ The District's Recruitment, Appointment and Promotion Procedures state:

It is the District's intent to attract the most qualified persons to apply for employment. Recruitment activities shall be conducted in such a manner as to attract qualified applicants and no person holding or applying for a position shall be discriminated against on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status (unless a bona fide occupational qualification).

- ✓ Job descriptions posted to the District's website included a statement that the District provides reasonable accommodation:

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- ✓ The District offers an online employment application to apply for available positions and also a fillable PDF form that can be completed by applicants and returned to the District.

- ✓ The District's Volunteer Interest application asks if the applicant would like to make the District aware of any physical or medical conditions.

- ✓ The District's Employee Technology Use Policy states that employees are expected to refrain from:

Using District office equipment for activities that are illegal, inappropriate, or offensive to fellow employees or the public. Such activities include, but are not limited to, hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.

- ✓ The District's Unrepresented Employee Manual that is available on the Human Resources Policies and Procedures webpage states:

It is the purpose of this Unrepresented Employee Manual (Manual) is to establish a system of uniform and appropriate personnel policies and procedures which will provide the Pleasant Valley Recreation and Park District with a productive, efficient, stable and representative workforce by incorporating the following principles:

- Assuring fair treatment of applicants and employees in all aspects of personnel administration without discrimination based on race, color, sex, age, religion, national origin, political affiliation, marital status, sexual orientation or disability with proper regard for their privacy and constitutional rights.

- ✓ The District's Memorandum of Understanding between Pleasant Valley Recreation and Park District and Service Employees International Union Local 721 representing PVRPD Employees that is available on the Human Resources Policies and Procedures webpage states:

Non-Discrimination in Reduction in Force: Layoffs and demotions which result from a reduction in force shall be made without consideration being given to an employee's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic characteristics or information, marital status, sex, gender, gender identity, gender expression, pregnancy, age, sexual orientation, or veteran or military status of any person.

The District is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as handicapped under federal and/or state law.

- ✓ The Pleasant Valley Recreation and Park District is a member of the California Association for Parks & Recreation Indemnity (CAPRI) which offers training to its member agencies on requirements of the ADA, including roles and responsibilities of the District to comply with the ADA, nondiscrimination, program accessibility and maintaining accessible facilities. District staff participated in training sessions provided by DAC through CAPRI for topics including:

- ADA Roles and Responsibilities for Park Districts
- Completing Your ADA Compliance Review of Policies, Procedures, Program Access and Public Outreach
- Compliance Standards for Construction and Remodeling

- ✓ Staff survey respondents who stated that they have received training or information regarding the requirements of the Americans with Disabilities Act noted that they've received training on webinars provided by California Association for Parks & Recreation Indemnity (CAPRI) and National Recreation and Park Association (NRPA), as well as from classes and information provided from past supervisors.

- ✓ Training for new employees and volunteers with content regarding the ADA was not found.

RECOMMENDATIONS

- The District should continue to provide ongoing training regarding the ADA/504 for facilities, public rights-of-way, and outdoor recreation standards. Suggested training topics should include, but are not limited to:
 - Requirements of the ADA and 504
 - Notice and Identity of the ADA Coordinator
 - Notice and Rights Posted for Persons with Disabilities
 - Acceptable Terminology and Expressions
 - Noncompliance Consequences
 - Accessible vs. Compliant
 - Barriers – Programmatic or Physical
 - Providing Services for Persons with Disabilities
 - Inclusions of Persons with Disabilities
 - Service Animals
 - Leased Sites
 - Special Events and Voting
 - Accessible Locations for Meetings
 - Effective Communication, Auxiliary Aids and Services
 - Construction and Remodeling
 - Maintenance of Accessible Features
 - Community Donations and Construction Projects
 - Grievance Procedures
 - Use of District Facilities by Organizations and Individuals
 - Reasonable Accommodations
 - Statement of Accommodations
 - Alternate and Accessible Formats
 - Accessible Websites
 - Volunteers
 - Accessibility Standards and Regulations (ADA, CBC, PROWAG, MUTCD, Caltrans)
- The District should provide staff training in additional formats other than a classroom session, if needed. Training methodologies could include videos (captioned) that could be viewed at the training or checked out by departments and agencies.
- Handouts and training materials should be prepared, if needed, in alternate accessible formats.
- The ADA Coordinator should continue to provide or coordinate additional ADA/504 training to all management and staff who have regular contact with the public.
- The District should consider adding assurances to applications for volunteers that would include assurances that the applicant will adhere to abide by all applicable state, federal and District policies and procedures.
- The District should consider adding nondiscriminatory practices to Districtwide conduct policies for staff and volunteers.
- The District should include information as to the identity, title, address, phone number and email address of the ADA Coordinator to new employee orientation and volunteer information.

- New employees and volunteers should be provided materials and/or training regarding nondiscriminatory practice and the requirements for access to programs, services, and activities of the District.
- The District 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 Section 504. Materials could also be offered on providing accommodations for persons with disabilities.

Distribution and Location of Publications

Publications, documents, and brochures are required to be in an accessible location for persons with disabilities.

FINDINGS

- ✓ Most publications, brochures and documents are displayed in departments and areas that were accessible for persons with disabilities. Displays should be on an accessible route and within a compliant reach range. Recommendations to adjust displays when required to comply with accessible reach ranges are included in the District's transition plan.

RECOMMENDATIONS

- The ADA Coordinator should continue to provide information to departments regarding the placement of brochures, pamphlets, and information in accessible locations and in accessible containers or displays for persons with disabilities. Including requirements for reach ranges and clear floor space to access publications would also be helpful.
- Counters and areas that are lowered for access by persons with disabilities should be maintained and kept clear of display and work items.
- Displays should also allow for retrieval of the information without utilizing a tight pinching or grasping motion and be within a compliant reach range.

Planning, Budgeting, Implementation and Strategies for Ongoing Compliance

There is not a specific requirement in the ADA or Section 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. A District that is budgeting for ADA/504 barrier removal and to improve access to programs, services and activities shows intent to implement the barrier removal/transition plan and to enhance access to programs, services, activities, and facilities by persons with disabilities.

The District is required to provide a projected schedule with estimated dates for barrier removal in the ADA/504 self-evaluation and transition plan. The projected schedule is an estimate or planned date for barrier removal. Projected dates, however, may change due to a variety of factors. Developing an ADA plan and a schedule for implementation and removal of barriers provides clear documentation of the District's ongoing efforts to remove barriers and to provide access to District programs, services, and activities.

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. As the District 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.

FINDINGS

- ✓ The August 2021 Staff Finance Report presented at the October 6, 2021 Board of Directors meeting includes the budget line item for updating the ADA Transition Plan.
- ✓ Information presented in a staff report to the Board of Directors for the September 4, 2019 meeting noted that the Aquatic Center lobby and front desk area underwent a redesign in 2006 to accommodate ADA requirements.
- ✓ The District's 2021-2026 Strategic Plan includes a goal to "Develop a Community Center Plan that lays the foundation for both operational and facility programming." A strategy noted to achieve this goal is to "Identify features and amenities within the existing Community Center facility to be updated or improved (Fire Codes/ADA/etc.) as part of the larger project."
- ✓ The minutes of the May 2, 2019 special meeting of the Board of Directors included the discussion of the use of Quimby Act fees for FY 2019-2020 projects, including but not limited to:
 - Freedom Center - Remodel ADA Restrooms
 - Camarillo Grove - Upper Restroom ADA Compliance
- ✓ At the time of the evaluation, the District was in the process of renovating Arneill Ranch Park. Construction illustration documents that are available on the District website show that the scope of work includes ADA concrete paths of travel and ADA parking lot upgrades. The construction illustration documents also include reference to the design and location of an ADA compliant picnic table.

RECOMMENDATIONS

- The District should continue to maintain an ongoing barrier removal implementation plan and document the District's progress, initiatives and funds expended.
- In appropriate cases, it is recommended that the District contract for an independent review of plans, remodeling efforts and new construction for accessibility requirements for the Americans with Disabilities Act Standards (ADA) and Title 24 of the California Building Code. It is important and required that the accessibility barrier removal efforts meet federal and state accessibility codes.
- The ADA Coordinator, or designated staff, should be empowered with the authority to make recommendations and monitor the current Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan.
- In addition to the removal of structural barriers, departments should consider budgeting for accessibility items, especially in communication, such as TTY/TDD's and alternate formats.
- Implementation of the recommendations in the self-evaluation will continue to require planning, resources, staff training, interdepartmental coordination and collaboration throughout the organizational structure and the public.

Conclusion

The Pleasant Valley Recreation and Park District has demonstrated an ongoing commitment to provide equal access for persons with disabilities to its programs, services, and activities to maintain and enhance compliance with the requirements of the Americans with Disabilities Act. The District continues to embrace a concept of full and equal access for all the people it serves. The findings from the updated Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan memorialize the District's compliance efforts.

The District has completed many ADA compliance activities. A summary of findings and recommendations is provided in this section but is not intended to be entirely inclusive of all findings and recommendations contained in the Pleasant Valley Recreation and Park District ADA/504 Self-evaluation and Transition Plan.

The noncompliant findings overall for programmatic areas such as policies, programs, services and activities were not found to have a significant impact for access by persons with disabilities. Some areas, as noted in the executive summary report should be changed, updated or enhanced to provide a greater level of access by persons with disabilities. Noncompliant findings for physical barriers were found to have the potential to limit access by persons with disabilities.

1. **ADA POLICY STATEMENT:** Although not required, is recommended that the District develop and distribute Districtwide an ADA Compliance Policy Statement that clearly describes the commitment and nondiscriminatory policies and practices of the District regarding recruitment, employment, policies, access to programs, services, events and facilities. The ADA Compliance Policy Statement does not have to be formally adopted but should at least be approved by executive management.
2. **POLICY DEVELOPMENT AND UPDATES:** Although the District is not required to develop a policy for each and every area of access to the District's programs, services and activities, it is general practice for public entities to develop Districtwide policies and procedures in selected areas to ensure compliance with the accessibility requirements and standards. Although Districtwide ADA primary compliance policies can be developed, it would be beneficial to have individual policies and procedures to fully understand and implement the accessibility requirements. For example, policies regarding service animals, ticket sales for events or other power-driven mobility devices may be countywide or specific to departments and divisions.
3. **ADA COORDINATOR:** The identity and the role of the ADA Coordinator should continue to be published using multiple methodologies to inform staff and members of the public. In addition, training should be provided to District staff. Due to the required role of the ADA Coordinator, it is important that interdepartmental coordination is enhanced to include project planning, funding and documentation of the barriers removed. A process should be developed by the District with departmental input to update the DACTrak accessibility management software program not only to implement the plan, but to document the removal of barriers. It is important that interdepartmental coordination is enhanced to include project planning, funding and documentation of the barriers removed.
4. **PLAN TO REMOVE BARRIERS:** It is important that the transition plan to remove the physical barriers includes buildings, facilities, parks, recreational sites, parking and paths of travel. Planning, funding and staff resources should include all areas of the transition plan.

5. **TRAINING:** Ongoing and updated training should be provided for District staff and volunteers regarding the responsibilities of the District for ADA compliance, providing accommodations and providing programs, services, and activities for persons with disabilities.
6. **ESTIMATED DATES FOR BARRIER REMOVAL:** Following communication between departments and an analysis of not only currently available funding, but funding that will be needed in the future, the District should continue to update the projected dates of barrier removal in the DACTrak software in order to have “estimated dates” of barrier removal. The ADA/504 self-evaluation and transition plan is a fluid, planning document that is prioritized and phased in order to develop and maintain a plan for the removal of barriers to access facilities, programs, services and activities of the District. Projected and estimated dates may change due to accessibility needs, planned projects, projected projects, funding, complaints, claims, litigation and initiatives of the District. A process should be developed by departments to update the DACTrak accessibility management software program.
7. **GRIEVANCE PROCEDURES AND FORMS:** Grievance or Uniform Compliant Procedures should be developed and made available to members of the public in addition to District staff. Although the Department of Justice uses the term “Grievance”, the procedures and forms can be “Complaint and/or Grievance Procedures”.

Staff should be trained regarding the requirements and methods for members of the public to access grievance procedures and forms. In addition, grievances should be tracked to document the date of the grievance, the action taken by the District (if any) and the resolution of the grievance.

8. **STATEMENTS OF ACCOMMODATION:** Statements of accommodation or modifications should be provided on selected public facing documents such as agendas, meeting announcements, events and activities. It is recommended that the District develop a statement of accommodation that is consistent and provide procedures and training regarding the inclusion of the “statement of accommodation” on selected public-facing documents so that participants with disabilities that may need an accommodation to participate in the District’s programs, services and activities can request reasonable accommodations.
9. **CONSTRUCTION OVERSIGHT:** The District should consider a more formalized construction oversight process to include accessibility plan reviews, proposal development for accessibility, construction reviews, post construction reviews and acceptance by the District.
10. **STAKEHOLDER INPUT AND OUTREACH:** The District may consider forming a disability access advisory group or committee that could serve as a liaison between stakeholders and the District to provide input and suggestions regarding access by persons with disabilities. Additional activities to enhance outreach and inclusion may include additional pictures of persons with disabilities in publications, information regarding accessibility provisions for District events and programs, accommodations to increase participation and increased participation of persons with disabilities on committees and advisory boards.
11. **PLANNING AND BUDGETING:** The District should continue to plan and budget for barrier removal of items that may deny access for persons with disabilities. The 2022 Pleasant Valley Recreation and Park District ADA/504 transition plan identifies physical barriers that exist within buildings, parks and recreational facilities. A phased plan for barrier removal, projected barrier removal dates and allocated funding will provide for an ongoing, sustainable plan over time.