

United States Department of the Interior



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NATIONAL PARK SERVICE

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October 24, 2006

Memorandum

To: Directorate and Field Directorate
Director, Denver Service Center
Director, Harpers Ferry Center
Park Superintendents

From: *(for)* Director /s/ *Steve Martin*

Subject: Disability Access in the National Park Service

The purpose of this memorandum is to provide ongoing guidance regarding the improvement of the level of accessibility within the National Park System. The National Park Service (NPS) is required by law to ensure that its constructed assets, programs and services are accessible to and usable by individuals with disabilities. These legal mandates, which have been in existence for over 30 years, require that the NPS modify and adapt these assets and programs to ensure that these individuals have access to the same opportunities and benefits available to all other visitors. However, over the past several months, the NPS has received a significant increase in the number of official and valid complaints alleging non-compliance with the legal mandates. Also, Congressman Stevan Pearce, Chairman of the House Subcommittee on National Parks, convened an oversight hearing in May 2006, to review the efforts of the NPS to ensure equal opportunity for the Nation's 54 million disabled citizens. Many of the participants attending the hearing were from organizations representing citizens with disabilities who related their experiences and observations regarding NPS efforts. The testimony presented and the official complaints that have been filed both emphasize the fact that in spite of the efforts that have been made and the successes achieved, the NPS is falling significantly short of meeting the minimum level of access that is mandated by Federal law. There needs to be more accountability for actually achieving the goal of increased accessibility.

A review of the complaints filed and of the testimony received indicates that there are four critical areas where the NPS must show improved success. These areas are:

- **The NPS must ensure that all newly constructed assets are designed and constructed in compliance with the appropriate standards or guidelines.** There are findings that a number of newly constructed projects are falling short of compliance. In some cases, the design is appropriate, but the finished project is in noncompliance. Official guidelines and standards do exist and they are being amended and added to on an ongoing basis. Compliance with these standards is required and is not a choice. The NPS must ensure that all new designs conform to the appropriate standards. The NPS must also practice due diligence to ensure that the finished project is completed in conformance with the design. It has been proven over the years that incorporating accessibility standards into the design and construction of new facilities is the single most cost effective way to meet this requirement. Having to go back and make corrections after the project is completed is extremely costly.
- **The NPS must ensure that all rehabilitation and renovation projects incorporate accessibility corrections to the highest degree practicable. There are many Project Management Information System (PMIS) projects which indicate that accessibility compliance is being addressed, but the accomplishment reports do not reflect that action. There are also some projects in PMIS that could and should address access, but apparently do not.** As projects are formulated and selected for funding, no project should proceed without first assuring that current accessibility guidelines are being met. With the significant funds available through line-item construction, repair and rehabilitation, recreation fees, Operation of the National Park System, concession franchise fees equipment replacement, Federal Lands Highway and other programs, the NPS should be positioned to be a leader in providing access for all of our visitors.
- **The NPS must ensure that all interpretive programs, services and opportunities are provided in such a way as to ensure that they are accessible to all individuals with disabilities.** The NPS' legal obligations extend to individuals with visual impairments, hearing impairments, and cognitive impairments, as well as those with mobility impairments. This means that all interpretive and educational programs, exhibits, audio-visual programs, publications, and all other interpretive media must comply with Departmental Regulations 43 Part CFR 17, Subpart E. This must include ensuring that all audio-visual programs are captioned and that all assembly areas are equipped with assistive listening devices. In addition, the use of sign-language interpreters must be evaluated for all interpretive programs as a method to provide effective communication. It also means that the NPS must provide audio-descriptive services for the audio-visual programs, Braille, and large-print versions of printed materials for those with visual or cognitive disabilities. In order to accomplish this, parks should use their recreation fee or other revenues where possible. Low revenue and non-collecting parks should identify 20 percent Recreation Fee funds.
- **The NPS must ensure that appropriate staff receives the necessary continuing education and technical assistance to enable them to better understand the legal requirements for accessibility, as well as the methods and techniques to more effectively meet the needs of citizens with disabilities.** The NPS has an ongoing partnership with Indiana University's Department of Park and Recreation

Administration, which resulted in the establishment of the National Center on Accessibility (NCA). This cooperative agreement has been extended for an additional 5 years, through FY 2010. At the present time, NCA is working to provide a series of training courses focused on the role and function of the regional and individual park accessibility coordinators. The primary objectives of the training are to assist the coordinators in completing comprehensive evaluations of the degree to which the parks are currently accessible, and to develop and oversee a comprehensive action plan on how to correct access limitations that currently exist. It is requested that all units of the NPS provide the necessary financial assistance to ensure that the coordinators are able to attend and benefit from these continuing education opportunities.

As a means of addressing accessibility, each region should make a determination of the visitor use assets that are rated with an Asset Priority Index of 90 or higher, if they are accessible, and if not, what is required to make the asset accessible. Also, each region should address a strategy to begin to remedy the issues. We will be discussing your findings at upcoming National Leadership Council meetings.

In addition, the NPS has taken and will be taking other steps to raise the level of visibility and priority of accessibility and to assist all units in making continued progress. These actions include the following:

- The NPS has taken steps over the past several months to develop a comprehensive accessibility evaluation component to the Facility Management Software System. This component has been tested at five parks during an initial pilot test, and has been utilized in conducting access evaluations at six additional parks during FY 2006.
- The NPS is currently initiating accessibility evaluations utilizing fee revenue funds and outside accessibility contractors at a number of selected parks from each region during FY 2007.
- The NPS is planning a Servicewide TELNET broadcast on this subject during the first quarter of FY 2007. This broadcast will be targeting regional staff, superintendents and division chiefs, and will be entitled “**Accessibility for People with Disabilities in the NPS: From Rhetoric to Reality.**”
- A presentation on this topic will be made at the next National Leadership Council meeting.

Your full cooperation in this matter is appreciated. Please contact your Regional Accessibility Coordinator, or David Park, Accessibility Management Program Coordinator, at 202/513-7027, for guidance and assistance in meeting this request. Thank you again for your past and continued support.

cc: Associate Regional Directors, Park Operations
 Regional Accessibility Coordinators
 Regional Equal Employment Opportunity Managers