

The Status of Disability Access in the NPS: Rhetoric to Reality



The Status of Disability Access in the NPS

Presented by:

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Overview

- What is required?
- What are we currently doing?
- Where are we falling short?
- What do we need to do to do better?



Federal Law Requires Accessibility

- In Buildings and Structures

Architectural Barriers Act of 1968

- In Programs and Services

Rehabilitation Act of 1973

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**1973 Rehabilitation Act
(Sec. 504 and 508)**

- Prohibits “discrimination” on the basis of disability.
- Requires that people with disabilities can get into our services and can get “equal benefits”.
- Requires accommodations for visitors with hearing and vision loss in all programs and services in addition to those with mobility limitations.

Current Status

- We have Departmental regulations
- We have Management Policies
- We have Director’s Orders (16 a – Employment and 42 Visitors)
- All Parks are working to improve access, and
- We have many very good examples of accessible facilities and programs

..... But,

In spite of accomplishments, we still have significant deficiencies.

No single park in the system is as ‘universally accessible’ as is reasonable, and as required by law and by NPS policy!

The Status of Disability Access in the NPS: Rhetoric to Reality

 **Over the Past Year**

- We have had:
 - a significant increase in formal complaints.
 - the House Subcommittee on National Parks oversight hearing on disability access in the parks (May, 2006), and
 - the receipt of FOIA requests from an organization that has filed numerous disability related law suits across the country.

 **The Complaints**

- Half related to lack of architectural access in both newly constructed projects as well as existing facilities;
- Half related to lack of required services for visitors with hearing loss (i. e. captioned films, listening systems, etc.);
- All have been valid violations of legal requirement that require correction;

 **Congressional Hearing**

- included representatives from national organization representing people with disabilities;
- reinforced the fact that NPS is not where we should be in compliance;
- demonstrated a high level of interest and concern by the Committee Chair;
- resulted in a commitment on the part of the Chair to “Hold NPS Accountable”

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 **Four Issues of Concern**

- New Construction
- Repair and Rehabilitation
- Interpretation and Programs
- Continuing Education

 **New Construction**

All new design and construction projects:

- must comply with appropriate standards and guidelines;
- required since 1968
- many new projects still fall short
- standards misapplied/misinterpreted
- contract supervision a problem
- is very cost effective in design phase
- is very costly to correct later

 **Repair and Rehabilitation**

- Compliance is required in alterations (1968);
- Most cost effective solution is integration of access when structures are altered or repaired;
- Not being done to the extent that it should;
- No project should proceed without assuring compliance in both design and construction whenever possible;

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Interpretation and Program Access

- Interpretive media and services required to provide "effective communication"(1973); includes those with hearing and visual loss specific issues are:

For People who are Blind: alternative formats of publications, tactile exhibits, way finding, audio description;

For People who are Deaf: captioned films, assistive listening systems, sign language interpreters

Continuing Education

Awareness and understanding of requirements, and solutions is key;

Architectural Standards are evolving, changing and sometimes difficult to interpret;

Program Access guidelines are very new and evolving,

Training and education opportunities are available, but funding is limited; (National Center on Accessibility)

Other Actions

- Accessibility Component of FMSS
- Conduct evaluations at selected parks for baseline assessment (FY07)
- Service wide TELNET for Managers (December 2006)

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 **Other Critical Issues**

- Historic Preservation
- Funding (“unfunded mandate”)
- Priority
- Accountability

 **Historic Preservation**

- Historic Properties are not exempt;
- Any alteration must comply unless compliance would “threaten or destroy the historic significance”;
- State Historic Preservation Office must be involved in decision;
- If compliance would “threaten or destroy”, alternative; minimum provisions apply;
- In most cases, it is not a question of “if” we can provide access, it is simply “how” and to what extent.

 **Funding**

- “Unfunded mandate” argument;
- Must “include” access as integral part of every project;
- It is not something that we can “exclude” unless “special” funds are provided.

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Priority

- Access is often viewed as an "extra" after the other important things are addressed.
- Must raise the level of priority to where it is integral
- Access features are oftentimes an important part of health and safety
- Access features are important components of "good planning and design"
- Accessible facilities and programs frequently make them better for everyone.

Architectural Barriers Act

What is covered vs. what is not

Scope: All areas of newly designed and newly constructed buildings and facilities and altered portions of existing buildings and facilities shall comply with these requirements.

Alteration

"A change to a building or facility that effects the usability of the building or facility."

Includes: remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths, changes or rearrangement of structural parts..., plan configuration of walls and full height partitions.

Does not include: normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems....

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 **The U.S. Access Board**

- An independent federal agency
- Created in 1973 to ensure access to federally-funded facilities
- now provides guidance to the private sector as well has a managing Board consisting of representatives from most federal agencies and 13 citizens appointed by the President.

 **The U.S. Access Board (cont.)**

Roles and Functions:

- Develops guidelines for accessible design for the built environment, transit vehicles, telecommunications equipment, and for electronic and information technology.
- Enforces compliance with the Architectural Barriers Act of 1968
- Provides technical assistance and training

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Accessibility in New Construction and Renovation: Accountability, Oversight and Project Management



Current Accessibility Guidelines
Architectural Barriers Act
Accessibility Standard (ABAAS)
<http://www.access-board.gov/ada-aba/final.htm>

ADA and ABA Accessibility Guidelines for Buildings and Facilities

Published in the Federal Register July 23, 2004 and amended August 5, 2005. PDF version Download

Contents

PART I: ADA APPLICATION AND SCOPING

ADA CHAPTER 1: APPLICATION AND ADMINISTRATION
ADA CHAPTER 2: SCOPING REQUIREMENTS

PART II: ABA APPLICATION AND SCOPING

ABA CHAPTER 1: APPLICATION AND ADMINISTRATION
ABA CHAPTER 2: SCOPING REQUIREMENTS

PART III: TECHNICAL CHAPTERS

CHAPTER 2: BUILDING BLOCKS
CHAPTER 3: ACCESSIBLE ROUTES
CHAPTER 5: GENERAL SITE AND BUILDING ELEMENTS

NPS = ABA
(Parts II and III)

10/24/06 Directors Memorandum

Critical Areas covered:

- The NPS must ensure that all newly constructed assets are designed and constructed in compliance with the appropriate standards or guidelines.
- The NPS must ensure that all rehabilitation and renovation projects incorporate accessibility corrections to the highest degree practicable.

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Project Components and Accessibility

- Project Scoping – PMIS
- Pre-design
- Schematic Design
- Design Development
- Construction Documents
- Construction Management

PMIS Formulation

- Verify accessible elements are included in the PMIS statement
- Verify accessible route and parking are included in rehabilitation and renovation projects





The accessible route is the pedestrian route from the accessible parking and passenger unloading areas to all accessible facilities and features.

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 **PMIS Formulation**

Common Project Scoping Omissions

- **Building rehab projects:** Building interior is made accessible; parking lot and accessible route are not in project scope, and are not accessible
- **Requirement:** Assure parking and accessible route are included in the PMIS scope

 **PMIS Formulation**

Common Project Scoping Omissions

- **FLHP 3R and 4R Road Projects:** Parking lots and adjacent walks are made accessible, restrooms and other elements next to the parking are not in the road project scope, and are not accessible. (funding for improvements to restrooms, etc. are not eligible for FLHP funding) Plan ahead to have other funding sources available.
- **Requirement:** Assure restrooms, overlooks, and interpretive elements next to FLHP projects are accessible

 **PMIS Formulation**

- **F202 Existing Buildings and Facilities**
- F202.1 General. Additions and alterations to existing buildings or facilities, including leased buildings or facilities, shall comply with F202
- F202.2.1 Accessible Route. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to an accessible entrance serving the addition. If the only accessible entrances serving the addition are provided in the existing building or facility, the accessible route shall connect at least one existing entrance to all accessible spaces and elements within the addition. In addition, elements and spaces specified in F202.2.2 through F202.2.5 shall be on an accessible route.

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Predesign

- Verify accessible elements included in the PMIS statement are included in the project program
- Program addresses interpretive elements of project and programmatic accessibility requirements
- Analysis includes accessible route from parking and drop off to accessible elements



Schematic Design

- Verify developed alternatives and approved preferred alternative provide physical and program access and match program and PMIS statements.
- Verify interpretive elements and programmatic accessibility elements are included in the project. Verify the key interpretive story at the project site is accessible to all visitors.



Design Development

- Verify documents include all program elements Documents meet the requirements of the Architectural Barriers Act Accessibility Standards (ABAAS)
- Documents meet requirements of DSC Accessibility Design Standards.

The Status of Disability Access in the NPS: Rhetoric to Reality

Construction Documents

- Verify all details and plans meet the requirements of the ABAAS and DSC Design Standards
- Verify Division One specifications include the Accessibility Inspection Report in Section 01430 Contractor Quality Control Specification

Construction Management

- Verify accessibility inspections are conducted and Accessibility Inspection report is completed
- Non-compliant elements are corrected.



off the mark by Mark Parisi
www.offthemark.com

Construction Management

1 ACCESSIBILITY INSPECTION REPORT

CONTRACT NO. _____ REPORT NO. _____ SHEET OF _____

1. Individual Making Inspection: _____

2. Location of Inspection: _____

3. Parking and Passenger Loading Zones:

1. _____ Parking spaces and access aisles running slope and cross slope is less than 1:48. Measured at 2-foot intervals.
2. _____ Clear spaces are 96 inches wide minimum and van spaces 132 inches wide minimum, and have an adjacent access aisle.
3. _____ Access aisles adjoin an accessible route. Access aisles serving car and van parking spaces are 60 inches wide minimum.

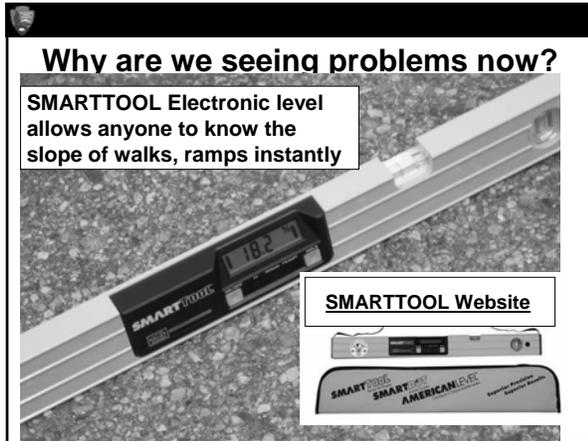
Inspection Results: _____

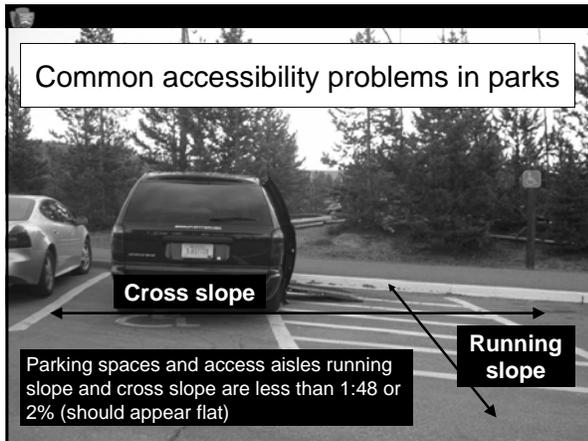
Corrective Actions Needed/Taken: _____

4. Walking Surfaces and Accessible Route: The accessible route is defined as the pedestrian route from the accessible parking and passenger loading zones to all accessible facilities and fixtures.

1. _____ Floor and ground surfaces are stable, firm, and slip resistant as defined by ADAABAAG Advisory 302.1
2. _____ Running slope of all walking surfaces on the accessible route is less than 1:20. If covered at 2-foot intervals.
3. _____ Cross slope of walking surfaces is less than 1:48. Measured at 2-foot intervals.
4. _____ Clear width of walking surfaces are 36 inches minimum.
5. _____ Openings in floor or ground surfaces are 1/2 inch or less.
6. _____ Elevated openings are perpendicular to direction of travel.
7. _____ Changes in level are 1/2 inch or less with 1/4 inch maximum vertical change.
8. _____ Floor drains and grates on accessible route meet all above requirements.

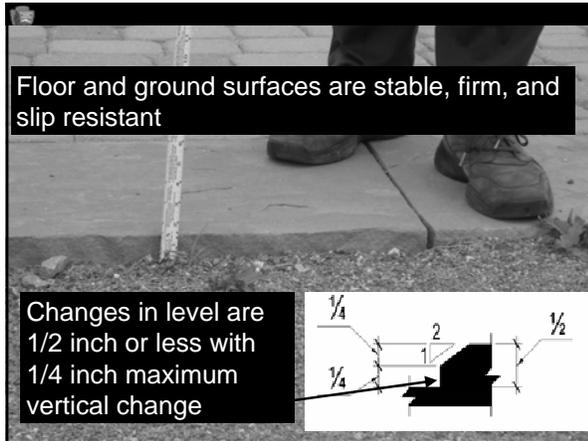
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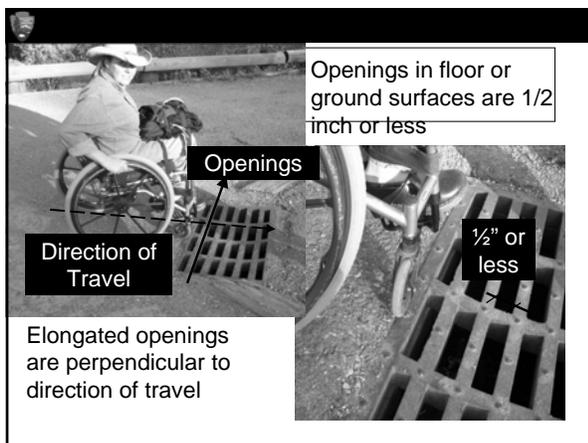




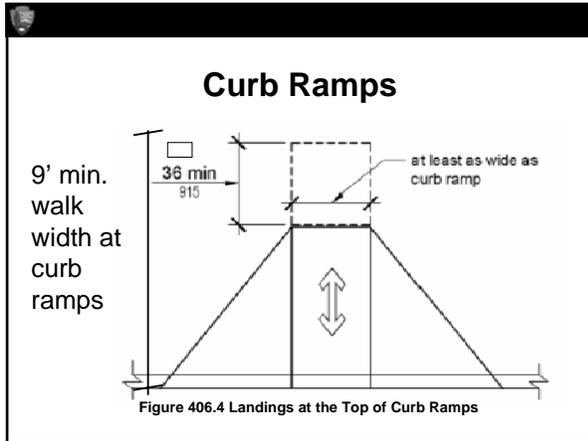
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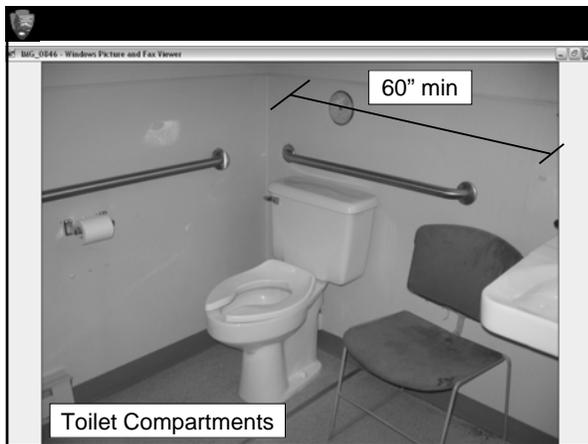




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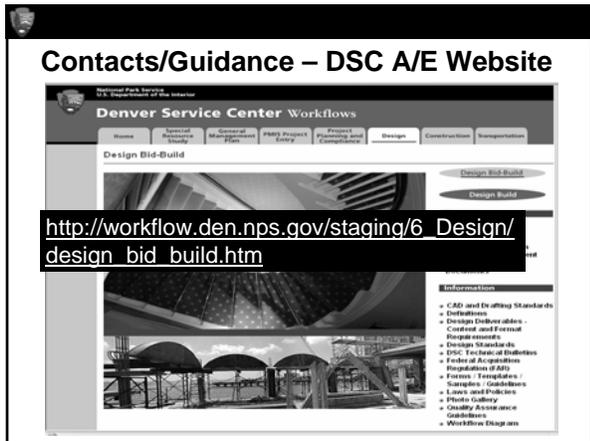






The Status of Disability Access in the NPS: Rhetoric to Reality







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Contacts/Guidance – DSC Design Standards

http://workflow.den.nps.gov/staging/c_Design/DesignStandards/DesignStds_access_section.htm

Contacts/Guidance – Regional Coordinators

<http://devinside.nps.gov/waso/contacts.cfm?lv=3&prg=151>

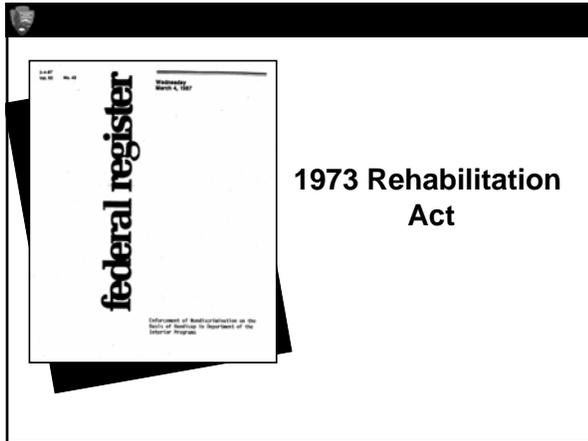
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Program Access

Ray Bloomer

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Section 504 as Amended 1978

"No otherwise qualified individual with a disability in the United States shall solely by reason of his disability, be excluded from the participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, or under any program or activity conducted by any Executive Agency"

"No otherwise qualified individual with a disability ..."

"... be excluded from the participation in, ..."

"be denied benefits of ..."

"... or be subjected to discrimination ..."

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Section 508 of the Rehabilitation Act

- What is it?
 - Federal departments and agencies that develop, procure, maintain, or use electronic and information technology to ensure that Federal employees and members of the public with disabilities have access to and use of information and data, comparable to that of the employees and members of the public without disabilities—unless it is an undue burden to do so.

Section 508 of the Rehabilitation Act

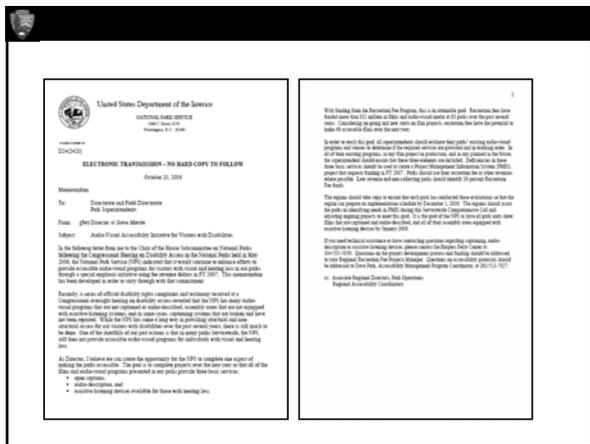
- What are examples of information technology?
 - Software applications/Operating systems
 - Web-based information applications
 - Video and multimedia products
 - Self-contained, closed products
 - Desktop and portable computers

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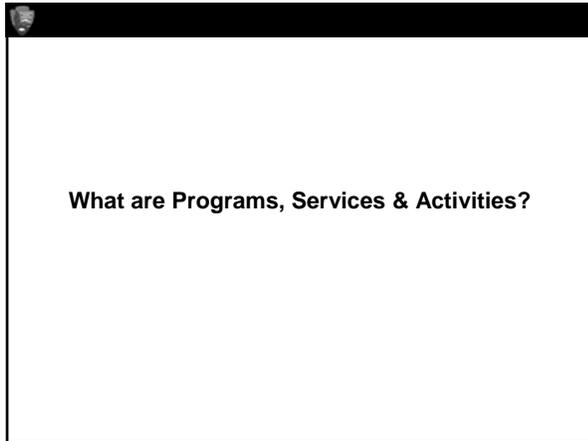


Canyon Visitor Center - Arches NP





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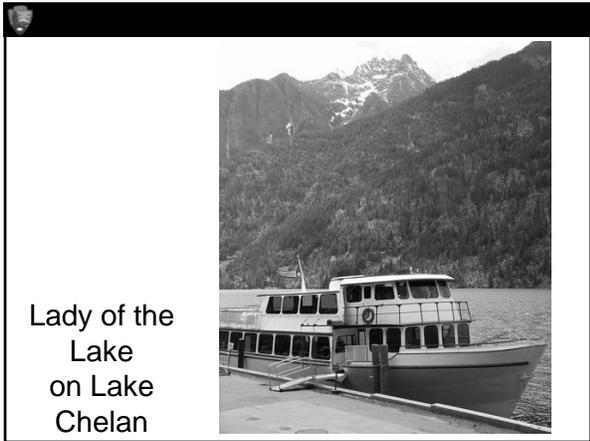






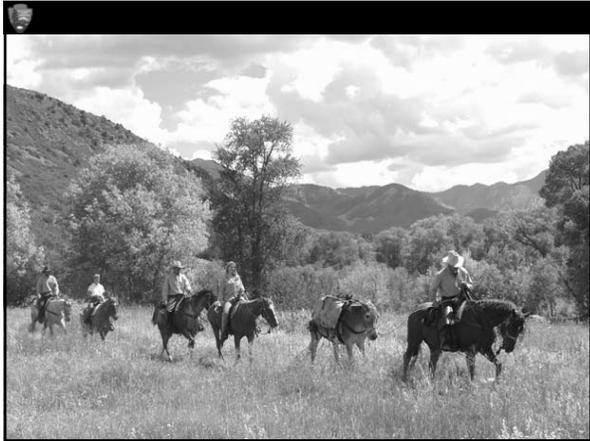
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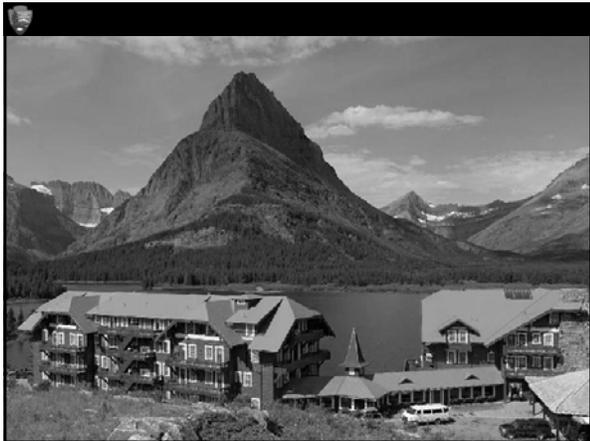






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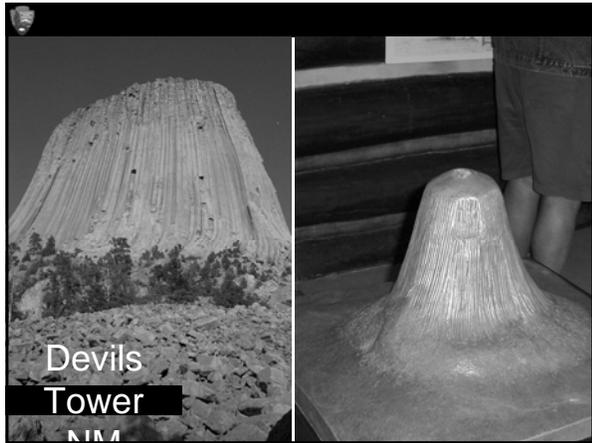
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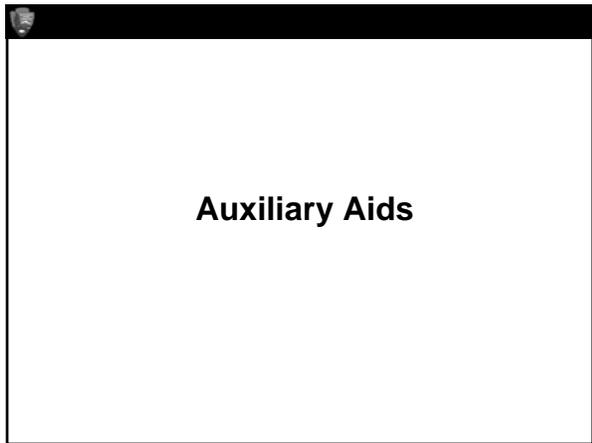


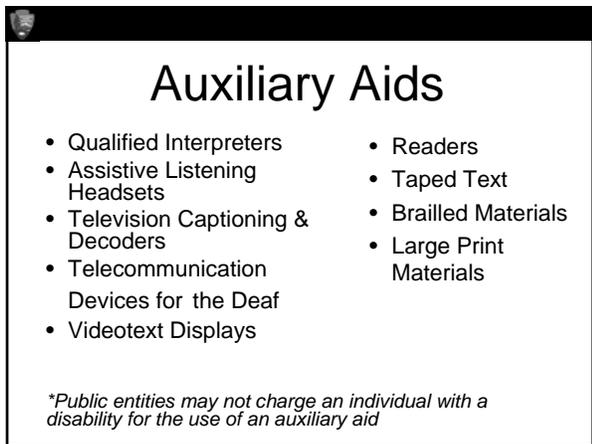




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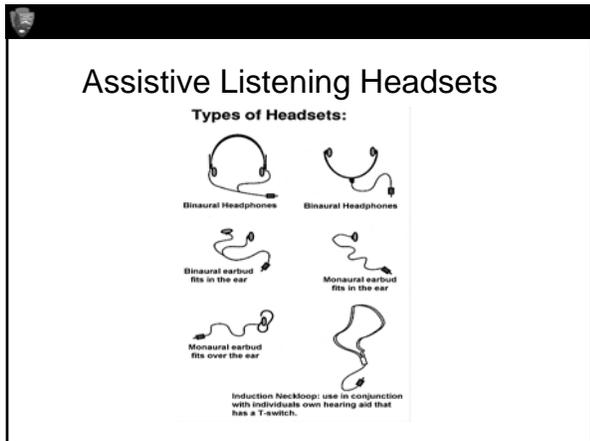






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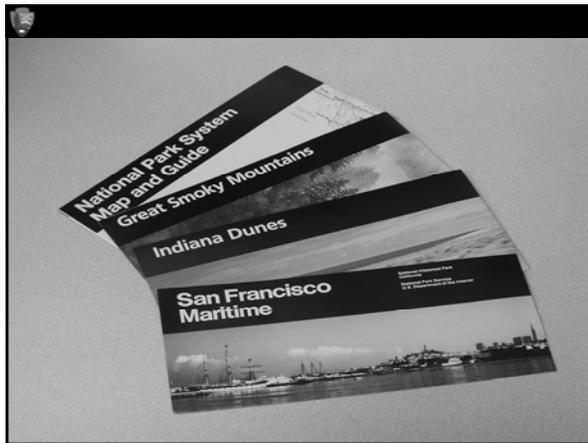






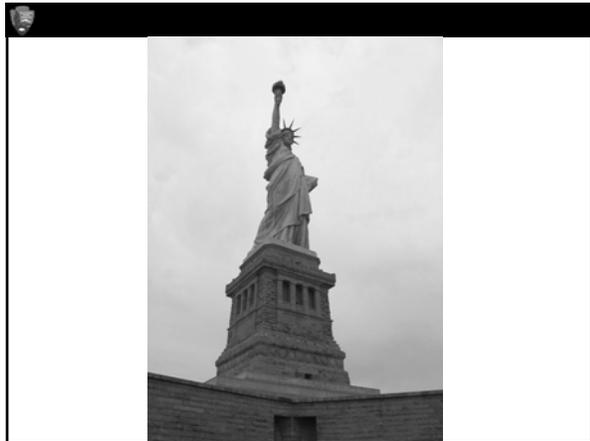
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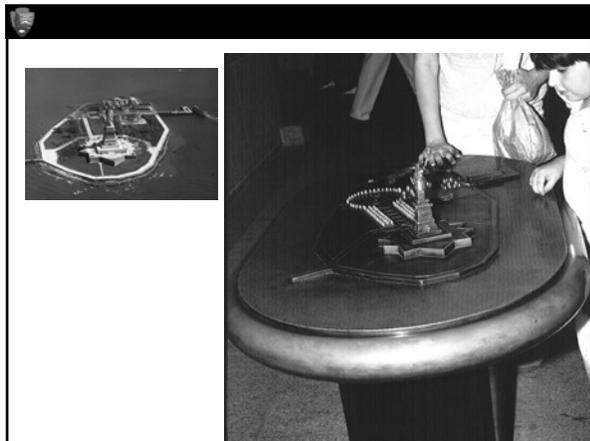


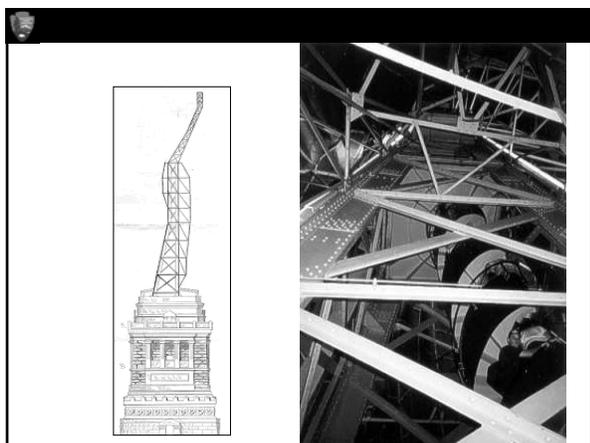




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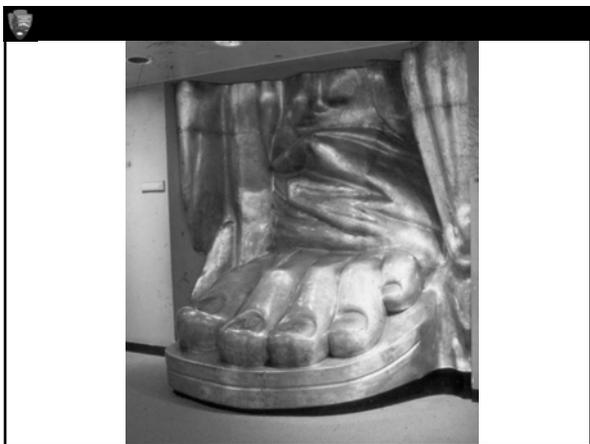




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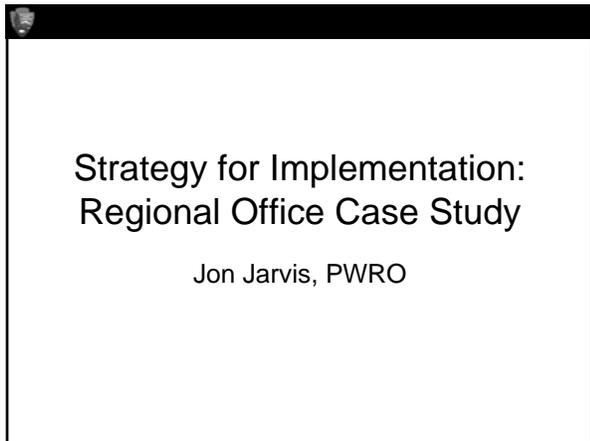


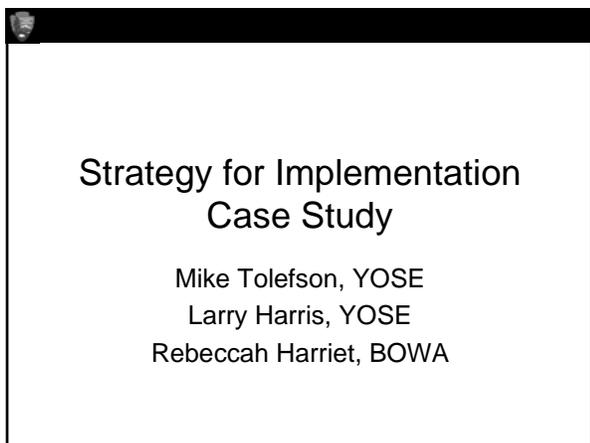




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Yosemite National Park Accessibility Management Program



Recent History



First Complaint Received in 2001 with 13 Separate Complaint Items

From 2001 to 2006 Nine Additional Complaints Received

10 Complaints with 53 Individual Accessibility Items 38 Now Completed

Additional 69 Issues from Site Visits 53 Now Completed

Developing a Successful Accessibility Program



Management Support And Commitment

Develop a Team

Compliance

Accountability

Funding

The Status of Disability Access in the NPS: Rhetoric to Reality

Laws, Regulations and Technical Guidance

- The Rehabilitation Act Of 1973, as amended
- Director's Order #42
- ADA and ABA Accessibility Guidelines

Section 504 Accessibility Complaint Findings Log (Spring 07 to Present)

Case No.	Problem	Criteria	Resolution / Action Plan	Status	Funding
00113401	0002-47-01	1) At Shoshone Lodge - There is an accessible route from the accessible parking area to the Shoshone Lodge entrance sign. However, there is a curb cut that is not paved and is not a firm, stable surface. The parking area is not paved and is not a firm, stable surface.	An accessible route was constructed in the fall of 2005. The access route from the parking to the Shoshone Lodge meets accessibility standards.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	2) At Shoshone Lodge - There is an accessible route to the Shoshone Lodge. Specifically, the ramp at the main entrance is not paved and is not a firm, stable surface.	An accessible route was constructed in the fall of 2005. The access route from parking to the Shoshone Lodge meets accessibility standards.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	3) At Shoshone Lodge - There is an accessible route to the Shoshone Lodge. All routes have cross-sloping curbs in the area of the main entrance. The curbs are not paved and are not a firm, stable surface.	Shoshone Lodge room #613 was rehabilitated in November 2004 with accessibility improvements in the amount of 200K. Cross-sloping curbs are not a problem as a result of the work with leveling equipment.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	4) At Curry Village - The regulation desk is inaccessible to wheelchair users. The desk is not paved and is not a firm, stable surface.	The ground-level desk is covered in concrete. The desk is not paved and is not a firm, stable surface. An alternative paved approach to the desk was installed.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	5) At Curry Village - The handrail is too high at the entrance to the restroom.	The handrail in the restroom was made compliant in 2005.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	6) At Curry Village - The restroom deck is not level.	The restroom deck was made compliant in 2005.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	7) At Curry Village - The service counter (information, wheelchair, etc.) is not accessible.	The service counter was redesigned and is now accessible.	Completed	2) Access (0002-47-01) per NPS
00113401	0002-47-01	8) At Curry Village - The regulation desk is not accessible (paved) and is not a firm, stable surface.	The regulation desk is covered in concrete. The desk is not paved and is not a firm, stable surface. An alternative paved approach to the desk was installed. 0.88% (approximately) of the area is paved and is a firm, stable surface.	Completed	2) Access (0002-47-01) per NPS

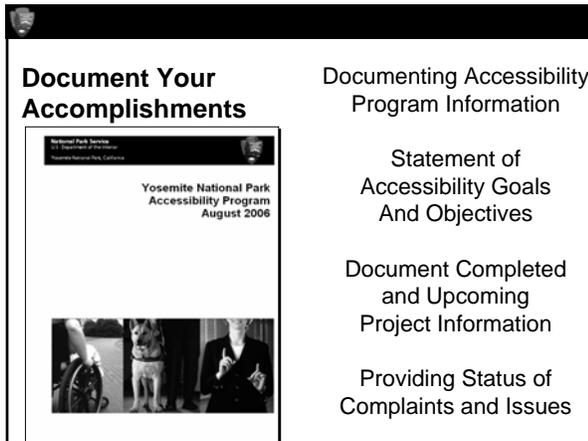
2) Access - Jack Austin, WA202, Equal Opportunity Specialist
Notes: 1) All cases were made to be in the previous regime. Page 1 of 1
September 2006

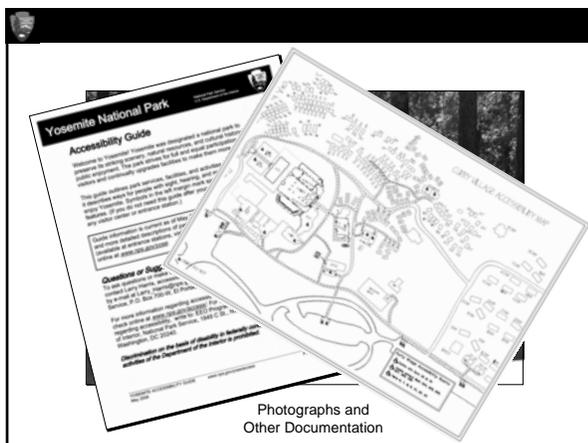
Funded Accessibility Projects

Construct Curry Village Mountain Shop Access	\$ 19,000	Completed
Correct Knob Hill Showers Path of Travel - Curry Village	\$ 22,000	Completed
Install Accessible Paths of Travel at Curry Village Tents	\$ 81,000	Completed
Install Automatic Door Assistants - Parkwide	\$ 188,000	Completed
Install Curb Cuts to meet ADA Requirements - Parkwide	\$ 75,000	October 2006
Install Accessible Ahwahnee Hotel Elevator Controls	\$ 106,000	Fall 2006
Install Accessible Paths at Valley Visitor Center and Auditorium	\$ 127,230	Fall 2006
Rehab Campground Buildings and Camping Sites	\$ 209,321	Fall 2006
Correct Accessibility at Cascades Picnic Area Vault Toilet	\$ 21,398	Winter 2006
Curry Village Pool/Shower House Rehabilitation	\$ 450,000	Spring 2007
Install Elevator at Degnan's Deli	\$ 415,000	July 2007
Retro-fit Ahwahnee Hotel Rooms to Provide Accessibility	\$ 408,000	Fall 2007
Correct Deficiencies at Day-Use Locations and Campgrounds (Multi-year Projects at \$300k per year for four years)	\$ 1,200,000	FY08, 09 & 10
Complete Accessibility Self Evaluation and Transition Plan	\$ 110,000	February 2009
Total	\$3,431,949	

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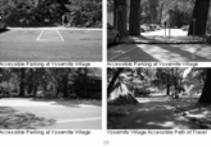


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**Yosemite National Park
Accessibility Program Report
August 2006**

12. At Yosemite Village - The accessible parking spaces in the visitor center at Yosemite Village and the nearby roads to the accessible building are not accessible. Signs over the road indicate the location of accessible parking near the visitor center.

13. At Yosemite Village - The south entrance allows the main Yosemite Village to be accessible. Signs over the road indicate the location of accessible parking near the visitor center.



Accessible Parking at Yosemite Village

**Yosemite National Park
Accessibility Program Report
August 2006**

14. At Absconite Hotel - The location is not accessible.

15. At Absconite Hotel - The location is not accessible.

16. At Absconite Hotel - The location is not accessible.

17. At Absconite Hotel - The location is not accessible.

18. At Absconite Hotel - The location is not accessible.



Absconite Hotel

**Yosemite National Park
Accessibility Program Report
August 2006**

14. At Yosemite Falls - The location is not accessible.

15. At Yosemite Falls - The location is not accessible.

16. At Yosemite Falls - The location is not accessible.



Yosemite Falls Accessible Route

**Yosemite National Park
Accessibility Program Report
August 2006**

17. At Curry Village - There are no accessible access ramps.

18. At Curry Village - There are no accessible access ramps.



Accessible Ramp at Curry Village

**Yosemite National Park
Accessibility Program Report
August 2006**

15. At Yosemite National Park - The digital information system is fully operational.

16. At Yosemite National Park - The digital information system is fully operational.



Digital Information System

**Yosemite National Park
Accessibility Program Report
August 2006**

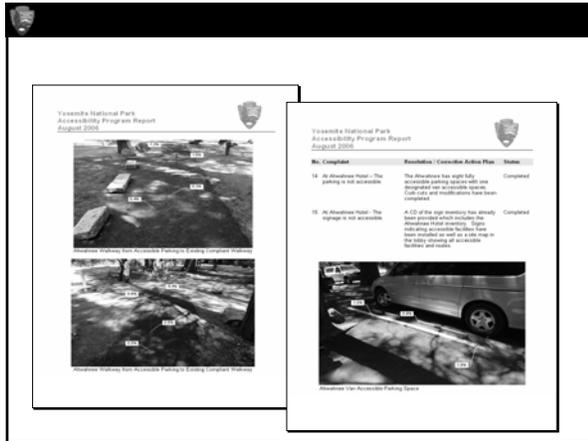
17. At Absconite Hotel - The location is not accessible.

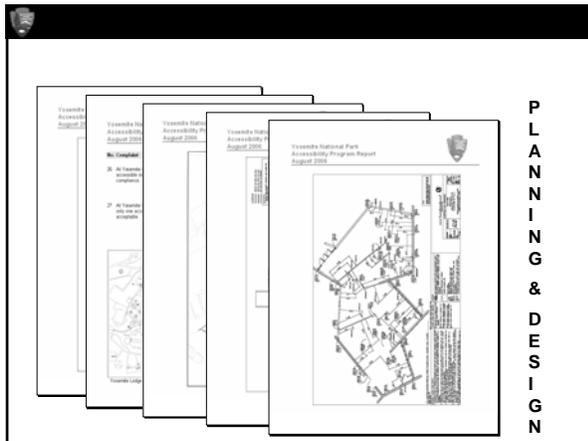
18. At Absconite Hotel - The location is not accessible.



Absconite Hotel Accessible Route

The Status of Disability Access in the NPS: Rhetoric to Reality

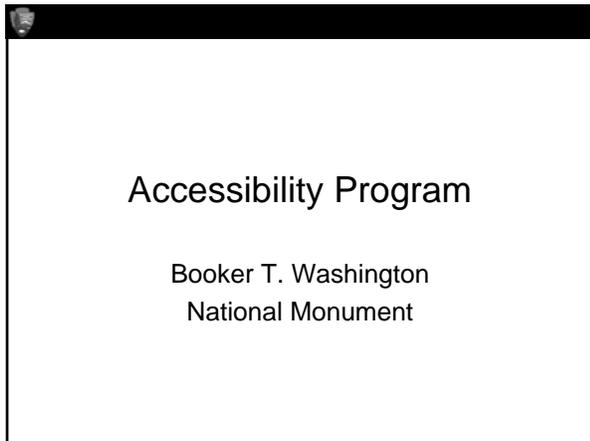






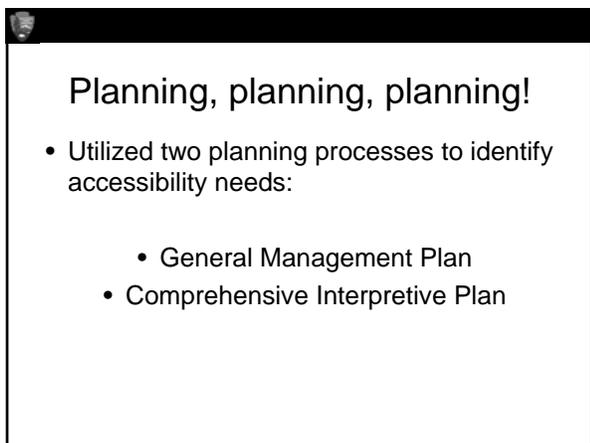
The Status of Disability Access in the NPS: Rhetoric to Reality





Accessibility Program

Booker T. Washington
National Monument



Planning, planning, planning!

- Utilized two planning processes to identify accessibility needs:
 - General Management Plan
 - Comprehensive Interpretive Plan

The Status of Disability Access in the NPS: Rhetoric to Reality

General Management Plan

- Management Goal
 - The park meets the requirements of the Americans with Disabilities Act (ADA).
 - Design new and upgraded facilities and visitor opportunities to provide accessibility consistent with ADA.

– GMP 2000

Identified Facilities

- Trail to cabin site



VC Access/Rest Rooms



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Parking Lot/Drop-off



Picnic Area



Interpretive Resources



- Close-captioning of orientation film (HFC)
- Virtual tours on touch screen program (Fee)
- Offer a variety of interpretive programs for all age groups like Elderhostel, Junior Ranger (ONPS)

The Status of Disability Access in the NPS: Rhetoric to Reality



Funding

- Identify potential funding sources in PMIS
- Fee demonstration has been a good funding source for smaller non-LIC projects
- Consider potential funding partners when developing accessibility projects
- Ask "What groups would benefit by having this project completed?"
- Seek their assistance in planning & funding



Final thoughts...

- Like safety, make accessibility part of the planning process.
- Have a plan, then chip away at it one piece at a time!
- Don't wait until you have all the funding you need to implement; that time will never come!
- Do what you can with what you have!
