

# STATE OF CALIFORNIA FIVE PHASES of ACCESS COMPLIANCE

This flow chart recommends a prescriptive and organized approach to coordinate disability issues. The associated guidelines are derived from the Americans with Disabilities Act (ADA), Title II, Section 35 and the California Government Code (CGC), Section 4450, et seq. Since the federal ADA looks only at en-

forcement, it is essential that each identified aspect be managed to meet the intent of state and federal law currently applicable. Failure being equivalent to the perception or possible judgment of discrimination, it is imperative that state agencies be proactive in their administration of access compliance.

## AGENCY HEAD OR DEPARTMENT DIRECTOR

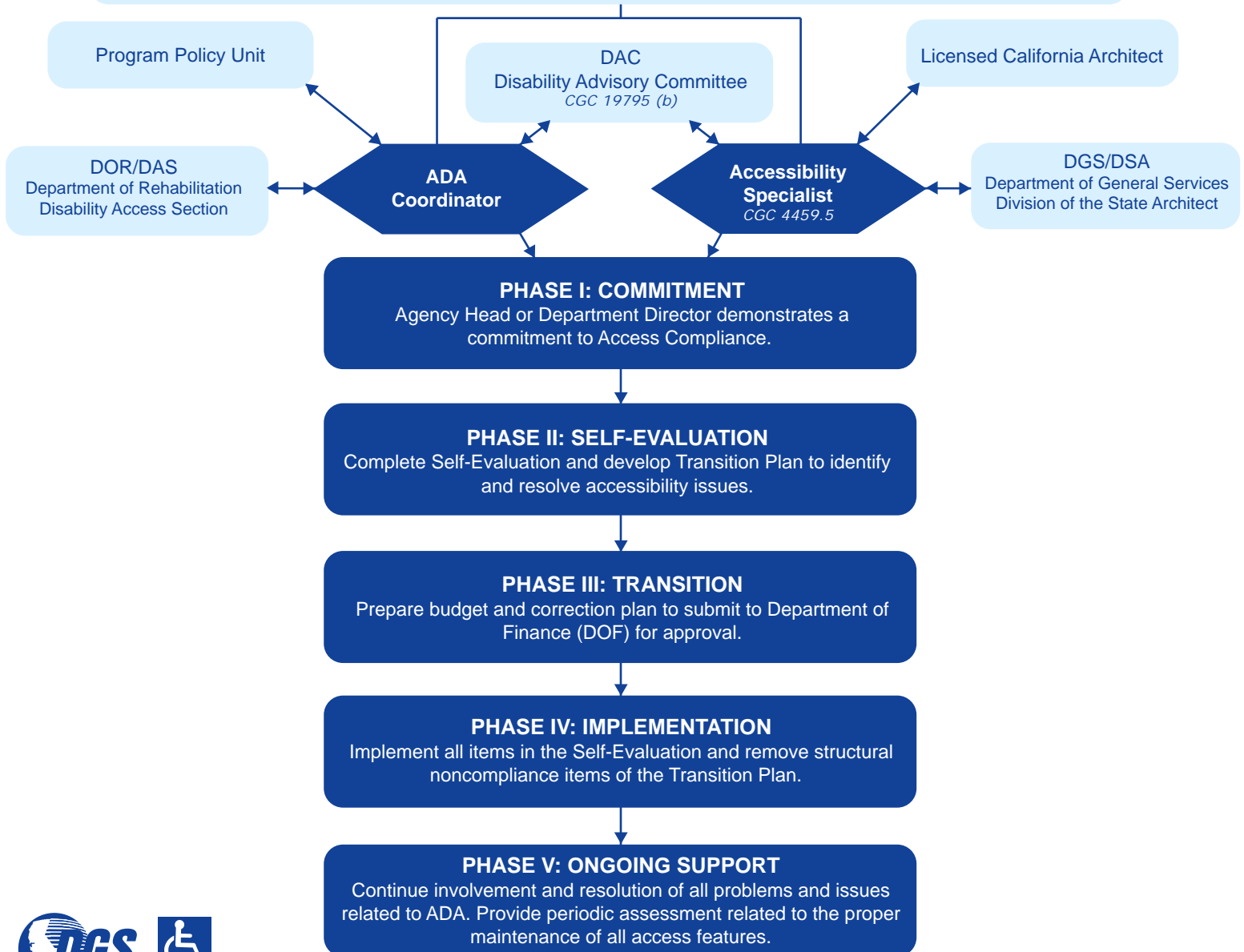
### Responsibility

Federal law assigns the responsibility for directing the Five Phases of Access Compliance to this position. (28 Code of Federal Regulations Part 35)  
 Phase I. Commitment  
 Phase II. Self-Evaluation  
 Phase III. Transition  
 Phase IV. Implementation  
 Phase V. Ongoing Support

### Process

Agency Head or Department Director will initiate the process by:

- Distributing a letter of intent agencywide
- Establishing an ADA Coordinator position
- Launching and supporting a Disability Advisory Committee
- Coordinating with DSA and DOR for guidance as required
- Provide ongoing direction for implementation and maintenance



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APR 2004

**ADA  
Coordinator**

**Accessibility  
Specialist**  
CGC 4459.5

**PHASE I:  
COMMITMENT**

**IDENTIFY PROGRAMS AND SERVICES**

- Identifying an ADA Coordinator. This individual should:
- Communicate with DOR to complete the mandatory Self-Evaluation. If necessary, a contract may be initiated with an access consultant to facilitate the process.
- Recommend necessary changes to policies affecting people with disabilities including a complaint process.
- Designate an individual to resolve program access issues including alternative format requests and equivalent facilitation. This may be the ADA Coordinator.
- Personnel specified above should perform periodic assessments of ADA compliance status committing to continuous improvement and proper maintenance of accessibility programs and services including:
  - Revising forms and documents;
  - Modifying emergency evacuation plans;
  - Identifying training needs within the organization to prevent discrimination.
- Promote the establishment of the departmental Disability Advisory Committee as an independent body dedicated to ensuring equal treatment for persons with disabilities.

**BUILDING OR FACILITY**

- Identifying the agency official responsible for the Self-Evaluation/Transition Plan project.
- Designating an Accessibility Specialist to monitor renovation and construction projects identified in the Self-Evaluation phase.
- Once established, this position will be responsible to:
  - Determine access compliance status of all leased buildings or minor capital outlay projects.
  - Assist the project leader in identifying barriers while completing the Self-Evaluation.
  - Produce a Transition Plan effectively eliminating all barriers identified in the Self-Evaluation.
  - Ensure that an employees' needs assessment is completed and delivered to the architectural professional to be incorporated into the construction design.
  - Submit complete and correct project packages to DSA for plan review and approval (see Project Submittal Checklist - [www.dsa.dgs.ca.gov/ProjectSubmittalProcess/checklist.htm](http://www.dsa.dgs.ca.gov/ProjectSubmittalProcess/checklist.htm)).
  - Monitor barrier removal and verified report as each phase of work progresses.
- Collaboration with a licensed California architect as needed is expected.

**PHASE II:  
SELF-EVALUATION**

**EVALUATE PROGRAMS AND SERVICES**

- Evaluate program accessibility
  - (1) Fill out Self-Evaluation survey to identify program accessibility needs.
  - (2) Develop Transition Plan to resolve issues and remove barriers within each program.
  - (3) Establish timelines for completion of modifications identified in Transition Plan.
  - (4) Establish procedures for follow up to ensure proper maintenance of access features.
  - (5) Retain records of Self-Evaluation on-file for public inspection and comment for 3 years.
- Solicit individual input from employees with disabilities to ensure that their needs and expectations are met through this process.
- Consult with departmental Disability Advisory Committee regarding issues affecting persons with disabilities.
- Provide design guidance to Accessibility Specialist or architect developing the access plan.
- Establish an evacuation plan that includes provisions for persons with disabilities.
- Evaluate all policies, programs, services, activities, practices and privileges to comply with ADA requirements.
- Organize disability awareness and sensitivity training for all employees.
- Provide specialized training for supervisors and managers.
- Establish multi-level complaint process and grievance procedure.

**BUILDING OR FACILITY**

- With guidance from the Accessibility Specialist, describe in detail the physical obstacles that limit program or activity accessibility by individuals with disabilities.
- Begin to evaluate the cost, timeframe and issues associated with the removal of barriers discovered by the survey.
- DSA is requiring facility owners to confer with qualified universal design consultants before completing the Transition Plan and subsequent architectural drawings.

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**PHASE III:  
TRANSITION**

**BUDGET PROGRAMS AND SERVICES**

- After all comments are compiled and considered, the published Self-Evaluation becomes the foundation for the access compliance Transition Plan.
- Programmatic collaboration on the completion of these plans is available through DOR.
- Architectural guidance is available through DSA.
- The Transition Plan describes all corrections needed and the timeframe within which the project will be completed.
- When proposal is complete, a budget item is prepared for submission to DOF for approval.

**BUILDING OR FACILITY**

- The Accessibility Specialist coordinates the completion of the structural elements of the Transition Plan by providing the architect/designer with a report on the following:
  - Describe in detail the methods used to achieve facility accessibility; this includes physical alterations, program modifications and assignment changes.
  - Provide an opportunity for comments from employees, the DAC, the disability community and the general public.
  - Produce a timeline for achieving access compliance.
  - Initiate development of the architectural plans for the needed modifications.
- Funding is allocated for the correction plan:
  - Major capital outlay projects must be approved through DOF.
  - Minor capital outlay and discretionary funds are identified through the departmental budgetary process.
- All surveys and mitigation plans must be reviewed and approved by:
  - DGS, Real Estate Design Services (RESO), if the building is state leased
  - The appropriate DSA Regional Office, if the building is state owned.
- Retain the final Transition Plan on file for public inspection.

**PHASE IV:  
IMPLEMENTATION**

**IMPLEMENT CHANGES IN PROGRAMS  
AND SERVICES**

- The implementation phase achieves the goals established in the Self-Evaluation and Transition Plan.
  - All barriers to programs, services and activities are removed.
  - Alternative formats and/or accommodations are employed.
    - Examples: large print, audiotapes, electronic format, voice recognition, interpretive services.
  - Signage and other methods of communication are initiated to publicize the availability of these modifications and alternatives.
  - Initiate new policies and procedures developed during the Self-Evaluation and Transition Plan phases and facilitated by plan implementation.

**BUILDING OR FACILITY**

- The implementation phase ensures that building or facility accessibility is achieved.
  - All physical barriers are removed from the facility.
  - All recommendations for modifications to achieve accessibility are implemented.
    - Examples: paths of travel, restroom facilities, signage, automatic door openers and parking areas.
  - Each phase of the Transition Plan will be signed off as it is completed.
  - Once the project is finished, the signed Transition Plan will be kept on file for public inspection.
- When the project is finished, a verified report from a private architect is signed to indicate:
  - Mitigation of the previously existing conditions described in the Transition Plan.
  - The work performed complies with current code and policies adopted by DSA and/or DOR.

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**PHASE V:  
ONGOING SUPPORT**

**PROVIDE PROGRAM SUPPORT FOR  
PROGRAMS AND SERVICES**

- After the program and facility modifications based on the Transition Plan have been completed, the maintenance and quality control phase begins.
  - Complete a final report reflecting access compliance status and retain it on file for public inspection and comments.
  - Administer periodic evaluations of the agency's access compliance status.
  - Conduct scheduled maintenance of all access features.
  - Continue resolving all access related problems and issues as they surface.
  - Facilitate the inclusion of accessibility issues in all construction, modernization or facility repair projects.

**BUILDING OR FACILITY**

- Maintain proper operation and upkeep of all accessibility features.
  - Adhere to the established maintenance schedule of all mechanical features.
  - Ensure that paths of travel are adequately maintained.
  - Ensure that accessibility features remain foremost concerns when alterations, modifications and new construction are contemplated.
  - Inspect all repairs or additions to the building or facility for operable accessibility features.