

**Americans with Disabilities Act (ADA) Program Review,
Training and Support Services**

FINAL REPORT
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Submitted by

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16. Abstract This report describes research conducted for the New Jersey Department of Transportation (NJDOT) Division of Civil Rights to aid in its compliance efforts relative to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA). The research activities included the performance of a gap analysis of NJDOT's data collection and data sharing efforts in support of compliance activities, a literature review of best practices related to the development of a required Transition Plan, the drafting of an updated Transition Plan document that outlines progressive steps the program can undertake in the future, and the development of educational materials for an internal training program within NJDOT that is focused on ADA awareness and compliance.			
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EXECUTIVE SUMMARY

The New Jersey Department of Transportation (NJDOT), Bureau of Research, in cooperation with the NJDOT Division of Civil Rights (DCR) is fulfilling a program directive to enhance its compliance efforts with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (ADA). The objectives of this research were to identify and document existing data and program gaps that pose challenges in meeting the requirements of the two laws, to establish a program framework and long-term blueprint document for compliance (otherwise referred to as a Transition Plan), to scan select guidelines and specifications used by NJDOT for adherence to ADA standards regarding public accessibility, and to disseminate awareness and a working knowledge of Section 504 and Title II throughout several functional areas of the Department.

The research was conducted in three main tasks over a 14-month period. Task 1 included the development of a Draft Transition Plan based on the October 2008 *Self-Evaluation for Americans with Disabilities (ADA) Implementation Plan* undertaken by the Division of Civil Rights to highlight its existing program gaps. A subsequent gap analysis of Departmental data, practices, and roles with regard to ADA also was conducted as part of this task through a series of group interviews. Task 1 also included a review of other recent agency Transition Plans for use as best examples for the development of the NJDOT Transition Plan. Task 2 included the development of training materials as part of an internal “train-the-trainer” program. Task 3 comprised a cursory review to examine if ADA requirements and standards were integrated into key documents within the Department.¹

The key findings of the research effort are primarily documented in the updated 2009 Transition Plan, which describes the basic program framework and activities undertaken by the Division of Civil Rights, recent accomplishments of the program, and data and program gaps that remain to be addressed through an incremental, phased-in approach. The Plan highlights the initial steps taken by the DCR to address FHWA’s directive to provide greater documentation and intra-Departmental awareness and coordination on Section 504/Title II compliance issues.

¹ The select documents requested for review were the “NJDOT Design Manual-Roadway” and the “NJDOT Standard Specifications for Road and Bridge Construction.”

BACKGROUND

In the conduct of its program oversight role over NJDOT's ADA efforts, the Federal Highway Administration (FHWA) directed the Division of Civil Rights to accelerate its program activities with respect to Section 504 and Title II of the ADA to demonstrate measured progress in achieving compliance with these two laws. As a defined "recipient" of Federal financial assistance and a "public entity" under Section 504 and Title II, respectively, NJDOT must act to prohibit discrimination against qualified individuals with disabilities in providing access to its public services and facilities. This involves undertaking specific actions to enable persons with disabilities to participate equally in NJDOT's programs, services, and activities. Examples of such actions include the provision of auxiliary aids or other services upon request, adoption and dissemination of public notice regarding NJDOT's responsibilities with respect to Section 504/Title II, provision of reasonable modifications to existing policies and programs to enable participation, and addition of accessible features to newly constructed facilities and facilities undergoing alterations.

To address potential gaps in NJDOT's ADA program and to reinvigorate the Department's commitment to improved compliance tracking and monitoring, the FHWA advised the Division of Civil Rights to take an introspective view of its existing Section 504/Title II functions and activities, to initiate immediate steps to increase program awareness and visibility, and to document concrete accomplishments.² In addition, the FHWA specifically tasked the Division to prepare an update to its 1993 Transition Plan, which comprises a substantive requirement under Title II.³ In response, the Division of Civil Rights conducted an initial self-evaluation into its programs, policies, and procedures to assess its progress to date in addressing ADA issues in October 2008.⁽¹⁾ The self-evaluation concluded that NJDOT anticipates it will take at least 10 years to develop a fully functioning ADA program within the Department. The document also identified some preliminary areas either not yet begun or in progress, with the intent of addressing them in the short-term through external consultant assistance in cooperation with ongoing Departmental efforts.

The major rationale for undertaking research activities was to provide requested technical support to the Division of Civil Rights to 1) acquire greater insights into the program gaps initially identified by the 2008 self-evaluation, 2) to develop the requisite knowledge and understanding from similar state efforts to craft the basic framework, action steps, and Draft Transition Plan for program compliance with Section 504/Title II as directed by the FHWA, 3) to examine whether ADA public accessibility requirements per Section 504/Title II are incorporated into key documents at NJDOT, and 4) to

² Specifically, as stated in a March 30, 2009 letter to the Division of Civil Rights, the FHWA anticipated that the Division's FY 09 program documents "[would] include specific goals with timetables for completing tasks; demonstrate efforts through the interdisciplinary and interdepartmental approach to address and resolve issues; and also contain significant accomplishments with support documentation for the Self-Evaluation and Transition Plan."

³ The Transition Plan serves as a long-term roadmap for the incremental removal of physical barriers within pedestrian facilities. One of the required elements of this plan is the development of a curb ramp installation schedule for areas where pedestrian walks cross curbs.

increase awareness and education regarding ADA within the Department. With a particular focus on providing documentation and technical support to fulfill the required Transition Plan elements, the research aimed to provide insights to respond to the following questions:

- What data currently are collected and shared across NJDOT that could be used to track future ADA compliance with Section 504/Title II?
- What gaps in data currently exist, and how can they be filled incrementally over time as the program matures?
- What best practices and resources can be applied to help establish the framework for a nascent, but evolving program such as the one at NJDOT?
- What other state transportation agencies serve as best examples for the development of the NJDOT Transition Plan, and what are their successful characteristics?

OBJECTIVES

The overriding objective of the research activity was to collect cross-cutting ADA data and information within NJDOT and through examination of best practices to enable the drafting of the Transition Plan as required by Title II. The plan was intended to serve as the key operating document for the program that describes its structure, key activities and accomplishments (to include fulfillment of the administrative requirements of the program), existing gaps, and time-bound steps for achieving progress, as dictated by the FHWA. Additionally, it was anticipated that the plan's format and content would be necessarily aligned with available data and time constraints imposed by the study timeframe. It should be noted, however, that strict compliance with Title II assumes full adherence to a set of defined Transition Plan elements. Successful inclusion of each element in the plan document, as identified in the following list, is characteristic of a mature Section 504/Title II program. As NJDOT's Section 504/Title II program evolves over time, the Division of Civil Rights intends to incorporate these required elements to future plan updates:

- An opportunity offered to interested persons and groups to participate in the self-evaluation leading to the Transition Plan;
- A listing of physical barriers in the Department's facilities that limit accessibility of individuals with disabilities (based on the facility inventory completed as part of the self-evaluation process);
- A description of the methods to remove these barriers and make the facilities accessible;

- A schedule for improving facilities by prioritizing needs of persons with disabilities in existing facilities; and
- A schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs.

Due to the need to employ considerable supporting data and information (assumed to already be available) to develop the most substantive elements of the Transition Plan, a related and necessary second objective of the research effort was to identify and document these data and program gaps in relation to the mandated components within the Transition Plan document. The availability and utility of existing Departmental data on state roads, highways, and facilities for ADA purposes is especially significant to enable prioritizing of deficient facilities and implementing a curb ramp installation schedule.⁴ The use of a detailed curb ramp schedule as a tool for monitoring and tracking progress leads to incremental, measurable removal of physical barriers for persons with disabilities, which is the overarching goal of Section 504/Title II.

In addition to meeting the needs of the Transition Plan updates, a third objective of the research effort was to examine Section 504/Title II adherence to select guidelines used by the Department for design and construction activities. A fourth, and final, objective of the research approach was aimed to increase cross-functional knowledge and awareness of ADA and Section 504/Title II compliance across NJDOT and its various divisions. This effort was in response to the FHWA's finding that the NJDOT's Division of Civil Rights should undertake immediate actions to demonstrate progress in augmenting the program's visibility, outreach, and compliance activities.

⁴ The curb ramp installation schedule is the most substantive and data-intensive element of the Transition Plan. It relies upon a comprehensive inventory of existing physical barriers that should be compiled when an agency conducts its self-evaluation. This self-evaluation is intended to be conducted prior to the development of a Transition Plan and to serve as its key input.

INTRODUCTION

The ADA program at NJDOT, focused on Section 504 and Title II compliance, is in an early stage of development regarding its roles, functions and activities. Additional program responsibilities under Section 504/Title II are being undertaken by the Division of Civil Rights with existing staff resources and in concert with ongoing duties related to Title VI, which pertains to a different category of discrimination based on race, color, and national origin in programs and activities receiving Federal financial assistance. Commensurate with the nature of this evolving program and existing budgetary constraints, the research approach was limited to the preliminary steps of providing a program framework and gap analysis, completion of a draft updated Transition Plan that outlines goals to increase the effectiveness of the program over short-term, medium-term, and long-term time horizons, review of design guidelines and specifications, and creation of training materials to enhance program awareness and knowledge.

The research effort involved the following activities:

- Development of an interview guide to supplement the findings of NJDOT's self-evaluation and to conduct a gap analysis of data NJDOT presently has, as well as data that should be collected by the agency, to satisfy required elements of the Transition Plan.
- Performance of on-site interviews with key staff representing eight NJDOT functional groups, designed to gather information on the practices and activities performed throughout the Department to assist the goals of the Transition Plan development.⁵ The interviews also gauged the depth of awareness of ADA issues, as well as adherence to ADA in the application of two key internal design guidelines and construction specifications.
- Best practices literature review to support the development of the Transition Plan that included: a comparison of Transition Plans of five model states, a summary of the findings from prior studies that contain guidance and recommendations in Transition Plan development, and an examination of potential Federal funding sources for making accessibility improvements.
- Drafting of the 2009 Transition Plan update, which includes a description of the framework for achieving compliance, a summary of required plan elements, types of projects covered by Section 504/Title II, a description of the review process and future plan updates, a summary of NJDOT's progress to date, next steps, monitoring, and evaluation.

⁵ Interviewed staff comprised members of the ADA Work Group who were selected on the basis of their domain expertise and familiarity with cross-cutting ADA issues as they impact their area of work. These staff represented the following divisions within NJDOT: 1) Operations-Traffic Engineering and Safety, 2) Operations Support, 3) Facilities/Regional Operations, 4) Capital Program Management, 5) Planning, 6) Office of Information Technology/Geographic Information Systems, 7) Communications, and 8) Division of Civil Rights.

- Development of educational materials for various divisions and functional areas within NJDOT that center on several aspects of ADA compliance.

SUMMARY OF WORK PERFORMED

The following is a description of the tasks performed as part of this research effort and a summary of findings from each activity.

Existing Practice/Gap Analysis Review

The 2008 self-evaluation completed by the Division of Civil Rights was used as the starting point from which to develop more in-depth insights of the Department's internal ADA processes. The initial task involved conducting a gap analysis focused primarily on existing ADA data and information. An interview guide was distributed and on-site interviews conducted with members of eight NJDOT Divisions. The interviewee groups and corresponding individuals were selected by the Division of Civil Rights and included members from the ADA Work Group, which was convened in spring 2008 to engage functional area experts as liaisons on ADA matters to their staff. The composition and engagement of the ADA Work Group ensured a broad cross-representation of functions within the Department, including:

- Division of Civil Rights;
- Operations – Traffic Engineering and Safety;
- Operations Support;
- Facilities/Regional Operations;
- Capital Program Management;
- Planning;
- Office of Information Technology/Geographic Information Systems; and
- Communications

The purpose of the interviews was to collect information on interviewees' responsibilities in the Department, their specific roles or functions related to ADA, the data and documentation they use to perform their duties, known data gaps and limitations, internal practices and procedures relevant to ADA, and potential tools and processes to enhance ADA compliance. Interviewees were asked questions in three broad categories, including:

- *Organizational questions* to help gather information about institutional arrangements, opportunities and barriers to data sharing, possibilities for

collaboration with other divisions, and development and maintenance of data that addresses ADA requirements.

- *Technical questions* to gain knowledge about attribute information in the data that may be useful for ADA purposes, mechanisms and formats for storing data, and accuracy and frequency of data updates.
- *ADA policy, awareness, and application questions* to help collect information on the level of understanding across NJDOT on policy issues, implementation, and overall awareness of ADA compliance.

A key gap identified by the interviews was that data and information spanning an individual project's life cycle is captured in several disparate databases, spreadsheets, and hard-copy documents (such as physical drawings and field diaries used to record inspector notes) that are used independently by each division to track its own activities within that process. Information collected in hard copy is most time-intensive to review and, therefore, of lowest utility for performing systematic ADA compliance. Of the electronic data repository systems, several systems were identified with some degree of frequency, including: video logs, straight line diagrams (SLD)/roadway inventory, and the Maintenance Management System (MMS). Each system had noted limitations relative to data accuracy, ability to properly assess facility conditions, and user friendliness and relevance to ADA (in the case of MMS).

Video logs and SLDs were seen as promising tools for conducting initial scans to verify presence of ADA components on facilities, although a more accurate gauge of compliance status would require supplemental field surveys. The Capital Project Inventory of projects in the construction pipeline, the county sidewalk inventory, and the Land Building Asset Management System (LBAM) facilities database were identified as having the greatest potential to support NJDOT's ADA efforts. The main barrier in using the latter datasets to gauge ADA compliance, even as stand-alone tools, is that no ADA-specific information is tracked in these databases as a separate field. Another barrier that prevents combining discrete data to generate useful information from multiple datasets is the lack of a common field (e.g., preferably geographic attributes such as latitude and longitude) to enable merging, parsing, and cross-functional reporting in order to pinpoint locations where potential compliance issues should be investigated and to track progress at those same locations over time. NJDOT is in the process of developing a data warehouse that may address this concern. The Division of Civil Rights has prioritized potential use of the county sidewalk inventory and state roadway inventory data, and intends to work with the Division of Planning and its vendor to make these datasets more adaptable to their needs.

Other findings from the gap analysis focused on information sharing, awareness and application of ADA considerations, and training opportunities. The majority of ADA-relevant information is communicated informally across departments by phone or e-mail, in contrast to being systematically tracked across work activities. Interviewees also indicated that construction specifications and design guidelines were informed by ADA considerations, and that division staff demonstrated knowledge and awareness of

any changes promulgated by FHWA in those guidelines. In regard to training and ADA awareness, most divisions reported some level of participation in ADA training activities in the past, but noted that these sessions were held in an ad hoc fashion. The gap in recent training efforts was partly addressed by the development of training materials as part of this research project.

Best Practice Literature Review

In addition to the existing practice/gap analysis review, best practices were identified to inform the development of the Transition Plan. A review was conducted of Transition Plans developed by other State Departments of Transportation (DOT). Toolkits and resources for compliance tracking relative to Section 504/Title II also were reviewed.

Five State DOT Transition Plans were selected for further review. These were identified based on a Maryland State Highway Administration (SHA) survey (conducted by the American Association of State Highway Transportation Officials (AASHTO) Research Advisory Committee) that highlighted how various state DOTs were managing completion of their ADA Transition Plans. Literature and Transition Plans were reviewed from Colorado, Florida, Maryland, South Carolina, and Tennessee. These five states were selected because of the availability and accessibility of public documentation of their Transition Plans, the timing of plan completion, and the frequency of plan updates.

The review of other State Transition Plans found a wide range of formats, level of detail, and coverage provided for each of the required plan elements, as stipulated by Title II.⁽²⁾ Most states were in the beginning stages of developing a comprehensive, detailed inventory of facilities as intended by the Transition Plan development process. Lack of resources was cited as the most common impediment to the successful execution of a self-evaluation, leading to Transition Plan development.⁽³⁾ Additionally, strong commitment by agency leadership and staff support were noted as vital factors to the effective implementation of the Transition Plan process. In this respect, NJDOT is not unique among other state DOTs in facing challenges for making more rapid progress on Section 504/Title II compliance.

A summary of findings related to various plan components among the five state DOT Transition Plans is as follows:

- **Plan Purpose/Goals.** Each plan includes some mention of purpose and goals, although the level of detail and means of presentation differ widely across the States. The purpose and goals are variously expressed in the plan introduction, in a dedicated section (particularly for detailed goals), or in the policy statement. South Carolina's plan incorporates Title II as it relates to program accessibility and communications media.
- **ADA Coordinator.** The state plans all include some combination of the name, title, contact information, and job description/responsibilities of the ADA

Coordinator, although only Maryland and Tennessee include all of this information.

- **Complaint/Grievance Procedure.** A detailed grievance procedure is included in each state's plan, although only three of five attached formal complaint forms. Colorado offers detailed guidance for filing complaints via mail or telephone, including TTY/TDD numbers.⁶ Maryland's plan incorporates a detailed complaint process flow chart.
- **Facilities Checklist.** Two States include a facilities checklist as an appendix/addendum to the plan. Maryland includes an itemized ADA checklist for design in a policy guidelines document. Florida and Tennessee maintain an inventory and checklist, but do not fold it into the Plan. Colorado DOT uses the facility checklist as an effective tool to incorporate ADA design standards into facility improvements.
- **Design Requirements.** Florida and Maryland publish ADA-related design guidelines in the plan. Colorado does include design guidelines, but references their existence in the body of the plan. South Carolina has a design guideline document which is referenced in its Transition Plan. However, the design guidelines are not included as an element of the Transition Plan. Tennessee does not include design standards or specifications in its plan.
- **Web Accessibility.** Florida DOT has a detailed ADA web page, including documents on design standards, grievance materials, policy statements and ADA coordinator information. Florida DOT does not, however, publish its Transition Plan on-line. South Carolina DOT identifies web and electronic accessibility as a compliance priority.
- **Prioritization and Scheduling of Improvements.** Each state follows a unique procedure for prioritizing and scheduling improvements. Florida and Tennessee are similar in that each solicits stakeholder input in the decision-making process. In Florida, the prioritization is performed annually or as-needed and involves Metropolitan Planning Organizations (MPO). Florida's process is steered by an ADA advisory committee that meets quarterly. Colorado, Maryland, and South Carolina developed prioritization plans and implementation schedules based on set methodologies, which may factor needs, the estimated cost of improvements, and available funding. Maryland schedules projects based on its self-evaluation, and South Carolina uses a comprehensive point-based prioritization system.
- **Curb Ramp Installation Schedule.** All five states included detailed schedules of curb ramp installation. Colorado relies on two approaches, one for retrofits

⁶TTY/TDD stands for a group of telecommunication devices that make it easier for deaf and/or mute people to talk over telephone lines. TTY refers to telephone typewriter, teletypewriter or text phone. TDD stands for Telecommunications Device for the Deaf. Usually these devices are all categorized under TTY/TDD. Sometimes TTY means manual devices such as typewriters, whereas TDD devices usually fall under computer assisted or digital devices.

and one for new projects. South Carolina's plan also contains information on its prioritization approach for curb ramps, which factors in facility type, usage, and location.

- **Stakeholder Involvement.** Reporting of stakeholder involvement details varies widely across state DOTs. Colorado does not include stakeholder involvement as part of its plan. Florida references stakeholder participation in the body of the plan and includes these records in the appendix. Maryland provides a list of all parties consulted, including a summary of each party's comments. It also holds public meetings as part of the self-evaluation process to present findings and gather input from the public; this input is then incorporated in updated versions of the self-evaluation draft document.⁷ South Carolina includes detailed records of public meetings in its plan, provides contact information and affiliations for stakeholder representatives, and publishes an overview of its public outreach mechanisms. Tennessee convenes a cross-departmental internal advisory committee (including DOT employees with disabilities) and an external advisory committee comprising members of various organizations representing the disabled community.
- **Compliance Reporting.** Three states – Colorado, Florida, and Tennessee – do not publish compliance data in their plans. South Carolina provides a schedule for compliance in its plan, but does not mention the percentage of compliant facilities within the overall inventory. Maryland is the only state reviewed that reports its level of ADA compliance (complaint facilities as a proportion of all inventoried facilities) in its plan. In its Quarterly Reports to FHWA, Maryland also reports on its progress with respect to the number of Accessible Pedestrian Signals (APS) projects that are under construction or complete, the number of intersections in design as part of its retrofit and capital programs, the number of employees who have completed “ADA Awareness Training,” and its participation in collaborative efforts and partnerships with its ADA Advisory Committee and other states that were included in its Peer Exchange.⁽⁴⁾ It also is developing a geospatial database, titled the “ADA Portal,” in order to track improvements and new construction. The portal will eventually be made available to the public.
- **Facilities Slated for Compliance.** Each state includes a select list of facilities slated for compliance. Colorado and South Carolina include ramps other than curb ramps, entrances to public buildings, and parking and drop-off areas. Florida and Maryland include facilities within the public right-of-way (PROW), which may include median and driveway treatments and sidewalks. Maryland includes bus stops, whereas Florida does not. Tennessee includes rest areas and detectable warning signs, along with curb ramps.
- **Training.** Maryland conducts training in the areas of technical training for design and construction which is tailored to utility companies, county staff, and contractors. The State also conducts training in design guidelines, construction,

⁷In Maryland, public meetings are typically held in concert with local commissions on disabilities.

and in ADA awareness. Its training for State Highway Administration (ADA) district and office staff is similar to the training program designed for NJDOT as part of this research study. Specifically, the training focuses on awareness of Title II issues and how ADA requirements affect each individual's rights and responsibilities. Maryland reports on how many of its staff have taken part of the training as part of its Quarterly Report to FHWA.

In addition to these insights, the research literature also identified several potential "success" factors for Transition Plan development and progressive elimination of physical barriers, including:

- Early identification and dedication of resources for performing the self-evaluation and development of an inventory of existing barriers. Maryland carries this through to its Transition Plan document, which shows annual updates to funding sources and levels.
- Separating the inventory process into two tracks to address buildings and facilities separately from right-of-way projects, so that progress and momentum could be sustained at least on the former track.
- Potentially devolving responsibility for developing the inventory of barriers into districts or regions, while maintaining a centralized inventory for compliance monitoring and reporting at the headquarters level.
- Leveraging the expertise of planning and programming staff for accelerated scheduling and prioritization of accessibility improvements as part of the improvement program in cases when it does not coincide with the DOT's statewide work program.
- Incorporating ADA improvements into existing programmed improvement projects, programmed signalization projects, and maintenance work to enable immediate remediation efforts.
- Inclusion of public partners in the Transition Plan development to provide improved customer service by state DOTs, to help identify areas of concern and prioritize accessibility improvements based on citizens' requests, facility usage, and areas of incidence of the disabled population.

The literature review also identified several tools that NJDOT could use to measure its progress. The U.S Department of Justice has developed a series of checklists regarding the roles and responsibilities of an ADA Coordinator, grievance procedures, web accessibility, communications, and curb ramps and pedestrian crossings, which can be used to assess those respective areas from a program accessibility perspective.

Given the budgetary and staff constraints in NJDOT's evolving Section 504/Title II program, concrete steps that can be accomplished in the short-term include establishing the basic administrative functions of the program (i.e., delegating staff responsibilities to

an ADA Coordinator, providing internal training, adopting procedures for giving public notice), describing program successes to date, engaging internal stakeholders, outlining a vision for outreach to potential external groups, documenting these tasks in the Transition Plan, and noting outstanding institutional or program impediments such as data collection gaps that limit the Department's ability to prioritize improvements and create an annual schedule that tracks progress in removing physical barriers.

Development of Transition Plan

A recently published working manual titled "ADA Transition Plans: A Guide to Best Management Practices" informed the development of NJDOT's Transition Plan.⁽⁵⁾ This document recognizes that state transportation agencies face unique challenges in meeting ADA accessibility of their facilities and advocates for steady, incremental progress towards attaining Section 504/Title II compliance. State DOT facilities can easily span thousands of miles of public rights-of-way, magnifying the complexity and cost of effort to achieve, maintain and track compliance over time. Taking into account this complexity, the guide sets forth a high-level framework comprised of a series of successive, positive steps toward compliance.

These steps include: 1) fulfillment of the administrative requirements of the ADA program through staffing, provision of notice, and adoption of procedures, 2) performance of a self-assessment of areas of compliance in which the agency falls short, 3) development of an implementation plan (i.e., "Transition Plan") to improve compliance as a result of the insights gained in the self-evaluation, and 4) monitoring the progress of the implementation plan. The research outcomes of this project suggest that NJDOT utilize these building blocks as a yardstick to gauge the magnitude of its own efforts as its Section 504/Title II program strives toward more comprehensive achievements over time and within existing budget constraints.

Using the internal insights gathered through the Departmental gap analysis, as well as supplementary findings collected through best practices research, an updated 2009 Transition Plan was drafted that took account of the existing information and data gaps. Specifically, while NJDOT has an accessible inventory of its facilities and roads across its existing datasets, this information still lacks an ADA-specific component (or "flag") so that the Division of Civil Rights can focus its efforts on specific locations and facilities, and be able to track improvements in those facilities over time. NJDOT still needs to develop its data collection efforts in order to begin formulating a curb ramp installation schedule, which is a requisite component of a comprehensive Transition Plan document. The Transition Plan document outlines short-term, medium-term, and long-term goals that NJDOT can undertake to strengthen its compliance efforts and to aid its ongoing efforts to evolve into a more mature, comprehensive program with a greater focus on quantifiable metrics for monitoring its accomplishments.

The 2009 Transition Plan document is available from the Division of Civil Rights upon request.

Development of Training Materials

A key component of this research effort was the development of educational and training materials to respond to FHWA's directive to increase the knowledge and visibility of Section 405/Title II within NJDOT. The ADA Education and Training Program was designed to review ADA regulations, demonstrate ADA's application in daily work activities, show how ADA has been integrated within Departmental actions and protocols, and instruct personnel on the policies and procedures for appropriately managing ADA requests and inquiries. Education materials were developed for internal use and were intended to be presented to NJDOT personnel by members of the Division of Civil Rights.

Four modules were designed to focus on different aspects of ADA and its relationship with NJDOT and across its various divisions:

- **Module I – ADA 101.** This module reviews ADA and its application. It focuses on the Federal perspective (legislative and legal components) of ADA and how NJDOT currently is implementing ADA regulations through various internal and external processes and procedures.
- **Module II – NJDOT Personnel and ADA.** This module is a series of five presentations that reinforce the NJDOT ADA Complaint Resolution Process, examine how ADA impacts NJDOT personnel differently, offer ADA best practices to improving accessibility, and present role playing scenarios for participants to respond and demonstrate knowledge gained through the program. The five presentations address separate personnel groupings, including: Capital Planning and Management; Engineering and Design; Maintenance; Planning; and Oversight. The module provides a strategy for addressing ADA issues that might arise within different departments or when communicating with the public.
- **Module III – ADA Education Programming Resource Catalog.** This module is a reference document of Federal and state-level ADA education programs. It is designed to supplement Module I and II materials, with a focus on identifying supplemental ADA education programs that offer participants an interactive and immersive educational experience and reinforce the issues to be considered when developing projects, preparing designs, or resolving an ADA issue. The resources within the catalog are drawn from national and regional organizations, and highlight how available services or programs may be utilized to support the other modules of the ADA Education and Training program.
- **Module IV – ADA Work Group.** This module is a presentation for the internal ADA Work Group designed to introduce the current membership of the Work Group, re-establish the goals, purpose, and responsibilities of the Work Group, review the gaps and opportunities identified during the gap analysis subtask (as part of Task 1), offer group members an opportunity to provide feedback, and to develop a strategy for the ADA Work Group for future activities.

ADA training materials are available from the Division of Civil Rights upon request.

CONCLUSIONS AND RECOMMENDATIONS

The NJDOT Section 504/Title II program is a relatively new program within the Division of Civil Rights. Through initial efforts to establish a basic program structure, including dedicated staff support and adoption of notices to the public regarding the Department's responsibilities, NJDOT's Division of Civil Rights will continue to augment its ADA program activities using an incremental, phased-in approach. In spite of considerable obstacles in using its existing datasets to properly identify problem areas in order to develop a prioritized curb ramp installation schedule as required by the Transition Plan and Title II, the Department has several assets which hold promise with future compliance efforts. Most notably, an existing dataset on facilities – known as the Land Building Asset Management System (LBAM) – can be greatly enhanced with the addition of an ADA-specific “flag” field to allow for easier tracking on facilities with ADA-specific components. Other potential compliance tools include the incorporation of Geographic Positioning System (GPS) devices in the field and the use of an already developed county sidewalk inventory which can be overlaid with other maps to identify highly used pedestrian facilities and those used by persons with disabilities.

While the Transition Plan highlights activities that can be undertaken within a 10-year (long-term) time span, of immediate need is for the Division of Civil Rights to begin to identify sources of funding for conducting a baseline inventory and curb ramp installation schedule. The Division also can begin assembling an external advisory/ stakeholder group for involvement in future self-evaluation and Transition Plan efforts, in addition to more fully engaging its internal expert resources, as reflected in the cross-functional membership of the current ADA Work Group. The Division of Civil Rights should also develop stronger awareness within the Department and with the public by developing promotional materials, conducting internal training sessions and reporting on the number of participants that have received training, and establishing a stronger presence on the NJDOT intranet and Internet home pages of its web site.

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