



Three Rivers

PARK DISTRICT



ADA Transition Plan

December 5, 2013

the **mission** of Three Rivers Park District is to promote environmental stewardship through recreation and education in a natural resources-based park system.

Three Rivers Park District was established in 1957 after legislation was enacted in 1955 allowing for the activation of park districts whose primary duties are “acquisition, development and maintenance of large parks, wildlife sanctuaries, forest and other reservations, and means for public access to historic sites and to lakes, rivers and streams and to other natural phenomena” (Minnesota State Statutes, Chapter 398.07).

The Park District’s primary service area is suburban Hennepin County as well as Scott County, through a joint partnership agreement with the Scott County Board. Three Rivers Park District is also an implementing agency of the Metropolitan Regional Park System and thus, serves people from throughout the region and state. The Park District hosts 9.5 million annual visits to more than 26,500 acres of park reserves, regional parks and special-use areas and 120 miles of regional trails. Current outdoor-recreation activities in regional parks and trails include camping, hiking, cross-country and downhill skiing, tubing, bicycling, in-line skating, horseback riding, nature interpretation, golfing, fishing and swimming. Three Rivers Park District also operates a natural resources management program, which administers the restoration and perpetuation of both native wildlife and plants in order to provide park and trail visitors opportunities for high-quality recreational experiences.



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- Chris Behringer, ADA Transition Plan - Landscape Designer

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- Chris Behringer, ADA Transition Plan – Landscape Designer
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- * ADA Coordinators

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Executive Summary

Three Rivers Park District is committed to nondiscrimination on the basis of disability in the design of parks and trails and provision of services. This is affirmed in the Board's Policy Statement, which states that the Park District "is committed to full application of the Americans with Disabilities Act to the services, programs and activities of the Park District. The Park District will inform the public of the accessibility levels of programs and facilities when appropriate, and will apply the concepts of universal design, wherever feasible, in development and redevelopment of areas and facilities". The Park District's Vision Plan also recognizes "Accessibility" as an essential core value of the District.

The Park District has demonstrated this commitment through the planning and implementation of physical improvements, modification of organizational processes, coordination of compliance activities, and involvement of persons with disabilities in planning, decision-making, networking and program delivery.

The 2013 Park District Americans with Disabilities Act (ADA) Transition Plan builds upon the Park District's 1989 and 1992 Accessibility Evaluation Plans and 1993 Hennepin Parks Transition Plan. This update considers past ADA legislation (the Architectural Barriers Act of 1968 and Section 504 of the Rehabilitation Act of 1973) and implementation of Title II of ADA (adopted in 1990), which pertains to the programs, activities and services public entities provide as well as administrative requirements. The Plan also considers more recently adopted ADA standards and proposed standards that are in the process of being adopted into state and federal ADA codes. In addition to a review of physical structures, the Transition Plan includes evaluation and recommendations related to policies, procedures, communications, programs, maintenance and training.

The 2013 ADA Transition Plan uses a self-evaluation process to analyze how well the Park District has responded to ADA standards and concerns in the past and the level at which the District is meeting current and proposed ADA standards. Two public open houses and an ADA Focus Group were held in May 2013 to reach out to stakeholder groups and individual citizens. The public open houses and focus group, which included representation from agencies that serve persons with disabilities, were designed to communicate information about the components of the ADA Transition Plan, to solicit feedback and suggestions from participants on how the Park District could best address barriers that may limit use of the parks or programs, and to generate ideas for partnerships.

The self-evaluation, along with consideration of public and stakeholder input, will be considered in developing recommendations for the prioritization of projects and strategies, which will then be included in an ADA Management Plan and Annual Program Services Plan. The Management Plan will be updated annually and will reflect how financial and organizational resources as well as partnerships can best be leveraged to improve access and service over time.

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ADA Transition Plan Design

Title II of the Americans with Disabilities Act (ADA) adopts general prohibitions against discrimination, which applies to all state and local governments. The law prohibits the Park District from denying persons with disabilities the equal opportunity to participate in its services, programs or activities, either directly or indirectly. This law requires development of a transition plan if the self-evaluation identifies any accessibility deficiencies (Appendix A – ADA Legislation). 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 Park District’s 2013 ADA Transition Plan addresses a broad range of accessibility issues, taking into account accessibility to sites, facilities, buildings, programs, information, and services. This Plan represents an evaluation and major update of the Park District’s 1993 ADA Transition Plan and is directed toward ensuring compliance with state and federal ADA legislation (Appendix A) as well as adopted and proposed ADA standards. This Transition Plan will guide the planning and implementation of the necessary program and facility modifications over the next 15 - 20 years. The Transition Plan should be updated annually to monitor results, reflect changes in the parks and facilities, and also to address any new areas of noncompliance.

The 2013 Transition Plan includes updates of the administrative requirements contained in ADA legislation that apply to the Park District, discusses strategies for current and future public involvement, provides a self-assessment of communications, programs, buildings and outdoor developed areas, and establishes the framework for future actions.

The Park District seeks to maximize opportunities for accessibility; however, modifications of programs or facilities are not required if the change substantially alters the essential nature of the program or activity, creates a hazardous situation, are primarily for the personal benefit of the individual with a disability, or if it can be demonstrated that the modification poses an undue burden on the Park District.

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ADA Program Coordination

ADA law requires that agencies employing more than 50 employees designate at least one responsible employee to coordinate ADA compliance. A government entity may elect to designate more than one ADA Coordinator. Due to the far-reaching and ongoing implications of ADA, transparent points of public contact and internal staff coordination are important. ADA Coordinators serve as both public and staff contacts who have the knowledge and background required to address questions and issues efficiently and consistently. ADA Coordinators are responsible for overseeing the efforts of Park District compliance with Title II of ADA including programs, activities and facilities. Issues regarding possible discrimination or lack of access can also be referred to an ADA Coordinator for response and investigation of complaints. The Park District designated three ADA Coordinators, representing different ADA focus areas.

Linda Seaton – [Programs, Services, and Administrative Procedures](#)
 Director of Facility Services
 Division of Recreation, Education & Natural Resources

Michael Horn – [Outdoor Developed Areas](#)
 Senior Manager of Landscape Architecture
 Division of Planning, Design & Technology

Jason Zemke - [Buildings](#)
 Senior Manager of Architecture
 Division of Planning, Design & Technology

Email: access@threeriversparkdistrict.org
 Phone: 763-559-9000 or (TTY) 763-559-6719

Additionally, an internal ADA Steering Committee was created with representatives from a cross-section of responsibility areas. The Committee was charged with performing research and evaluation, identifying strategies, and coordinating the update of the ADA Transition Plan. The Committee focused on issues and ideas related to improving design, programs, administrative procedures, and communication directed at better serving persons with disabilities and their families. The Steering Committee will continue to meet at least annually to review progress being made with the Transition Plan, prioritize initiatives, plan training opportunities, and recommend funding considerations.

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ADA Public Notice

The target audience for public notice is expansive, and includes everyone who interacts, or would potentially interact, with the Park District facilities, programs, or services.

The Park District - Americans with Disabilities Act Compliance

In accordance with the requirements of Title II of the ADA, the Park District will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will apply the concepts of universal design, wherever feasible, in development and redevelopment of areas and facilities.

Employment

The Park District does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations.

Effective Communication

The Park District will provide appropriate aids and services leading to effective communication so everyone can participate in Park District programs, services, and activities.

Policy

Anyone who requires an auxiliary aid or special accommodations to participate in a program, service, or activity of the Park District should contact the program center or department responsible for the program or service; or Beth Nash, Public and Donor Relations Supervisor. Please provide advanced notice prior to a scheduled event. Fourteen days prior to the event is preferred to make necessary accommodations. Email requests to access@threeriversparkdistrict.org. Phone: 763-559-6707 or (TTY) 763-559-6719.

Modifications to Policies and Procedures

The Park District will make reasonable modifications to policies and programs to promote equal opportunity for individuals to enjoy its programs, services, and activities. Examples include:

- Other Power Driven Mobility Devices - <http://www.threeriversparks.org/about/accessibility.aspx>
- Recreation and Outdoor Education programs – Policy noted above.

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ADA Grievance Procedure

Under the ADA, users of the Park District facilities and programs have the right to file a grievance if they believe the Park District has not provided reasonable accommodations. This Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Park District. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the Park District complies with the ADA and implementing regulations. The right of a person to a prompt and equitable resolution of the grievance filed shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA grievance with the Department of Justice. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

The Park District's Human Resources Policy governs employment-related complaints of disability discrimination.

Procedures

- The complaint should be in writing and contain information about the alleged discrimination. It should include the name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
- The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation, to:

Linda Seaton, ADA Coordinator and Director of Facility Services,
Three Rivers Park District, 3000 Xenium Lane N., Plymouth, MN 55441

- Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will respond to the complainant to discuss the complaint and possible resolutions. Within 30 calendar days of the discussion, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Park District and offer options for substantive resolution of the complaint.

Section IV | ADA Grievance Procedure

- An investigation, as may be appropriate, shall follow a filing of grievance. The investigation will be conducted by the ADA Coordinator or his/her representative(s).
- If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Park District Superintendent or his/her designee.
- Within 15 calendar days after receipt of the appeal, the Superintendent or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. A Compliance Review Committee will be appointed. The Committee shall be comprised of 2-3 Park District staff, a representative of the disabled community, and a health/medical/therapeutic recreation professional. The Committee shall issue its decision within ninety (90) days after the filing of the request for reconsideration.
- All written complaints received by the ADA Coordinator or his/her designee, appeals to the Superintendent or his/her designee, and responses from these two offices will be retained by the Park District for at least three years.

