

# OKI Title II

## Self-Evaluation and Transition Plan

*Americans with Disabilities Act (ADA) - 1990*  
*and*  
*Section 504 of the Rehabilitation Act – 1973*



Ohio-Kentucky-Indiana Regional Council of Governments  
720 East Pete Rose Way, Suite 420  
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<https://www.oki.org/>



# ACKNOWLEDGEMENTS

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The opinions, findings and conclusions expressed in this document are those of the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) and are not necessarily those of the U.S. Department of Transportation (U.S. DOT). This report does not constitute a standard, specification, or regulation.

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**RESOLUTION**  
**OF THE EXECUTIVE COMMITTEE OF THE**  
**OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS**

**AUTHORIZING ADOPTION OF THE**  
**TITLE II SELF-EVALUATION & TRANSITION PLAN**

**WHEREAS**, Ohio-Kentucky-Indiana Regional Council of Governments (hereafter referred to as OKI) is the officially designated Metropolitan Planning Organization (MPO) for nearly 200 communities in its eight-county, three-state region; and

**WHEREAS**, both the Americans with Disabilities (ADA) Act of 1990 and Section 504 of the Rehabilitation Act of 1973 address the needs of individuals with disabilities, and prohibits the discrimination of individuals with disabilities to participate in employment opportunities, public services, public accommodations and telecommunication; and

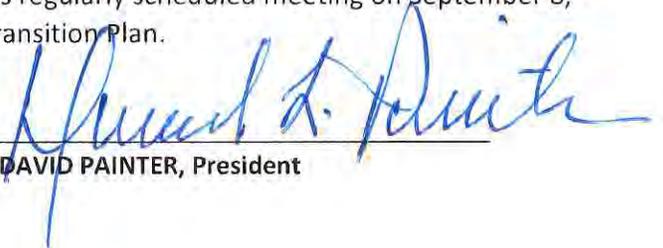
**WHEREAS**, OKI developed the Title II Self-Evaluation & Transition Plan to outline compliance with ADA standards/requirements in the transportation planning process as well as physical accommodations related to the accessibility of public buildings and MPO data/meetings; and

**WHEREAS**, the Title II Self-Evaluation & Transition Plan also outlines the grievance procedure of OKI to document, report, and address Title II complaints concerning the transportation planning process; and

**WHEREAS**, OKI remains committed to the proposition that no person shall, on the grounds of race, color, national origin, sex, age, religion, disability/impairment, or income status, be denied benefits of or be otherwise subjected to discrimination under any program or activity (as prescribed by Title VI of the Civil Rights Act of 1964, and subsequent nondiscrimination laws and executive orders); and

**WHEREAS**, the Title II Self-Evaluation & Transition Plan was made available for a public review/comment period, which began August 19, 2022 and ended September 7, 2022, and has also been reviewed and approved by the MPO Intermodal Coordinating Committee (ICC) and the MPO Executive Committee; Now, Therefore,

**BE IT RESOLVED**, that the Executive Committee at its regularly scheduled meeting on September 8, 2022 does hereby adopt the OKI Title II Self-Evaluation & Transition Plan.

  
\_\_\_\_\_  
DAVID PAINTER, President

9/8/22  
fjp

# OKI Regional Council of Governments

## Notice of Non-Discrimination

Ohio-Kentucky-Indiana Regional Council of Governments (OKI) hereafter referred to as (“MPO”) complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title II, Title VI of the Civil Rights Act of 1964 and other federal equal opportunity laws. Therefore, it does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission to, benefit of or participation in MPO programs and activities, as well as the MPO’s hiring or employment practices. Related federal non-discrimination laws administered by the Federal Highway Administration and the Federal Transit Administration also prohibit discrimination on the basis of age, sex, and disability. These protected classes are referenced within OKI’s Title VI Program, ADA of 1990 and Section 504 of the Rehabilitation Act of 1973, and are consistent with federal interpretation and administration. Additionally, OKI provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with U.S. Department of Transportation policy and guidance from federal Executive Order 13166.

### **Additional Information**

To request additional information regarding Title VI, Title II, ADA, Section 504 and related non-discrimination obligations, please contact:

OKI Regional Council of Governments  
Attn: Florence Parker, Title VI Coordinator  
720 East Pete Rose Way – Suite 420  
Cincinnati, Ohio 45202  
Direct Line: 513-619-7686  
Email: [fparker@oki.org](mailto:fparker@oki.org)

### **Complaint Filing**

To file a complaint alleging a violation of Title VI, Title II, ADA, 504 or related federal non-discrimination law, contact the OKI office at the address above within 180 days of the alleged discriminatory conduct. Click on link <https://www.oki.org/wp-content/uploads/2019/03/complaintform-1.pdf> to access the complaint process and form.

### **Translation**

English: If this information is needed in another language, please contact OKI’s Title VI Coordinator at 513-619-7686 or email the coordinator at [fparker@oki.org](mailto:fparker@oki.org).

Spanish: Si esta información es necesaria en otro idioma, póngase en contacto con el Coordinador del Título VI de OKI en 513-619-7686 o envíe un correo electrónico al coordinador at [fparker@oki.org](mailto:fparker@oki.org).

# **Purpose Statement**

## **Purpose of the OKI Self-Evaluation & Transition Plan**

The purpose of this document is to review Ohio-Kentucky-Indiana Regional Council of Governments' (hereafter OKI) policies and practices for compliance with applicable provisions of Title II of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973.

# OKI Regional Council of Governments

## About OKI

Established in 1964, the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) has spent nearly 60 years cultivating partnerships and alliances that range from the federal government to local councils developing consensus-driven, plans. Its 120 members represent governmental, social and civic groups from nearly 200 communities in its eight-county, three-state region. OKI is the regional planning and intergovernmental coordination agency for the Greater Cincinnati metropolitan area. As the designated Metropolitan Planning Organization (MPO) and Council of Governments (COG) for the Ohio, Kentucky and Indiana counties in its region, OKI is responsible for the development of a long-range plan and a short-range programming document for transportation, as well as other planning initiatives. Civic engagement efforts apply to the broad spectrum of transportation investments and impacts considered in metropolitan planning, as well as individual projects recommended by OKI. The agency also ensures that member jurisdictions are aware of and abide by national planning legislative programs and initiatives.

OKI staff and committees work together alongside elected officials and staff from the member jurisdictions as well and the Ohio Department of Transportation, Kentucky Transportation Cabinet, Indiana Department of Transportation, Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and Environmental Protection Agency (EPA) to ensure that the metropolitan planning process is executed properly, and the required planning documents are developed and implemented.

### MPO Member Jurisdictions

Following is a list of OKI's MPO member jurisdictions:

#### **Southwestern Ohio**

Butler County  
Clermont County  
Hamilton County  
Warren County

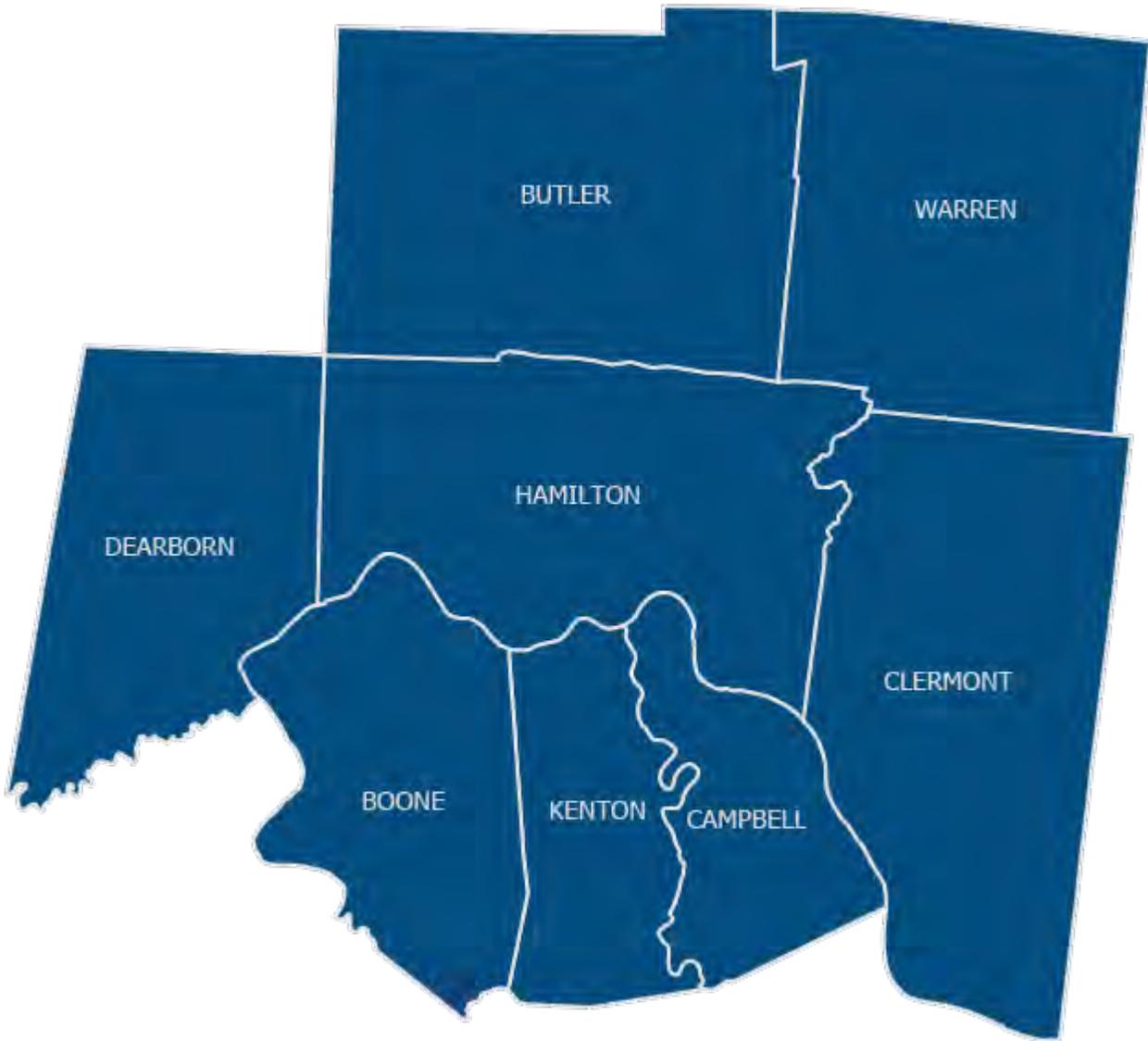
#### **Kentucky**

Boone County  
Campbell County  
Kenton County

#### **Southeastern Indiana**

Dearborn County

Figure 1 below illustrates the OKI Metropolitan Planning boundaries.



# Programs, Services, Activities

OKI serves as the forum for collective and cooperative decision-making with regard to transportation planning projects. Public involvement is an essential component of the transportation planning process and is incorporated into the planning activities and products developed and maintained by the MPO. OKI must adhere to the standards set forth in Title II with relation to physical accommodations (accessibility to buildings and meetings) and in MPO policies, practices, and procedures. Key transportation planning activities conducted by OKI where ADA/504 requirements apply include the following:

## **Metropolitan Transportation Plan (MTP)**

The MTP is the long-range regional transportation plan for the region. The plan identifies transportation needs in the MPO area and outlines financial resources available to meet those needs over a 20-year period. The most recent MTP can be accessed on the OKI website at [2050.oki.org](http://2050.oki.org).

## **Transportation Improvement Program (TIP)**

The TIP is the short-term transportation plan (3-4 years) that includes all transportation improvements planned or programmed in the MPO region. The plan also includes statewide transportation projects and funding categories. The most recent TIP can be accessed on the OKI website at <https://www.oki.org/transportation-planning/transportation-improvement-program-tip>.

## **Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan)**

The Coordinated Plan is a locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, seniors, and individuals with low incomes; provides strategies for meeting those needs, and prioritizes transportation services for funding and implementation. The most recent Coordinated Plan can be accessed on the OKI website at <https://www.oki.org/studies-plans/>

## **Participation Plan (PP)**

The PP serves as the official policy for the provision of meaningful civic engagement in the transportation planning process and related activities. Participation activities represent a comprehensive program intended to provide public input on the transportation planning process and in the transportation decision-making process. The most recent PP can be accessed on the OKI website at <https://www.oki.org/plans-and-programs/participation-plan/>.

# Statement of Commitment

The Title II regulations prohibit discrimination by public entities on the basis of disability. Section 504 regulations prohibit discrimination on the basis of disability in programs, services or activities receiving federal financial assistance. As a recipient of federal funding, OKI must comply with federal and state legislative regulations. Specifically, Title II of ADA and Section 504 of the Rehabilitation Act apply to all activities of state and local governments, including MPO, and require that government entities provide individuals with disabilities equal access to all programs, services, and activities. To ensure non-discrimination and access for individuals with disabilities in MPO programs, services, and activities, the MPO must:

- Apply ADA Law and Section 504 Law, including providing accessibility to buildings and meetings, as well as policies, practices, and procedures.
- Make reasonable changes to policies, practices, and procedures where necessary.
- Make reasonable accommodations in order to communicate effectively with people who have hearing, vision, or speech impairments.
- Appoint an ADA/504 Coordinator.
- Provide an agency non-discrimination statement.
- Perform an agency self-evaluation of (1) policies and practices; and (2) physical premises.
- Develop a Transition Plan.
- Provide assurance of compliance.

# Self-Evaluation

The OKI ADA/504 Coordinator, in consultation with the OKI Intermodal Coordinating Committee (ICC), which serves as the technical advisory committee to the OKI Board of Directors and Executive Committee and OKI staff developed this document. The coordinator and staff will complete an evaluation of the MPO's premises and meeting locations, as well as evaluate the MPO's policies and practices. The ICC will review and make recommendations to the evaluation and Transition Plan with adoption of the recommendations contingent upon approval by the OKI Board of Directors which is the official MPO Policy Committee (PC).

This document outlines the policies and procedures that the MPO will use to comply with ADA/504. Any deficiencies identified will be detailed in the Transition Plan, along with steps that will be taken to address or remedy the deficiencies.

## **Public Comment**

In accordance with the MPO's policies and procedures, the public was given 15-days to review and comment on the draft. Notice was placed in the area's newspaper with the largest circulation, Cincinnati Enquirer, on the MPO website, and on the MPO social media pages. See Appendix A for a copy of the public notice.

## **MPO Policies and Practices**

Following is a description of the MPO's policies and practices which may affect individuals with disabilities.

### **A. ADA/504 Coordinator**

The OKI ADA/504 Coordinator will perform the following tasks:

- Collaborate and coordinate ADA/504 compliance efforts with the MPO staff. The coordinator will work closely with all of the MPO staff.
- Serve as the point of contact to the public on ADA/504 compliance issues. Contact information will be provided in the OKI publications and posted on the website.
- Establish and maintain collaborative relationships with critical external stakeholders, such as disability advocacy groups and governmental agencies.
- Monitor OKI policies, procedures, practices and processes with respect to ADA/504 compliance; identify shortcomings in compliance and develop remedies.
- Investigate and resolve complaints filed under OKI's ADA/504 Grievance Procedures. OKI's Grievance Procedures are described on page 13.
- Monitor and update the implementation of the OKI ADA/504 Self-Evaluation and Transition Plan as necessary.
- Provide or coordinate the provision of requested auxiliary aids and reasonable accommodations to individuals with disabilities.

- Perform ADA/504 program, process or compliance reviews; inspect facilities for accessibility.

## **B. Public Participation**

OKI's Participation Plan (PP) was updated in February 2022 and one of the key changes to the plan was the inclusion of a process and procedures for conducting Virtual Public Involvement. Another change was the inclusion of new criteria for defining Environmental Justice communities. The PP was developed to ensure public engagement from all segments of OKI's region throughout the transportation planning process. The document outlines the practices and procedures by which the MPO staff and committees promote public involvement. The most recent edition of the document is located on the OKI website at <https://www.oki.org/plans-and-programs/participation-plan/>.

## **C. Public Meetings and Opportunities for Comment**

All MPO committees are open to the public. Most meetings are held at the OKI Office in Cincinnati, Ohio. The Board Room is fully accessible; the building is accessible to paratransit buses and is located a short distance from local fixed route transit service. When meetings are held at other locations, those locations are selected based on their accessibility. When possible, meeting locations are selected along public bus routes to encourage non-drivers or individuals in zero-car households to attend.

When given advance notice OKI will make every effort to provide documents and handouts in large print, on audio tape or in Braille. This information is included in the OKI Notice of Non-discrimination which is posted on the MPO website and included in all legal notices and MPO plans. When possible, language interpreters will be available if the request is submitted with sufficient lead time in advance of scheduled meetings.

## **D. Publications and Documents**

OKI includes the Notice of Non-discrimination in all plans, studies, and legal notices developed and published by the MPO.

## **E. Website (<https://www.oki.org>) and Social Media Pages**

OKI will use the internet to provide information about and access to services. OKI is currently planning a complete redesign of its website with a view towards increasing website accessibility. The following are deficiencies currently acknowledged regarding the OKI website that are under review and listed in the Transition Plan:

- PDF documents and other images are not accessible by vision impaired individuals.
- Not all images are captioned to accommodate reader software for vision impaired individuals.
- Use of color on charts and tables may not be viewable by individuals who are color blind.

## F. Grievance Procedure for OKI Employees

It is OKI's intent to ensure that no qualified individual, because of a disability, is discriminated against with regard to any term or condition of employment, provided that such individual can perform the essential functions of the job with or without reasonable accommodations.

**A disability** is defined as (1) a physical or mental impairment that renders the individual unable to perform, or significantly limits the individual's ability to perform one or more major life activities as compared to an average person in the general population, or (2) there is a record of such an impairment, or (3) the individual is regarded as having such an impairment.

**Qualified individual** is defined as an individual with a disability who has satisfied the requisite skill, experience, education, and other job-related requirements of the employment that such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

**Reasonable accommodations** are defined as a modification or adjustments to the job, the work environment, or the way things usually are done to enable a qualified person with a disability to enjoy an equal employment opportunity. OKI is not required to take such actions to accommodate that would result in undue financial and administrative burdens. OKI, upon request, will provide reasonable accommodation to any/all employee(s) in compliance with the ADA. Any employee who believes they need an accommodation to perform the essential functions of the job should notify their immediate supervisor. Requests will be handled on a case-by-case basis.

Any employee who believes he/she has been or is being discriminated against because or as a result of, a disability should first contact their immediate supervisor. If the employee is not satisfied with the conclusion of that interview, then they may file a grievance with the ADA/504 Coordinator.

The Grievance Procedure consists of the following:

- A written complaint containing the name and address of the person filing it as well as a brief description of the alleged violation of the regulations or discriminatory act should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. (Note: The complaint can be submitted in alternate format depending on the needs of an individual's disability.)
- An investigation will be conducted by the ADA/504 Coordinator with input from the MPO Policy Board and other partner agencies, as needed.
- The ADA/504 Coordinator will then respond to the complainant in writing within a reasonable time frame that is not to exceed 45 days from the receipt of the complaint. The response will provide information concerning the resolution of the complaint.
- A record of all ADA/504 complaints will be maintained by the MPO for a minimum of five years.

## **G. Complaint Procedures for the General Public**

OKI has established a process for investigating and resolving complaints alleging disability discrimination related to MPO services, programs and its office. Regulations implementing provisions of Section 504 and Title II of the ADA can be found at 49 CFR Parts 27 and 37, and 28 CFR Part 35.

OKI's ADA/504 Coordinator is responsible for overseeing investigations and responses to complaints of discrimination based on disability. All complaints must include:

- Complainant's name, mailing address and contact phone number.
- Specific information relating to the incident in question such as date, time, location, how the person was discriminated based upon disability, and any other applicable details.

Complaints submitted with incomplete information may result in delayed investigations and responses. The MPO will not respond to complaints without the complainant's name and mailing address.

Complaints may be submitted to the MPO as follows:

- By telephone to the MPO, 513-621-6300, or using Ohio Relay Service 800-750-0750. The ADA/504 Coordinator will talk to the complainant and obtain detailed information relating to the complaint. Information obtained from the telephone interview will be recorded in writing and read to the complainant.
- By mail to the ADA/504 Coordinator the address is 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202. Complaints may also be faxed to 513-621-9325 or emailed to [info@oki.org](mailto:info@oki.org).
- In person at OKI Regional Council of Governments, 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202. Normal office hours are 8:00 a.m. to 4:30 p.m. Monday through Friday. It is advisable to call 513-621-6300 or the Ohio Relay Services at 800-750-0750 in advance to schedule an appointment.

Within three (3) business days upon receipt of a complaint, a letter will be mailed to the complainant with the following information:

- Acknowledgement that the complaint has been received and is pending investigation.
- Estimated date by which a response will be sent to the complainant.

As listed above, upon receipt of the formal grievance, the ADA/504 Coordinator will collect information, investigate the complaint, and make a recommendation to the MPO Policy Board within fourteen (14) business days. The ADA/504 Coordinator will then respond to the complainant in writing within a reasonable time frame that is not to exceed 45 days from receipt of the complaint. The response will provide information concerning resolution of the complaint.

A record of all ADA/504 complaints will be maintained by the MPO for a minimum of five (5) years. Each record will include the name and address of the complainant, nature of the

complaint, problem(s) identified, resolution of the complaint, and any resulting modifications made to a MPO program, service, activity, or office facility.

### **Evaluation of MPO Premises**

The MPO office is located within the city of Cincinnati, Ohio at 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202.

**A. Access to the building, offices and meeting rooms**

At least 50% of the external entrances to the building are accessible. All conference rooms, offices and restrooms are accessible. The OKI office is located near a regular bus route.

**B. Doorways and hardware**

All internal and external doorways for public use are accessible. All door hardware is designed for use by people with disabilities and is in good working order.

**C. Reception Area**

OKI's reception area is accessible by both visitors and employees.

**D. Offices**

All offices are constructed to permit access and use.

**E. Internal navigation**

Office hallways are accessible and generally free of obstacles.

**F. Communication**

Office telephones are within easy access or can be readily put within access. For access to TD/TTY technology call Ohio Relay Services 800-750-0750 and follow instructions. The MPO website (including PDF documents) and social media pages are not currently accessible by individuals with vision impairments according to WCAG AA standards.

**G. Conference Rooms**

The conference rooms used by the MPO are accessible.

### **Conclusions**

OKI will continue to self-evaluate with regard to ADA compliance and accommodations. Deficiencies noted within the Self-Evaluation are recorded in the Transition Plan. Any deficiencies identified in the future will be recorded and added to the Transition Plan, along with recommended remedies and a time frame for making the recommended improvements.

# OKI Transition Plan

As a recipient of federal funding, OKI must comply with a variety of federal and state legislative regulations. Regarding matters of discrimination, OKI falls under two federal laws, Title II of the Americans with Disabilities Act of 1990 and (herein after ADA/504). These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities.

OKI conducted a Self-Evaluation of its policies and practices, in addition to its physical premises, in the summer of 2022. This Transition Plan was developed as a result of the Self-Evaluation.

## **Website and Social Media Pages**

- Deficiency: PDF documents are not accessible by vision impaired individuals.
- Deficiency: Images are not properly captioned to accommodate reader software for vision impaired individuals.
- Remedy: The MPO will work with web designers to develop modified webpages so that content is accessible. When possible, the MPO will use accessible elements, captions, and document formats (i.e., HTML or text-based). The estimated cost for this project is unknown at this time. The time frame/status of this project is unknown at this time. The MPO will continue to work with ODOT, KYTC, INDOT, and the MPO committees regarding potential advertisement and consultant selection for this project within the upcoming fiscal year(s) should approval and funding permit.

If, or when deficiencies are identified in the future, the table below will be added to the Transition Plan.

# APPENDICES

# Appendix A

## Public Notice

### **OKI Title II ADA Self-Evaluation PUBLIC NOTICE – Published 8/19/22 in Cincinnati Enquirer**

The Ohio-Kentucky-Indiana Regional Council of Governments (OKI) has drafted its Title II ADA Self-Evaluation and invites public comment during its 15-day review period. The document is available at <https://www.oki.org/> and written comments will be accepted by Florence Parker at [fparker@oki.org](mailto:fparker@oki.org) until Wednesday, September 7, 2022. For information or translation services contact Florence Parker at 513-619-7686 or 800-750-0750 (Ohio Relay Service) by August 26, 2022. A hard copy of the document is available for inspection during regular business hours by appointment at the OKI offices, 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202.

