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Executive Summary

SELF-EVALUATION AND TRANSITION PLAN Americans with Disabilities Act Section 504 of the Rehabilitation Act

Valley Transportation Authority

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Acknowledgements

The Santa Clara Valley Transportation Authority (VTA) ADA/504 Self-Evaluation and Transition Plan Update was prepared by Disability Access Consultants, LLC (DAC) with the collaboration and assistance of VTA staff and input from other interested individuals, organizations and community members.

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (504) Coordinator for the Santa Clara Valley Transportation Authority is Jolene Bradford¹ in the VTA's Accessibility, Civil Rights, and Equity (ACRE) unit within the Human Resources division.

Executive Summary

The Santa Clara Valley Transportation Authority ADA/504 Self-Evaluation and Transition Plan Executive Summary highlights the primary findings and recommendations. In addition, a detailed overall summary was completed. Supplementary documents to this Executive Summary are available from the ADA/504 Coordinator and include the detailed VTA Transition Plan that is contained in the online DACTrak accessibility management software, a website accessibility review, policies and procedures review and survey comments from the public, organizations and VTA staff.

The Valley Transportation Authority Americans with Disabilities Act (ADA) Title II and Section 504 (504) Self-Evaluation documents the results of the VTA's review of access to programs, services, activities, events, facilities, parks, and selected public rights-of-way by individuals with disabilities to determine if any discriminatory or potentially discriminatory practices, policies or procedures exist that may deny access for individuals with disabilities. The 2022-2023 updated ADA/504 Self-Evaluation and Transition Plan is a living document. This document provides a current benchmark of accessibility activities by the VTA and an updated framework for remediation and implementation and updates prior accessibility ADA self-evaluations and transition plans.

ADA/504 Self-Evaluation and Transition Plan Purpose

As the VTA has made an ongoing commitment to provide programs, services and activities in a nondiscriminatory manner for persons with disabilities, the VTA conducted an updated Americans with Disabilities Act (ADA) and Section 504 Self-Evaluation and Transition Plan. The VTA is classified as a Title II public entity under the ADA.

Methodology for the Development of the Self-Evaluation and Transition Plan

Disability Access Consultants, LLC (DAC) was contracted to conduct a comprehensive accessibility review of VTA programs, services, activities, policies, buildings, facilities, transit centers and bus stops in order to develop an updated VTA ADA/504 Self-evaluation and Transition Plan.

- Multiple methods and opportunities were provided for public input. Methodologies included:
 - ✓ Surveys were made available for the public, community members and organizations representing persons with disabilities
 - ✓ Surveys were distributed to VTA staff
 - ✓ Surveys were available in multiple languages and included English, Korean, Spanish, Tagalog, Traditional Chinese and Vietnamese.
 - ✓ Information and links to respond to a survey was placed on the VTA's website

¹ Update: On Nov. 17, 2023 Jolene Bradford was named as VTA's new ADA/504 Coordinator

- ✓ Information requesting input from the public and organizations regarding the VTA's ADA self-evaluation and transition plan update was posted on the website
- ✓ Public postings and notices requesting input were displayed prominently on the VTA's website, in VTA facilities and buses and on the VTA's social media accounts
- A review was conducted of the previous accessibility activities and efforts by the VTA.
- A review was conducted of accessibility related VTA policies, procedures, and other related accessibility documents.
- A review was conducted regarding the accessibility of VTA programs, services, activities, and events.
- Onsite accessibility surveys were performed by DAC of VTA sites, facilities, bus stops, bus shelters, transit centers and selected public rights-of-way. Detailed results from the onsite surveys are contained in the online secure DACTrak accessibility management software.
- Training was conducted for VTA staff regarding the use of the DACTrak accessibility management and software program to manage, update and implement the VTA's Transition Plan.
- A website accessibility reviews were conducted for compliance with WCAG 2.0 Level AA and is contained in supplementary documents.

ADA Compliance Findings

Findings are reported as "compliant", "primarily compliant", "partially compliant" or "not compliant" in each category.

ADA Compliance Policies and Procedures

Compliant

- The VTA has developed policies for ADA accessibility in VTA programs, services, activities and facilities open to the public owned by the VTA which include compliance of buses, bus stops, transit centers and VTA facilities.
- Continued and sustained ADA accessibility is included in the VTA strategic plan.

Designation of ADA Coordinator

Compliant

- The VTA has designated Jolene Bradford to be the Title II ADA/504 Coordinator and has provided her contact information on the VTA website and in selected publications.

Notice of Rights

Compliant

- The VTA's notice regarding the rights afforded for persons with disabilities is compliant and is available in multiple formats and languages.

Grievance/Complaint Procedures

Compliant

- The VTA has a grievance procedure for the public which is available in multiple formats and languages. The VTA provides a grievance form that can be completed as an online form or in hard copy. Accessible alternative means of filing a grievance are also available.

Opportunities for Input

Compliant and Exceeds Requirements

- Opportunities for the public, organizations and staff were extensive and used multiple methodologies. Detailed public, organizational and staff input and comments are contained in a supplementary document.

Accommodations for Persons with Disabilities

Compliant

- On August 25, 2015, the VTA has adopted a VTA Reasonable Modification Policy and Procedure (Document Number: OPS-LL-0060, Version Number 01) regarding transportation for Individuals with Disabilities. The policy is compliant.
- Notices and agendas for public meetings and committees contained an accommodations statement. In addition, the accommodations statement was consistent and included the required information.

Access to Programs, Services and Events

Compliant

- No discriminatory practices were noted regarding access to programs, services and activities.
- The VTA has a Committee for Transportation Mobility and Accessibility that provides guidance to the Board of Directors on VTA transit and transportation accessibility matters to help ensure complete access to all users in Santa Clara County, doing so by facilitating dialogue with, representing and advocating the needs of the disabled and senior communities.
- The VTA provides paratransit, an exterior door-to-exterior door service, to persons who are unable to independently use local bus or light rail services some or all of the time due to physical, visual or cognitive disabilities.

Effective Communication

Compliant

- The VTA has policies to ensure that documents are accessible are compliant. The VTA requires that all documents, written and electronic, be in formats accessible to individuals with disabilities.
- Information on the VTA website states that "Most bus stops and at all transit centers, bus stop poles are marked with raised letters and Braille that read "BUS". VTA buses audibly announce the line number and destination when the doors open at bus stops. Inside VTA buses, digital message boards and announcements inform customers of cross-street locations and significant bus stops along the route."

Website Accessibility

Not Compliant²

- A website review found website accessibility errors. It is recommended that the VTA remediate or contract with a vendor to remediate errors. Training should be provided to staff that may add items or make changes to the website to ensure that the information is accessible.
- There was no statement of compliance with website accessibility standards found on the VTA's website, but the VTA ADA Accessibility Page states that information on the website is accessible for persons with disabilities.

Social Media

Partial Compliance

² In August 2023 VTA filled the position for a newly created Electronic Communications Administrator. Some of the essential job functions of this role are to monitor and ensure ADA accessibility compliance for all electronic communications, as well as facilitate entry level accessibility trainings. Staff from ACRE have also facilitated accessibility trainings in coordination with a vendor. The purpose of the trainings are to ensure that employees create documents that are accessible to individuals with disabilities in accordance with the Americans with Disabilities Act (ADA) of 1990 and VTA Policy Accessible Information and Communications 350.007.

- The VTA is not directly responsible for accessibility of social media platforms as it is dependent upon third-party vendors. The VTA should develop a policy which states that the social media platforms may not be compliant for persons with disabilities and that VTA cannot guarantee accessibility of external sites when users leave the VTA website. While VTA cannot control the accessibility of the social media site or application, content that is created and posted to social media sites by VTA staff should be accessible, such as captioned videos and alternative text for photos.

Staff Training

Compliant

- The VTA has a consistent policy and procedure to provide training on ADA compliance and accessibility on an ongoing basis for employees throughout departments, as well as interdepartmental training opportunities and collaboration

Outreach Targeting Persons with Disabilities

Compliant

- Surveys and postings were used to solicit input from the public, organizations and VTA staff. Select responses are included throughout this report. The complete surveys and responses are available as supplementary records. The summary of the number of responses that the VTA received to each survey is as follows:
 - Survey for Staff: 214 online survey responses, 2 by email
 - Survey for Public: 185 online survey responses
 - Survey for Area Organizations: 19 online survey response
- In addition to the comprehensive outreach efforts that the VTA conducted to solicit input from the public, organizations and staff, the VTA has ongoing stakeholder opportunities for input to solicit input and feedback from the public. Targeted outreach may enhance participation by persons with disabilities.
- The VTA Public Participation Plan (PPP) guide states that it "is a guide for VTA's public participation activities." The purpose of the PPP is to promote the use of effective methods to inform and provide meaningful opportunities for input by all members of the public. In recognition of the importance of having an inclusive process, this plan has a special focus on reaching traditionally under-represented communities such as low-income, minority, and limited English proficient (LEP) populations."

Service Animals

Compliant

- Although the VTA is compliant with regards to service animal recommendations are made to provide more inclusive definition of "service animals" to comply with practices Policies regarding service animals were found in the VTA ACCESS Paratransit Rider's Guide. The VTA website also has a statement that notes services animals are permitted on buses and light rail, but an overall policy permitting service animals in all areas of VTA facilities where the public is permitted was not found.

Other Power-Driven Mobility Devices (OPDMDs)

Compliant

- The VTA meets the requirements of mobility devices. Regarding its buses and light rail system, the VTA permits other powered mobility devices following the regulatory guidance of:

- FTA Circular 4710.1: 2.4.2 Accommodating Riders Using Other Mobility Devices
- Appendix D of Section 37.3
- US DOT Guidance, "Use of Segways on Transportation Vehicles (2005)

Ticketing and Seating

Compliant

- Information regarding accessible seating for transit vehicles and programs was compliant.
- The VTA does not currently sell tickets for activities or events. Therefore this requirement is not currently applicable. If, however, the VTA sells tickets for events in the future, the VTA understands that it is required to ensure the facilities are accessible and accessible seating is provided for persons with disabilities.

Eligibility Criteria

Compliant

- There was no evidence of discriminatory practices regarding eligibility criteria for access to programs and services.

Fees and Surcharges

Compliant

- There was no evidence of additional surcharges or fees charged to persons with disabilities that were not charged to individuals without disabilities to access programs, services, and activities. The VTA's Notice Under the Americans with Disabilities Act states that the VTA will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy.

Policies for Use of VTA Facilities

Compliant

- Based on the VTA's current statement that the VTA does not offer or use any VTA facilities for use by the public, policies for facility use are currently not required.

Lease and Joint Use Agreements

Compliant

- A sample of joint use and lease agreements were reviewed and found to be compliant.

Contracted Services

Compliant

- No discriminatory practices were found from the research concluded regarding the selection process of contractors and contracted services for the VTA.
- A sampling of contracts for services with the VTA were reviewed and no discriminatory or exclusionary practices were found.

Building and Construction

Partial Compliance

- Accessibility standards, designs and specifications are readily available.
- The VTA has an extensive archived, recent and ongoing internal library of documents that are contained in a VTA shared site for authorized VTA staff to access. Internal policies, procedures and resources focusing on the review of design and construction activities specific to ADA compliance and accessibility compliance were found.

- Due to the number of noncompliant findings, it is recommended that the VTA develop and enact oversight policies and procedures during the construction process.

Facility Accessibility Findings

Partial Compliance

- Noncompliant findings were found in areas inspected in facilities, transit centers and bus stops.

Maintenance of Accessible Features

Compliant

- VTA policy provides for regular maintenance and prompt repair of accessibility equipment on buses such as lifts, ramps and mobility device spaces. Policy states these areas are maintained at the standards established by the Americans with Disabilities Act (ADA) to provide access for mobility devices.

Planning and Budgeting

Compliant

- A review of budget documents has demonstrated an ongoing commitment to provide access to facilities, programs, services, and activities of the VTA.
- The VTA has extensive policies and procedures for planning, budgeting and implementation.

Implementation of the ADA Plan

Compliant-In Progress

- The VTA has completed its training on the use of the DACTrak accessibility management online software system and is currently in the process adding projected dates for the removal of accessibility barriers.

Conclusion

The VTA has demonstrated a commitment to comply with the requirements of the ADA and related standards. The ADA/504 self-evaluation provides a current benchmark for accessibility efforts by the VTA and provides an updated framework for implementation. The current study also incorporates recent code changes, updates in accessibility standards and regulations in addition to accessibility trends. The ADA/504 self-evaluation and transition plan activities work together to address the requirements of the ADA. The VTA ADA/504 Self-evaluation and Transition Plan serves as a roadmap to assist the VTA with ongoing compliance.

Noncompliant findings for physical barriers were found to have the potential to limit access by persons with disabilities. Potential physical barriers are contained in detail in the DACTrak online accessibility management software that the VTA is using to manage, update and implement its ADA implementation plan.

Overall, the majority of the findings for “programmatic” areas such as policies, programs, services, activities, funding and planning were found to be compliant. Some programmatic and policy areas that need to be enhanced do not have a significant impact for access by persons with disabilities.