

## **Project Outline for the Jekyll Island Authority (JIA) Comprehensive Disability Accessibility Assessment and Improvement Plan**

### **Purpose:**

The purpose for this proposed project is to update the JIA ADA Action Plan by developing a *Comprehensive Disability Accessibility Assessment and Improvement Plan* for the Jekyll Island Authority ("Plan") to promote and enhance access and inclusion for people with disabilities in recreation, leisure activities, and tourism offered by JIA.

### **Recent History:**

Over the past year, complaints have been filed concerning beach accessibility on Jekyll Island. Over several months, a review of the applicable ADA regulations as well as technical consultations with representatives from the U.S. Department of Justice and U.S. Access Board, have occurred. Moreover, in response to a formal complaint filed against the Jekyll Island Authority (JIA), the U.S. Department of the Interior determined that the JIA was not discriminating against individuals with disabilities at beach access points #32 & #38 (May 10, 2016). Before any complaints, the JIA was engaged in ADA access improvements, however, as a result of the concerns additional time and resources have been devoted to improved access.

The beach access challenge on Jekyll Island is not a matter of ADA compliance. Rather, it is about working collaboratively to identify creative solutions that go beyond the law's minimum requirements. This is the approach the JIA has adopted to address beach access issues, as well as disability access to its other programs, services, and activities.

**Proposed Project Start Date:** September 15, 2016

**Collaborating Agencies:** Jekyll Island Authority, Georgia State Financing and Investment Commission-State ADA Coordinator's Office

**Project Team Members:** JIA ADA Team Members, GSFIC-ADA Staff, GSFIC-ADA Consultant (proposed)

**Estimated Budget Allocation:** No cost to JIA for State ADA Coordinator's services; JIA's implementation costs to be determined.<sup>1</sup>

**Estimated Total Project Hours Allocation:** To be determined

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<sup>1</sup> See Action #7 and fn. 5, and Action #12 and fn. 6.

### **Deliverables:**

- (1) Comprehensive Disability Accessibility Assessment and Improvement Plan<sup>2</sup>
- (2) Core ADA training curriculum for JIA's key ADA Compliance Team;
- (3) Provision of ongoing technical assistance to JIA's key ADA personnel for the maintenance and update of the ADA plan; and
- (4) ADA-related training for JIA staff.

### **Introduction and Project Approach**

As increasing numbers of people with disabilities visit our state's vast array of natural and cultural resources, including Jekyll Island, accessibility to the activities, facilities, and events offered is critically important. The goal is equal opportunity and access in an integrated setting. Everyone who visits Jekyll Island should be able to do so comfortably and efficiently. To achieve this goal, this proposed project partners the Jekyll Island Authority ("JIA") with the Georgia State Financing and Investment Commission - State ADA Coordinator ("State ADA Coordinator") to promote and enhance access and inclusion for people with disabilities in recreation, leisure activities, and tourism offered by JIA through (a) updating the JIA's ADA compliance plan; and (b) identifying and implementing best practices for designing or adapting JIA's programs with the widest range of users in mind.

Accessibility is a mandate covered in federal and state laws, standards, and regulations. Title II of the ADA (Title II) covers the programs, activities, and services of public entities, which include any state government and any of its departments, agencies, or other instrumentalities. Title II states that "no qualified individual with a disability shall, by reason of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities, of a [state government agency], or be subjected to discrimination by any such [agency]."

Title II also directs state agencies to carry out specific methods of administration enumerated in its implementing regulations to ensure compliance with the Act's mandate, which include:

- Designation of an agency ADA Coordinator to establish a single line of responsibility and intra-agency coordination for the purpose of ensuring

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<sup>2</sup> The Plan formalizes JIA's continuing actions to develop and increase meaningful disability access to its programs, services, and activities. While the JIA proactively addresses accessibility on a regular basis, visitors have expressed ongoing concerns about access to the beach. Although JIA's current beach access is ADA compliant, this is an opportunity for JIA to look beyond the law's minimum requirements and advance its commitment to a customer-oriented culture that includes individuals with disabilities.

that its programs, services and activities provide genuine, effective and meaningful access to individuals with disabilities (28 C.F.R 35.107(a));

- Development of the agency's ADA self-evaluation (28 C.F.R. 35.105);
- Development of the agency's transition plan (28 C.F.R. 35.150);
- Establishment and administration of the agency's ADA informal grievance procedure (28 C.F.R. 35.107);
- Provision of public notice of the agency's ADA-related activities (28 C.F.R. 35.106).

It is critical that state agency administrators, construction compliance specialists, procurement officers, and facility operators understand and implement these basic requirements. Accessibility laws and standards, however, only set minimum standards for accessibility and accommodations. We want to rethink accessibility - not as a legal requirement or unwanted mandate, but as the direct route to creating a customer-oriented culture that includes individuals with disabilities and promotes full participation and equal opportunity for everyone. Our challenge is to move beyond the minimum requirements - and embrace a concept of universal design that serves everyone's needs and ensures designed environments that are functional, safe, and accommodating.<sup>3</sup>

The project outline includes four general phases:

- Phase 1: Planning for ADA Compliance
- Phase 2: Conducting an Updated ADA Self-Evaluation and Transition Plan
- Phase 3: Implementing the ADA Plan
- Phase 4: Maintaining and Updating the ADA Plan as Necessary

The roles and responsibilities for JIA and the State ADA Coordinator, as well as timelines to complete actions, will be established for each proposed action item. Each action item is sequential unless otherwise indicated.

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<sup>3</sup> For some activities, other critical priorities, including environmental and endangered species protection laws, must be considered when implementing accessibility solutions. Under these circumstances, flexibility of approach is critical. In the spirit of collaboration, JIA will call on interested stakeholders from environmental agencies and organizations, the accessibility profession, and the disability community to develop a cross-disciplinary approach for addressing access challenges.

## **Phase 1: Planning for ADA compliance**

**Goal of Phase 1:** *Establish and train JIA's ADA Compliance Team (lead and team members)<sup>4</sup>*

1. Gather JIA's key ADA personnel for coordination of the Plan and orientation to roles.
2. Identify each of the JIA activities, events, and facilities open to the general public.
3. Review current ADA-related protocol, policies, and grievance procedure.
4. Conduct outreach activities with the disability community and general public to obtain initial feedback.<sup>5</sup>
5. Identify critical or time sensitive JIA ADA-related issues.
6. Deliver the next phase of ongoing training curriculum for JIA ADA Compliance Team with a focus on conducting ADA self-evaluation and transition planning tasks.
7. Update informal grievance procedure and public notice.

*End of Phase 1: The JIA ADA Compliance Team will be ready to carry out its responsibilities.*

## **Phase 2: Conducting an Updated JIA ADA Self-Evaluation & Transition Plan**

**Goal of Phase 2:** *Assess JIA's current level of Title II compliance and disability access.*

8. Conduct self-evaluations to identify potential barriers to access to services for individuals with disabilities.<sup>6</sup>

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<sup>4</sup> While there is no requirement to designate a person in any particular position as an ADA team member, it is critical to identify the right people for JIA's ADA Team. When selecting team members, some variables to consider are: (a) commitment to this initiative; (b) authority within respective division or office; (c) experience working with disability-related issues; (d) knowledge of the programs offered; and (e) strong organizational skills. Although familiarity with the ADA's requirement is helpful, the State ADA Coordinator's Office will provide all necessary ADA-related training applicable to this initiative.

<sup>5</sup> Throughout the project, JIA will proactively engage the disability community and obtain feedback from individuals and organizations representing a wide range of disabilities. This will be accomplished through formal public forums and meetings, social media, and customer interviews. JIA will also recruit people with various disabilities (including persons with mobility impairments, sensory disabilities, intellectual disabilities, and mental health conditions, among others) to participate in the planning process. These individuals should have disability expertise and represent the perspective of a broad constituency within the disability community.

<sup>6</sup> JIA and the State ADA Coordinator's Office will review an inventory of JIA's existing facilities (where no changes are planned) to determine whether a consultant will need to be procured to conduct an updated accessibility assessment.

9. Identify potential new technologies and accommodation solutions to address challenging accessibility issues.
10. Develop an access assessment, summary and action plan for barrier removal for each of JIA's activities, events, and facilities which includes:
  - (a) current steps to address access barriers in accordance with JIA-identified priorities;
  - (b) strategies for addressing those gaps in service delivery; and
  - (c) costs to implement the updated ADA Action Plan.
11. Share the proposed Plan with the general public for public input and feedback.

*End of Phase 2: JIA completes assessment of their current level of Title II compliance and disability access.*

### **Phase 3: Implementing the JIA ADA Action Plan**

**Goal of Phase 3:** *Implement a comprehensive JIA ADA Action Plan.*

*Note - Timelines for action items 11-14 run simultaneously.*

12. Revise and update the Plan in accordance with JIA-identified priorities.
13. Implement the Plan, including making accessibility-related alterations to facilities (multi-year implementation).<sup>7</sup>
14. Develop and/or update ADA protocols for collaborative partners, contractors and consultants. JIA will identify ADA-related technical support and training needs for each entity applicable to their public responsibility to JIA's internal and external customers.
15. Provide technical assistance to JIA regarding the development of ADA protocols for responsible collaborative partners, contractors and consultants. Provide technical assistance related to technical support and training needs for each entity.
16. Provide ADA trainings to JIA staff/employees on JIA disability-related protocols/policies.

*End of Phase 3: The JIA ADA Action Plan is implemented.*

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<sup>7</sup> This critical action will require coordination with the Governor's Office of Planning and Budget to develop a comprehensive approach to ADA-related capital planning.

#### **Phase 4: Maintaining and Updating the JIA ADA Action Plan as Necessary**

**Goal of Phase 4:** *Ensure the JIA ADA Action Plan addresses ongoing needs at JIA.*

17. Develop and utilize an ADA checklist when activities are added or modified within each one of JIA's offices, divisions or services.
18. Provide technical assistance to JIA regarding the development and utilization of an ADA checklist when activities are added or modified within each one of JIA's offices, divisions or services.
19. Continue providing periodic training, as necessary, to JIA ADA Compliance Team members on ADA-related updates.
20. Incorporate ADA coordination into JIA's strategic planning and customer service initiatives.