

Exhibit

Self-Evaluation Plan and Transition Plan

Self-Evaluation Plan

Pursuant to the ADA, the District must evaluate its current services, policies and practices that do not, or may not, comply with the ADA, and modify such service, policies and practices as required. In accordance with the above, the District must, by January 26, 1993, prepare a self-evaluation plan relating to its practices and programs. The Act further requires that the District provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by providing comments.

The self-evaluation plan should identify the District's programs, activities and services, and review all policies and practices relating to the administration of such programs, activities and services. Specifically, the District's evaluation should include such matters as: ¹

1. Structural/physical barriers.
2. Communication barriers.
3. Job descriptions.
4. Personnel policies/handbooks.
5. Employment applications/procedures.
6. Training and/or orientation efforts of employees.
7. Separate or different programs for individuals with disabilities.
8. Policies which result in segregation, exclusion or limitation of individuals with disabilities.
9. Accommodations for individuals with disabilities.
10. Utilization of physical/medical examinations for employees.

¹ This list is in no way meant to be exhaustive. The District is free to add any other areas which it believes should be evaluated for ADA compliance.

11. Maintenance of medical records and/or information re: employees.
12. Contractual arrangements with service providers.
13. Evacuation procedures.
14. Employee awareness of ADA requirements.

If the District employs 50 or more employees, the District's self-evaluation plan must be maintained on file for three years and include: (1) a list of interested persons consulted; (2) a description of areas examined and problems identified; and (3) a description of modifications made. Please note that the self-evaluation plan is required only for areas which have not previously been evaluated by the District under a 504 self-evaluation plan.²

Transition Plan

The transition plan was required to be adopted by July 26, 1992, and relates to the physical accessibility of facilities. A transition plan is needed only if structural changes in facilities are to be made. Structural changes must be made, if required, by January 26, 1995.

With regard to existing facilities, the ADA mandates that the District operate its services, programs or activities, so that when viewed in their entirety, these services, programs or activities are readily accessible to and usable by individuals with disabilities. This does not require that each of the District's facilities be made accessible, that the District take action that would threaten or destroy the historic significance of an historic property, or that the District alter the fundamental nature of a service, program or activity. Moreover, the Act provides for use of a balancing test if any modification would result in undue financial and administrative burdens. The District can comply with the requirements of program accessibility in a number of ways including reassignment of services to accessible buildings, redesign of equipment, provision of aides, alteration of existing facilities, construction of new facilities, or any other methods that result in making the District's services, programs, or activities readily accessible to and usable by individuals with disabilities. Structural changes in existing facilities are required only when there is no other feasible way to make the District's programs or services accessible.

² Section 504 of the Rehabilitation Act of 1973 ("504") prohibits discrimination against handicapped individuals in programs which receive federal funds. Within Section 504 is a requirement that school districts conduct a self-evaluation of its programs, policies and procedures. If the District conducted a self-evaluation under Section 504, then the self-evaluation under the ADA need only address those policies and practices that were not included in the previous self-evaluation.

The transition plan must include, at a minimum, four elements: 1) identification of physical obstacles in the District's facilities, which limit the accessibility of individuals with disabilities; 2) detailed description of the methods to be used in making the facilities accessible; 3) specification of the schedule for compliance; and 4) identification of the person responsible for implementation of the plan. The ADA does not require the District to formally file the transition plan, but does provide that the plan shall be made available for public inspection. As with the self-evaluation process, the Act requires that interested persons be offered an opportunity to participate by submitting comments.

The ADA does not mandate the use of any particular method or personnel in the development of the self-evaluation or transition plans. The District is free to develop its self-evaluation or transition plans through whatever process it desires as long as interested persons are given an opportunity to submit comments. Because such public input is required, it would be advisable to send notices to disability advocacy and service organizations advising them that the District is engaging in a self-evaluation and transition plan, pursuant to the ADA, and inviting their comments. The District may also consider such advertisements in local papers and/or other publications.

The facilities accessibility review is a unique aspect of both plans. We recommend that district personnel, along with interested persons, including individuals with disabilities, conduct a tour of all District facilities. This tour need not be conducted with an architect or engineer. However, if structural modifications are to be made, we recommend the District consult with its architect. We have enclosed a Structural Guideline Checklist to be utilized when touring District facilities. This checklist will assist in determining whether or not such facilities are accessible to individuals with disabilities.

If you require further specific assistance with a self-evaluation plan or transition plan, please contact us.

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