

Rocky Mountain National Park Evaluation of Policies, Practices and Procedures Supporting Access for Visitors with Disabilities

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Rocky Mountain National Park
Evaluation of Policies, Practices and Procedures
Supporting Access for Visitors with Disabilities
Summary Report of Findings and Recommendations
Evaluation Date: August 2013 – February 2014

I. Introduction

One in every seven families visiting a National Park is affected by disability. To ensure visitors with disabilities have the equal opportunity to participate and benefit from the total park experience, it is necessary to conduct a self-evaluation of park policies, practices and procedures. The purpose of the self-evaluation, as mandated by [Section 504 of the Rehabilitation Act](#), is to identify those policies, practices and procedures that do not currently meet the requirements and make modifications. [U.S. Department of Interior 504 Regulations \(Part 17, Subpart E Federally Conducted Programs\)](#) required units to complete self-evaluations in 1987. Federal guidance from the U.S. Department of Justice Technical Assistance Guide (Tag 87-1), states that entities should:

“Analyze how the agency’s policies and practices affect individuals with [disabilities] who seek to participate in the agency’s programs and activities. The agency must determine what conditions must be present for persons with different kinds of [disabilities] to participate fully in the agency’s programs and activities. In this analysis, the agency must take into account the fact that discrimination can happen not only as a result of what is in its policies but also as a result of what is not in its policies.”

Further, the US Department of Interior regulations require the self-evaluation be kept on file for at least three years and made available for public inspection: a list of the interested persons consulted; a description of areas examined and any problems identified; and a description of any modifications made. While many units may have completed this requirement in 1987, and many new park units have been added to the Service, it is necessary to reengage in the self-evaluation process due to changes in operating procedures, management approach, policy evolution and staff attrition.

In August 2013, the National Center on Accessibility (NCA) initiated a review of systems, policies, practices and procedures that govern the administration of the park programs, activities and services conducted at Rocky Mountain National Park. Key divisions and park personnel were interviewed to gain a broad overview of the systems and standard operating procedures within the park. Questions included a review of the following information as appropriate for each division/program:

1. Methods of communication, marketing and outreach;
2. Any eligibility requirements to the program;
3. Methods used to provide accommodations;
4. Program policies and procedures, or modifications to policies and procedures;
5. Requirements for contracts, agreements and park special use permits, and
6. Section 504 compliance information.

It should be noted at this same time a comprehensive assessment of all visitor use programs and review of physical assets that support those programs was also conducted by NCA. The purpose was to identify barriers for visitors with disabilities to programs, activities and services conducted at the park, or “programmatically barriers.” The NCA team also conducted spot-checks of facilities assessed in 2010 by park personnel and provided recommendations where further assessment was necessary to achieve program access. A narrative of findings for the comprehensive accessibility assessment is found in the report “Rocky Mountain National Park Programmatic Accessibility Assessment: Summary Report of Findings and Recommendations” (June 2014).

For the purpose of a self-evaluation, materials were reviewed such as the park compendium, boilerplate language for contracts and cooperative agreements, the General Management Plan, the Long Range Interpretive Plan and other planning procedural documents. This report presented herein contains findings from interviews with park personnel; evaluation of current policies, practices and procedures; identifies the pertinent regulations of Section 504; and presents recommendations of the National Center on Accessibility for the modification of such policies, practices or procedures to enable people with disabilities to equally participate and benefit from the total park experience, the same as other non-disabled park visitors.

[Section 504 of the Rehabilitation Act](#) and the corresponding [U.S. Department of Interior 504 Regulations](#) are cited as the primary rationale for recommendations presented herein. However, the DOI 504 Regulations have not been updated since their effective date of May 5, 1987. As such, additional federal guidance and industry best practices are cited as the basis for other NCA recommendations in this report. For example, the National Park Service issued [Director’s Order #42 Accessibility for Visitors with Disabilities in National Park Service Programs and Service](#) in 2000. This NPS Director’s Order reiterates the NPS goal to ensure that people with disabilities have the highest level of accessibility that is reasonable to their programs, facilities and services in conformance with applicable regulations and standards. Further, NPS guidance is presented within the Order specific to management policies, roles and responsibilities. Thus, Director’s Order #42 is cited as a basis for some recommendations. It should also be noted that while the Americans with Disabilities Act (ADA) does not apply to the National Park Service, federal guidance from the U.S Department of Justice is more current and specific in ADA resource materials and regulations. Because these DOJ ADA documents provide more current interpretations from a federal enforcement agency, the [Title II Regulations](#) (amended September 15, 2010) are also cited as a basis for some recommendations presented herein. Whenever possible, the citations will be presented with the recommendations along with rationale for modification of a policy, practice or procedure.

II. How to Use this Report

The first step in the process to develop a self-evaluation available for public inspection is to analyze the agency policies and practices that may affect participation by individuals with disabilities. The information presented below is a synopsis of the analysis conducted by the National Center on Accessibility. The next step in the process is for the Park to develop an official Self-Evaluation document to be put on file for public inspection. The appendix includes a sample outline for such official document. The sample outline follows the structure of Part IV. As policies, practices and procedures are modified, they should be documented in the official Self-Evaluation document for the Park. Where recommendations for modifications will not be made, rationale for the decision should be outlined in the self-evaluation along with the process to achieve access in lieu of a modification.

III. Park Purpose, History and Themes

Rocky Mountain National Park was established in 1915. The Park purpose is the preservation of its natural conditions and scenic beauties, conservation of its natural and historic objects and wild life, and the provision of the freest recreational use/enjoyment consistent with this purpose. The Park Long Range Interpretive Plan (2004) identifies four primary interpretive themes: the natural ecosystems; wilderness and stewardship; research and resource management; and preservation and use. The interpretive themes are designed to tell the Park story, from scenic beauty, diverse wild life, and spectacular mountain wilderness, the use of the land by Native Americans and settlers, to the role of the land as an outdoor laboratory where the health of the planet can be assessed.

IV. Key Findings and Recommendations for Modifications of Policies, Practices and Procedures

This section provides an overview of the NCA assessment team's key findings and recommendations. Each item presents the corresponding provision within Section 504 or federal guidance.

1. Self-Evaluation

U.S. Department of Interior 504 Regulations required units to complete self-evaluations and make necessary modifications of policies, practices and procedures. The DOI regulations further required units, for a period of three years, maintain on file and make available for public inspection (1) a list of the interested persons consulted; (2) a description of areas examined and any problems identified; and (3) a description of any modifications made (Section 504, DOI Part 17, Subpart E 17.510 Self-evaluation).

Finding: A physical accessibility assessment of primary visitor facilities at Rocky Mountain National Park was conducted in 2010. Shortly thereafter in 2011, the Park published a Self-Evaluation and Transition Plan. The purpose of the 2011 document was to address the physical, structural, and programmatic changes required to make programs, services and activities accessible to and usable by people with disabilities. While the document was titled a "self-evaluation," it did not specifically address necessary modifications of policies, practices and procedures required by the DOI 504 regulations nor specifically address program accessibility.

NCA Recommendation: As this regulation was required to be completed more than 25 years ago, NCA has found the best practice is for park units to revisit the self-evaluation. Over the 25 years since the regulation was issued, it is likely park units have grown significantly, changed in organizational structure, and evolved in program delivery. Organizational changes coupled with staff attrition can contribute to the loss of historical data and rationale for managerial practices. By revisiting the self-evaluation process, the next generation of park management can affirm policies, practices and procedures are inclusive of visitors with disabilities and make modifications where necessary. It is recommended the sample self-evaluation in the appendix be completed with corrective actions and placed on file for public inspection until such time a new self-evaluation is completed.

2. Notice

The regulations require the agency to make available to employees, applicants, participants, beneficiaries, and other interested persons information regarding the law and its applicability to the

programs or activities conducted by the agency. The information is to be made available in such manner as the agency head finds necessary to apprise such persons of the protections against discrimination assured them by Section 504 (Section 504, DOI Part 17, Subpart E 17.511 Notice).

Finding: The public notice of the formal service-wide grievance procedure is not posted visibly within the park or at a primary point of public contact, such as the visitor center, for the public to read.

NCA Recommendation: Ensure the NPS Disability Rights poster is prominently posted at the Visitor Center and locked bulletin boards in the field and that the public is informed of the process to file a disability-related complaint. Also include this information on the park web site with a link to the NPS EO and Accessibility Program web sites.

3. Employment

The U.S. Department of Interior Section 504 Regulations reference the originating legislative requirements applicable to employment in Section 501 and the corresponding regulations set forth. The definitions, requirements and procedures of Section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity Commission in 29 CFR Part 1613, shall apply to employment in federally conducted programs or activities (Section 504, DOI Part 17, Subpart E 17.540 Employment).

Finding: The Park uses the NPS EEO in the processes for recruiting, hiring, and employing people with disabilities.

NCA Recommendation: The Park should continue to utilize the NPS EEO processes in recruiting, hiring and employing people with disabilities.

4. Program Accessibility: Existing Facilities

Section 504 does not require the agency to make each of its existing facilities or every part of a facility accessible. Instead, the agency is required to operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by people with disabilities (Section 504, DOI Part 17, Subpart E 17.550(a) Program accessibility: Existing facilities). Facilities serve as the space to support programs and activities. The regulations enable the agency to move programs and activities to accessible locations. However, the availability of locations that are accessible and in proximity to the primary purposes and experiences offered is sparse. As such, it has become critical for agencies to make retrofits or renovations to existing facilities that support programs and activities in order to comply with the “program access” standard.

4.1 Transition Plan

Section 504 requires that in instances where structural changes to facilities are necessary to achieve program accessibility, the agency must develop a transition plan that sets forth the details and timeline for corrective actions (Section 504, DOI Part 17, Subpart E 17.550(d) Transition plan).

Finding: A physical accessibility assessment of primary visitor facilities at Rocky Mountain National Park was conducted by the Park in 2010. It should be noted that the structures included in this document were limited to buildings such as visitor centers, comfort stations, ranger stations, and entrance stations. The 2010 assessment did not include outdoor developed areas such as scenic viewing areas,

picnic areas, fishing areas, campgrounds or trails. These outdoor developed areas are the primary locations that visitors come to experience at the Park. As such, the transition plan cannot be completed without the assessment of these locations.

NCA Recommendation: A more complete accessibility assessment of the outdoor developed areas (scenic viewing areas, picnic areas, fishing areas, campgrounds and trails) should be conducted. Recommendations for barrier removal from both the 2011 report, outdoor assessment, and NCA site visits should be written up as work orders for FMSS. It is recommended that the whole of the work orders are prioritized for barrier removal and reported as a transition plan available for public inspection. The prioritization should consider a process for barrier removal resulting in experiences for visitors with disabilities that are equal to the experiences benefitting visitors without disabilities. The transition plan should be reviewed semi-annually by the accessibility coordinating committee and serve as a dynamic strategy for barrier removal. People with disabilities must be invited to have the opportunity to review and provide comment to the transition plan and identified priorities.

4.2 Planning

It is likely the corrective actions for the transition plan will take several years to accomplish. It is also likely other capital projects specific to the Park's mission will be scheduled and unplanned repairs will arise. A comprehensive approach to planning will help to balance these different types of projects.

Finding: Informally, the Park has attached accessibility improvements to renovation and rehabilitation projects previously slated as priorities. The role of Accessibility Coordinator has been assigned to a landscape architect position to directly interface with engineering and facility operations.

NCA Recommendation: Establish an Accessibility Team representative of the various park divisions (facility operations, interpretation, cultural resources, etc.). Utilize the Accessibility Team to prioritize corrective actions and schedule accessibility improvements with comprehensive planning considerations in alignment with the General Management Plan. Include "accessibility transition planning" as a priority in the General Management Plan while adopting a systematic planning process to apply the principles of universal design just as sustainable design practices should be considered. Utilize the Accessibility Coordinator for project and plan reviews and to provide comment on accessibility improvements. Develop a process to inspect and approve construction projects prior to acceptance from contractors to ensure the construction complies with the accessibility standards.

4.3 Maintenance

The regulations require agencies to maintain accessibility features in working conditions that are readily accessible to and usable by people with disabilities.

Finding: Park operations respond to emergency maintenance issues, ongoing projects and those deferred maintenance projects that have been prioritized in the annual work plan. Park maintenance personnel is responsible for roads, trails, buildings and custodial duties. Ensuring visitor access is a priority, and staff works to ensure all facilities are open and available for visitors. They are always looking for ways to improve accessibility and energy efficiency. Due to the large size of the park and number of staff, some areas affecting accessibility that may fall through the cracks including maintenance of accessible routes, equipment and furnishings.

NCA Recommendation: Park personnel should be trained to give special consideration to the maintenance of accessible routes, equipment and furnishings. Accessible routes from parking areas to visitor centers, comfort stations and program spaces should be clear of vegetation and snow. Accessible routes should be maintained for a clear width and overhead clearance consistent with the accessibility standards. Equipment such as power-operated doors and wheelchair lifts should be inspected periodically. As park furnishings, such as benches, picnic tables and grills are repaired or replaced, accessible units should be selected. A procedure should be developed to ensure the acquisition of new equipment and furnishings meet the accessibility standards.

Finding: Snow removal is of particular importance at this large park. Due to the ever-changing weather conditions and reduction of staff during the winter, snow removal is limited to visitor centers and a few select points of interest.

NCA Recommendation: Accessible routes to visitor programs, services and activities must be maintained. Primary accessible routes from parking and shuttle stops to visitor centers and comfort stations should be cleared of snow during hours of operation. The snow removal procedure may need to be modified such that high visitor use areas are cleared daily while lower use areas are cleared less often. Input should be sought from local disability organizations. The snow removal policy should be posted to the accessibility section of the web site so that visitors are aware of what areas have priority for snow removal and how changing weather conditions may affect different areas of the Park.

4.4 Historic Preservation

Section 504 requires the agency give priority to methods that provide physical access to people with disabilities unless the action would result in a substantial impairment of significant historic features of an historic property (Section 504, DOI Part 17, Subpart E 17.550(a)(2) Program accessibility: Existing facilities). Alterations to qualified historic structures are necessary to achieve program access and ensure visitors with disabilities have an equal opportunity to participate and benefit as do visitors without disabilities. If compliance with the requirements for accessible routes, entrances, or toilet facilities would threaten or destroy the historic significance of the structure, the exceptions for alterations to qualified historic buildings or facilities for that element shall be permitted to apply.

Proposed accessibility improvements to historic properties can be mischaracterized as having adverse impact to the preservation of the property or other cultural resources. Misinterpretation of historic preservation rules can result in non-action of barrier removal prohibiting participation by visitors with disabilities. Designation of a structure as “historic” does not exonerate a federal agency from its responsibilities to comply with Section 504 of the Rehabilitation Act. If these historic structures are to be used for visitors, it will be necessary for accessibility improvements to be implemented in order to achieve the program access standard under Section 504.

Finding: The Park issued a Historic Building Treatment Plan in 2001. However, it does not address the means by which accessibility improvements should be implemented to structures that support programs, services and activities offered for visitors. Historic structures were identified throughout the 2010 initial accessibility assessment report. Many structures deemed historic include contact stations and restroom buildings. The largest concentration of historic structures for visitor uses is located at the interpreted Holzwarth Historic Site, location of the Never Summer Ranch. Historic structures are noted in the 2010 report with presumptive language stating “Note: this building is designated an historic structure and any updates may conflict with its integrity as such.”

NCA Recommendation: Accessibility improvements to historic properties and cultural resources should utilize experts with knowledge of BOTH historic preservation and the accessibility standards. A historic structures analysis and report should be conducted for each facility. The historic structures report (HSR) should follow the NPS protocol for identifying the fabric(s) that significantly contribute to the historic protection and preservation of the building/facility/structure. The HSR should identify moderate contributors and lesser contributors to the historic significance along with recommendations for reversible material treatments to comply with the ABA accessibility standards. The Park should develop a team approach of representative disciplines to develop and prioritize accessibility improvements to historic properties where the solutions are balanced to reflect the visitor experience and need for historic preservation. The planning team should consult documents such as historic structures and cultural landscapes reports to determine the qualifying elements that give significance to the property. The determination of the qualifying significant elements can further guide the team decisions for accessibility improvements.

5. Program Accessibility: New Construction and Alterations

Section 504 requires each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency be designed, constructed, or altered so as to be readily accessible to and usable by people with disabilities (Section 504, DOI Part 17, Subpart E 17.551 Program accessibility: New construction and alterations).

Errors in new construction are commonly identified in the planning and construction processes. In planning, errors are likely when the accessibility standards are misinterpreted or overlooked. During construction, errors are likely when changes are made on site either by deviating from the construction drawings or disregarding the standards (ABAAS) due to a lack of knowledge of the technical provisions.

Finding: Construction at the Park is most often completed in-house. External contractors are sought for specialty trades. The Park relies on the expertise of the designers to be knowledgeable of the technical provisions for accessibility. Construction changes affecting accessibility may not necessarily be discussed with a site supervisor, point-person or accessibility specialist. While inspection may take place prior to acceptance of the project, accessibility is not a central focus of the inspection.

NCA Recommendation: The Accessibility Coordinator or member of the Accessibility Team should understand the application of the Architectural Barriers Act Accessibility Standards (ABAAS). In addition to reviewing plans, this person or a similar person, should insure that a person well versed in ABAAS is the on-site inspector during construction. The on-site inspector should ensure proper application of the accessibility standards during construction and sign off on the construction prior to final acceptance from the contractor.

6. Park Regulations

Park policies and restrictions under the authority of the Park Superintendent are described in detail in the Rocky Mountain National Park Compendium (2013). The following items were noted as out of date or inconsistent with current federal regulations and are recommended for updating.

6.1 Wheelchairs and Other Power Driven Mobility Devices

Section 504 regulations address the use of wheelchairs and other power driven mobility devices (OPDMD) only by the generalized requirements to modify policies, practices and procedures in order to provide people with disabilities the opportunity to participate and benefit from the agency programs and services. Federal agencies have long held that people who use wheelchairs and assistive devices for ambulation should be considered the same as pedestrians. The DOJ revised regulations for Title II of the Americans with Disabilities Act (September 15, 2010), Section 35.137 provide more clear federal guidance on the use of wheelchairs and OPDMDs.

Finding: The Compendium includes a statement on the use of wheelchairs (Section 1.5 (a)(1)(xii)): *Under the Americans with Disabilities Act, wheelchairs are permitted on all trails (anywhere foot travel is allowed), including Wilderness, if the device is “designed solely for use by a person who has mobility impairment for their locomotion, and is suitable for use in an indoor pedestrian area.” This includes “mechanized” wheelchairs; e.g. battery-powered, as long as it is suitable for indoor use (gasoline powered would not be suitable for indoor use.)*

In addition, the Compendium addresses the use of Segways and other electric personal assistance mobility devices (EPAMDs) (Section 1.5 (a)(1)(xiii)). The Compendium regulation restricts the use of these devices by people with disabilities to the following trails: Lily Lake Trail, Sprague Lake Trail, Coyote Valley Trail, Holzwarth Historic Site Access Road. The Compendium gives the rationale: *Use of EPAMDs on park trail systems, other than those accessible trails listed above is prohibited because of increased potential for injury to visitors, damage to natural resources, increased hazard of surprising wildlife, and hazards to EPAMD operators in steep, loose, or slippery conditions that are consistently encountered on park trails. EPAMDs do not meet the legal definition of a wheelchair.* The Compendium states that verification of disability may be necessary *either by written documentation of a disability or the signing of a statement attesting to having a disability as defined by the ADA may be required*

NCA Recommendation: Inconsistently applied restrictions to wheelchair users and those using other power driven mobility devices has led to new federal guidance from the U.S. Department of Justice in revisions to the Americans with Disabilities Act regulations. The Compendium policy should be updated to allow for the use of wheelchairs and other power driven mobility devices on the park trails and/or natural/cultural resources within the park boundary so that the policy is consistent with DOJ guidance. It is recommended that the EPAMD section be removed and revised with the more global DOJ definition for “other power driven mobility devices.” It is recommended the policy be modified to utilize the DOJ revised regulations for Title II of the Americans with Disabilities Act (September 15, 2010), Section 35.137 since it is the most clear federal guidance to date. In this section, DOJ provides assessment factors such as the type, size, weight, dimensions, and speed of the device; volume of pedestrian traffic; facility design and operation; safety; and substantial risk of serious harm to the immediate environment or natural or cultural resources. These factors should become part of the evaluative process to modify the existing policy. Restricting OPDMDs on certain trails should only be done if the staff can ensure that the stated hazards are definitely present. Surprising wildlife can happen with or without an OPDMD. People, who use them regularly, probably can handle the terrain well. This should be tested with some user groups to validate this decision. In addition, the section on verification of disability should be removed and a policy developed using Title II of the Americans with Disabilities Act guidance on permissible ways to obtain credible assurance that an OPDMD is used due to a disability.

6.2 Generators

On occasion, people with disabilities traveling/camping overnight may need access to electricity to charge assistive devices or use medical equipment such as respirators or breathing machines.

Finding: The Park Compendium restricts the use of generators to campgrounds in which automobiles are permitted (Section 2.10(b)(4)).

Recommendation: The designated “accessible” backcountry camping experience is located at Sprague Lake. Under the current policy, use of a generator would not be permitted in this area because it is not a campground in which automobiles are permitted. The parking area is adjacent to picnic facilities. It may be necessary to modify this policy on a case-by-case basis. However, modification of the policy would not require generators in a quiet-zone campground that would be disruptive to other visitors. It will be necessary to examine this policy so access can be dispersed in all classes of camping facilities and in the event a modification/accommodation is requested.

6.3 Service Animals

The Section 504 regulations issued by DOI did not define “service animals.” With the passage of the ADA, confusion has arisen regarding the differences between “service animals” and “emotional support animals” or “therapy pets.” The DOJ revised regulations for Title II of the Americans with Disabilities Act (September 15, 2010), more narrowly defines a “service animal” and Section 35.136 provides guidance on policy modifications to enable people with disabilities using service animals to participate and benefit from programs, services and activities.

Finding: The Park Compendium states dogs, cats, and other pets on leash, crated, or otherwise under physical restraint are permitted in the park only within 100 feet of the edge of established roads or parking areas, and are permitted within established campgrounds and picnic areas; dogs, cats, and other pets are prohibited in the backcountry and on established trails (Section 7.7). The Compendium does not include an exception for the use of service animals. Alternatively, the Accessibility page of the Park web site states that service animals are permitted in the Park if they are in the service of a disabled person. The web site also states that therapy animals and service animals in training are not covered under the definition of “service animal” but are considered “pets.”

NCA Recommendation: NPS is changing the service animal policy in the CFR based on the DOJ revised definition for “service animals” in the revised regulations for Title II of the Americans with Disabilities Act (September 15, 2010), Section 35.136. This also serves as the most current federal guidance to date. It is recommended the Park Compendium be updated to include the new definition for service animal:

“Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an

individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.”

Further, it is recommended the park policy for service animals include the DOJ regulatory guidance for being housebroken and under the handler’s control; care or supervision; inquiries; areas of access; and surcharges.

The DOJ revised regulations under the ADA also include the use of miniature horses as service animals. It is recommended the Compendium restriction on the use of horses be modified to allow for the use of miniature horses as service animals.

7. Public Safety

Section 504 regulations address public safety only by the generalized requirements to modify policies, practices and procedures in order to provide people with disabilities the opportunity to participate and benefit from the agency programs and services. Over the years, DOJ and other entities have developed guidance and resources to assist agencies in developing emergency preparedness plans and modifying law enforcement procedures to be inclusive of people with disabilities.

7.1 Emergency Preparedness

DOJ guidance suggest that a procedure should be developed to facilitate the emergency evacuation of people with disabilities (TAG 87-1). Emergency preparedness plans should address the communication, physical access, shelter and medical needs of people with disabilities.

Finding: Resource Protection and Visitor Management is the division charged with overseeing public safety within the Park. During emergencies, Resource Protection personnel implement a system for clearing areas and notifying visitors at campgrounds. Park employees with disabilities can voluntarily subscribe to the county notification system which sends out safety announcements via e-mails, texts and phone calls. The Park emergency preparedness plan does not specifically address the needs of visitors with disabilities that may require evacuation, shelter or temporary housing.

NCA Recommendation: Incorporate preparedness considerations for visitors and employees with disabilities into the park emergency plan. The [Federal Emergency Management Agency Office of Disability Integration and Coordination](#) can serve as a planning resource.

7.2 Law Enforcement

The broad requirements of Section 504 are applied to law enforcement. DOJ has issued technical assistance documents under ADA Title II that can also benefit federal agencies with law enforcement units.

Finding: The division of Resource Protection and Visitor Management oversees public safety within the Park. A cooperative agreement has been established with surrounding law enforcement agencies (city, county, state) to provide assistance upon request. All agencies have been equipped with TTY’s and 911

dispatch is TTY compatible. The training academy covers methods and resources to assist communication with people with disabilities. However, the Park does not have a written agreement or formal standard operating procedures for securing the services of a sign language interpreter. Prisoners may be transported by sedan or SUV equipped with safety cages. None of the current transporting vehicles are accessible for people that use wheelchairs. The Park does not maintain any holding cells. Prisoners are taken to the nearest federal facility. The Park does not have information if those federal facilities are accessible.

On occasion, Park personnel may engage with visitors to complete accident forms, witness statements or warning citations. These standard forms are supplied by the Government Printing Office. No information is available as to whether GPO provides these documents in alternative formats. Park personnel have expressed concerns with validating whether dogs brought into the Park are actually service animals and if certain motorized devices used by visitors are actually for the purpose of a disability-accommodation.

NCA Recommendation: A visitor with a disability could become a witness, victim or suspect of a crime at any time while in the Park. As such, procedures should be confirmed with responding agencies regarding accessibility accommodations for visitors with disabilities during interviews, interrogations, transport or custody. A written policy should be developed with neighboring law enforcement agencies to retain the services of a sign language interpreter. The division should identify options and develop a procedure for transporting individuals with disabilities who use assistive devices and require accessible transportation. Review of the responsibilities under the cooperative agreements should ensure holding cells and facilities to be used with law enforcement partners are made physically accessible to people with disabilities.

Documents made available to the public, such as copies of citations and accident reports, should be published in alternative formats to ensure effective communication. The standard forms or boilerplate information could be made available through the Park web site. The forms should state the information can be made available in alternative formats upon request. It may be necessary to read aloud a completed form to a visitor with a disability.

Refresher training for Resource Protection personnel should include issues of interacting with people with disabilities, accessibility accommodation procedures, and special considerations for emergency preparedness. Since the Compendium regulations regarding service animals and other motorized assistive devices will need to be rewritten, a training on the revised policies is recommended for Park personnel with informative and enforcement responsibilities.

8. Business Management

Section 504 regulations address business practices only by the generalized requirements to modify policies, practices and procedures in order to provide people with disabilities the opportunity to participate and benefit from the agency programs and services. The Park business practices were evaluated using the combined general regulations of Section 504, case law, and industry best practices for inclusion of people with disabilities.

8.1 Notice to Contractors Acting on Behalf of the Agency

Section 504 regulations state the agency, in the selection of procurement contractors, may not use criteria that subject people with disabilities to discrimination on the basis of disability (Section 504, DOI Part 17, Subpart E 17.530 (5) General prohibitions against discrimination). DOJ issued guidance (TAG 87-1) states that if the agency uses contractors to conduct part of the agency's programs, the agency's procurement regulation should be modified to ensure that the contractors are aware that they must comply with Section 504 when performing activities on behalf of the agency.

Finding: The Park maintains concession contracts for food service and retail (Xanterra - Trail Ridge Store); horseback riding (Hi Country Stables); climbing and mountaineering (Colorado Mountain School); and firewood sales at campgrounds (Silver Peaks Enterprises and Homestead Firewood). These services are conducted by concessionaires on behalf of the Park. The Park has a designated staff in Supervisory Management that serves as the liaison to concessionaires. In addition to concession contracts, the Park maintains a cooperative agreement with the Rocky Mountain Nature Association (to be renamed the Rocky Mountain Conservancy in 2014). This cooperative agreement is overseen by the Interpretation division. As new contracts and agreements are put into place, the accessibility responsibilities for contractors and partners are being established and further defined. For example, the new contract for the Trail Ridge Store required the concessionaire to renovate the facility to the accessibility standards, install a power-assisted door at the front entrance and make the restrooms accessible.

NCA Recommendations: When relationships are developed with contractors and partners for service delivery on behalf of the Park, a contract, memorandum of agreement or similar binding statement should be developed reiterating the commitment to inclusion for visitors with disabilities between the Park, partners and concessionaires. Where contractors or partners will be using Park facilities that are not yet fully accessible, the binding agreements shall state who is responsible for making the facility accessible, the process for approving the accessibility improvements, and the timeline to complete the accessibility improvements.

8.2 Contractor Service Delivery

Case law and industry practice has suggested it is necessary to clarify roles and expectations for contractors in terms of service delivery.

Finding: Of the services and activities conducted on behalf of the Park, most (retail, food service, firewood) are available to all visitors.

NCA Recommendation: When contracts and partnerships are established for service delivery, ensure operating plans with park partners and concessioners reflect the applicable laws, including the Americans with Disabilities Act. Ensure park partners and concessioners understand the necessity to provide public information on programs and services in alternative formats and assist each to establish a process for receiving requests for braille, large print, audio formats and electronic files. Ensure all park partners and concessioners are prepared to provide auxiliary aids and services (i.e. sign language interpreters, real-time captioning, live audio description, etc.) to facilitate access and inclusion of visitors with disabilities and ensure the visitor information is clearly stated in marketing materials. Park partners and concessionaires should be prepared to make disability-related modifications and/or accommodations so that participants with disabilities can fully participate and enjoy the benefits of their programs and services. Eligibility criteria should be evaluated to ensure it does not screen out qualified individuals with disabilities from participation. The annual training module should be expanded to

include disability awareness and accessibility mandates for all park partners and concessioners. If there are any such instances by which an individual with a disability would be restricted or excluded from a program, it should be reported to Park management for evaluation.

Finding: The Colorado Mountain School (CMS) has been contracted as a concessionaire to provide climbing and mountaineering experiences on behalf of the Park. CMS conducts climbing courses throughout Colorado. Individuals are able to make advance reservations for scheduled courses through the CMS website. However, reservations for specific excursions, either individual or group, must be made over the phone. CMS uses the phone engagement to ask the individual/group more specific questions on the desired experience, preferred location, skill level and if there are any accommodations that may be necessary. When disability-related accommodations are requested, CMS utilizes the experienced staff from Adaptive Adventures and Paradox Sports, both Boulder-based non-profit organizations specializing in adventure trips for people with disabilities. When visitors request an accessible climb experience for Rocky Mountain National Park, CMS actually recommends alternative climb locations outside of the park due to the lack of accessible trails/routes within the Park.

NCA Recommendations: Information on pre-requisite skills or eligibility criteria is recommended to be publically posted on the concessionaire web site. The climbing school states individuals should call in advance if they require special accommodations. The climbing school also requires a medical information/consent form be signed prior to participation. Information for the process to request disability-related accommodations and examples of accommodations are also recommended for posting on the web site and print literature. NPS training for concessionaires is limited to park features and procedures. It should include information on accessibility accommodations and accessibility features of the Park. Park personnel and the concessionaire should engage in the determination of accessible locations within the Park that can be used to accommodate participants with disabilities.

Finding: Hi Country Stables is contracted to provide horseback riding experiences on behalf of the Park. Through this agreement, Hi-Country Stables uses the horse stable facilities at Glacier Creek and Moraine Park. These facilities were not thoroughly assessed according to the 2011 assessment report. Interpretive trail rides are offered in 2-8 hour blocks, where a trail lead tells stories about the surrounding area to riders on horseback.

While representatives of the concessioner were found to have very positive attitudes toward accommodating trail riders with disabilities, the process by which to register prohibits participation by people with disabilities. Hi-Country Stables utilizes the on-line reservation system and waiver of the larger umbrella organization, Sombrero Ranches, www.sombrero.com. Participants are required to submit their age, weight and ability upon making a reservation. The form does not ask questions as to whether the prospective rider requires any disability accommodation. Prior to riding, all participants are required to sign a waiver "Release of liability and indemnity agreement." The participant must declare to be *physically fit*, and not suffer from any of the following conditions: *pregnancy, epilepsy, fits, severe head injury, recurrent blackouts or giddiness, disease of the brain or nervous system, high blood pressure, lung or heart disease, recurrent weakness or dislocation of any limb, diabetes, mental illness, drug or alcohol addiction, recent back injury, arthritis and severe joint sprains, chronic bronchitis, asthma, rheumatic fever, thyroid adrenal or other glandular disorder, recent blood donation or any other condition that requires the regular use of drugs*. Further, the waiver requires the individual to declare: *I have no physical or mental condition that should preclude me from participating in my chosen activity.*

Use of this type of waiver and eligibility criteria, prohibits participation by people with disabilities, who, either with or without an accommodation, may be fully capable of partaking in the activity.

Interpretive information and storytelling conducted by the program lead may not be heard by trail riders with hearing loss or who are deaf.

Recommendation: The visitor use areas for horseback riding at Glacier Basin and Moraine Park should be thoroughly assessed and accessibility improvements planned in conjunction with the concessioner. Priority visitor access should focus on parking, accessible routes through the facility, restroom accommodations and the provision of features to enable full participation in the program such as accessible mounting ramps and mounting steps.

The reservation system should be modified. The form field for “ability” should be changed to “experience.” This will shift focus on the person’s physical ability to skill-level as intended to give program staff advance knowledge of the spectrum of skill-levels in each program. A new form should be added for prospective participants to indicate if they have the need for disability-related accommodations such as: wheelchair accessible mounting ramp, accompaniment by a service dog, sign language interpreter, assistive listening receiver, alternative formats or other modifications. The provision of this advanced information should trigger program staff to make direct contact with the individual to begin planning for the disability-related accommodation prior to arrival at the program. The waiver must be modified so not to prohibit participation by qualified individuals with disabilities. Eligibility criteria should continuously be evaluated to ensure it does not screen out qualified individuals with disabilities from participation. If there are any such instances by which an individual with a disability would be restricted or excluded from a program, it should be reported to Park management for evaluation. It is recommended the program lead staff be equipped with a transmitter to an assistive listening system to amplify the interpretive program for people with hearing loss. Through the provision of the assistive listening system, riders would be individually equipped with receivers to be able to hear the information no matter how far back in the group they may be. It is also recommended that program staff be prepared to acquire the service of a sign language interpreter for people who are deaf.

8.3 Contractor Evaluation

DOJ guidance and case law has shown that the contracting agency can be held liable for instances where contractors prohibit participation by people with disabilities.

Finding: The Park evaluates customer satisfaction together with partners and concessionaires.

NCA Recommendation: When contractors and/or partners are utilized for program/service delivery on behalf of the Park, add criteria specific to accommodating visitors with disabilities to periodic evaluations along with measureable goals for improving. Further, the annual review process should be utilized to continue planning of physical and programmatic accessibility improvements.

8.4 Advisory Board

Federal guidance recommends diversity in the make-up of citizen advisory boards.

Findings: The Park maintains a partnership with the Rocky Mountain Nature Association. This “friends” group conducts programs and provides educational materials about the Park. It provides advisory comments to Park Management. Other special interest groups, may on occasion provide input to the

Park on specific projects or issues. The Park does not maintain any type of citizen advisory committee or external committee on accessibility issues.

NCA Recommendation: It is recommended that when public input is sought for upcoming projects, master planning, and even evaluation of programs, efforts are made to gain input from citizens with disabilities.

9. Communications

Section 504 requires the agency take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public (Section 504, DOI Part 17, Subpart E 17.560 Communications). The provision of auxiliary aids and services may be necessary to ensure communication with people with disabilities is as effective as communication for people without disabilities.

9.1 Public Information

Finding: The Park web site contains accessibility information regarding physical access and the provision of auxiliary aids and services in the “Plan Your Visit” section. Park staff have taken significant actions to update the content.

The Park seasonal newsletter provides introductory information on the accessibility of programs, services and facilities. The Park has created a supplemental brochure “Access Rocky,” to highlight the accessibility features in a printed, tangible document that people can carry with them during their visit. It should be noted that the document uses terms such as “ISA Parking,” referencing the International Symbol of Accessibility. This language, assumed to imply “accessible,” is not commonly used in the disability community. It has been recommended to staff to discontinue use of these types of references and use language substantially similar to that of the applicable accessibility standards for federal agencies (e.g., “accessible parking”).

NCA Recommendation: Accessibility content for the web page should continue to be updated. The reference to the Americans with Disabilities Act regarding wheelchair access, service animals, and some services since the ADA does not apply to federal agencies or the National Park Service. The ADA reference should be removed. The NPS template for the Accessibility page should continue to be utilized as the primary structure for the web content. Content regarding accessibility features should be updated on a regular basis. Each major area of the Park is currently listed on the web page and includes a description of the accessibility features. Some descriptions are too general for people with varying degrees of functional limitations to make informed decisions as to whether specific sites are appropriate to their individual abilities. For example, some trails are described as having “steep grades.” Descriptions should include as much objective information as possible. For example, “the ½ mile loop trail is paved with asphalt and has a maximum grade of 8 percent for 30 feet.” Information on ranger-led talks and the process to request a sign language interpreter should be added to the page. Information should also identify park benefits for people with visual impairments such as audio description, tactile maps or objects, etc.

The content for the “Access Rocky” print document should be updated on a regular basis and be consistent with information presented on the web site. This supplemental brochure on the accessibility

features could serve as a model to other National Park Service units as a means to communicate accessibility information and attract new visitors.

9.2 Publications

Finding: Generally, Park publications are not available in alternative formats such as large print, braille, audio and electronic files providing primary consideration of formats to park visitors with disabilities.

NCA Recommendation: Adopt the Harpers Ferry Center template for large print to design and publish the primary park unigrid brochure in large print. Large print formats are the most popular among visitors and recommended to be kept in stock. The primary park publications should also be formatted to braille and audio, available upon request at visitor centers. Accessible PDF and .TXT versions of primary publications are recommended for posting on the park web site. A procedure should be developed for receiving requests for alternative formats and having publications translated by appropriate service providers. An agreement with a designated braille translation service should be established prior to receiving requests.

9.3 Auxiliary Aids and Services

Finding: Requests for disability-related accommodations are channeled to the East District Naturalist. The staff contacts the individual to gather more information on the exact need and preferred accommodation. This staff coordinates the accommodation request by working with other interpretation personnel. While the Park publishes information on the availability of accommodations, the published information is not specific to the time required for advanced requests. The requests for a sign language interpreter have been commonly received. The requests have been filled by calling around to a number of service providers. The Park does not have any standing agreements or a list of preferred service providers. The Park has not yet had to fill requests for real-time captioning or live audio description. An assistive listening system is installed for use in the theaters. The Park is in the process of acquiring portable assistive listening devices to accompany ranger talks and public events at outdoor amphitheaters.

NCA Recommendation: Identify local resources and a list of preferred service providers for sign language interpreters, real-time captioning, and live audio description. In some instances, it may be necessary to develop a formal agreement with the service providers to ensure requests can be fulfilled given the time frame and remote location of the Park from urban centers where these services are more widely available. Develop a policy to inform the public on the process to request auxiliary aids and services and publish the information on the Park web site and Park newspaper. Call-center staff and interpretive specialists should be trained to intake accommodation requests, especially at times when the East District Naturalist may not be available for extended periods. As the portable assistive listening systems are put into use, staff should continually evaluate the effectiveness of the devices and seek visitor input after use of the equipment. Develop a standard operating procedure to testing, cleaning, and maintaining the assistive listening systems. Train staff seasonally on the availability of auxiliary aids and services along with the procedures to accommodate visitors with disabilities.

9.4 User Groups, Events and Special Permits

Special permits to be issued for commercial operations and public events consistent with the purpose and mission of the park. Groups seeking permits for public activities may lack knowledge of their responsibilities to provide access to people with disabilities.

Finding: The Park issues special permits for user groups, photographers, weddings and other public events. In addition, Commercial Use Authorization Permits (CUA) are issued to commercial outfitters such as hiking and climbing guides, fly fishing guides, and van tours. These commercial outfitters are required to provide services consistent with the park experience. Proof of insurance and a business license is required for application. Commercial outfitters are required to inform the Park of the areas they intend to use while within the boundaries. The permit/application contains a general non-discrimination clause. While permits may be issued, outfitters are not informed of their responsibilities to provide access to people with disabilities. An additional fee is charged when user groups want to access areas by vehicle where Park personnel may need to unlock gates for service road entry.

NCA Recommendation: Develop a publication for user groups and commercial outfitters receiving special permits specific to their legal responsibilities to provide access to people with disabilities while conducting a program or special event on National Park Service lands. Also consider developing a special events checklist for event planners to use to ensure preparation for meeting program access responsibilities. User groups should be informed of accessible locations and facilities to select sites that best meet the needs of their group. The list of wedding locations should be updated with specific information on the accessible parking and trail distance to the location. Wedding locations should be differentiated between accessible and inaccessible locales along with distinguishing characteristics that either make the site accessible or not. Where requests are made to use areas of the Park that are not accessible, the user group should be informed of the conditions for that area and alternative accessible locations or accessible locations in close proximity (i.e. parking, comfort stations, etc.). Permit applicants, especially commercial outfitters, should be informed that it may be necessary to relocate to an accessible location in order to meet their obligations under the Americans with Disabilities Act. If the gated service road is the only means of accessible entry for a special permit use, the additional charge should not be applied to people with disabilities.

10. *Electronic and Information Technology*

Section 508 of the Rehabilitation Act requires all electronic and information technology used by the Federal government to be accessible to people with disabilities, both the public and federal employees. The law applies to all Federal agencies in the development, procurement, maintenance, and use of electronic and information technology.

Finding: The Park utilizes many of the resources for accessible electronic and information technology provided by WASO, such as the template for an accessible NPS web site. A new park technology committee has been established to explore technology uses applied to interpretation programs in the Park. However, the committee has not specifically looked at issues of accessibility as they relate to access for people with disabilities.

NCA Recommendation: Members of the Park technology committee should receive training on the electronic and information technology barriers encountered by the people with disabilities. Training should also provide an overview of technology solutions specific to different disability groups, like people with hearing impairments, people with visual impairments, people with physical disabilities, and people with cognitive disabilities. The technology committee and/or specifically assigned Park staff should be assigned responsibility to ensure all electronic and information technology to be used or purchased is accessible to people with disabilities and meets the Section 508 standards.

11. Program and Service Delivery

Section 504 states no qualified individual with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency (Section 504, DOI Part 17, Subpart E 17.530 General prohibitions against discrimination). Program and service delivery is required to take place in the most integrated setting. At times, this may require modification of policies, practices and procedures to ensure the equal opportunity for people with disabilities to participate and benefit from the program or activity.

11.1 Eligibility Criteria

As defined by Section 504, a person with a disability is considered qualified by meeting the essential eligibility requirements of a program or activity (Section 504, DOI Part 17, Subpart E 17.503 Definitions). DOJ guidance is clarified in Title II, stating “A public entity may not impose eligibility criteria for participation in its programs, services, or activities that either screen out or tend to screen out persons with disabilities, unless it can show that such requirements are necessary for the provision of the service, program, or activity (DOJ Title II TAM II-3.5100).”

Finding: Interpretive programs can include ranger talks and tours, special events and environmental education for school-age children. All of the programs and services offered by the Park are open and made available to the general public. The Park does not require further experience, skills, or education for participation in programs it offers directly to the Public. See Section 8.2 for specific findings for concessioners.

NCA Recommendation: Should new programs be developed for specific groups or classes, assessment of essential eligibility requirements should be conducted to ensure participation by people with disabilities.

11.2 Accommodation Process

To enable participation by people with disabilities, it may be necessary to provide disability-related accommodations by either modification of procedures or the provision of auxiliary aids. Best practice within the park and recreation industry suggests a centralized procedure for accommodations is most successful to meet the needs of participants with disabilities.

Finding: Requests for disability-related accommodations can be received by phone and e-mail. The request is channeled to the East District Naturalist, who then coordinates the accommodation. While this process has been established, it is not written up as a formal operating procedure. There is no information on the park web site specific to the process for requesting disability-related accommodations—who to call, what can be requested and how much advance notice should be given. While interpretive staff work diligently to ensure all visitors have a quality experience, the accommodation procedure lacks a system of checks and balances in the event an accommodation is denied. How is the denial determined, who makes the decision, how is the instance documented?

Many programs within the Park are general attendance and do not require advance registration. There is no procedure for deciding which auxiliary aid or service to provide for general programs or special events where the public simply shows up and is not required to register in advance.

NCA Recommendation: The East District Naturalist should be formally appointed as the lead interpretive staff for accessibility coordinating responsibilities within the interpretive division. This responsibility should be reflected in the position description. This staff should become the central point of contact for disability-related requests. Call-center staff and interpretive specialists should be trained to intake accommodation requests, especially at times when the East District Naturalist may not be available for extended periods.

Under the “Accessibility” section of the park web site, add information on the types of accommodations and auxiliary aids available for visitors with disabilities. Include contact information for visitors to make a direct request to the coordinator.

11.3 Transportation

When transportation is provided for park visitors, it is necessary for the transportation to be accessible to people with mobility impairments and those individuals who use assistive devices.

Finding: To minimize vehicular congestion, the Park operates a free shuttle bus with stops along Bear Lake Road from May to October. The Park shuttle fleet consists of 10 low floor kneeling buses with ramps and three buses equipped with wheelchair lifts. Due to the ½ mile distance and steep final segment leading to the Holzwarth Historic Site, a golf cart and government vehicles are used to drive people who cannot travel the long distance. However, the vehicles are not wheelchair accessible.

NCA Recommendation: As new buses are added to the shuttle fleet, each bus should be equipped with a wheelchair lift and spaces for wheelchair seating consistent with the accessibility standards for transportation vehicles. Acquire an accessible vehicle for visitor transport at the Holzwarth Historic Area, such as the accessible tram used at Alcatraz. The accessible vehicle should enable people to ride seated in their wheelchair, especially to accommodate those individuals who are unable to physically transfer.

11.4 Interpretive Program Talks and Tours

Finding: Audible information presented as interpretive talks or tours is not accessible to people who are deaf or have hearing loss. Visual information presented with interpretive talks or tours is not accessible to people with low vision or people with no vision. On occasion, interpretive talks are conducted on trails at higher elevations on the Alpine tundra where breathing may be difficult for some visitors or in animal containment areas that lack accessible surfaces and routes. Announcements are made in advance of the talk to alert visitors and enable them to make a choice whether to go on the interpretive trail talk.

NCA Recommendation: The programmatic assessment identifies the need for securing portable assistive listening systems for ranger-led interpretive talks. Interpretive staff and volunteers should be trained on the use of the assistive listening system, techniques for audio description and methods to adapt content to the needs of people with various sensory and cognitive impairments. Interpretive staff and volunteers should be encouraged to develop tactile content as well as visual and audio content for their programs. Where visitors may choose not to go on an interpretive program due to the altitude or other issue that may affect a health condition, Park staff should be prepared to share the interpretive content with interested visitors at an accessible location. For example, staff have modified the location of the talk on the elk program from the containment area to a roadside viewing area that was considered more accessible for the visitors with disabilities.

11.5 Visitor Feedback

Section 504 and DOJ guidance suggest people with disabilities be included in the process to make programs and activities accessible to people with disabilities.

Finding: The Park utilizes a call-center model where the Interpretive Division and the Public Information Officer oversee all inquiries. Phone staff offer to complete “comment cards” for callers with complaints or compliments. All comment cards are reviewed by the Superintendent and then channeled to the appropriate divisions for action. The NPS conducts an annual survey of visitors. The Park does not actively solicit visitor feedback on the effectiveness of accessibility improvements, program modifications, auxiliary aids, and services.

NCA Recommendation: Develop a system to gather seasonal evaluative feedback from visitors with disabilities regarding the delivery of programs, activities and services and the effectiveness of accommodations, auxiliary aids, services and alternate formats. Questions are recommended for the annual survey of visitors to evaluate the effectiveness of accessibility features and accommodations within the Park.

12. Staff Training

The DOJ guidance suggests that agency staff should be familiar with policies designed to enable people with disabilities to participate in programs (TAG 87-1). Park personnel have an unwavering commitment to serving visitors with disabilities. However, the staff has not yet participated in formal accessibility training, therefore having a limited knowledge of disability awareness related to customer service, program access and implementation of the accessibility standards.

Finding: The accessibility coordinator has not yet received formal training on the accessibility standards and program access. However, she has been very successful to identify resources and expertise for technical assistance on program access and application of the accessibility standards. The majority of members of the management team or who could be identified for a Park accessibility coordinating committee have not yet received formal accessibility training. Accessibility information is included as a section of the employee handbook. Seasonal training is conducted to prepare staff and volunteers on park policies and procedures. The current seasonal training does not address disability awareness or methods to accommodate visitors with disabilities. Limited information is presented on park accessibility features. Accessibility information is included in the Topics Tidbits notebook used by staff and volunteers

NCA Recommendation: Formal training on the accessibility standards, program access, universal design, and access of interpretive programs is recommended for the accessibility coordinator and members of the accessibility coordinating committee. A training module specific to disability awareness and customer service for visitors with disabilities should be implemented as part of an annual training program and targeted for seasonal and front line park staff, volunteers, park partners and concessioners. Front line staff and volunteers should be trained on disability awareness, appropriate terminology for specific disabilities and people with disabilities, accessible features and routes at their site, and auxiliary aids and services available to visitors with disabilities. Staff and docents should be trained to announce accessibility options as part of general visitor orientations. After the initial training, staff and volunteers should receive seasonal updates and be required to periodically read the accessibility web site to stay informed on the latest information.

13. Compliance

Section 504 requires certain administrative procedures to ensure compliance, including the designation of a procedure for receiving and investigating complaints.

12.1 Complaints

The DOI 504 regulations outline a procedure for processing and resolving complaints (Section 504, DOI Part 17, Subpart E 17.570 Compliance procedures). The process is hierarchical in nature, beginning at the park level, including the DOI Director of the Office for Equal Opportunity. For facility access, Architectural Barriers Act enforcement compliance resides with the U.S. Access Board.

Finding: At this time, the informal grievance procedure used at the park level does not specifically state how accessibility/disability complaints should be processed.

NCA Recommendation: Adapt the current informal park level process for intake, investigation and processing of public comments and complaints to include the ability to “flag” accessibility/disability comments and complaints and channel to an accessibility coordinating committee for review, response and archival documenting of the corrective actions or actions taken in lieu of barrier removal.

12.2 Accessibility Management Team

While Section 504 does not specify the need for a coordinating team, inclusion of visitors with disabilities is most successful in park units where accessibility compliance is addressed as a team approach.

Finding: The Park has not formally established an accessibility coordinating committee.

NCA Recommendation: The establishment of an Accessibility Management Team is recommended for the Park. The team should include representatives of the various park divisions (facility operations, interpretation, cultural resources, etc.). The Accessibility Coordinator should work directly with the Accessibility Management Team for ongoing prioritization of the transition plan, policy review and modification to procedures where necessitated.

12.3 Undue Financial and Administrative Burden

Because accessibility improvements have been addressed as a peripheral process up to this point, decisions regarding undue financial and administrative burdens have not been necessary to address. The DOJ guidance suggest a procedure should be put in place to ensure that decisions about undue financial and administrative burdens that may be imposed by Section 504 are made properly and expeditiously (TAG 87-1).

Finding: There is no process by which accessibility improvements or policy modifications that may be overly costly or burdensome would be vetted prior to the determination.

NCA Recommendation: A process should be enacted by which decisions citing fundamental alteration to the nature of the program, undue financial and/or administrative burden are brought to the accessibility coordinating committee for review, where they are thoroughly vetted, consensus is reached, and the rationale documented. Prior to making a determination that an accessibility improvement or policy modification may cause undue financial or administrative burden, additional input should be sought from the Regional Accessibility Coordinator and the WASO Accessibility Management Program. Input

from all resources should be sought as the final authority rests at the Park level with the Superintendent.

V. Conclusion

The purpose of this report is to present findings from an analysis of systems, policies, practices and procedures that govern the administration of park programs, activities, and services. Recommendations have been presented for the modification of policies, practices and procedures to enable people with disabilities to equally participate and benefit from the total park experience, the same as other non-disabled park visitors. Successful inclusion of people with disabilities requires a team approach to implementation and a fully vested commitment to an accessibility management program. While completion of the official Self-Evaluation document may meet the minimum requirements of Section 504, successful implementation will not be effective unless all Park personnel are engaged, informed, educated and committed to the full inclusion of people with disabilities in all aspects of the Park offerings. Park personnel demonstrated an enthusiastic commitment to accessibility and inclusion of visitors with disabilities throughout the review process. It is certain that their commitment will bring accessibility improvements to fruition and continue to open new opportunities for visitors with disabilities for generations to come.

Appendix

A Self-Evaluation of Policies, Practices and Procedures to Serve People with Disabilities and Ensure Compliance with Section 504 of the Rehabilitation Act

Sample Outline

I. Letter of Commitment from Park Superintendent

[This section should include a welcome letter from the Park Superintendent referencing Director's Order 42 and reinforcing the Service-wide commitment to inclusion of visitors with disabilities at the Park level.]

II. Introduction

[This section should provide a summary of the park purpose, history and primary interpretive themes. What are the primary experiences and benefits received by visitors with disabilities?]

III. Self-Evaluation of Policies, Practices and Procedures

1. Self-Evaluation Process

[This section should describe the process by which the self-evaluation was conducted; the analysis by the National Center on Accessibility; review by park management; and process by which necessitated modifications were implemented.]

2. Notice

[This section should describe how visitors, employees, applicants, participants, beneficiaries, and other interested persons are informed of the Park's responsibility to comply with Section 504 of the Rehabilitation Act and other applicable disability legislation.]

3. Employment

[This section should describe the NPS EEO processes for recruiting, hiring and employing people with disabilities.]

4. Program Accessibility: Existing Facilities

[This section should describe the process by which "Program Accessibility" will be achieved by structural modifications to existing facilities. It should describe the process

to develop a transition plan for barrier removal and how priorities were determined. It should also highlight other proactive procedures to ensure planning addresses needed accessibility improvements.]

5. Program Accessibility: New Construction and Alterations

[This section should describe the procedures to be used to ensure all new construction and alterations meet the minimum accessibility standards of the Architectural Barriers Act and other relevant accessibility guidelines.]

6. Park Regulations

[This section should explain the significance of the Park Compendium of Regulations. It should describe the modification of park regulations and policies to enable participation by people with disabilities including an updated policy for the use of wheelchairs and other power driven mobility devices; and service animals.]

7. Public Safety

[This section should describe how policies, practices and procedures have been modified to ensure participation and public safety of people with disabilities. It should include information on how considerations for people with disabilities have been incorporated into a Park emergency preparedness plan. It should further describe how external law enforcement agencies serving the park have modified practices to be accessible for visitors who could become witnesses, victims or suspects of a crime in the Park.]

8. Business Management

[This section should describe how business practices have been modified to ensure compliance with Section 504. It should include information on how contractors are to be informed of their responsibilities for compliance with Section 504. In addition, it should describe how contractor service delivery will be evaluated to ensure programs and services provided by contractors on behalf of the Park are accessible to people with disabilities.]

9. Communications

[This section should describe how policies, practices and procedures have been modified to ensure communication with people with disabilities is as effective as communication with people without disabilities. It should include information on how prospective visitors with disabilities are informed of accessibility features and services available within the Park along with the process for requesting disability-related accommodations. It should describe the process for acquiring publications in alternate formats and securing auxiliary aids such as sign language interpreters. Further, it should describe how user groups are notified of their legal responsibilities to provide access to people with disabilities while conducting a program or special event on National Park

Service lands.]

10. Program and Service Delivery

[This section should describe how procedures related to program and service delivery have been modified to ensure access for people with disabilities. It should describe the process for visitors with disabilities to make requests of accommodations to participate in programs. It should also describe any other auxiliary aids or services put into practice to enable participation of people with disabilities. It should describe how these modifications will be measured for effectiveness. Further, it should describe how staff will be trained on policies designed to enable people with disabilities to participate in programs along with the accessible features of the Park.]

11. Staff Training

[This section should describe the content for staff and volunteer training to better serve visitors with disabilities. It should include the topics, target audiences and frequency of training. It should describe advanced content related to the accessibility standards and program access for members of the accessibility coordinating committee. It should describe foundational training and refresher training for the accessibility coordinator. And it should describe content for seasonal training for frontline staff and volunteers on the accessibility features of the Park along with procedures for providing auxiliary aids and services.]

12. Compliance

[This section should explain the process by which people with disabilities can file complaints in the event they feel they have been discriminated on the basis of disability. This section should outline the process for the Park to receive and investigate complaints. It should describe the development of an Accessibility Management Team and the designation of an Accessibility Coordinator. It should specify how Park personnel will receive training on Section 504 compliance. Lastly, it should detail the process by which decisions citing undue financial and administrative burdens will be determined.]

IV. Conclusion

[This section should include information on the resources consulted to complete the Self-Evaluation, the NPS and DOI resources for accessibility, and the point of contact should an individual have further question on the information presented herein.]