

TxDOT ADA Subrecipient Monitoring & Compliance Survey III

49 Code of Federal Regulations (CFR) Parts 27 and 28 require that all recipients of federal-aid highway funds comply with Section 504 of the Rehabilitation Act of 1973 (Section 504). As a recipient, the State of Texas is responsible for ensuring that its subrecipients comply with Section 504. It states that "no otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance." 28 CFR 35 implements the Americans with Disabilities Act of 1990 (ADA) and Section 504, which extended the prohibition of discrimination on the basis of disability to all local agencies, including those that do not receive Federal financial assistance. Some ADA administrative requirements differ for agencies with 50 or more full-time and part-time employees versus agencies with fewer than 50 full-time and part-time employees. The ADA Subrecipients Monitoring and Compliance Survey II is a comprehensive assessment that will be used to help TxDOT determine specific areas of subrecipient compliance/noncompliance; evaluate risk factors; help subrecipients understand their ADA/504 responsibilities; and determine if a formal review (desk or on-site) is required as part of the monitoring and compliance process.

Please, answer all questions contained in this survey.

General Information

Organization Name:

Do you have an ADA Coordinator?

Yes

No

If "Yes", please answer the following questions 1 through 4:

1. ADA Coordinator Name

First Name:

Last Name:

2. ADA Coordinator Address

Street Address:

City:

State:

Zip Code:

3. ADA Coordinator Email:

4. ADA Coordinator Phone Number:

(999) 999-9999

Evaluation of Subrecipient Compliance

5. Does the subrecipient have a disability Nondiscrimination Policy and Public Notice that includes the name, title, office address, and office telephone number of the ADA/Section 504 Coordinator?

[\(Click here for more information on Question 6\)](#)

- Yes
- No, our Nondiscrimination Policy does not contain those elements
- Do not have a Nondiscrimination Policy

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

6. Does the subrecipient have a signed Nondiscrimination Statement and proof of public dissemination?

[\(Click here for more information on Question 6\)](#)

- Yes
- Do not have a Nondiscrimination Policy Statement
- No, do not have proof of public dissemination
- Not required

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

7. Does the subrecipient have an ADA nondiscrimination policy that prohibits discrimination based on disability that it makes available to contractors, consultants, beneficiaries, etc.?

- Yes
- No, the policy is not made available to contractors, consultants, etc.
- Do not have a nondiscrimination policy

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

8. Does the subrecipient have a grievance policy and procedure that prohibits discrimination based on disability under any of the subrecipient's programs and activities?

[\(Click here for more information on Question 8\)](#)

- Yes
- No, do not have a Grievance Procedure

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

9. Does the subrecipient's ADA Nondiscrimination Policy and its corresponding processes include the subrecipient maintaining a complaint log showing all ADA complaints received (i.e. numbers, issues, involved, how it was resolved)?

- Yes
- No, policy and processes do not include maintenance of a complaint log
- Do not have a nondiscrimination policy

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

10. Does your entity provide a written assurance, signed by leadership, to TxDOT that it will not discriminate on the basis of disability in the provision of its programs, services, activities, and facilities and that it will be in compliance with Section 504 and all its requirements? (49 CFR 27.9)

[\(Click here for more information on Question 10\)](#)

- Yes
- No
- N/A

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

11. Has the subrecipient completed a Self-Evaluation of current services, policies, and practices to determine necessary modifications to achieve program accessibility?

- Yes
- No

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

12. If the subrecipient has completed an ADA Self-Evaluation when was it completed and has it been updated?

- Yes, Self-Evaluation Completed
- Yes, Self-Evaluation Completed and Updated
- Do Not Have One
- Not Required

If the Self-Evaluation has been Completed, please provide the date:

If the Self-Evaluation has been Updated, please provide the date of last update:

If response was not “Yes”, please elaborate

13. Has the subrecipient developed and implemented an ADA Accessibility Transition Plan or other Accessibility Plan that outlines which structural modifications must be made to those programs and services that are not accessible?

[\(Click here for more information on Question 13\)](#)

- Yes
- No

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

14. How often does the subrecipient update its ADA Accessibility Transition Plan or other Accessibility Plan?

- Every 3 years
- Every 5 years
- Every 6+ years
- Future Plan updates are not yet determined
- Subrecipient does not have an ADA transition/accessibility plan
- Not Required

If your plan is updated on a regular interval, what year is your next plan update:

If subrecipient does not have an ADA Accessibility Transition Plan or other Accessibility Plan, please provide the date of when it will be completed?

If response was not “Not Required”, please elaborate

15. If applicable, please provide the date of the last update to the subrecipient ADA Accessibility Transition Plan or other Accessibility Plan:

- The Subrecipient ADA Transition Plan has been updated

- Do Not Have One
- Not Required
- Plan has not been updated

If your plan is updated has been updated, please provide the date of last update:

If "Do Not Have One", "Not Required", or "Plan has not been updated", please elaborate

16. Please provide a detailed description of how the subrecipient made its self-evaluation and/or ADA Accessibility Transition Plan or other Accessibility Plan available for public inspection or comment.

- Subrecipient has an ADA Self-Evaluation and/or an ADA Transition Plan.
- Do Not Have One
- Not Required

Description or Comment

If "Do Not Have One" or "Not Required", please elaborate

17. Does the subrecipient have a signed inventory?

[\(Click here for Question 17 regulations; 28 CFR 35.150\(d\)\(2\); 28 CFR 35.150\(d\)\(3\)\(a\); 28 CFR 35.105 \(a\)\)](#)

- Yes
- No
- Not Required

If response was not “Yes”, please elaborate

18. Please provide a brief description of how the subrecipient monitors its own compliance with the ADA and Section 504.

19. Does the subrecipient have a management plan for the replacement of signs to meet the Manual on Uniform Traffic Control Devices (MUTCD) reflective guidelines?

[Click here for Question 19 regulations; 28 CFR 35.150\(d\)\(2\); 28 CFR 35.150\(d\)\(3\)\(a\); 28 CFR 35.105 \(a\)](#)

- Yes
- No
- Not Required

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not "Yes", please elaborate

20. Does your entity have a process for making technical infeasibility determinations for new construction and alterations that ensures that projects are designed to the maximum extent feasible per the guidance in ADAAG and/or PROWAG (28 CFR 35.151 (c) and 49 CFR 27.3(b))?

- Yes
- No
- N/A

If response was not "Yes", please elaborate

21. Has your entity provided accommodations to physically impaired persons needing special assistance?

- Yes
- No

If response was not "Yes", please elaborate

22. Does your entity have a process to analyze a project program, service or benefit for determinations of "undue" financial or administrative burdens, or fundamental alteration to the program, services or benefit that adheres to the criteria for making such determination in 28 CFR 35.150 (a)(3) and 28 CFR 35.164?

Yes

No

N/A

If response was not "Yes", please elaborate

23. Does the subrecipient actively seek out persons with disabilities to participate in public hearings, meetings, open houses, etc.?

Yes

No

If "Yes", please provide a link to a file, a website link, or both documenting this.

If response was not "Yes", please elaborate

24. Does the subrecipient ensure it holds its public meetings, hearings, open houses, etc. in accessible locations?

Yes

No

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

25. Does your entity provide auxiliary aids (e.g., sign language, interpreters, readers, braille, large text, etc.) upon request to participants with disabilities?

Yes

No

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

26. Do the subrecipient's public meeting announcements provide notification that auxiliary aids are available upon request?

Yes

No

If “Yes”, please provide a link to a file, a website link, or both documenting this.

If response was not “Yes”, please elaborate

27. Is the subrecipient making their website and digital applications accessible per the Department of Justice's new rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments?

Yes

No

If response was not “Yes”, please elaborate

If “Yes”, please provide a link to a file, a website link, or both documenting this (Optional).

If response was not “Yes”, please elaborate

28. Has any subrecipient staff received ADA training (formal or informal) that prepares them to better serve the public within the past year??

Yes

No

If “Yes”, please provide a link to a file documenting this.

If response was not “Yes”, please elaborate