

Town of Thorntown

Transition
Plan

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Town of Thorntown

ADA Transition Plan

Introduction

The Americans with Disabilities Act (ADA) is a civil rights law that protects individuals with disabilities. This law provides equal access for individuals with disabilities in employment, public accommodations, transportation, state and local government services and telecommunications. There are five titles to the ADA and many requirements, regulations, & guidelines under the ADA law. Town of Thorntown is considered an ADA Title II entity. Under Title II and Title III of the ADA regulations, law prohibits public entities, such as any Town of Thorntown facility, from discriminating against or excluding a person access to programs, services, or activities based on disability. We must ensure that the following issues are compliant with ADA Title II and accessible to people with disabilities:

- All services and programs offered by the entity
- All aspects of the employment relationship
- Government services carried out by contractors/partners/grant recipients
- Activities of local legislative and judicial branches

In other words, no qualified individual with a disability can be excluded from participation in or denied benefit from services, programs, or activities of a public entity.

Five Titles of the ADA

Title I

Equal Employment Opportunity for Individuals with Disabilities

This Title is designed to remove barriers that would deny qualified individuals with disabilities access to the same employment opportunities and benefits available to others without disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.

Title II

Nondiscrimination of the Basis of Disability in State and Local Government Services

This Title prohibits discrimination based on disability by public entities. The public entity is

required to provide access to programs, services and activities provided by the state or local government, when viewed in their entirety.

Title III

Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities

This Title prohibits discrimination on the basis of disability by private entities in places of public accommodation. Examples include hotels, restaurants, golf courses, private schools, day care centers, health clubs, etc.

Title IV

Telecommunications

This Title requires telephone companies to have developed interstate and intrastate telephone relay services in every state.

Title V

Miscellaneous Provisions

The final Title contains a variety of provisions relating to the ADA, including its relationship to other laws and its impact on insurance providers and benefits.

Application of the ADA to Town of Thorntown

Town of Thorntown is covered under ADA, Title I - Employment, and Title II - Programs, Services and Activities. The ADA requires the Town to make all its programs, services and activities readily accessible and useable by qualified persons with a disability when the programs, services and activities are viewed in their entirety. The Self Evaluation and Transition Plan are cornerstones to documenting and ensuring the Town 's effort to create and maintain inclusion as mandated by the ADA.

This document will guide the planning and implementation of necessary programs and facility modifications over the next several years. The ADA self-evaluations and Transition Plan are significant in that they establish the Town 's ongoing commitment to the development and maintenance of policies, programs and facilities that includes all citizens. The final product is considered a "working" or "living" document and will be modified when barriers are removed, or alterations are made.

In 2020, Butler, Fairman, & Seufert Engineering was hired to assist the Town with a comprehensive evaluation assessing the Town 's compliance with the 2010 ADA Requirements &

Guidelines and the Section 504 of the Rehabilitation Act of 1973. Butler, Fairman, & Seufert Engineering will use both requirements to assess Town of Thorntown's facilities, programs, and services. Butler, Fairman, & Seufert Engineering will offer recommendations to remedy any compliance issues and assist the ADA Coordinator with the composition of this transition plan.

The information outlined in the report will be a summary of the general recommendations provided by Butler, Fairman, & Seufert Engineering.

Any comments, additions or suggestions about this plan may be directed to the ADA Coordinator.

Program Location & Staffing:

Bruce Burner, Town Council
ADA/Title VI Coordinator
101 W. Main Street
Thorntown, IN 46071
765-436-2205
bburtner@townofthorntown.com

Town Council:

Sara Fairfield, President
Bruce Burtner, Vice President
Shawn McClintock, Member
Larry Truitt, Member
David Williams, Member

ADA Compliance Self Evaluation & Transition Plan:

Town of Thorntown's complete Title II ADA Self-Evaluation will be found on the Town's website and will be available in alternative formats upon request.

Requirements of Access to Programs, Services and Activities:

The U.S. Department of Justice (USDOJ) serves as the legislative agency for the ADA and has suggested 13 points of program access for the Self Evaluation Review. These 13 points and administrative requirements were used to set the scope of the review along with all Title II Requirements under the ADA when performing the following comprehensive review of Town of Thorntown's programs, services, and activities. The first point of review, listed below, is reason for this Transition Plan.

1. A public entity must examine each program to determine whether any physical barriers to access exist. It should identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety. If structural changes are necessary, they should be included in the transition plan.

Public Involvement

In accordance with Title II requirements for ADA, a public entity with more than 50 employees must provide an opportunity to interested persons, including individuals with disabilities to participate in the development of the Transition Plan Update by submitting comments. This section of the transition plan will be used for recording public comments, participation, input, and meetings. The Town of Thorntown currently does not have more than 50 employees nor does the Town anticipate having more in the near future.

Sidewalk and Curb Ramp Inventory:

The Town of Thorntown has been and will continue to update their ADA Curb Ramps and sidewalks within the limits of all their CCMG Paving Projects. Due to the lack of funding, the repair or replacement of insufficient sections of sidewalk has always been complaint driven and will be replaced when those funds become available.

Access Compliance Assessments of Facilities:

The following appendixes will be available by Town of Thorntown's ADA Coordinator upon request in alternative formats. Facility assessments will be available to the public for 3 years. Butler, Fairman, & Seufert Engineering will perform physical evaluations that outlined physical barriers and recommended corrections. Each item is prioritized according to 28 C.F.R. § 36.304 Removal of Barriers. Town of Thorntown will provide a projected date for completion of each non-compliant item and name a person responsible for the remediation of each issue within the report. Upon completion of each correction of a non-compliant issue, the person responsible for carrying out that action will initial and date in that section provided within the report.

To request an alternate format or a copy of the physical evaluations, please contact the ADA Coordinator.

Action Items for the ADA Transition Plan

This section of the report will be used to record action items regarding the Transition Plan.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), Town of Thorntown will not discriminate against qualified individuals with disabilities in its services, programs, or activities.

Employment: Town of Thorntown does not discriminate based on disability in its hiring or employment practices and complies with all regulations promulgated by the U.S Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Town of Thorntown will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Thorntown's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Town of Thorntown will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities. For example, individuals with service animals are welcomed in the Town of Thorntown's offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a program, service, or activity of Town of Thorntown, should contact Bruce Burtner, ADA coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Town of Thorntown to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Town of Thorntown is not accessible to persons with disabilities should be directed to the **ADA Coordinator/ Bruce Burtner, 101 West Main Street, Thorntown, IN 46071.**

Town of Thorntown will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

EFFECTIVE COMMUNICATION & PROVISION OF AUXILIARY AIDS AND SERVICES FOR PERSONS WITH DISABILITIES

POLICY:

Town of Thorntown will take appropriate steps to ensure that persons with disabilities, including persons who are deaf, hard of hearing, or blind, or who have other sensory or manual impairments, have an equal opportunity to participate in our services, activities, programs, and other benefits. The procedures outlined below are intended to ensure effective communication with all members of the public. The procedures also apply to, among other types of communication, communication of information contained in important documents. All necessary auxiliary aids and services shall be provided without cost to the person being served.

All staff will be provided written notice of this policy and procedure, and staff that may have direct contact with individuals with disabilities will be trained in effective communication techniques, including the effective use of interpreters. The Town will be using *The Disability Guidelines & Etiquette Handbook*, as a guide for practices and procedures when interacting with persons with disabilities.

PROCEDURES:

1. Identification and assessment of need

Town of Thorntown provides notice of the availability of the procedure for requesting auxiliary aids and services through notices on our website and through notices posted in public meeting rooms and in each Town department office. When an individual self-identifies as a person with a disability that affects the ability to communicate or to access or manipulate written materials or requests an auxiliary aid or service, staff will consult with the individual to determine what aids or services are necessary to provide effective communication in particular situations.

When an auxiliary aid is requested, staff will fill out the ***Request for Auxiliary Aids and Services Form, Appendix A*** of this document. Fill out section A of the form completely and give to the Town's ADA Coordinator immediately or within an hour of receipt of the request in order to provide adequate time to accommodate the request.

2. Provision of Auxiliary Aids and Services

All requests for auxiliary aids and services should be directed to the Town's ADA Coordinator. The ADA Coordinator is responsible for providing these aids and services in a timely manner. If a person knows in advance that they will need an aide or service, the Town requests a 48-hour advance notice in order to better accommodate the request.

The ADA Coordinator is also responsible for maintaining records of all requests for auxiliary aids and services.

The name and contact information of Town of Thorntown's ADA coordinator is listed below:

Bruce Burtner
Town Council
ADA/Title VI Coordinator
101 W. Main Street
Thorntown, IN 46071
(765) 436-2205
bburtner@townofthorntown.com

Town of Thorntown shall provide the following services or aids to achieve effective communication with persons with disabilities:

A. For Persons Who Are Deaf or Hard of Hearing

(i) For persons who are deaf/hard of hearing and who use sign language as their primary means of communication, Bruce Burtner is responsible for providing effective interpretation or arranging for a qualified interpreter when needed. In the event that an interpreter is needed, she is responsible for obtaining an outside interpreter if a qualified interpreter on staff is not available. The agencies that the Town has planned with and their information are listed in Town of Thorntown's Disability Guidelines and Etiquette Handbook for Employees.

(ii) Communicating by Telephone with Persons Who Are Deaf or Hard of Hearing

Town of Thorntown utilizes relay services for external telephone calls with TTY users. We accept and make calls through a relay service. The state relay service number for Relay Indiana is 711 or 1-800-743-3333. The instructions for using this service are located in the *Disability Guidelines and Etiquette Handbook*

(iii) For requests for other auxiliary aids and services, staff will contact, Town of Thorntown ADA Coordinator, Bruce Burtner.

(iv) Some persons who are deaf or hard of hearing may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the person will not be used as interpreters unless specifically requested by that individual and *after* an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided.

NOTE: Children and other residents will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

B. For Persons Who are Blind or Who Have Low Vision

(i) Staff will communicate information contained in written materials concerning treatment, benefits, services, waivers of rights, and consent to treatment forms and any other important information by reading out loud and explaining these forms to persons who are blind or who have low vision. In addition, all the staff are available to assist persons who are blind or who have low vision in filling out forms and in otherwise providing information in a written format.

(ii) For requests for other auxiliary aids and services, staff will contact, Town of Thorntown ADA Coordinator, Bruce Burtner.

C. For Persons with Speech Impairments

(i) To ensure effective communication with persons with speech impairments, staff will contact Town of Thorntown ADA Coordinator, Bruce Burtner.

(ii) For requests for other auxiliary aids and services, staff will contact, Town of Thorntown ADA Coordinator, Bruce Burtner.

D. For Persons with Manual Impairments

(i) Staff will assist those who have difficulty in manipulating print materials by holding the materials and turning pages as needed.

(ii) For requests for other auxiliary aids and services, staff will contact, Town of Thorntown ADA Coordinator, Bruce Burtner.

Maintenance of Auxiliary Aids and Equipment

The ADA Coordinator, Bruce Burtner, will be responsible for the maintenance of all auxiliary aids, equipment, and accessible features.

28 CFR 35.130-135.135

II-3.10000 Maintenance of accessible features. Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.

A. Procedure for Maintenance of Accessible Features

(i) The ADA Coordinator will check all accessible features within all Town facilities monthly, ensuring all parts are intact and in working order, batteries are charged/or are working. If any features are not working properly, they should be fixed immediately. If maintenance of any feature requires more than 24 hrs., document the issue and the amount of time taken to remedy the problem.

- (ii) For assistive listening systems and devices, the ADA Coordinator will use specifications outlined in ADAAG 706 regarding checking and maintaining the operation of assistive listening systems and devices.



The Town of Thorntown, IN

***“Disability Guidelines and
Etiquette Handbook for
Employees”***



The Town of Thorntown Disability Etiquette Handbook

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The Disability Etiquette Handbook is the property of the Town of Thorntown, IN. It may not be changed or modified without the written permission of the Town of Thorntown Town Council.

This handbook will offer important information on the etiquette that should be used by every Town employee to ensure the Town's ongoing commitment to making the Town of Thorntown the best it can be. It is yet another step toward making the Town of Thorntown a town that includes all of its residents and a better place for all whom visit, live, and work here.

[Providing Equally Effective Communication](#)

Under Title II of the ADA, all state and local governments are required to take steps to ensure that all communications with people with disabilities is as effective as communications with those without a disability. This requirement is referred to as "effective communication."

Simply put "effective communication" means that whatever is written or spoken must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

Most individuals with disabilities communicate the same way as people without disabilities. However, those with disabilities that affect hearing, seeing, speaking, reading, writing, or understanding may communicate in ways different from those without disabilities.

The effective communication requirement applies to ALL members of the public with disabilities, including job applicants, program participants, and even people who simply want to contact state or local government agencies seeking information about programs, services, or activities.

Auxiliary Aids and Services

Because of the ADA Effective Communication requirements, the Town of Thorntown must provide appropriate auxiliary aids and services for people with disabilities upon request. One thing to remember **is not all solutions work for all people with disabilities or even for people with one type of disability. You must consult with the individual to determine what is effective for him or her.**

Auxiliary Aids and services are devices or services that make effective communication possible for people with a disability.

Examples of auxiliary aids and services

For individuals who are deaf or hard of hearing include:

- qualified interpreters
- note takers
- computer-aided transcription services
- written materials
- telephone handset amplifiers
- assistive listening systems
- telephones compatible with hearing aids
- closed caption decoders
- open and closed captioning
- telecommunications devices for deaf persons (TDD's)
- videotext displays
- exchange of written notes

For individuals with vision impairments include:

- qualified readers
- taped texts
- audio recordings
- Braille materials
- large print materials
- assistance in locating items

For individuals with speech impairments include:

- TDD's
- computer terminals
- speech synthesizers
- communication boards

For individuals with Manual Impairments include:

- Staff will assist those who have difficulty in manipulation print materials by holding the materials and turning pages.
- Note-takers
- Computer-aided transcription services(CART)
- Speaker phones

What to do if you receive a Request for an Accommodation:

The Town of Thorntown will take appropriate steps to ensure that persons with disabilities, including persons who are deaf, hard of hearing, blind, or who have other sensory or manual impairments will have an equal opportunity to participate in our services, activities, programs and other benefits.

When an individual self-identifies themselves as a person with a disability that affects their ability to communicate, to access or manipulate written materials, or requests an auxiliary aid or service, Town staff will consult with the individual to determine what aids or services are necessary to provide effective communication in particular situations.

However, staff cannot make an unnecessary inquiry into the nature of the person's disability. In other words, do not ask what kind of disability a person has and do not ask them to "prove" or provide medical documentation of their disability. If you need more information, ask questions related to the accommodation.

The Town's employees should always take down the requestor's contact information, along with the program, service, or activity the requestor is interested in for documentation purposes.

The Town should make known in its advertisements and publications for events that they request at least 48 hours advance notice in order to have adequate time to process and fulfill requests for accommodations.

The Town of Thorntown accepts all forms of communication for accommodation requests (email, paper, phone, in-person, etc.).

Reasonable Accommodations in the Workplace

Reasonable Accommodations enhance the opportunity for qualified persons with disabilities who may not otherwise be considered for reasons unrelated to actual job requirements to be or remain employed. The purpose of providing reasonable accommodations is to enable employers to hire or retain qualified job candidates regardless of their disability by eliminating barriers in the workplace.

Under the Code of Federal Regulations' guidelines for determining discriminatory practices, the term Reasonable Accommodation means; "A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program" 28 C.F.R. §41.53. A "recipient" is defined in 28 C.F.R. 41.3(d); Recipient means any State or its political subdivision, any instrumentality of a State or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance. The Town of Thorntown is a political subdivision making it a "recipient" by definition and therefore must comply with 28 C.F.R. §41.53.

Inquiries made of an individual about limitations in job performance must be directly related to the prospective or existing position. Accommodations are tailored for a certain job or situation that an individual is hired to perform. The law requires that each person with a disability must be consulted prior to the planning and be involved in the implementation of an accommodation.

Types of accommodations include assistive devices, reassignment, modified work schedules, job modifications, relocation, or a change in the physical plant.

Examples of accommodations include assistive device often used in the work place include teletypewriter (TTY), telephone amplifier, or video relay often used by persons with hearing impairments, wooden blocks to elevate desks and tables for wheelchair users, large-type computer terminals and Braille printers to assist persons with vision impairments.

Decisions to implement an accommodation should include making a choice that will best meet the needs of the individual by minimizing limitation and enhancing his or her ability to perform job tasks, while serving the interest of the majority work force. Solutions should be developed in consultations with individuals requesting the accommodations.

Appropriate Language and Etiquette

Distinction between Disability and Handicap

A **Disability** is a condition caused by an accident, trauma, genetics, or disease, which may limit a person's mobility, hearing, vision, speech, or mental function. Some people with disabilities have one or more disabilities.

A **Handicap** is a physical or attitudinal constraint that is imposed upon a person, regardless of whether that person has a disability. Webster's Ninth New Collegiate Dictionary defines handicap as "to put at a disadvantage."

Most people grew up in a time when it was perfectly acceptable to refer to a person with a disability as "handicapped." We also thought of people as "wheelchair bound," "a victim of," or "suffering from." These terms are outdated and no longer acceptable. They should not be used by Thorntown staff while transacting Town business. The origin of the word handicapped is believed by many to come from a person with a Disability using their cap in hand to beg for food or money. Thus, the use of the term today conjures up a negative or demeaning connotation. "Wheelchair bound" and "suffering from" are both terms found to be objectionable as they call attention in a rather dramatic fashion to a person's disability.

Today, we use a concept known as "person first language." The thinking behind person first language is that a disability is merely a single characteristic of the individual's personhood. We all have characteristics, race, gender, ethnicity, etc. A person with a disability has a characteristic of a disability. It is inappropriate to label them by that characteristic, thus calling undue attention to the disability. It is more appropriate to see the person first, thus the language talks about "a person with a disability."

Below please find a list of outdated terms that should no longer be used, along with corresponding terms which are acceptable for use in today's business/social world.

Do not Use

Handicapped
Victim of
Challenged
Wheelchair bound
Epileptic
Mentally Retarded
Suffering from
Special
Hearing Impaired

Preferable Terms

Person with a disability
Person with a disability
Person with a disability
Person with mobility impairment
Person with a seizure disorder
Person with an intellectual disability
Person with a disability
Person with a disability
Person who is deaf or hard of hearing

Please refer to the glossary of Acceptable Terms at the end of this handbook for additional preferable term to be used by The Town of Thorntown employees.

Conversation Etiquette

In customer service situations, speak directly to the person with the disability; never make inquiries to their companion regarding what service the person with the disability is requesting.

Relax. Do not be embarrassed if you happen to use accepted common expressions such as "See you later" or "Got to be running along" that seem to relate to the person's disability.

To get the attention of a person with a hearing impairment, tap the person on the shoulder or wave your hand. Look directly at the person and speak clearly, naturally, and slowly to establish if the person can read lips. Not all persons with hearing impairments can lip-read. Those who can, will rely on facial expression and other body language to help in understanding. Show consideration by placing yourself facing the light source and keeping your hands, cigarettes, and food away from your mouth when speaking. Keep mustaches well-trimmed. Shouting will not help. Written notes may.

When talking with a person in a wheelchair for more than a few minutes, use a chair, whenever possible, in order to place yourself at the person's eye level to facilitate conversation.

When greeting a person with a severe loss of vision, always identify yourself and others who may be with you.

EXAMPLE: *On my right is Penelope Potts.*

When conversing in a group, give a vocal cue by announcing the name of the person to whom you are speaking. Speak in a normal tone of voice, indicate in advance when you will be moving from one place to another and let it be known when the conversation is at an end.

Listen attentively when you are talking to a person who has speech impairment. Keep your manner encouraging rather than correcting. Exercise patience rather than attempting to speak for a person with speech difficulty. When necessary, ask short questions that require short answers or a nod or a shake of the head. Never pretend to understand if you are having difficulty doing so. If you have difficulty communicating, be willing to repeat or rephrase a question. Open-ended questions are more appropriate than closed-ended questions.

EXAMPLE:

Closed-Ended Question: "You were a tax accountant in XYZ Company in the corporate planning department for seven years. What did you do there?"

Open-Ended Question: "Tell me about your recent position as a tax accountant."

Do not shout at a hearing impaired person. Shouting distorts sounds accepted through hearing aids and inhibits lip reading. Do not shout at a person who is blind or visually impaired -- he or she can hear you!

To facilitate conversation, be prepared to offer a visual cue to a hearing impaired person or an audible cue to a vision impaired person, especially when more than one person is speaking.

Sign Language Interpreters:

When using the services of a sign language interpreter, it is important to remember to speak directly to the person who is deaf or hard of hearing. The sign language interpreter is functioning only as a conduit of the communication and is not a part of the conversation. The code of ethics that sign language interpreters adhere to mandates strict confidentiality of communications.

Blind or Low Vision:

When giving directions to a person who is blind or has low vision, it is very important to provide very concise information. For example, rather than saying "the restroom is over here," one would say "the women's restroom is 30 feet down the corridor on the right hand side." When initiating a conversation with a person who is blind, it is advisable to identify yourself and anyone with you so that they know who they are speaking with. It is also important to let the blind person know when you are leaving. This avoids the situation where the blind person will continue talking to you after you have departed.

It is perfectly acceptable when speaking to a person who is blind to use words such as "see" or "show." It is also acceptable to suggest to a wheelchair user that you walk to the corner deli with them to have lunch. Or in another instance, to ask a person who is deaf if they have heard from a friend lately. Attempting to avoid terms normally used in conversation will only draw attention to the persons disability and make the communication with them seem awkward or artificial.

When dining with a companion who is blind it is appropriate to orient them to their meal upon the delivery. This is done by saying, "you have an open faced sandwich on the left side of your plate with French fries on the right and your coffee is at 10:00." This simple statement typically assists the person in creating a more comfortable dining experience.

It is permissible to ask a person with a disability if they need your assistance. They may say no, as many persons with disabilities prefer to function independently. If they say yes to your offer, your next question should be, "how may I assist you?" Taking guidance from the person with the disability will help make your efforts more effective.

Person with Mobility Impairment:

When interacting with a person with a wheelchair do not lean on or touch their space. When possible, it is helpful to sit next to them, thus adjusting your eye level to theirs, and therefore, avoiding the difficulty inherent to them in continually looking up.

Reception Etiquette

Know where accessible restrooms, drinking fountains and telephones are located. If such facilities are not available, be ready to offer alternatives, such as the private or employee restroom, a glass of water or your desk phone.

Use a normal tone of voice when extending a verbal welcome. Do not raise your voice unless requested.

When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands.

Shaking hands with the left hand is acceptable.

For those who cannot shake hands, touch the person on the shoulder or arm to welcome and acknowledge their presence.

Treat adults in a manner befitting an adult.

Call a person by his or her first name only when extending that familiarity to all others present.

Never patronize people using wheelchairs by patting them on the head or shoulder.

When addressing a person who uses a wheelchair, never lean on the person's wheelchair. The chair is part of the space that belongs to the person who uses it.

When talking with a person with a disability, look at and speak directly to that person rather than through a companion who may be along.

If an interpreter is present, speak to the person who has scheduled the appointment, not to the interpreter. Always maintain eye contact with the applicant, not the interpreter.

Help in a dignified manner with sensitivity and respect. Be prepared to have the offer declined. Do not proceed to assist if your offer to assist is declined. If the offer is accepted, listen to, or accept instructions.

Allow a person with a visual impairment to take your arm (at or about the elbow.) This will enable you to guide rather than propel or lead the person.

Offer to hold or carry packages in a welcoming manner. Example: "May I help you with your package?"

When offering to hand a coat or umbrella, do not offer to hand a cane or crutches unless the individual requests otherwise.

Service Animals

Background

Over 12,000 people with disabilities in the United States use the aid of service animals. Although the most familiar types of service animals are guide dogs used by people who are blind, service animals are assisting persons who have other disabilities as well. Many disabling conditions are invisible and not every person who is accompanied by a service animal may "look" disabled. A service animal is NOT required to have any special certification.

What is a service animal?

A Service Animal is not a pet!

According to the Americans with Disabilities Act of 1990 (ADA), a service animal is any dog that has been individually trained to provide assistance or perform tasks for the benefit of a person with a physical or mental disability which substantially limits one or more major life functions. Importantly, other species of animals, whether wild or domestic, trained, or untrained, are not service animals for the purpose of the ADA. However, the Town will make reasonable modifications for a miniature horse that has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

Example: Guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting, and protecting a person experiencing a seizure, or performing other special tasks.

Service Animal Access

The civil rights of persons with disabilities to be accompanied by their service animals in all places of public and housing accommodations is protected by the following Federal laws:

- Americans with Disabilities Act, ADA (1990)
- Air Carrier Access Act (1986)
- Fair Housing Amendments Act (1988)
- Rehabilitation Act (1973)

Service Dog Etiquette

- Do not touch the Service Animal, or the person it assists, without permission.
- Do not make noises at the Service Animal; it may distract the animal from doing its job.
- Do not feed the Service Animal; it may disrupt his/her schedule.
- Do not be offended if the person does not feel like discussing his/her disability or the assistance the Service Animal provides. Not everyone wants to be a walking-talking "show and tell" exhibit.

Service Dog Questions & Procedure

Service animals are not required to be certified, trained, or licensed as a Service Animal. They are not required to wear any identifying tags or clothing. Service animals also are not limited to a specific breed or size of dog. Some individuals with service animals may have "hidden" disabilities such as diabetes or epilepsy, therefore it may not be apparent that the animal is a service animal.

In situations where it is apparent that the person has a disability, or the animal is clearly marked as a service animal;

Employees will not ask about the nature or extent of an individual's disability.

However, when it is not readily apparent that the person with the animal has a disability or the animal accompanying the individual is a service animal, the staff of the Town of Thorntown may ask the individual two questions permitted by the ADA;

1. Is the animal required because of a disability?
 - if "yes", ask question 2
 - if "no", you may ask the individual to remove the service animal
2. What work or task has the dog (miniature horse) been trained to perform?
 - Answers given should be things such as; retrieving items for me, alerting me when I am about to have a seizure, etc.

Employees may not require or request that the Service Animal perform the tasks it has been trained to perform.

Employees may not require documentation, such as proof that the dog has been certified, trained, or licensed as a Service Animal.

Mobility Devices

The Department of Justice has issued revised ADA Title II regulations which took effect March 15, 2011. These regulations provide a definition of a wheelchair and other power-driven mobility devices and add additional provisions identifying where they can be used.

Wheelchair

A wheelchair is a manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor, locomotion. Individuals with mobility disabilities must be permitted to use wheelchairs and manually powered mobility aids, i.e., walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities, in any areas open to pedestrian traffic.

Other Power-Driven Mobility Device (OPDMD)

An OPDMD is any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for the purpose of locomotion, whether or not it was designed primarily for use by individuals with mobility disabilities.

OPDMDs may include

- golf cars
- electronic personal assistance mobility devices, such as the Segway ® Personal Transporter (PT)
- any mobility device that is not a wheelchair, which is designed to operate in areas without defined pedestrian routes.

The Town of Thorntown has reasonable modifications in their policies, practices, or procedures to permit individuals with mobility disabilities to use OPDMDs unless the Town can demonstrate that the class of OPDMDs cannot be operated in accordance with legitimate safety requirements adopted by the entity.

The Town of Thorntown must assess the following factors to determine whether a particular OPDMD can be allowed in a specific facility as a reasonable modification:

- The type, size, weight, dimensions, and speed of the device.
- The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year).
- The facility's design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user).

- Whether legitimate safety requirements can be established to permit the safe operation of the OPDMD in the specific facility.
- Whether the use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural or cultural resources or poses a conflict with Federal land management laws and regulations.

Inquiries

The Thorntown employees shall not ask an individual using a wheelchair or OPDMD questions about the nature and extent of the individual's disability.

Town employees may ask a person using an OPDMD to provide a credible assurance that the mobility device is required because of the person's mobility disability. If the Town permits the use of a class of OPDMDs by individuals with mobility disabilities, employees shall accept the following as credible assurance:

- Presentation of a valid, State-issued, disability parking placard or card, or other State-issued proof of disability. A valid disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the State of Issuance's requirements.
- A verbal statement, not contradicted by observable fact, that the OPDMD is being used by a person with a mobility disability.

Television, Videos, & Telephones

The effective communication requirement also covers public television programs; videos produced by the town, and telephone communications. These communications must be accessible to people with disabilities.

Public Television and Videos

If the Town of Thorntown produces public television programs or videos, they must be accessible. A common way of making them accessible to people who are unable to hear the audio portion of these productions is closed captioning. For persons who are blind or have low vision, detailed audio description may be added to describe important visual images.

Telephone Communications

Since the Town of Thorntown use telephones, the town must provide equally effective communication to individuals with disabilities. There are two common ways that people who are deaf or hard of hearing and those with speech impairments use telecommunication. One way is through the use of teletypewriters (TTYs) or computer equipment with TTY capability to place telephone calls. A TTY is a device on which you can type and receive text messages. For a TTY to be used, both parties to the conversation must have a TTY or a computer with TTY capability. If TTYs are provided for employees who handle incoming calls, be sure that these employees are trained and receive periodic refreshers on how to communicate using this equipment.

A second way is by utilizing telephone relay services or video relay services. The Town of Thorntown utilizes Relay Indiana. Relay Indiana is a telephone relay service that provides telephone accessibility for people who are deaf, hard of hearing, or speech impaired. It also enables standard telephone users to communicate with the hearing and speech impaired without the use of a teletypewriter (TTY).

You can reach the local relay service for any state by dialing 711 or call 800-743-3333 to reach Relay Indiana from anywhere in the US. Local calls are free of charge. Long distance calls are billed to the caller's long distance provider. Relay Indiana also provides video relay services for the Town of Thorntown and involve a relay operator who uses both a standard telephone and a computer video terminal to communicate voice messages in sign language to the computer video terminal user and to voice the sign language messages to the standard telephone user.

The Town employees must be instructed to accept and handle relayed calls in the normal course of business. Untrained individuals frequently mistake relay calls for telemarketing or collect calls and refuse to accept them. They also may mistakenly assume that deaf people must come into a government office to handle a matter in person even though other people are allowed to handle the same matter over the telephone.

Calling Relay Indiana

Dial 711 — You can easily call 711 from anywhere in the nation and connect with any relay service. While in Indiana, if you dial 711, you will connect with Relay Indiana.

Dial 800-743-3333 and you can still be connected with Relay Indiana from anywhere in the nation.



Relay Call Process:

- Please have the telephone number and the name of the person you want to call ready for a quicker dial out.
- If there are extension numbers or prompts to follow and you already are aware of these, please have them ready to give to the Agent before they place the call.
- Say or type Go Ahead (GA) when you have finished your part of the conversation. When you hear or read this, please remember it is your turn to continue the conversation. They must read everything typed to the hearing person, even the things you type in parentheses.
- The Agents must type everything they hear including background noises. The Agent is not permitted to make judgment calls on how a customer feels during a relay call; however, you can ask how “loud” the voice sounds.

Types of Relay Calls:

- **Voice user:** For a call from a standard telephone to someone who uses special equipment to communicate.
- **TTY:** For hearing impaired individuals who do not use a standard telephone.
- **Voice Carry Over (VCO):** For people who have difficulty hearing, but have no problem speaking distinctly. Using a specially equipped phone, the VCO user speaks directly to the second party. As the second party replies, a communications assistant types the reply, which is then displayed on the VCO user's text screen.
- **Hearing Carry Over (HCO):** For people who can hear clearly but have speech impairments. Using a TTY, the HCO user types a communication to the second party. A communications assistant reads the communication to the second party, who then can reply by speaking directly to the HCO user.
- **Computer ASCII:** Allows a person to contact Relay Indiana via a computer connected to the Internet.
- **Speech to speech:** For people who can hear, but have difficulties with unclear speech.
- **Spanish to Spanish:** For people who wish to converse in Spanish.
- **Video Relay Service (VRS):** For people who wish to use American Sign Language (ASL) to converse. The interpreter/operator will appear on the screen and will place the call in the same way as a standard relay call.
- **Internet Relay (SRO):** Allows for a more real-time conversation than standard TTY relay service, as users can see what they are typing and what the relay operator is typing at the same time.
- **CapTel (Captioned Telephone):** An enhanced VCO service using voice to text recognition; the relay operator "re-voices" the words of the other party simultaneously, and the operator's computer sends the text to the CapTel user. Allows for direct dialing for the CapTel user.
- **D-Link (Video Telephone):** Allows users with a high-speed Internet connection to use ASL, which is interpreted by the relay operator.

In most types of relay calls described above, to make communication between both parties as easy as possible, both parties say, "Go ahead", or type GA, to signal the communications assistant to begin relaying the communication. With newer technologies like the Internet Relay service, parties are able to have a more natural conversation.

If you receive a phone call from a Relay Indiana user, the communications assistant first will explain the service to you and ask if you have ever taken a relay call before. After a brief introduction, the call will begin. Address the other party directly rather than saying "tell him" or "tell her".

[Glossary of Acceptable Terms](#)

Acceptable Terms	Unacceptable Terms
Person with a disability	Cripple, cripples - the image conveyed is of a twisted, deformed, useless body.
Disability, a general term used for functional limitation that interferes with a person's ability, for example, to walk, hear or lift. It may refer to a physical, mental sensory condition.	Handicap, handicapped person or handicapped.
People with cerebral palsy, people with spinal cord injury, polio, a stroke, etc., or a person who has multiple sclerosis, muscular dystrophy, arthritis, etc.	Victim. People with disabilities do not like to be perceived as victims for the rest of their lives, long after any victimization has occurred.
Has a disability, has a condition of (spina bifida, etc.), or born without legs, etc.	Defective, defect, deformed, vegetable. These words are offensive, dehumanizing, degrading, and stigmatizing.
Deafness/hearing impairment. Deafness refers to a person who has a total loss of hearing. Hearing impairment refers to a person who has a partial loss of hearing within a range from slight to severe. Hard of hearing describes a hearing-impaired person who communicates through speaking and speech-reading, and who usually has listening and hearing abilities adequate for ordinary telephone communication. Many hard of hearing individuals use a hearing aid.	Deaf and dumb is as bad as it sounds. The inability to hear or speak does not indicate intelligence.
Intellectually disabled	Mentally Retarded, moron, imbecile, and idiot. These are offensive to people who bear the label.
Use a wheelchair or crutches; a wheelchair user; walks with crutches.	Confined/restricted to a wheelchair; wheelchair bound. Most people who use a wheelchair or mobility devices do not regard them as confining. They are viewed as liberating; a means of getting around.

<p>Able-bodied; able to walk, see, hear, etc.; people who are not disabled.</p>	<p>Healthy, when used to contrast with "disabled." Healthy implies that the person with a disability is unhealthy. Many people with disabilities have excellent health.</p>
<p>People who do not have a disability.</p>	<p>Normal, when used as the opposite of disabled, this implies that the person is abnormal. No one wants to be labeled as abnormal.</p>
<p>A person who has (name of disability.) Example: A person who has multiple sclerosis.</p>	<p>Afflicted with, suffers from. Most people with disabilities do not regard themselves as afflicted or suffering continually. Afflicted: a disability is not an affliction.</p>

Town of Thorntown Reference Guide:

Written materials:

Provided by each department according to subject content.

Note Takers:

Contact the ADA Coordinator if assistance is needed.

Braille / Large Print Materials:

GH, LLC, 700

Farabee Court Lafayette, In 47905

(Ph.) 765-269-4202

Reid E. Schmidt (General Manager)

Interpreter's for the Deaf:

Professional Intertpreters for the Deaf

7329 Marshall Street

Merrillville, In 46410

(Ph.) 219-736-7512

Joanne C. Synder (Director)

Telecommunication TTY

Relay Indiana – dial 711 within the State of Indiana.

800-743-3333 to connect to Relay Indiana from anywhere.

Town of Thorntown Policy for Use of Mobile Devices

In accordance with the Americans with Disabilities Amendments Act and subsequent regulations, it is the policy of the Town of Thorntown that mobility devices used by individuals with disabilities are generally permitted in all facilities and programs, as described below.

Definitions:

- "Wheelchair" is defined as "a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion." This definition includes mobility scooters.
- A "mobility disability" includes a wide range of disabilities, including circulatory and respiratory disabilities that make walking difficult or impossible.
- An "Other Power-Driven Mobility Device (OPDMD)" is defined as any mobility device powered by batteries, fuel, or other engines - whether or not designed primarily for use by individuals with mobility disabilities - that are used by individuals with mobility disabilities for the purpose of locomotion. Included in the OPDMD category are: golf carts, electronic personal assistance mobility devices (e.g. Segway® PT) and any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.

Use of Wheelchairs and OPDMDs:

The Town of Thorntown will make reasonable modifications to permit individuals with mobility disabilities to use OPDMDs as long as operation of the mobility device is in accordance with legitimate safety requirements, including operation at a safe speed limit, and care in observation of pedestrians. The Town of Thorntown prohibits the use of fuel driven engines inside our buildings, as fumes have been deemed a direct threat to others. The Town of Thorntown is not responsible for the storage of these devices.

As needed and on an individual basis, the Town will determine additional appropriate use of OPDMD's based upon assessment factors the DOJ regulations allow, the Department has considered the following factors:

1. The type, size, weight, dimensions and speed of the device;
2. The individual facility's volume of pedestrian traffic; which may vary at different times of the day, week, month, or year;
3. The facility's design and operational characteristics;

4. Whether legitimate safety requirements can be established to permit the safe operation of the OPDMD at the individual facility;
5. Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources.

Those persons with mobility disabilities may contact the **Town of Thorntown ADA Coordinator, Bruce Burtner** (765) 436-2205, about use of devices that are currently prohibited within Town buildings/facilities, (e.g., motorized OPDMDs) but may provide you with better access in a safe manner.

Requests for Accommodations:

Visitors:

Visitors using wheelchairs and Other Power Driven Mobility Devices are welcome in all areas of the Town that are open to the public. Specific questions related to the use of these devices can be directed to the ADA Coordinator.

Employees:

Employees requesting reasonable accommodations, including the use of Other Power Driven Mobility Devices should contact the ADA Coordinator.

The contact information for the Town of Thorntown ADA Coordinator is listed below:

Bruce Burtner
Town Council
ADA/Title VI Coordinator
101 W. Main Street
Thorntown, IN 46071
(765) 436-2205
bburtner@townofthorntown.com

To request this information in an alternative format, please contact Bruce Burtner-Town of Thorntown ADA Coordinator at the information listed above.

TOWN OF THORNTOWN
GRIEVANCE PROCEDURE UNDER
THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, or benefits by the Town of Thorntown.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Bruce Burtner
Town Council
ADA/Title VI Coordinator
101 W. Main Street
Thorntown, IN 46071
(765) 436-2205
bburtner@townofthorntown.com

Within 15 calendar days after receipt of the complaint, the ADA Coordinator Bruce Burtner and his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator Bruce Burtner or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Thorntown and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator Bruce Burtner or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Council.

Within 15 calendar days after receipt of the appeal, the Town Council will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Town Council will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio CD. The response will explain the position of the ADA Coordinator and offer options for substantive resolution of the complaint if different from those indicated by the subcommittee in the first step.

If the response by Bruce Burtner or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Council.

Within 15 calendar days after receipt of the appeal, the Town Council will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Council Designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Bruce Burtner or his designee appeals to the Town Council, and responses from these two offices will be retained by Town of Thorntown for at least three years.

Town of Thorntown
Complaint Form
Americans with Disabilities Act (ADA)

Section 1:

Please fill in completely and legibly. If the information is incomplete or it cannot be read, the complaint will not be investigated.

Last Name	Middle Initial	Last name
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Street Address	City	State	Zip Code
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Telephone Number (including area code)	Best time to call this number
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Alternate Telephone Number (including area code)	Best time to call this number
--	-------------------------------

Email Address

Section 2:

Please provide a complete description of the specific issue(s) you believe are inconsistent with Title II of the Americans with Disabilities Act (use additional pages as necessary and provide documentation supporting the allegation).

Section 3:

Please provide the specific location(s) of the ADA issues prompting this complaint.

Section 4:

Please provide the date when the ADA non-compliance occurred/was noted.

Section 5:

Please state as specifically as possible what you think should be done to resolve the complaint.

Please sign and date this form.

Signature

Date

Mail completed complaint form to:

Bruce Burtner
ADA Coordinator
101 W. Main Street
Thorntown, IN 46071

For Office Use Only:

Date Received

Date Investigated

Results (with supporting documentation or photographs):

Date Complainant Contacted

Method of Contact

- Phone
- Letter
- Email

Complaint Resolved?

- Yes
- No