

- ◆ The Americans with Disabilities Act was signed into federal law on July 26, 1990 by President George H.W. Bush.
- ◆ Following the adoption, the law was amended and signed into law on September 25, 2008 by President George W. Bush.
- ◆ Consequently, on July 26, 2011, on the 21st anniversary, President Barack Obama recommitted to the ADA promising equal access and opportunity.

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications.

A disability is defined as having a physical and/or mental condition or disorder (called an impairment) that substantially limits a persons major life activities, such as walking, seeing, hearing, breathing, caring for oneself, performing manual tasks, sitting, standing, lifting, learning and thinking.

The ADA also protects a person who has a history of, been misclassified as having an impairment or who is treated as having a physical and/or mental condition.

Examples of impairments include, but is not limited to: physiological disorder and/or mental or psychological disorder, contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, religion, sex, age, national origin, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.



In compliance with the Americans with Disabilities Act, the Oklahoma Department of Transportation will provide reasonable accommodations for persons with disabilities, upon request. To request an accommodation, please call the office of the ADA/504/508 Coordinator or Oklahoma Relay at 1-800-722-0353, no later than 72 hours before any scheduled event.



ADA/504/508 Coordinator
Civil Rights Division
 200 N.E. 21st Street
 Oklahoma City, OK. 73105
 Phone: 405-521-4140
 Cell: 405-924-5540
 Fax: 405-522-2136
 Relay: 1-800-722-0353



Oklahoma Department of
 Transportation

YOUR RIGHTS UNDER

**THE AMERICANS
 WITH DISABILITIES
 ACT**

TITLE II



Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.



No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Act.

No private or public entity shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by the Act.

COMPLAINT PROCESS

In the event an individual believes that the Department has failed to comply with ADA by not providing equivalent access to a Department service, program, or activity, that individual or group of individuals may file a complaint with the Department. The process for filing a ADA Title II Complaint will be as follows:

1. A written complaint should be filed within 180 calendar days of the alleged occurrence using the Department's ADA Complaint form (Form T2-504). Copies of this form may be printed from the Department's website or a copy may be obtained and submitted by contacting the ADA/504/508 Coordinator.
2. The complaint will be reviewed within 10 calendar days of receipt to determine whether it contains all the necessary information required for acceptance.
3. Within 90 calendar days of the receipt of the signed Complaint Form, the Department will investigate the complaint. An extension of up to 90 calendar days may be granted if both parties agree to such in a written form.
4. The Department will then provide a written decision to the complainant, which includes a finding of "Cause" or "No Cause" to believe any discrimination has occurred, as well as any actions discussed with the complainant.
5. If the complainant disagrees with the result of the complaint, a Petition for Appeal may be filed with the Civil

APPEALS PROCESS

In the event that the complainant is not satisfied with the final complaint response issued by the Department, an appeal can be filed as follows:

1. An appeal should be filed with the Department Civil Rights Administrator within 30 days of the date of the decision by the deciding Department. The appeal must be filed in writing and must provide detailed information with a copy of the initial complaint attached.

Civil Rights Administrator
200 N.E. 21st Street
Oklahoma City, OK. 73105
Phone: 405-521-4139
Fax: 405-522-2136

Oklahoma Relay: 1-800-722-0353

2. Upon receipt of the appeal, the Administrator will review the written evidence for appropriateness and timeliness.
3. The Administrator will then follow the complaint process, interview and/or request written evidence from any individual the Administrator believes to have information relevant to the issues raised.
4. The Administrator will provide a written decision to the petitioner within 30 days of the date of receipt. If there is an agreement reached during the process, the Administrator will prepare a written memorandum of agreement to be signed by the individual and the department.

