



Baltimore
Metropolitan
Council

AMERICANS WITH DISABILITIES ACT SELF-EVALUATION 2024

This document, developed by the BMC ADA/504 Coordinator, in consultation with a Compliance Team, includes a physical evaluation of BMC's premises, and an analysis of BMC and BRTB policies and practices.



**BALTIMORE METROPOLITAN COUNCIL AND
BALTIMORE REGIONAL TRANSPORTATION BOARD**

**Title II of Americans with Disabilities Act of 1990 and
Section 504 of the Rehabilitation Act of 1973
Self-Evaluation and Transition Plan**

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About The BMC and the BRTB

The BMC is a private, non-profit planning entity in the Baltimore region. One of the organization's functions is to support the Baltimore Regional Transportation Board (BRTB) and its regional transportation planning activities. BMC also provides support to member local governments in several other areas including procurement, reservoir protection and water quality, sustainable community planning, and workforce development.

BMC Members

Anne Arundel County	Carroll County
Baltimore County	Harford County
Baltimore City	Howard County
Queen Anne's County	House of Delegates Representative
Senate Representative	Governor's Representative

BRTB Members

City of Annapolis	Queen Anne's County
Anne Arundel County	Representative of Public Transportation
Baltimore County	Maryland Department of Transportation
Baltimore City	Maryland Transit Administration *
Carroll County	Maryland Department of the Environment *
Harford County	Maryland Department of Planning *
Howard County	

* Non-Voting

Introduction and Statement of Commitment

As a recipient of federal funding, BMC must comply with a variety of federal and state legislative regulations. Regarding matters of nondiscrimination on the basis of disability, BMC falls under two federal laws, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973.

The ADA prohibits discrimination on the basis of disability. Title II of ADA applies specifically to all activities of state and local governments, including metropolitan planning organizations such as the BRTB, and requires that government entities give people with disabilities equal opportunity to benefit from all of the programs, services and activities that may be offered.

As the federally designated metropolitan planning organization, the BRTB must adhere to the standards set forth in Title II, which include both physical accommodations (accessibility to buildings and meetings) and in policies, practices and procedures. Under

Title II, the BRTB is required to make reasonable accommodations in order to provide access and to communicate effectively with people who have hearing, vision or speech impairments. Likewise, the BRTB is required to make reasonable modification to policies, practices and procedures where necessary to avoid discrimination.

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment and in the employment practices of federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in Title I of the ADA.

Section 504 states that “no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under” any program or activity that receives federal financial assistance. Requirements common to the regulations set forth in Section 504 include reasonable accommodation for employees with disabilities, program accessibility and effective communication with people who have hearing or vision disabilities.

Title II of Americans with Disabilities Act includes more than program accessibility and barrier removal. There are also requirements for nondiscriminatory policies and practices and for the provision of auxiliary aids and services, such as sign language interpreters for people who are deaf and material in Braille for people who are blind.

As an MPO, the BRTB is required to perform the following:

- Apply ADA Law
- Apply Section 504 Law
- Appoint an ADA/504 Coordinator
- Provide an agency nondiscrimination statement
- Perform an agency self-evaluation
- Develop a Transition Plan
- Make auxiliary aids (TTD/TTY) available for use
- Provide assurance of compliance

BMC is committed to complying with both the letter and spirit of the requirements set forth in Title II of the ADA and Section 504 of the Rehabilitation Act (hereafter ADA/504).

Methodology for Self-Evaluation

This document was developed by the BMC ADA/504 Coordinator, in consultation with a Compliance Team, who assisted in the physical evaluation of BMC’s premises, and in the evaluation of BMC’s policies and practices. Team members reviewed and made recommendations to the Self-Evaluation document, as well as to the separately developed Transition Plan (found in the appendix, beginning on page 11).

This Self-Evaluation is divided into three parts: 1) an evaluation of BMC's policies and practices, 2) an evaluation of BMC's premises, and 3) the BMC website. This document describes the policies and procedures that BMC uses to comply with ADA/504. Steps that will be undertaken to correct any deficiencies are detailed in the appended Transition Plan.

Evaluation of BMC Policies and Practices

The following is a description of BMC's policies and practices that may affect people with disabilities.

ADA/504 Coordinator

BMC's ADA/504 Coordinator is charged with the following tasks:

- Collaborate and coordinate ADA/504 compliance efforts throughout the agency. BMC is a small office, composed of a planning department and administrative department. The ADA/504 Coordinator works closely with all of the staff in both departments.
- Serve as a point of contact and liaison to the public on ADA/504 compliance issues. Contact information is provided on the BMC website and in all BMC and BRTB publications.
- Establish and maintain collaborative relationships with critical external stakeholders, such as disability advocacy groups and government agencies.
- Monitor policies, procedures, practices and processes with respect to ADA/504 compliance; identify shortcomings in compliance and develop remedies.
- Investigate and resolve complaints filed under the ADA/504 grievance procedures. Grievance procedures are described on page 6.
- Monitor and update the implementation of the ADA/504 Self-Evaluation and Transition Plan.
- Provide or coordinate the provision of requested auxiliary aids and reasonable accommodations to individuals with disabilities.
- Perform ADA/504 program, process or compliance reviews; inspect facilities for accessibility.

Public Participation

The BRTB Public Participation Plan was updated in December 2022. The Plan includes policies to ensure compliance with the following statements:

The Baltimore Regional Transportation Board (BRTB) seeks to provide an open process that offers reasonable access to information, timely public notice, full public access to

key decisions and support for early and continued involvement of stakeholders in the metropolitan transportation planning process.

To ensure the public is aware of the BRTB's commitment to ensuring access for all, the following notice is placed on all BRTB agendas and meeting announcements (flyers, advertisements, etc.):

The Baltimore Regional Transportation Board (BRTB) operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964, and other applicable laws.

BMC offers interpretation services, including language translation services and signage for the hearing impaired, at public meetings upon request with seven days advance notice. BMC will not exclude persons based on age, religion, or disability. For assistance, contact the Public Involvement Coordinator, comments@baltometro.org, or call 410-732-0500.

Dial 7-1-1 or 800-735-2258 to initiate a TTY call through Maryland Relay.

Usuarios de Relay MD marquen 7-1-1. Si se necesita información de Título VI en español, llame al 410-732-0500.

Public Meetings

All meetings held by BMC are open to the public. Most meetings are held in the BMC offices at 1500 Whetstone Way, Baltimore, Maryland 21230.

When meetings are conducted in other venues, BMC strives to assure that the facility is accessible, externally and internally. When possible, meeting locations are selected along public bus routes.

Sign language interpreters are made available if requested in advance of the meeting. Documents and handouts are also available in large print versions. BMC can also make printed material available as Braille, again if requested in advance. Information regarding this is included in meeting notices that are posted on the BMC website and in all advertising).

Publications

A Notice of Nondiscrimination is required to be placed in all plans, studies and processes undertaken by BMC.

NOTICE OF NONDISCRIMINATION

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BMC offers interpretation services, including language translation services and signage for the hearing impaired, at public meetings upon request with seven days advance notice. BMC will not exclude persons based on age, religion, or disability. For assistance, contact the Public Involvement Coordinator, comments@baltometro.org, or call 410-732-0500. Dial 7-1-1 or 800-735-2258 to initiate a TTY call through Maryland Relay.

Documents that directly address the needs of people with disabilities are the Public Participation Plan (discussed on page 14) and the Personnel Manual (discussed in Policy Numbers 101, 201 and 501).

Grievance Procedures for BMC Employees

It is the intent of BMC to ensure that no qualified individual, because of a disability, is discriminated against with regard to any term or condition of employment, provided that such individual can perform the essential functions of the job with or without reasonable accommodation.

A disability is defined as 1) a physical or mental impairment that renders the individual unable to perform, or significantly limits the individual's ability to perform one or more major life activities as compared to an average person in the general population, 2) a record of such an impairment, or 3) being regarded as having such an impairment.

Qualified individual is defined as an individual with a disability who satisfied the requisite skill, experience, education and other job-related requirements of the employment such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

Reasonable accommodation is defined as a modification or adjustment to the job, the work environment, or the way things usually are done that enable a qualified person with a disability to enjoy an equal employment opportunity. BMC is not required to take such actions to accommodate that would result in undue financial and administrative burdens.

BMC, upon request, will provide reasonable accommodation to employee(s) in compliance with the ADA. Any employee who believes they need an accommodation in order to perform the essential functions of the job should notify their immediate supervisor. Requests will be handled on a case-by-case basis.

Any employee who believes they have been, or is being discriminated against, because or

as a result of a disability should first contact his immediate supervisor, as outlined in BMC's "open door" policy contained in the BMC Personnel Policy and Procedure Manual (updated 2016). If the employee is not satisfied with the conclusion of that interview, then they may file a grievance with the Executive Director, who will inform the ADA/504 Coordinator. Upon receipt of the formal grievance, the ADA/504 Coordinator will collect information, investigate the complaint, and make a recommendation to the Executive Director within ten business days. The complainant will be kept fully informed throughout the process, and will be notified in writing of the resolution.

Complaint Procedures for the General Public

BMC has established a process for investigating and resolving complaints alleging disability discrimination related to MPO services, programs and its office. Regulations implementing provisions of Section 504 and Title II of the ADA can be found at 49 CFR Parts 27 and 37, and 28 CFR Part 35.

BMC's ADA/504 Coordinator is responsible for overseeing investigations and responses to complaints of discrimination based on disability.

Required complaint information includes:

- Complainant's name, mailing address and daytime phone number.
- Specific information relating to the incident in question: date, time, location, how the person was discriminated based upon disability, and any other pertinent details.

Complaints with incomplete information may result in delayed investigations and responses. BMC will not respond to complaints without the complainant's name and mailing address.

Complaints may be submitted to BMC as follows:

- By telephone to BMC, 410-732-0500 ext. 1020. The ADA/504 Coordinator will talk to the complainant and obtain detailed information relating to the complaint. Information obtained from the telephone interview will be recorded in writing and read to the complainant.
- In writing to the BMC ADA/504 Coordinator. Complaints may also be faxed to 410-732-9574 or e-mailed to smahoney@baltometro.org.
- In person at BMC, 1500 Whetstone Way, Suite 300, Baltimore, Maryland 21230.

Normal office hours are from 8:00 a.m. until 4:30 p.m., Monday through Friday. It is advisable to call the ADA/504 Coordinator in advance to schedule an appointment.

Within three business days upon receipt of a complaint, a letter or card will be mailed to the complainant with the following information:

- Acknowledgment that the complaint has been received and is pending investigation.
- Estimated date by which a response will be sent to the complainant.

The ADA/504 Coordinator will investigate the complaint and respond in writing within a reasonable time, not to exceed 30 days from receipt of the complaint. The response will provide information concerning the resolution of the complaint.

A record of all ADA/504 complaints will be maintained by BMC for a minimum of five years. Each record will include the name and address of the complainant, nature of the complaint, problems identified, resolution of the complaint and any resulting modifications made to a BMC program, service or its office facility.

Evaluation of BMC Premises

BMC utilized the *ADA Checklist for Existing Facilities* based on the 2010 ADA Standards for Accessible Design produced by: Institute for Human Centered Design – www.ADAchecklist.org.

BMC leases 13,761 square feet of the McHenry Row office building, 1500 Whetstone Way, Baltimore, Maryland 21230. The building is located on the corner of Whetstone Way and Woodall Street, and the entrance to the premises is on the Whetstone Way side.

Access to the building

The external entrance to the building is wheelchair accessible, as is the building lobby, meeting rooms and restrooms. The main entrance to the building has an automatic door opener. The entrance to the BMC's office on the 3rd floor does not have an automatic door opener. The main entrance does have a guard stationed inside that can provide assistance during business hours and there is a doorbell to the BMC office with a receptionist directly inside that can also provide assistance. BMC is located on the 3rd floor and is served by two elevators that are both wheelchair accessible. The call buttons are located 40 inches above the floor (54 inches maximum) and the in-car controls are 40 inches above the floor. The elevator is 75 inches deep and 65 inches wide.

BMC's location is adjacent to the MTA 94 and 71 bus lines as well as the Charm City Circulator's Banner Route.

Doorways and hardware

All internal and external doorways are wheelchair accessible. All door hardware is designed for use by people with disabilities and were found in good working order.

The doors are equipped with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist. The operable parts of the hardware are 42 inches above the floor (minimum 34 inches, maximum 48 inches).

The 3rd floor entrance to the lobby is served by two double doors with a clear opening width of 70 inches total.

Signs designating rooms and spaces are provided all through the BMC office. Text characters contrast with their background and signs are also provided in Braille. The baseline of the lowest character is 54 inches above the floor (48 inches minimum, 60 maximum).

All doors have a minimum opening width of at least 32 inches clear, between the face of the door and the stop, when the door is open 90 degrees. All doors within the premises can be opened easily. For doors with a closer (main conference room) it takes slightly less than the 5 second minimum to close from an open position of 90 degrees to a position of 12 degrees from the latch.

Reception area

BMC's reception area is accessible by both visitors and employees. The reception counter is designed on one side to be easily accessed by people who use wheelchairs.

Supply room

The supply room is accessible, as are most supplies contained therein. Other obstacles are temporary, and consist of recently delivered supplies deposited in the room but not put away.

Coat closet

The coat closet is accessible. It does not have a clothes rod for people who use wheelchairs.

Kitchen

The entrance to the kitchen is accessible. The refrigerator is accessible. The microwave and toaster oven are easily accessible to someone in a wheel chair.

Offices

All offices are constructed to permit access and use.

Windows

The main conference rooms and offices have windows. Extension rods were installed so that the blinds may be reached and adjusted by someone who uses a wheelchair.

Internal navigation

Office hallways are accessible and generally free of obstacles.

Communication Devices

Office telephones are within easy access, or can be readily put within access. BMC utilizes Maryland Relay 7-1-1 to accommodate people with hearing impairments.

The BMC website is generally accessible by people with vision impairments.

Evaluation of BMC Website

On August 7, 1998, President Clinton signed into law the Rehabilitation Act Amendments of 1998 which covers access to federally funded programs and services. Under Section 508, agencies must give disabled employees and members of the public access to information that is comparable to access available to others.

BMC significantly complies with guidelines for making website material accessible, and conducts compliance checks annually or upon major website updates. The most recent was conducted on April 23, 2023 using the web accessibility evaluation tool AccessiBe "Web Content Accessibility Guidelines" (WCAG) 2.1 level AA success criteria. This audit runs dozens of tests that focus mainly on three categories: screen-reader adjustments (for blind users), keyboard navigation adjustments (for the motor impaired) and UI, design, and readability adjustments (for the vision impaired).

The following items were found to be noncompliant:

- Not all elements that behave as buttons are labeled as such.
- Not all links that open in a new tab explain to screen-readers that a new tab will open.
- Not all pages include an H1 title that provides information to blind users using screen-readers of what the main topic of the page is.
- Not all PDF documents are accessible by vision impaired people.

BMC's last major website update was in 2018, with a complete rebuild of baltometro.org planned in FY 2025. Achieving full Section 508 compliance will be a top priority during this process. Meanwhile, BMC staff will attempt to adjust the current website deficiencies as part of normal updates.

In addition to the BMC website, BMC uses Public Input, which is a community engagement platform that that supports our public engagement process, to better reach, engage, understand, and communicate with residents. Public Input is 508.2 compliant and conducts ongoing user testing to make sure the user experience is better than the bare minimum compliance measures and ensure that they maintain WCAG AAA compliance.

Conclusions

Deficiencies noted within this Self-Evaluation are recorded in the Transition Plan, along with recommended improvements and a time frame for making those improvements. BMC reviews its public documents, including this one, once every four years. Any changes to programs, policies or practices are noted and the document is revised as needed.

Other documents in this series include: Title VI Program, Disadvantaged Business Enterprise Program, Public Participation Plan, and Limited English Proficiency Plan.

Appendix

This Transition Plan was developed as a result of the Self-Evaluation.

Deficiencies Identified during the Evaluation of BMC Policies and Practices

Deficiency	Remedy	Approx. Cost	Status
<i>BMC Personnel Policies and Procedures</i> to include the grievance procedures detailed in the Self-evaluation.	Amend the <i>BMC Personnel Policies and Procedures</i> to include the grievance procedures detailed in the Self-Evaluation.	Minimal - cost of administration time and legal services.	Estimated Spring 2024

Deficiencies Identified in Evaluation of BMC Premises

Deficiency	Remedy	Approx. Cost	Status
Internal navigation is occasionally impeded for people with disabilities by the presence of temporary obstacles.	Remove any obstacles that interfere with free flow of pedestrian traffic.	No cost.	Ongoing and as needed.