



Wisconsin

Department of Transportation

ADA Effective Communications Plan

Office of Business Opportunity & Equity Compliance

6-27-2022

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Introduction

Purpose

Under Title II Subpart E of the Americans with Disabilities Act (ADA) "[Nondiscrimination on the Basis of Disability in State and Local Government Services \(ada.gov\)](#)," all state and local governments are required to take steps to ensure that their communications with people with disabilities are as effective as communications with others. This requirement is referred to as "effective communication" and it is required except where a state or local government can show that providing effective communication would fundamentally alter the nature of the service or program in question or would result in an undue financial and administrative burden.

What does it mean for communication to be "effective"? 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. This is important because some people have disabilities that affect how they communicate.

There are many ways that you can provide equal access to communications for people with disabilities. These different ways are provided through "auxiliary aids and services" which are devices or services that enable effective communication for people with disabilities.

Title II of the ADA requires government entities to make appropriate auxiliary aids and services available to ensure effective communication. You also must make information about the location of accessible services, activities, and facilities available in a format that is accessible to people who are deaf or hard of hearing and those who are blind or have low vision. Generally, the requirement to provide an auxiliary aid or service is triggered when a person with a disability requests it.

Background

Individuals with vision, hearing, or speech disabilities (hereafter referred to as "communication disabilities") may require different methods of communication. The 2020 American Community Survey indicates Wisconsin has an estimated 204,489 people living with hearing difficulties and 103,685 people living with visual difficulties.

Table: Estimated Population of Population with Hearing Difficulty, Vision Difficulty, and Cognitive Difficulty in Wisconsin

Disability	Estimated Number in Wisconsin	Percentage of total Wisconsin Population
Hearing Difficulty	204,489	3.6%
Vision Difficulty	103,685	1.8%
Cognitive Difficulty	249,365	4.6%

Source: U.S. Census, American Community Survey, Disability Characteristics Survey, 2020

Identifying Individuals Who May Need Assistance and Notification of Assistance

- a. Signs and brochures or inclusion of statements on application forms and informational material distributed to the public, including electronic forms such as agency websites and written documents.
- b. Sample of Notification Methods:
 - i. Post the Wisconsin Department of Transportation (WisDOT) Nondiscrimination Notice under the ADA (Appendix 2) available at: <C:\Users\DITADC\Downloads\ada-notice-2020-english.pdf>
 - ii. Explore opportunities to leverage social media to increase awareness and utilization of programs and audio and visual recordings for individuals with communication disabilities.

American Sign Language Interpreter Standard Operating Procedure

1. Stakeholder requests sign language interpretation services.
2. Follow-up with the stakeholder to inquire about logistics that may be helpful to include in a request for interpreter services:
 - date, time, location, languages spoken, preferred sign language dialect, etc.
3. Review State contract for Interpreter Services.
 - [VendorNet Contracts \(wi.gov\)](#)
4. Select a service provider and complete process for requesting services/a quote.
5. Forward any written quotes or information to the purchasing specialist for review/follow-up prior to authorization.
6. Confirm services.
7. Notify stakeholder of services and point of contact for follow-up.

In person

- Use state contract for in person ASL interpretation services:
<https://vendornet.wi.gov/Contract.aspx?Id=2e46b0f9-f9d2-e811-810a-0050568c7f0f>
- On the contract page, scroll down to the documents section to find a link to the **Combined Contact Sheet** which provides the contact information, prices, and account set-up procedures for contractors.
- The document section also contains the **Request for Services Form** which is used for long term service that exceeds 100 hours.

Documents:

01 User Guide	3/16/2022
02 Pricing Summary	3/16/2022
03 Executed Contracts and DOA 3832 Forms	3/16/2022
04 Renewals (Includes Price Increases if any)	3/16/2022
05 Request for Bid Document RFB#28283-CN	3/16/2022
06 Request for Services Form	3/16/2022
07 DOA3727 Request for Waiver Form	3/16/2022
08 Combined Contact Sheet	3/18/2022

Source: <https://vendornet.wi.gov/Contract.aspx?Id=2e46b0f9-f9d2-e811->

Video Remote Interpretation (VRI)

- Use state contract for VRI: <https://vendornet.wi.gov/Contract.aspx?Id=2911e0a0-86c1-e811-8109-0050568c7f0f>
- Find the Combined Contact List and Request for Services using the same method as the in-person interpretation services section.
- The technology involves installing software provided by the Contractor onto a computer or other device and the video is streamed over the internet.

Captioned Relay Services

- Use state contract for captioned relay service: [VendorNet Contract Information \(wi.gov\)](#)
- Captioned telephone relay service for Wisconsin's deaf, hard of hearing and speech disabled community.
- Find the Combined Contact List and Request for Services using the same method as the in-person interpretation services section.

Communication Access Real-Time Translation (CART)

- CART is the instant translation of the spoken word into English text. The text is projected onto a large screen or other display using a stenotype machine, notebook computer, and real-time software.
- Use the Department of Health Services (DHS) CART listings: [Communication Access Realtime Translation \(CART\) Listings | Wisconsin Department of Health Services](#)

Braille

- A list of Braille translation software is available on the DHS website: [OBVI: Vendors of Braille Translation Software | Wisconsin Department of Health Services](#)

Public Meetings

Interpretation and captioning services should be provided if requested at events such as public hearings or public meetings. Notification of interpretation and captioning availability should be included in each public meeting/hearing posting. A list of Wisconsin Captioning Agencies can be found on the DHS website at [Communication Access Realtime Translation \(CART\) Listings | Wisconsin Department of Health Services](#).

Additionally, situations may arise when a bureau or office knows in advance that language support will be needed for an event or other meeting. Should interpretation be needed or requested, arrangements can be made using the standard operation procedures on pages 14-15.

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a public hearing or public meeting should submit the ADA reasonable accommodation request ([dt2516](#)) to the Project Manager as soon as possible but no later than 72 hours before the scheduled event (Appendix 5).

Managing Complaints

Complaints that a WisDOT program, service, or activity is not accessible to persons with disabilities, should be directed to:

Title VI and ADA Complaint Form (Appendix 3): [dt2507](#)

ADA Facility Complaint Form (Appendix 4): [dt2515](#)

Taqwanya Smith, Senior Title VI and ADA Coordinator
Office of Business Opportunity and Equity Compliance
Wisconsin Department of Transportation
4822 Madison Yards Way, 5th Floor South
Madison, Wisconsin 53705
Phone: (608) 266-8129
Fax: (608) 267-3641
Email: taqwanya.smith@dot.wi.gov

You may also file a complaint with the FHWA Office of Civil Rights by email or mail at:

Federal Highway Administration
U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590
Phone: (202) 366-0693
Website: fhwa.dot.gov/civilrights/file/

Frequently Asked Questions

Question: Who chooses the auxiliary aid or service that will be provided?

When choosing an aid or service, Title II entities (state and local governments) are required to give primary consideration to the choice of aid or service requested by the person who has a communication disability. The state or local government must honor the person's choice, unless it can demonstrate that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration or in an undue burden. If the choice expressed by the person with a disability would result in an undue burden or a fundamental alteration, the public entity still has an obligation to provide an alternative aid or service that provides effective communication if one is available.

Question: What is primary consideration?

When an auxiliary aid or service is requested by someone with a disability, you must provide an opportunity for that person to request the auxiliary aids and services of their choice, and you must give primary consideration to the individual's choice. "Primary consideration" means that the public entity must honor the choice of the individual with a disability, with certain exceptions. The individual with a disability is in the best position to determine what type of aid or service will be effective.

Question: What are examples of auxiliary aids and services for individuals with hearing, vision, and speech disabilities?

For a person who is deaf, deaf-blind, or hard of hearing, exchange of written materials, real-time computer-aided transcription services (e.g., CART), assistive listening systems, accessible electronic and information technology, and open and closed captioning.

For a person who is blind, deaf-blind, or has low vision, some examples of auxiliary aids and services are qualified readers, taped texts, audio recordings, Braille materials and displays, screen reader software, magnification software, optical readers, secondary auditory programs (SAP); large print materials; and accessible electronic and information technology.

For a person with a speech disability, some examples of auxiliary aids or services are a word or letter board, writing materials, spelling to communicate, a qualified sign language interpreter, tapped texts, a computer, a portable device that writes and/or produces speech, and telecommunications services.

Question: Can a state or local government charge for the provision of auxiliary aids and services?

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

Glossary

Acronyms

ADA: Americans with Disabilities Act

CART: Computer-Aided Real-Time Transcription

DHS: Department of Health Services

DOA: Department of Administration

VRI: Video Remote Interpreting

WisDOT: Wisconsin Department of Transportation

Definitions

Computer-Aided Real-Time Transcription (CART): Many people who are deaf or hard of hearing are not trained in either sign language or lip-reading. CART is a service in which an operator types what is said into a computer that displays the typed words on a screen.

Disability: *Disability* means, with respect to an individual:

- i. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- ii. A record of such an impairment; or
- iii. Being regarded as having such an impairment. An individual is “regarded as having such an impairment” if the individual is subjected to a prohibited action because of an actual or perceived physical or mental impairment, whether or not that impairment substantially limits, or is perceived to substantially limit, a major life activity, even if the public entity asserts, or may or does ultimately establish, a defense to the action prohibited by the ADA.

Interpretation: the method of converting a signed or spoken message into another language, keeping the meaning of the source language content.

Video Remote Interpreting (VRI): Services where a sign language interpreter appears on a video-phone over high-speed Internet lines. Under some circumstances, when used appropriately, video interpreting services can provide immediate, effective access to interpreting services 7 days per week/24 hours a day, in a variety of situations including emergencies and unplanned incidents.

Appendix 1: Mentioned Hyper Links

Title II Subpart E of the Americans with Disabilities Act: [Nondiscrimination on the Basis of Disability in State and Local Government Services \(ada.gov\)](#)

WisDOT Nondiscrimination Notice under the ADA: [C:\Users\DITADC\Downloads\ada-notice-2020-english.pdf](#)

In-person Interpretation Contracts: <https://vendornet.wi.gov/Contract.aspx?Id=2e46b0f9-f9d2-e811-810a-0050568c7f0f>

Video Remote Interpretation (VRI) Contracts: <https://vendornet.wi.gov/Contract.aspx?Id=2911e0a0-86c1-e811-8109-0050568c7f0f>

WisDOT ADA Reasonable Accommodation Request: [dt2516](#)

WisDOT Title VI and ADA Complaint Form: [dt2507](#)

WisDOT ADA Facility Complaint Form: [dt2515](#)

Federal Highway Administration Office of Civil Rights Website: fhwa.dot.gov/civilrights/file/

Appendix 2: WisDOT ADA Nondiscrimination Notice

Wisconsin Department of Transportation Notice under the Americans with Disabilities Act



In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Wisconsin Department of Transportation (WisDOT), will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

Employment: WisDOT does not discriminate on the basis of 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: WisDOT will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in WisDOT 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: WisDOT will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all WisDOT programs, services, and activities. For example, individuals with service animals are welcomed in WisDOT offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a WisDOT program, service or activity, should contact the: Senior Title VI and ADA Coordinator, 4822 Madison Yards Way, 5th Floor-South, Madison, Wisconsin 53705, Phone: (608) 266-8129 as soon as possible but no later than 72 hours before the scheduled event.

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

Complaints: Complaints that a WisDOT program, service, or activity is not accessible to persons with disabilities, should be directed to: Taqwanya Smith, Senior Title VI and ADA Coordinator, Office of Business Opportunity and Equity Compliance, Wisconsin Department of Transportation, 4822 Madison Yards Way, 5th Floor-South, Madison, Wisconsin 53705, Phone: (608) 266-8129, TTY: (800) 947-3529, Fax: (608) 267-3641, Email: taqwanya.smith@dot.wi.gov, Website: <https://wisconsin.dot.gov/Pages/doing-bus/civil-rights/titlevi-ada/filingcomplaint.aspx>

You may also file a discrimination complaint with the U.S. DOT, Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue-SE, 8th Floor E81-105, Washington, DC 20590; Phone: (202) 366-0693; Email: FHWA.ADAcomplaints@dot.gov, Website: <https://www.fhwa.dot.gov/civilrights/file/>

WisDOT 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.



8/1/2019

Appendix 3: Title VI and ADA Complaint Form



TITLE VI AND ADA COMPLAINT FORM
 Wisconsin Department of Transportation
 DT2507 8/2019

YOUR INFORMATION			
Name		(Area Code) Telephone Number	
Street Address or P.O. Box		Email Address	
City	State	ZIP Code	Date of Alleged Incident
Which of the following describes the nature of the discrimination involved? <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Retaliation			
Please explain in detail what happened, who was involved, and how you or other persons were discriminated against. Please attach any written materials or documentation pertaining to your complaint.			
What remedy do you seek for this complaint to be resolved to your satisfaction?			

X

(Signature – Electronic – Brush Script font)

(Date – m/d/yyyy)

Please mail, fax or email this form to:

Taqwanya Smith, Senior Title VI and ADA Coordinator
 Office of Business Opportunity and Equity Compliance
 4822 Madison Yards Way, 5th Floor South
 Madison, WI 53705

Telephone: (608) 266-8129

TTY: (800) 947-3529

Fax: (608) 267-3641

Email: taqwanya.smith@dot.wi.gov

Website: <http://wisconsin.dot.gov/Pages/doing-business/civil-rights/titlevi-ada/default.aspx>

Appendix 4: ADA Facility Complaint Form



ADA FACILITY COMPLAINT FORM
 Wisconsin Department of Transportation
 DT2515 3/2020

It is the policy of the Wisconsin Department of Transportation (WisDOT) to not discriminate on the basis of disability in admission to, access to, or in operation of its programs, services, activities or facilities. All attempts will be made to resolve such matters through informal means at any stage of the process.

WisDOT has established a complaint procedure to meet with the requirements of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans With Disabilities Act of 1990. This Accessibility Complaint form should be used by anyone wishing to file a complaint to WisDOT on the basis of disability, regarding access to WisDOT facilities such as, but not limited to, sidewalks, curb ramps, and highway crossings.

YOUR INFORMATION

Name		(Area Code) Telephone Number	
Street Address or P.O. Box	City	State	ZIP Code
Email Address			

REPRESENTATIVE INFORMATION *(If the person filing the complaint is not the same as the complainant)*

Name of Representative		(Area Code) Telephone Number	
Street Address or P.O. Box	City	State	ZIP Code
Email Address			

INACCESSIBLE LOCATION

Street Address	City	State	ZIP Code
Description of Facility			

X

(Signature – Electronic – Brush Script font)

(Date – m/d/yyyy)

Please mail, fax or email this form to:

Taqwanya Smith, Senior Title VI and ADA Coordinator
 Office of Business Opportunity and Equity Compliance
 4822 Madison Yards Way, 5th Floor South
 Madison, WI 53705

Telephone: (608) 266-8129

Fax: (608) 267-3641

Email: taqwanya.smith@dot.wi.gov

Website: <http://wisconsin.dot.gov/Pages/doing-bus/civil-rights/titlevi-ada/default.aspx>

Appendix 5: WisDOT ADA Reasonable Accommodation Request Form



ADA REQUEST FOR REASONABLE ACCOMMODATION
 Wisconsin Department of Transportation
 DT2516 3/2020

Use this form to request an accommodation for department programs, services, activities or meetings.

Print Materials

Do you know the title(s) of the specific publication(s) you want? Yes No
 If yes, please specify the title(s)

If no, please provide any information you can to help us identify the requested documents or publications.

Source of information:

Location seen or reference provided:

Subject matter:

Other leads (attach additional information on separate paper if needed):

What alternate format do you prefer? (indicate first, second, third choice, if possible)

Large print Braille CD/DVD Reader Other (please specify):

Other Communication Requirements

Do you need a reader? Yes No

Do you need a certified sign language interpreter? Yes No If yes, specify preference: Visual Tactile

Do you have other communication requests?

Transcripts Television captioning Video relay service Assistive listening headset

Other (please specify):

Meetings or Hearings

Wheelchair-accessible meeting room Meeting room close to elevator or lobby

Special assistance in evacuating facilities or notification in case of emergency (please explain):

Other (please specify):

Requestor's Name		(Area Code) Telephone Number	
Street Address or P.O. Box	City	State	ZIP Code
Email Address		Date and Time Needed	

Office Use Only

Request received by:	Date:	Accommodation provided by:	Date:
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Submit your request by mail, fax, phone or email to:

Taqwanya Smith, Senior Title VI and ADA Coordinator
 Office of Business Opportunity and Equity Compliance
 4822 Madison Yards Way, 5th Floor South
 Madison, WI 53705

Telephone: (808) 266-8129

Fax: (808) 267-3641

Email: taqwanya.smith@dot.wi.gov

Website: <http://wisconsin.dot.gov/Pages/doing-bus/civil-rights/titlevi-ada/default.aspx>