

**FY 2017 ANNUAL REPORT**

**A**

**Alabama's**

toll-free number for  
information on the

**Americans with  
Disabilities Act**

**D**

**1.800.205.9986**

text messaging: 334.328.6571

email: [graham.sisson@rehab.alabama.gov](mailto:graham.sisson@rehab.alabama.gov)

**A**

[www.rehab.alabama.gov/ada](http://www.rehab.alabama.gov/ada)



## From the Commissioner

Dear Legislators,

*During fiscal year 2017, the Alabama Department of Rehabilitation Services (ADRS) proudly provided the public with the most-current information on the Americans with Disabilities Act through the ADA Information Line.*

*Our department continually works with businesses and other community partners to significantly improve the lives of Alabamians with disabilities of all ages.*

*We sincerely appreciate you for your constant support of our department and its mission to enable Alabama's children and adults with disabilities to achieve their maximum potential.*

Jane Elizabeth Burdesbaw, Commissioner  
Alabama Department of Rehabilitation Services

## From the Coordinator

Dear Legislators,

*I am pleased to have served another year as Alabama's toll-free ADA Information Line coordinator.*

*The information line is helpful to a wide variety of people and entities – from state and local governments to private businesses and individual citizens – by easily providing them with a dependable repository of information.*

*With continued clarification of the ADA in the courts and the interpretation of this legislation, the information and technical assistance provided is especially beneficial to the public. The need for accurate ADA information grows as covered entities face increased potential for ADA liability.*

*On behalf of those who use the toll-free ADA Information Line, I wish to again express my sincere gratitude to you and Gov. Kay Ivey for your unwavering support of this invaluable public service.*

Grabam L. Sisson, Jr.  
Assistant Attorney General  
Alabama's Toll-free ADA Line



## History of the Americans with Disabilities Act and New Developments

In July 2015, the Americans with Disabilities Act (ADA) – which was signed into law in 1990 – celebrated its 25th anniversary. In the years since its passage, the ADA has positively impacted physical accessibility of buildings for many individuals with disabilities. There has been greater ADA enforcement by the federal government and private individuals bringing lawsuits in federal court. Many businesses in Alabama have been sued under Title III. In 2014, there were 124 lawsuits filed for violations to these regulations.

The issue of whether websites are covered by Title III of the ADA continued to be unsettled in 2017. A few federal courts have found that Title III does apply to websites. See *Lucia Marett v. Five Guys Enterprises, LLC* (S.D. N.Y. 2017) and *Gil v. Winn Dixie Stores* (S.D. Fla. 2017). The federal government also marked website accessibility regulations for the private sector as inactive. Likewise, the Department of Justice withdrew the following ADA guidances: *service animals, newly constructed lodging facilities, Title II highlights, Title III highlights, common new construction or alteration errors, readily achievable barrier removal, ADA myths and facts, and a statement on the Olmstead Integration Mandate.*

## Background of the Alabama ADA Information Line Act

In 1998, the Legislature passed Act No. 98-255, which created a service in the Alabama Department of Rehabilitation Services to provide information on rights and responsibilities under the Americans With Disabilities Act. The service was initially funded Oct. 1, 1998, and was activated through the use of a toll-free telephone line. By January 1999, a toll-free TTY number was added to make this service accessible to persons with hearing or speech impairments.

Calls received on either line after regular office hours are recorded by a voicemail system.

The act established the duties of this service, which include providing public information/education, referral, training, data collection, and analysis. A database was compiled to collect and analyze information made available through each call. Collected information includes each caller's name, address, phone number (when provided), date of call, date of response, referral (if necessary), description of inquiry or information request, type of information disseminated, and a description of the response to each call.

At the beginning of each call, it is expressly stated that any information provided is nonbinding and that there is no attorney-client relationship established. Confidentiality is maintained at all times unless expressly waived by the caller.

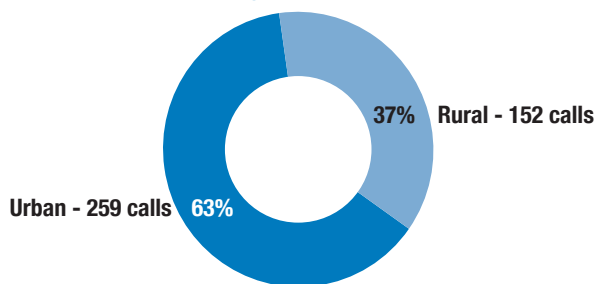
## Details of Calls

The ADA Information Line received 411 calls in FY 2017. More than six of every 10 calls placed to the information line came from urban areas, with the others originating from rural areas. SMART budget numbers were also met.

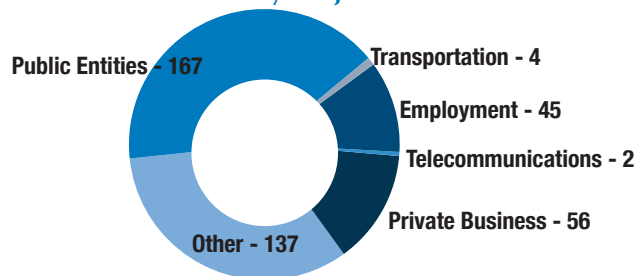
The majority of calls received continued to be from consumers with disabilities inquiring about employment issues such as reasonable accommodations, job promotions, hiring, and termination. Specifically, most callers just needed basic ADA information such as the actual text of the law, website locations, and applicability of the ADA. Some inquired about physical accessibility issues involving building entrances, bathrooms, height of countertops, parking spaces, and door closure pressure. As the ADA evolves, questions continue to involve greater complexity, like website accessibility.

Responses included information about the new ADA Accessibility Guidelines and applicable sections of the law and its regulations as well as referral to relevant provisions of other laws such as the Rehabilitation Act, Air Carriers Access Act, and the Fair Housing Act. Further sources of assistance were provided, including the Alabama Department of Rehabilitation Services, the Alabama Disability Advocacy Program, independent living centers, the Alabama Parent Education Center, the Governor's Office on Disability, the U.S. Department of Justice, the Office of Fair Housing and Equal Opportunity, the Office of Civil Rights, and other federal entities.

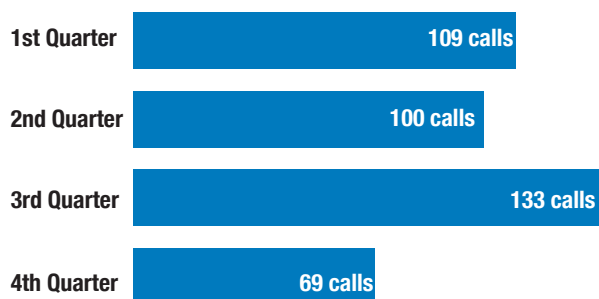
### Origin of Calls



### Calls by Subject



### Calls Received per Quarter



Total Calls: 411

## Public Awareness and Outreach

The ADA information 1-800 number continues to be an accurate, one-stop ADA information source.

### Written materials provided to callers\*

- ADA and Childcare PowerPoint
- Serving Students with Disabilities PowerPoint
- Employer Update and Disability Etiquette PowerPoint
- 2010 Accessible Design Guidelines
- ADA Title I PowerPoint
- ADA and Transition PowerPoint
- 1991 ADA Accessibility Guidelines
- Reasonable Accommodation Worksheet
- Reasonable Accommodation Policy (Draft)
- FTA Rider Complaint Form
- ADA and Advocacy PowerPoint
- ADA Small Business Guide
- EEOC Enforcement Process Information
- ADA Reasonable Accommodation PowerPoint
- Title II Complaint Form
- Title III Complaint Form
- OPDMD and ADA PowerPoint
- Fair Housing Act Information
- ADA Survey Checklists
- ADA Questions and Answers booklet
- ADA Employment Rights booklet
- EEOC Guidance on Reasonable Accommodation and Unique Hardship
- Guide to Disability Rights Laws
- ADA Tax Credit and Deduction Information
- Title II Regulations
- ADA Title II Technical Assistance manual
- ADA and Service Animals booklet

\* Many callers were referred to online information.

# ADA Training and Technical Assistance

*In response to requests generated through the ADA Information Line, the following presentations and/or consultations on accessibility were provided on behalf of a number of diverse agencies and organizations:*

## **FY 2017 ADA trainings**

**ADA and Effective Communication in Emergencies**, Selma (10.5.16)  
**ADA and Assistive Technology**, Alabama State University occupational and physical therapy class, Montgomery (10.21.16)  
**ADAAA, Disability Awareness, and Reasonable Accommodations**, Governor's Summit on Disability Employment, Birmingham (10.25.16)  
**ADA and Working with Clients with Disabilities**, Alabama Association of Regional Councils Conference, Montgomery (11.1.16)  
**Solving Tough Issues in Serving Students with Disabilities**, Alabama Community College Association Conference, Montgomery (11.21.16)  
**ADA and Serving College Students with Disabilities**, Calhoun Community College, Decatur (12.13.16)  
**ADA and Complex Reasonable Accommodation Issues**, Shelton State Community College, Tuscaloosa (1.4.17)  
**ADA and Functional and Access Needs in Disaster**, Governor's Preparedness Conference, Prattville (3.16.17)  
**ADA and Service Animals**, Alabama Department of Public Health (ADPH) Director's Conference, Birmingham (3.22.17)  
**ADA, WIOA, and Section 504 Overview**, Jefferson County Workforce Development, Birmingham (4.11.17)  
**ADA and Disability Rights Laws Overview**, Tuskegee Blind Veterans Group, Tuskegee (4.26.17)  
**ADA and Service Animals**, Sparks Clinic luncheon, Birmingham (5.4.17)  
**ADA and Service Animals**, ADPH Montgomery restaurant inspection staff, Montgomery (5.5.17)  
**Self-advocacy and the ADA**, Alabama Institute for Deaf and Blind meeting (8.18.17)  
**ADA and ADAAA**, Auburn University class (9.18.17)

## **ADA consultations and accessibility reviews**

**Accessibility Review**, Demopolis and Tuscaloosa career centers (10.4.16)  
**Accessibility Review**, Foley and Brewton career centers (10.27.16)  
**Plan Review**, New Birmingham Career Center location (11.10.16)  
**ADA Review**, Amerex Corporation, Trussville (11.18.16)  
**Accessibility Review**, Towne Plaza, Sheffield (11.30.16)  
**ADA Consultation**, Gulf State Park project designer, Birmingham (12.2.16)  
**Accessibility Review**, Alabama Fire College medical needs shelter, Tuscaloosa (12.14.16)  
**Accessibility Review**, Phenix City and Roanoke career centers (1.27.17)  
**Accessibility Review**, Montgomery Career Center (mobile) (1.30.17)  
**ADA and Section 503 Consultation**, Lakeshore staff, Birmingham (3.1.17)  
**Accessibility Review**, New Birmingham Career Center location (3.17.17)  
**Accessibility Review**, Valley Career Center (4.10.17)  
**Job Description Consultation**, Amerex Corporation, Trussville (4.13.17)  
**Accessibility Review**, Stanfield Steakhouse, Sheffield (4.28.17)  
**Accessibility and Ramp Review**, Limestone County DHR office (8.25.17)  
**Accessibility Review**, Opp medical needs shelter (9.20.17)  
**Accessibility Review**, Camp McDowell, Jasper (9.29.17)



Alabama Department of  
**REHABILITATION SERVICES**

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*This material is available in alternate format upon request.*