



# MAG MPO ADA Accessibility Plan

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## **MAG MPO ADA Accessibility Plan**

The Mountainland Association of Governments (MAG) Metropolitan Planning Organization (MPO) Title VI Plan is prepared by the MPO staff in cooperation with the United States Department of Transportation, Utah Department of Transportation (UDOT), Utah Department of Environmental Quality (UDEQ), Utah Transit Authority (UTA), and the members of the MPO Board:

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## **Notice of Nondiscrimination**

The MAG MPO follows all civil rights provisions of federal statutes and related authorities prohibiting discrimination in programs and activities requiring federal financial assistance. Therefore, the MPO does not discriminate based on race, sex, color, age, national origin, religion, disability, or income status in admission or access to and treatment in the MPO's programs and activities, as well as the MPO's hiring or employment practices. If you have any complaints of alleged discrimination or inquiries regarding the MPO's nondiscrimination policies, you may contact the MAG Title VI Administrator, Rebecca Smyrniotopoulos, 586 East 800 North Orem, UT 84097, or [rsmyrn@magutah.gov](mailto:rsmyrn@magutah.gov)

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## MAG Background

The Mountainland Association of Governments (MAG) is a planning organization through which local governments collaborate to establish guidelines, set policies, and allocate funding for transportation, local planning, community development, and aging and disability resources. The region includes Summit, Utah, and Wasatch Counties.

Within MAG is the federally designated Metropolitan Planning Organization (MPO) for the Provo-Orem urban area, which provides comprehensive, coordinated planning for the metropolitan transportation planning process.

## ADA Accessibility Background

The MPO will ensure that communications with individuals with hearing, speech, vision, and/or other physical, mental, or cognitive limitations are as effective as communications with others in delivering its programs, services, and activities. Upon request of a qualified individual with a disability affecting hearing, speech, vision, and/or other physical, mental, or cognitive limitations, the MPO will furnish appropriate auxiliary aids and services and reasonable accommodations to afford such an individual an equal opportunity to participate in and have access to the MPO's programs, services and activities.

## Legal Framework

The following acts and executive orders guide the framework of this plan as they relate to nondiscrimination:

### Federal Nondiscrimination Acts

- Americans with Disabilities Act of 1990: "Prohibits discrimination against

individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public."

- Section 504, Rehabilitation Act of 1973 (29 USC 794) "Prohibits discrimination on the basis of disability.

## Reasonable Accommodation Plan

A qualified individual may request reasonable accommodation at any time; however, the accommodation may require advance planning, so receiving a request 72 hours prior to the time the accommodation is needed is preferred. The MPO may ask for documentation verifying the need for reasonable accommodation only to confirm the disability-related need(s) for the requested accommodation(s). The MPO may also request that the individual provide suggestions for reasonable accommodation.

Examples of reasonable accommodation may include, but are not limited to:

- Permitting a family member or other authorized representative to assist;
- Providing qualified language translators and interpreters;
- Permitting a service animal to assist while on the premises;
- Extending a submission deadline if there is difficulty completing or collecting necessary documentation.

The decision to approve or deny a request for reasonable accommodation is made on a case-by-case basis and takes into consideration the disability and the needs of the individual as well as the nature of the program, service, or activity in which the



individual seeks to participate. A requested accommodation will not be approved if one of the following would occur as a result: a violation of State and/or Federal law, a fundamental alteration in the nature of the MPO program, service, or activity, creation of an undue financial or administrative burden or an alteration that requires the removal or alteration of a load-bearing structural item or is otherwise structurally infeasible. Requests for reasonable accommodation should be submitted to the MPO's Executive Assistant.

#### **MAG MPO Executive Assistant**

Kimberly Brenneman  
586 East 800 North  
Orem, Utah, 84097  
Email: kbrenneman@magutah.gov  
Phone: 801-229-3834

#### **Request for Auxiliary Aids and Services**

A qualified individual who anticipates participation in any MPO program, service, or activity should request the type of auxiliary aid or service that he/she needs 72 hours before the aid or service is needed. The qualified individual's authorized representative may make the request for aid or service on his/her behalf. The MPO may make reasonable requests for documentation regarding the disability and the appropriateness of or need for a specific auxiliary aid. The MPO will evaluate each request for an auxiliary aid or service on a case-by-case basis. Decisions for granting or denying an auxiliary aid or service will not be based on any generalized rules or broad policies but may include an evaluation of whether another equally effective means of communication is available. In addition, the

MPO is not required to provide an auxiliary aid or service if such would result in a fundamental alteration in the nature of the MPO program, service, or activity or create an undue financial or administrative burden. Requests for auxiliary aids and services should be made to MPO's Executive Assistant.

#### **MAG MPO Executive Assistant**

Kimberly Brenneman  
586 East 800 North  
Orem, Utah, 84097  
Email: kbrenneman@magutah.gov  
Phone: 801-229-3834

#### **Grievance Procedure**

Any individual who believes that there has been a violation of this policy may register a grievance with the MPO. The MPO's Grievance Procedure has been established to meet the requirements of the ADA. It may be used by anyone who wishes to file a grievance alleging discrimination on the basis of disability in the provision of programs, services, activities, or benefits by the MPO. The MPO's Personnel Policy governs employment-related grievances of disability discrimination. The grievance should be submitted by the complainant and/or his/her designee as soon as possible and no later than 60 calendar days after the alleged violation. The grievance should be in writing and contain information about the alleged discrimination, such as the complainant's name, address, phone number, date, location, and description of the problem. Alternate means of filing a grievance, such as a personal interview with the Title VI Coordinator or a tape recording of the grievance, will be made available upon request for persons with disabilities:

**MAG Title VI Coordinator**

Rebecca Smyrniotopoulos  
586 East 800 North  
Orem, UT 84097  
Email: [rsmyrn@magutah.gov](mailto:rsmyrn@magutah.gov)  
Phone: 801-229-3800

Within 15 calendar days of receiving the grievance, MAG's Title VI Coordinator or designee will meet with the complainant to discuss the grievance and possible resolutions. Within 15 calendar days of the meeting, the Compliance Administrator or designee will respond to the complainant in writing and, where applicable, in a format accessible to the complainant, such as large print or audio tape. The response will explain the position of the MPO and offer options for substantive resolution of the grievance.

Grievances can also be submitted to:

**UDOT Civil Rights Department**

Utah Department of Transportation  
4501 South 2700 West, PO BOX 141265  
Salt Lake City, UT 84114-1265  
Phone: 801-965-4384; TTY Relay: 711 or 800  
346 4128  
[civilrights@utah.gov](mailto:civilrights@utah.gov)

Within 15 calendar days after receipt of the grievance, the UDOT Civil Rights Administrator or designee will meet with the complainant to discuss the grievance and the possible resolutions. Within 15 calendar days of the meeting, the UDOT Civil Rights Administrator or designee will respond to the complainant in writing, and where applicable, in a format accessible to the complainant, such as large print or audio tape. The response will explain

the position of UDOT and offer options for substantive resolution of the grievance.

If the response(s) do not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days of receiving the response.

Within 15 calendar days of receiving the appeal, the UDOT Civil Rights Administrator or designee will meet with the complainant to discuss the grievance and possible resolutions. Within 15 calendar days after the meeting, the UDOT Civil Rights Administrator or designee will respond to the complainant in writing and, where applicable, in a format accessible to the complainant with a final resolution of the grievance.

All written grievances received by MAG's Title VI Coordinator or UDOT's Civil Rights Administrator or their designees, or appeals to UDOT's Civil Rights Administrator or their designee, as well as all responses from these offices, will be retained for three years after the date of the final resolution. In addition to, or in lieu of, filing a grievance with MAG or UDOT, an individual may submit a written complaint within 180 days of the alleged violation to either address below:

**Director, Civil Rights Center**

US Department of Labor  
200 Constitution Ave, NW - Room N4123  
Washington, DC 20210

**Office of Fair Housing and Equal Opportunity**

US Department of Housing and Urban Development  
1670 Broadway, 22nd Floor

Denver, CO 80202

Phone: 303-672-5437 Toll Free: 1-800-877

7353 TDD/TTY: 303-672-5248 Fax: 303-672-

5026

[www.hud.gov/fairhousing](http://www.hud.gov/fairhousing)

### Notification of Policy

Notification of this policy will be provided to employees, applicants, participants, and members of the public who have hearing, speech, vision, communication, and/or cognitive limitations in a manner determined most effective, including making the policy available in large print or audio format. A staff member may also read this policy to an individual upon request.