



Rural Development
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TO: RUS Telecommunications and Electric Borrowers and Awardees

FROM: Kenneth Kuchno, Deputy Assistant Administrator
Policy and Outreach System, Telecommunications Program
James Elliott, Director of Operations
Electric Program

SUBJECT: Self-Evaluation and Transition Plans (Section 504 of the
Rehabilitation Act of 1973)

PURPOSE

This memo serves as a reminder to Recipients, Grantees, and Borrowers in the Rural Utility Service (RUS) Telecommunications and Electric Programs of the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) in regard to Self-evaluations (SE) and Transition plans (TP). On June 11, 1982, The USDA implemented Section 504 of the Rehabilitation Act of 1973 as promulgated by 7 CFR 15b. All RUS Recipients, Grantees, and Borrowers are required to conduct Self-Evaluations of their facilities, policies, procedures, and practices for compliance with Section 504 of the Rehabilitation Act of 1973. In the event that the self-evaluation identifies that structural changes are necessary, recipients are required to develop transition plans that set forth the steps necessary to remove the barriers.

Self-Evaluation (SE) Plans (7 CFR 15b.8(c))

RUS Recipients, Grantees, and Borrowers must complete a self-evaluation to be considered in compliance with 7 CFR 15b.

Minimum Requirements – the recipient must:

- Evaluate, with the assistance of interested persons, including individuals with disabilities, or organizations representing persons with disabilities, its current policies and practices and the effects thereof that do not or may not meet regulation requirements.
- Modify, after consultation with interested persons, including persons with disabilities or organizations representing persons with disabilities, any policies and practices that do not meet 7 CFR 15b requirements.

- Take remedial steps to eliminate effects of any discrimination that resulted from the adherence to these policies and practices.
- The SE record must be available for public inspection and be provided to Rural Development upon request. In addition, the SE record must include:
 - A list of persons consulted.
 - The name of the person responsible for the SE.
 - A description of areas examined and include any problems identified.
 - Any modifications made or remedial steps taken.
- The recipient will maintain a record of the SE for at least three years if no transition plan is required.

Transition Plans (TP) 7 CFR 15b.18(g)

RUS Recipients, Grantees, and Borrowers shall operate each assisted program or activity so that when each part is viewed in its entirety it is readily accessible to and usable by persons with disabilities.

A recipient/grantee must develop a TP for the removal of any structural barriers to accessibility with the assistance of persons or organizations who are knowledgeable about accessibility issues.

Minimum Requirements – the recipient must:

- Identify physical obstacles in the borrower’s **facilities** that limit the accessibility of its programs or activities to persons with disabilities.
- Describe in detail the **methods** that will be used to make the facilities accessible, a transition plan setting forth the steps necessary to complete such changes. When structural changes are necessary, such changes must be made as expeditiously as possible.
- Specify the schedule for taking the steps necessary to achieve full program accessibility, and if the time period of the TP is longer than a year, identify steps that will be taken during each year of the transition period. *(It is strongly recommended that the TP include a written cost of estimates for all proposed actions).*
- Identify the person responsible for implementation of the TP.
- A copy of the transition plan shall be made available for public inspection.

The accessibility standards that must be met, The Architectural Barriers Act Accessibility Standards (ABAAS) for non-housing, ADA, in addition, many state and local governments have their own accessibility standards that must be met. **RD does not have the authority to waive any accessibility standards, unless authorized by of the Secretary of Agriculture.**

For training or technical assistance please contact Civil Rights Compliance and Training Branch Chief Darren Kaihlanen, Darren.kaihlanen@usda.gov.