

TOWN OF DUNE ACRES, INDIANA

Americans with Disabilities Act

Self-Evaluation and Transition Plan

Draft 2026 Update

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)

Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131–12165)

28 CFR Part 35 | 49 CFR Part 27

This document is available in alternative formats (large print, electronic text, or read aloud) on request to the ADA Coordinator.

Contents

1. Introduction and Purpose
2. Summary of Changes from previous plan
3. ADA Coordinator
4. Public Notice
5. Grievance Procedure
6. Self-Evaluation
7. Website and Digital Accessibility
8. Standards, Specifications and Design Details
9. Implementation Schedule and Responsible Official
10. Public Participation
11. Monitoring and Updates

Appendix A — Complaint / Grievance Form

Appendix B — Inventory, Recommendations and Schedule for Rights-of-Way, Public Buildings and Public Use Areas

1. INTRODUCTION AND PURPOSE

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and amended by the ADA Amendments Act of 2008, effective January 1, 2009. The ADA provides comprehensive civil rights protections to persons with disabilities in employment, state and local government services, public accommodations, transportation, and telecommunications. It is companion legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973.

An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is regarded as having such an impairment. The ADA also protects persons who have a relationship or association with an individual with a disability.

The ADA is organized in five titles: Title I, Employment; Title II, Public Services (and Public Transportation); Title III, Public Accommodations (and Commercial Facilities); Title IV, Telecommunications; and Title V, Miscellaneous Provisions.

Title II prohibits state and local governments from discriminating against persons with disabilities, excluding them from participation in, or denying them the benefits of, public programs, services, and activities. This plan is prepared under Title II and Section 504. It describes how the Town of Dune Acres (the “Town”) evaluates its facilities, programs, and communications; how barriers will be removed; on what schedule; and who is responsible.

Applicability. Federal regulations require a formal written transition plan only from public entities with 50 or more employees (28 CFR 35.150(d)). The Town employs fewer than 50 persons but remains fully subject to Title II’s nondiscrimination and program-access requirements. The Town maintains this plan as a matter of good practice and to satisfy the Indiana Department of Transportation (INDOT) requirement that every Local Public Agency maintain an ADA Transition Plan and a Title VI Implementation Plan as a condition of eligibility for federal-aid and state transportation funding, including the Community Crossings Matching Grant program.

Community context. Dune Acres is a small residential community of approximately 200 full-time residents within the Indiana Dunes corridor. Its roads are narrow, wooded, and in many places steep, following dune topography. The Town has no sidewalks, curbs, or curb ramps; pedestrians share the roadway. Town facilities consist of the Town Hall and Clerk’s Office, the Clubhouse (community center and principal public meeting location), the Security Office at the gatehouse, the Town Park (tennis courts and playground), the winter ice rink, East Beach, Ridge Beach, and the Beach Drive viewing deck.

2. Summary of Changes from the Previous Plan

This update: (a) designates the current ADA Coordinator and updates contact information; (b) adds a Public Notice under 28 CFR 35.106; (c) restores the Complaint/Grievance Form, which was referenced but not included in the 2022 plan; (d) expands the self-evaluation beyond physical facilities to programs, services, meetings, and communications; (e) adds a Website and Digital Accessibility section reflecting the U.S. Department of Justice's 2024 Title II web accessibility rule, as amended in April 2026; (f) updates design standards to reference the 2010 ADA Standards for Accessible Design and the U.S. Access Board's 2023 Public Right-of-Way Accessibility Guidelines (PROWAG); (g) adds a prioritized implementation schedule and names the official responsible for implementation; (h) adds a public participation process; and (i) shortens the update cycle from five years to three years with an annual progress review.

3. ADA Coordinator

Effective communication is essential to address the concerns of all individuals. To keep lines of communication open, the Town designates its Clerk-Treasurer as ADA Coordinator. The ADA Coordinator coordinates the Town's efforts to comply with and carry out its responsibilities under Title II of the ADA and Section 504, including the investigation of any complaint alleging noncompliance or alleging any action prohibited by the ADA. The Town makes the Coordinator's name, office address, and telephone number available to all interested persons and publishes the procedures in Section 5 for the prompt and equitable resolution of complaints.

ADA / Title VI Coordinator

Bonnie Hawksworth, Clerk-Treasurer

Town of Dune Acres, 1 East Road, Dune Acres, IN 46304

Telephone: 219-787-1900

Email: townclerk@duneacres.org

Persons who are deaf, hard of hearing, or have speech disabilities may contact the Town through Relay Indiana by dialing 711.

The ADA Coordinator will complete ADA/Title VI training at least every two years, consistent with INDOT requirements for Local Public Agency coordinators.

4. Public Notice

The following notice will be posted on the Town website, at the Town Hall, and at the Clubhouse, and will be made available in alternative formats on request:

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, the Town of Dune Acres will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town's programs, services, and activities, including qualified interpreters, documents in accessible formats, and other ways of making information and communications accessible. The Town will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. Anyone who requires an auxiliary aid or service or a modification of policies or procedures to participate in a Town program, service, or activity should contact the ADA Coordinator as soon as possible, and no later than 48 hours before the scheduled event. The Town 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 aids or services or reasonable modifications. Complaints that a program, service, or activity of the Town is not accessible to persons with disabilities should be directed to the ADA Coordinator.

Agendas and notices of public meetings will include a short statement directing persons who need accommodations to the ADA Coordinator.

5. Grievance Procedure

This Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Dune Acres.

Employment-related complaints are handled under the Town's personnel policies.

Filing. Complaints should be in writing and include the complainant's name, address, and telephone number or email, and the location, date, and description of the problem. The form in Appendix A may be used but is not required. Alternative means of filing, such as an in-person interview, a telephone call, or an audio or video recording, will be made available on request. The complaint should be submitted by the grievant and/or a designee as soon as possible, but no later than 180 calendar days after the alleged violation, to the ADA Coordinator at the

address in Section 3.

Initial response. Within 15 calendar days after receipt of the complaint, the ADA Coordinator or a designee will meet with the complainant (in person, by telephone, or by video conference, at the complainant's preference) to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or designee will respond in writing and, where appropriate, in a format accessible to the complainant, such as large print, Braille, electronic text, or audio. The response will explain the Town's position and offer options for substantive resolution of the complaint.

Appeal. If the response does not satisfactorily resolve the issue, the complainant or a designee may appeal within 15 calendar days after receipt of the response to the Town Council President. Within 15 calendar days after receipt of the appeal, the Town Council President or a designee will meet with the complainant to discuss the appeal and possible resolutions. Within 15 calendar days after the meeting, the Town Council President or designee will respond in writing, in an accessible format where appropriate, with a final resolution of the complaint.

Records. All written complaints, appeals, and responses will be retained by the Town for at least three years. Filing a complaint with the Town does not prevent a complainant from filing a complaint with the U.S. Department of Justice, the U.S. Department of Transportation, or INDOT, or from pursuing other remedies. The Town prohibits retaliation against anyone who files a complaint or participates in an investigation.

6. Self-Evaluation

6.1 Public Rights-of-Way

The Town has inventoried its rights-of-way through field visits. The Town has no sidewalks, curbs, curb ramps, pedestrian signals, or transit stops. Pedestrians use the roadway, which serves as the shared pedestrian route. Many road segments have steep grades dictated by dune topography that cannot practicably be altered without significant ecological disturbance.

All new construction, reconstruction, and alterations within the right-of-way, including federally funded or INDOT-funded projects, will comply with the ADA. Road resurfacing is an alteration under joint U.S. Department of Justice/U.S. Department of Transportation guidance; because the Town has no curbs or pedestrian crossings with curbs, resurfacing projects do not trigger curb ramp installation. If a future project creates a sidewalk, path, or other designated pedestrian facility, that facility will be designed to the standards in Section 8.

6.2 Public Buildings and Public Use Areas

Accessible routes from parking to building and facility entrances, building entrances, restrooms, and recreation areas were inventoried and are documented in Appendix B, together with recommended corrective actions, estimated costs, priorities, and target years. Where a barrier cannot be removed promptly, the Town will provide program access by alternative means, such as relocating a meeting or service to an accessible location or providing assistance on request.

6.3 Programs, Services and Activities

The Town reviewed its principal programs and services for policies or practices that may limit participation by persons with disabilities:

Program / Service	Current practice	Action
Town Council, Plan Commission, BZA and other public meetings	Held at the Clubhouse (accessible entrance; stair lift to second floor); Town Council meetings broadcast and recorded via Zoom.	Hold public meetings on the accessible level. Include an accommodation statement on agendas. Enable automatic captions on Zoom broadcasts and make recordings available with captions on request.
Clerk-Treasurer services (payments, records, permits, parking applications)	Town Hall entrance is not accessible; many services offered by email and online forms.	Until the entrance is corrected, offer service at the Clubhouse or by appointment at an accessible location, and by phone/email. Post this alternative on the website and Town Hall door.
Clubhouse rentals and community events	Rentals booked online; building partially accessible.	Note accessible features and restroom status in rental information; provide accommodation contact.
Beaches and park facilities	See Appendix B.	Beach wheelchairs available on request once acquired; publish how to request.
Emergency and public notices	Email notices, website posts, physical postings.	Ensure notices are text-based (not image-only) and available in alternative formats.
Website, online forms and posted documents	See Section 7.	See Section 7.

7. Website and Digital Accessibility

In April 2024, the U.S. Department of Justice issued a final rule under Title II (28 CFR Part 35, Subpart H) requiring state and local governments to make their web content and mobile applications conform to the Web Content Accessibility Guidelines (WCAG) 2.1, Level AA. An Interim Final Rule effective April 20, 2026, extended the compliance dates by one year. For public entities with a total population under 50,000, including the Town, the compliance date is **April 26, 2028**. The extension does not change the Town's existing obligation to provide effective communication and equal access to its online services.

The Town will:

- (a) Audit duneacres.org, the Town's online forms (including parking applications, clubhouse rentals, contractor registration and permit applications), and posted documents against WCAG 2.1 AA by [target date, e.g., June 30, 2027].
- (b) Replace scanned, image-only PDFs that are needed to access current Town services — including ordinances, forms, meeting agendas and minutes, and this plan — with accessible, text-based versions, and ensure new documents posted after the compliance date conform to WCAG 2.1 AA.
- (c) Ensure third-party platforms used to deliver Town services (form, payment, and meeting platforms) are accessible, and consider accessibility when selecting new vendors.
- (d) Caption video recordings of public meetings that remain posted for public use, or provide captions on request as permitted by the rule's exceptions.
- (e) Post an accessibility statement on the website identifying how to report a barrier and request information in an alternative format.
- (f) Complete conformance by April 26, 2028.

8. Standards, Specifications and Design Details

These standards apply to all construction and alterations undertaken by or for the Town in its rights-of-way and facilities:

- (a) **Buildings and sites:** 2010 ADA Standards for Accessible Design (28 CFR 35.151 and 36 CFR Part 1191, Appendices B and D), including the recreation-facility provisions applicable to play areas, beach access routes, and tennis courts.

(b) **Public rights-of-way:** INDOT Indiana Design Manual, Standard Drawings, and Standard Specifications, and, as best practice pending adoption by the U.S. Department of Justice, the U.S. Access Board's Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG, 2023), including its provisions for shared-use paths.

(c) **Web and digital content:** WCAG 2.1 Level AA.

(d) **Indiana requirements:** the Indiana Building Code as adopted by the Fire Prevention and Building Safety Commission.

Where standards conflict, the standard providing greater accessibility governs. Other standards may be applied at the discretion of the ADA Coordinator in consultation with the Town's engineer.

9. Implementation Schedule and Responsible Official

Responsible official. The Town Council President is the official responsible for implementation of this plan. The ADA Coordinator manages day-to-day compliance, tracks progress, and reports to the Town Council.

Prioritization. Barrier removal is prioritized as follows:

Priority 1 — Access to places where the Town conducts public business and holds public meetings, and low-cost items that can be completed immediately.

Priority 2 — Access to the primary recreation facilities (Town Park, East Beach) and items that can be combined with already-planned capital projects.

Priority 3 — Secondary facilities and items for which program access is provided by alternative means in the interim.

Improvements will be coordinated with planned capital projects — including the playground replacement — so that accessible routes are built as part of that work rather than retrofitted later. The target year for each item is shown in Appendix B. Funding will be requested through the annual budget, and the Town will pursue grant funding where available. Items not completed in their target year will be rescheduled at the annual review with an explanation.

10. Public Participation

Before adoption of this update, the draft plan will be posted on the Town website in an accessible format and made available at the Town Hall and Clubhouse for a public comment

period of at least 30 days with notice to residents by email. Residents, persons with disabilities, and organizations representing them are invited to comment by email, mail, telephone, or at a public meeting of the Town Council. Comments received and the Town's response will be summarized and retained with this plan. After adoption, comments may be submitted to the ADA Coordinator at any time.

11. Monitoring and Updates

The Town is committed to revising this document as new information becomes available. The ADA Coordinator will report progress on Appendix B to the Town Council annually. The plan, including the self-evaluation and inventory, will be fully updated at least every three years, or sooner if significant facility changes or changes in law occur. The current plan will be posted on the Town website in an accessible format and filed with INDOT.

Adopted by the Town Council of the Town of Dune Acres, Porter County, Indiana, on _____, 2026.

Richard Hawksworth, Town Council President

Attest: _____

Bonnie Hawksworth, Clerk-Treasurer

Appendix A — Complaint / Grievance Form

Town of Dune Acres — ADA / Section 504 Complaint Form

This form is available in alternative formats on request. You may also file by phone, in person, or by recording; contact the ADA Coordinator.

Complainant name: _____

Address: _____

City, State, ZIP: _____

Telephone: _____ Email: _____

Preferred format for response (e.g., standard print, large print, email, audio): _____

If filing on behalf of another person — Name of person with disability:

Your relationship to that person: _____

Date(s) of the alleged discrimination: _____

Location / program / service involved: _____

Describe what happened and why you believe it was discrimination on the basis of disability. Include the names of any persons involved, if known. (Attach additional pages if needed.)

What resolution are you seeking?

Have you filed this complaint with any other agency or court? ☐ Yes ☐ No If yes, where and when: _____

Signature: _____ Date: _____

Submit to: ADA Coordinator, Town of Dune Acres, 1 East Road, Dune Acres, IN 46304 ·
townclerk@duneacres.org · 219-787-1900. Complaints should be filed within 180 calendar days
of the alleged violation.

Appendix B — Inventory, Recommendations and Schedule

Inventory originally compiled December 2020; reviewed for this update [date of field review].

Cost estimates are 2020 figures and should be refreshed. Status column: C = complete, IP = in progress, O = open.

Facility	Area	Compliant features	Barrier	Modification action	Est. cost (2020)	Priority	Target year	Status
Clubhouse	Clubhouse	Parking, access ramp, compliant doorway, stair lift to second floor, viewing deck	No accessible restroom	Accessible restroom	\$20,000	1	[2027]	[C]
Clubhouse	Clubhouse		No access to patio	Ramp and pathway	\$3,000	2	[2027]	[O]
Town Hall	Town Hall	Parking	No accessible doorway	Accessible entrance (interim: service at accessible location)	\$10,000	1	[2027]	[O]
Town Hall	Town Hall		No accessible restroom	Accessible restroom	\$12,000	2	[2028]	[O]
East Beach	Beach	Walking mat from parking to beach	No accessible parking space	Designate and sign accessible parking	\$100	1	[2026]	[O]
East Beach	Beach	ADA compliant viewing deck with ADA parking	No mobility devices	Beach wheelchair	\$3,000	2	[2027]	[O]
Playground	Park	Parking, accessible swing, accessible picnic table	No accessible route	Accessible route and surfacing — include in playground replacement project	\$12,000	2	[2027]	[IP]

Facility	Area	Compliant features	Barrier	Modification action	Est. cost (2020)	Priority	Target year	Status
Tennis Court	Park	Parking	No accessible route	Paved pathway	\$2,000	2	[2027]	[O]
Ice Skating Rink	Town Hall	Parking	Stairs only	Paved pathway	\$3,000	3	[2028]	[O]
Ice Skating Rink	Town Hall		Soft surface only	Ramp to rink	\$3,000	3	[2028]	[O]
Ice Skating Rink	Town Hall		No restroom access	Accessible portable toilet (seasonal, annual cost)	\$500/yr	2	[2026–27 season]	[O]
Ridge Beach	Beach	None	No accessible route	Beach access mat/pathway	\$10,000	3	[2029]	[O]
Ridge Beach	Beach		No mobility devices	Beach wheelchair (may share with East Beach)	\$3,000	3	[2029]	[O]
Security Office	Gatehouse	None	Steps only	Ramp to building (interim: service at window/curbside)	\$5,000	3	[2029]	[O]
Security Office	Gatehouse		No accessible doorway	Accessible entrance	\$10,000	3	[2029]	[O]
Security Office	Gatehouse		No accessible restroom	Accessible restroom	\$15,000	3	[2029]	[O]
Beach Viewing Deck	Beach Drive	Accessible parking and full access	None identified	—	—	—	—	C
Pedestrian routes	Roads	Roadways serve as shared pedestrian routes	Steep grades throughout (topographi	No structural action; new pedestrian facilities, if any,	—	—	—	—

Facility	Area	Compliant features	Barrier	Modification action	Est. cost (2020)	Priority	Target year	Status
			c)	built to Section 8 standards				
Website and documents	Digital	—	Scanned image-only PDFs; conformance not yet audited	Audit and remediate to WCAG 2.1 AA (Section 7)	[TBD]	1	By April 26, 2028	[O]

Total estimated physical modification cost (2020 figures, excluding recurring and digital items): \$111,100.

Appendix C — Notice of Nondiscrimination

NOTICE OF NONDISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT OF 1973

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Town of Dune Acres will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Dune Acres 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 ADA.

Effective Communication: The Town of Dune Acres will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Dune Acres 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 and who request such services.

Modifications to Policies and Procedures: The Town of Dune Acres will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Town of Dune Acres offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Dune Acres, should contact the office of Bonnie Hawksworth, Clerk-Treasurer, 1 East Road, Dune Acres IN 46304, or by calling 219-787-1900, or by emailing townclerk@duneacres.org, as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a program, service, or activity of the Town of Dune Acres is not accessible to persons with disabilities should be directed to Bonnie Hawksworth, Clerk-Treasurer and ADA Coordinator.

The Town of Dune Acres 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.