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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

October 22, 2025

Randy Simons
Commissioner Pro Tempore
Office of Parks, Recreation and Historic Preservation
625 Broadway
Albany, NY 12203

Re: Accessibility for People With
Disabilities
Report 2025-F-9

Dear Commissioner Pro Tempore Simons:

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the Office for Parks, Recreation and Historic Preservation to implement the recommendations contained in our initial audit report, *Accessibility for People With Disabilities* (Report [2022-S-3](#)).

Background, Scope, and Objective

The Office of Parks, Recreation and Historic Preservation (OPRHP) is responsible for the operation and stewardship of the State's park system, as well as advancing the statewide parks, historic preservation, and open space mission. The State's park system comprises over 250 State parks and historic sites, encompassing nearly 350,000 acres across 11 regions. OPRHP is responsible for managing a variety of recreational facilities including trails, picnic areas, campgrounds, golf courses, boat launches, swimming pools, playgrounds, sports complexes, museums, nature centers, zoos, greenways, and beaches. All these facilities include ancillary components (e.g., bathrooms, signage, parking lots, roads and paths, lighting) crucial in welcoming all patrons and ensuring safety and comfort for all.

As part of its mission, OPRHP works to provide universal access to safe and enjoyable recreational and educational opportunities for all New York State residents and visitors. According to OPRHP, universal access to parks and historic sites means providing recreation opportunities for everyone regardless of differences in ability.

Title II of the 1990 Americans with Disabilities Act (ADA) prohibits discrimination based on disability by State and local governments. Generally, under the ADA's implementing regulations, a public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. OPRHP is not required to make each of its existing facilities accessible, but must operate each service, program, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities. Further, the ADA requires that public entities (that employ 50 or more persons) designate at least one ADA Coordinator responsible for coordinating compliance with the ADA

and investigating ADA-related complaints. The ADA also requires public agencies to develop and publish grievance procedures to provide fair and prompt resolution of complaints and make available the name and contact information of the ADA Coordinator upon request.

Additionally, the ADA requires public entities to perform a self-evaluation of their ability to provide access to individuals with disabilities. The self-evaluation is designed to uncover areas that require more attention and identify policies that may, directly or indirectly, adversely impact accessibility. If a self-evaluation reveals that a public entity must make structural changes to achieve program accessibility, it is required to develop a Transition Plan (Plan). The Plan, at a minimum, should:

- Identify physical obstacles in the public entity's facilities that limit accessibility to individuals with disabilities;
- Describe in detail the methods that will be used to make the facilities accessible;
- Include a schedule for taking the steps necessary to achieve compliance; and
- Assign an official responsible for implementation.

The 2010 ADA Standards for Accessible Design (Standards) set minimum scoping and technical requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities. For any new construction or alteration that began on or after March 15, 2012, the project must comply with the Standards. An alteration is defined as a change to a building or facility that affects or could affect the usability of the entire building or facility or a portion thereof. Additionally, alterations to historic properties will comply, to the maximum extent feasible, with the regulatory provisions applicable to historic properties. If it is not feasible to provide physical access to a historic property in a manner that will not threaten or destroy the historic significance of the building or facility, alternative methods of access shall be provided. Although the Standards apply to new construction and alterations that began on or after March 15, 2012, they may be used as a guide to determine when and how to enhance accessibility within pre-existing structures.

According to OPRHP's Accessibility Policy (Policy) developed in 2015, access to State parks, historic sites, and programs and services will be achieved through physical design, specialized adaptive recreation equipment, interpretive resources, and reasonable accommodations. In line with the Standards, the Policy explicitly states that newly built or substantially renovated facilities and trails will adhere to the most current accessibility design standards, and existing facilities, trails, services, and programs will be assessed for compliance followed by a plan to remediate non-compliant features. The Policy also states that information about accessibility will be maintained on OPRHP's website as well as through other informational material. Further, employees responsible for public interaction will be trained in their responsibilities related to interacting with individuals with disabilities and how to respond to requests for information and reasonable accommodations.

The objective of our initial audit, issued on August 10, 2023, was to determine whether OPRHP had taken steps to ensure State parks and historic sites were accessible and could accommodate persons with disabilities, including meeting State and federal requirements. The audit covered the period from January 2018 through October 2022. We found OPRHP had not actively incorporated accessibility into its processes for maintaining and operating its parks. Despite having developed a Plan, OPRHP did not include a timetable for executing

improvements and had taken little action to implement recommendations for accessibility improvements. Additionally, most staff were not knowledgeable about the requirements under the Standards. We found 62% of the areas and amenities available for public use that we reviewed could improve accessibility, should OPRHP seek to exceed ADA's minimum requirements. Further, information on accessibility—used to inform patrons in each of the parks—was not always accurate. For example, we found many instances where the agency's website and/or signage at the parks contained seemingly erroneous information including: no wheelchair-accessible stalls, lack of wheelchair accessibility, access routes with obstacles, restroom or stall entrance dimensions less than Standards, and restroom stalls missing grab bars. Although historic sites pose unique challenges due to their age and design, we found OPRHP's State Historic Preservation Office officials were generally committed to making each site as accessible as possible within the constraints of the location.

The objective of our follow-up was to assess the extent of implementation, as of August 2025, of the three recommendations included in our initial audit report.

Summary Conclusions and Status of Audit Recommendations

OPRHP officials have made progress in addressing the problems we identified in the initial audit report; however, more work needs to be done. Of the initial report's three recommendations, one has been implemented and two have been partially implemented.

Follow-Up Observations

Recommendation 1

Develop processes to actively incorporate accessibility into the operation and maintenance of parks, which may include but not be limited to:

- *Communicating and training park staff on ADA requirements;*
- *Monitoring new construction and alteration projects to ensure compliance with the Standards;*
- *Developing procedures for recording and addressing accessibility complaints; and*
- *Assessing potential barriers to accessibility and, to the extent feasible, addressing the newly identified potential improvement areas as well as the barriers identified in the Plan.*

Status – Partially Implemented

Agency Action – OPRHP has developed processes to actively incorporate accessibility into the operation and maintenance of its parks. However, we found that improvements are still needed, specifically in ensuring that new construction or alterations meet the Standards.

Following our audit, in March 2024, OPRHP issued a memo to regional directors providing accessibility improvement areas identified during the audit for park staff to review and address within their parks. OPRHP enhanced an existing training course, which is provided to all OPRHP staff, and addresses general accessibility topics. The training covers its accessibility-related policies including information on service animals, aides, services, and the ADA Coordinator role. Additionally, in April 2025, 95 OPRHP staff from 13 locations attended a 2-day Code Compliance Training that discussed new accessibility requirements for building codes, ADA exceptions, and the differences

between the 2010 ADA Standards and new building codes. In October 2025, over 100 members of OPRHP's capital staff will also receive training focusing on the new NYS Uniform Code accessibility requirements effective January 2026.

Further, OPRHP has developed several new directives. For example, it has developed the "Issuance of Permits for Uniform Code Regulated Activities Policy," which requires the use of standardized forms for all Uniform Code-regulated work undertaken at OPRHP properties, and the Code Compliance Checklist, which includes an accessibility section that lists amenities such as parking areas, living areas, bathrooms, entrances, routes, and signage to ensure all new construction complies with the Standards. OPRHP also developed the "ADA Grievance Procedure Policy," which outlines ADA Coordinator responsibilities regarding addressing complaints by people with disabilities and the process by which a grievance is filed and resolved, including the appropriate time frames. Additionally, individuals may submit complaints based on disability in the provision of services, activities, programs, or benefits within the parks using a grievance form. Each submitted complaint form is reviewed, logged in a grievance tracker, and addressed by the ADA Coordinator. We reviewed all five ADA-related complaints recorded in the tracker (from January 2023 through April 2025) and found all had been addressed in a timely manner by the ADA Coordinator. Finally, OPRHP is in the process of updating its transition plan that was developed in 2015. A Scope of Services for a standalone contract for ADA transition planning has been drafted, and OPRHP plans to have the contract awarded by spring 2026.

To determine whether OPRHP incorporated accessibility into the operation of its parks, we reviewed 96 amenities at five parks (Green Lakes State Park, Mills Norrie State Park, Minnewaska State Park, Saratoga Spa State Park, and Thacher State Park) and found 83 (86%) of the amenities met standards. The amenities with potential improvements identified included restrooms (6), parking lots (3), and a ramp/access route, shower, kitchen, and pavilion. We also found one cabin that had been recently constructed or redone (in fiscal year 2023-24), which, therefore, was required to meet Standards. However, we identified accessibility barriers in this cabin, including stairs used to enter, sink and counter heights that were too high, shower dimensions that were too small, fixed shower head heights that were too high, and missing grab bars.

Recommendation 2

Improve the accuracy of publicly reported information on accessibility—communicated both online and through signage at parks.

Status – Partially Implemented

Agency Action – OPRHP posts accessibility information for each of its parks on its website and makes this information available to the public through Reserve America, a camping reservation system. OPRHP has begun addressing the issues identified in our original audit by correcting disparities between accessibility and information available on OPRHP's website. OPRHP officials stated they continue to identify non-compliant areas and update the publicly available information as necessary. OPRHP is also in the process of assessing its trails to make sure they meet Architectural Barriers Act standards. It is exploring alternative signage to indicate trails that meet some, but not all, standards to inform patrons so they can make their own determination regarding whether they can access the trail. Additionally, a redesign of the OPRHP website is in

process (estimated launch is October 2025), which will provide an inclusive approach that incorporates digital accessibility.

During our visits to the five parks, we found the accuracy of publicly reported information on accessibility—communicated both online and through signage at the parks—had improved. However, we found one pavilion identified as accessible on their website that needed minor modifications to meet Standards. Additionally, we reviewed signage concerns identified during the original audit for the three parks that had been previously visited and found the public information had been updated to reflect the accurate accessibility status of the amenity.

Recommendation 3

Document and communicate the roles and responsibilities of the ADA Coordinator, which should include requirements to coordinate compliance with the ADA and investigate ADA-related complaints.

Status – Implemented

Agency Action – OPRHP has developed and published directives for both the appointment and designation of the ADA Coordinator and the ADA Coordinator Title II responsibilities. Effective October 2023, OPRHP has designated an ADA Coordinator to manage ADA compliance efforts and investigate accessibility-related grievances. The ADA Coordinator's responsibilities include reviewing and resolving reasonable modification and auxiliary aids and service requests and reviewing, investigating, and resolving any ADA-related grievances and complaints. Further, the ADA Coordinator Responsibilities Directive outlines the administrative requirements of the ADA, including adopting and distributing a public notice about the relevant provisions of the ADA, making available the contact information of the designated ADA Coordinator, developing and publishing grievance procedures, and developing a transition plan. Additionally, OPRHP has hired two full-time Equal Opportunity Specialists who work with the ADA Coordinator to help cover the coordinator's responsibilities.

Major contributors to this report were Melissa Davie, Kathleen Garceau, and Stephen Myers.

OPRHP officials are requested, but not required, to provide information about any actions planned to address the unresolved issues discussed in this follow-up within 30 days of the report's issuance. We thank the management and staff of OPRHP for the courtesies and cooperation extended to our auditors during this follow-up.

Very truly yours,

Amanda Eveleth
Audit Manager

cc: Laura Mason, Office of Parks, Recreation and Historic Preservation