



Arapahoe County Administrative Policy

Subject: Reasonable Accommodation/Effective Communication
with Persons with Disabilities

Policy Number:

Effective Date: Approved: November 15, 2005
Amended:

Purpose

Arapahoe County supports the objectives of the Americans with Disabilities Act to ensure equal opportunity for individuals with disabilities in public accommodations, programs, activities and services. Arapahoe County is committed to providing reasonable accommodations to ensure equitable access to our facilities, programs and services for all citizens. This policy outlines our commitment to comply with the Americans with Disabilities Act and provide barrier-free access to County programs, services and activities.

Background

The Americans with Disabilities Act was signed into law on July 26, 1990 and became effective July 26, 1992. The purpose of the ADA is to ensure that people with disabilities are afforded the same rights and privileges as non-disabled people. The ADA prohibits discrimination on the basis of disability in state and local government services and public accommodation and commercial facilities. In addition, the County will comply with section 504 of the Rehabilitation Act of 1973 to the extent applicable.

Title II of the Americans with Disabilities Act, or ADA, prohibits discrimination against qualified individuals by public entities in the operation of all services and programs offered by the entity. It is the policy of Arapahoe County that all facilities, programs and services are accessible and usable by disabled individuals, unless providing access results in undue hardship to the County or causes fundamental alteration of the programs and services. It also is the County's policy that members of the public not experience discrimination or harassment based upon disability.

Scope

The guidelines outlined in this policy apply to members of the public accessing Arapahoe County programs, services and facilities.

Definitions

1. **Accessibility.** As it pertains to County facilities, programs and services, the ability to gain physical access to County buildings, sidewalks, parking, public telephones, parks and other various programs and services.
2. **Accessibility Process.** An organized procedural system that is documented, maintained and in place to answer citizen questions and address complaints pertaining the accessibility of County facilities, programs and services.

3. **ADA Coordinator.** Employee designated with the responsibility of facilitating and coordinating all ADA issues and requests regarding access problems or concerns for Arapahoe County.
4. **Americans with Disabilities Act (ADA).** Public law 101-336, enacted July 26, 1990, which “prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation.
5. **Auxiliary Aids.** Assistive devices that allow persons with impaired sensory, manual or speaking skills to gain an equal opportunity to benefit from and participate in programs, services, etc. Examples of auxiliary aids include, but are not limited to, telecommunications device for the deaf (TDD), sign language interpreters, assistive listening headsets, readers, large print materials, easy grip utensils and Braille signs.
6. **Disability.** With respect to an individual, means:
 - a) A physical or mental impairment that substantially limits one or more of the major life activities of such individual; or
 - b) A record of such impairment; or
 - c) Being regarded as having such impairment.
7. **Reasonable Accommodation.** Reasonable steps that an organization can take to allow a disabled citizen or customer access Arapahoe County programs, facilities and services. Reasonable accommodation includes, but is not limited to, providing auxiliary aids and services and other actions taken to enable qualified individuals with disabilities to perform the essential functions of the position they hold or desire or to participate in services, programs, or activities offered by the county.
8. **TDD.** Telecommunications Device for the Deaf. A device that allows conversation to take place over the telephone by sending typed messages through phone lines to the TDD screen.

General Policy

Requests for Reasonable Accommodations

Individuals who are disabled may request reasonable accommodation to assist the individual in accessing County facilities, programs or services. No one will be turned away because of a disability, and no one will be charged for reasonable accommodations. An individual is considered a person with a disability if he or she has:

- 1) A physical or mental impairment that substantially limits one or more major life activities;
- 2) Having a record of such an impairment;
- 3) Being regarded as having such impairment.

Major life activities include, but are not limited to, functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Examples of auxiliary aids or services that may be provided as a reasonable accommodation include, but are not limited to: extra staff assistance, readers, interpreters, assisted listening devices, TDD machines, electronic mail, audio tapes, computer CDs, paper and pen.

In anticipation of accommodation requests, Arapahoe County will identify resources in the county that could provide reader/scribe, note taking, and other disability-related services. Arapahoe County will

respond to requests for reasonable accommodations in a timely manner that will not result in an unreasonable delay or an unreasonable denial of services.

It is the responsibility of disabled individuals to seek available assistance, to make his or her needs known to County staff, and to give adequate time for the County to make reasonable accommodations. County employees should assist and advise individuals who request reasonable accommodations. Individuals who require reasonable accommodation to access facilities, programs or services should fill out the Arapahoe County Reasonable Accommodation Form and contact either the:

- 1) County department providing the facility, program or service and advise the department's designated ADA liaison of the individual's needs;
- 2) The County's Human Resources Department at 303-795-4497. The ADA Coordinator will direct you to the appropriate department representative.

Copies of the Reasonable Accommodation Form are available in Human Resources Department or the County's web site at www.co.arapahoe.co.us.

Arapahoe County employees who may require reasonable accommodations should contact Human Resources.

Program Materials and Services

Publicity for programs or services will mention accessibility. This will encourage people to ask for accommodations rather than assume it is not available. Someone in each department or elected office should be designated to handle such requests. Use the following statement, naming the local contact for a program and a phone number.

Arapahoe County is committed to making its (public meetings, programs, services) accessible to persons with disabilities. If you need special accommodations, contact the (department name and phone number, fax, TTD/TTY number and e-mail address). Please contact our office at least 3 days in advance to make arrangements.

Educational materials will carry a statement indicating that the material can be made available in alternate formats, such as Braille, large print, tape or electronic delivery. Use the following statement, naming the contact and phone number.

In accordance with the Americans with Disabilities Act, this material is available in alternative formats upon request. Please contact (department name and phone number, address, e-mail address, or TDD for assistance.

Business cards and letterhead will include a TDD number. TDD numbers also should be listed on brochures and program materials, as well as the County's website.

A list of disability resources available in the County will be developed and distributed to employees, and available to the public through the County's website.

Complaint Procedure

The County encourages members of the public with complaints regarding access to a facility, program or service to attempt to informally resolve those complaints with the ADA Liaison for the individual department providing the facility, program or service.

In the event a complaint cannot be resolved informally, a complaint regarding access to County programs, services, or activities may be filed in writing to:

Arapahoe County ADA Coordinator
Human Resources Department
5334 S. Prince St.
Littleton, CO 80166-0001
303-795-4497

Complaints should contain the name and address of the person denied equal access and describe the alleged violation of Title II of the Americans with Disabilities Act and the remedy the person believes is appropriate.

A complaint must be filed within 30 calendar days after the complainant becomes aware, or should have become aware, of the alleged violation.

An investigation, as may be appropriate, may follow the filing of a complaint. The investigation will be conducted by the ADA Coordinator, or may be delegated to the appropriate County department or outside agency.

The ADA Coordinator or designee, if appropriate, shall issue a written determination as to the validity of the complaint and description of the resolution, and a copy forwarded to the complainant and the affected department/elected office within 30 working days. Files and records of the complaint will be kept with the ADA Coordinator in Human Resources.

In the event the complainant is not satisfied with the results of the investigation and resolution conducted by the ADA Coordinator or his or her designee, the complainant may appeal the decision within 10 calendar days to the designated appeals officer. The designated appeals officer, or his or her designee, shall review the matter on appeal and render a decision within 30 working days. The decision of the designated appeals officer or his or her designee shall be final.

Filing a complaint with Arapahoe County does not preclude a complainant from filing a complaint or seeking relief from any other federal or state agency with jurisdiction over such matters.