

AMERICANS WITH DISABILITIES ACT REASONABLE MODIFICATIONS POLICY

Equal Opportunity

Broward County shall provide equal opportunity to qualified individuals with disabilities. It shall not discriminate against qualified individuals on the basis of disability in any of its programs, services and activities. 28 C.F.R. § 35.130(b) (1) (i)-(iv), (vii)

The County shall not in any of its programs, services and activities:

- deny a qualified individual with a disability the opportunity to participate in and benefit from programs, services and activities, including volunteer opportunities, that are not equal to that afforded to others;
- otherwise limit a qualified individual with a disability in the enjoyment of any right, privilege, advantage or opportunity enjoyed by other individuals.

This policy does not require the County to undertake an action that would pose an undue financial or administrative burden or fundamentally alter the nature of programs, services and activities.

Reasonable Modifications

Broward County will make reasonable modifications to policies, practices and procedures when necessary to provide equal opportunity to qualified individuals with disabilities, so long as doing so does not pose an undue financial or administrative burden or cause a fundamental alteration to the program, activity or service. 28 C.F.R. § 35.130(b) (7)

Eligibility Criteria and Safety Requirements

Broward County will not impose eligibility or safety criteria that will limit or prohibit the participation of qualified individuals with disabilities unless such standards are necessary and essential to the operation of programs, services and activities. It is the responsibility of the ADA Administrator in any situation where eligibility and safety standards may limit or exclude the participation of individuals with disabilities to:

- Review the standards and their application;

- Ensure that mitigating measures are used to reduce the hazard or threat to the safety of individuals with disabilities and other participants in the program;

Provide for the participation of individuals with disabilities to the greatest extent possible. 28 C.F.R. § 35.130(b) (8)

Integrated Services

Broward County shall provide all programs, activities and services in the most integrated setting appropriate to the needs of the person. This policy does not prohibit the establishment of separate programs for individuals with disabilities. However, it does prohibit the County from requiring that individuals participate in separate rather than integrated programs. 28 C.F.R. § 35.130(b) (2) ;(d)

Surcharges

Broward County will not impose surcharges on individuals with disabilities, their families or organizations representing them for the provision of reasonable accommodation, communication aids and services, reasonable modification to policies, practices and procedures, the removal of structural barriers, or any other costs associated with the participation of individuals with disabilities in the County's programs, services and activities. 28 C.F.R. § 35.130(f)

Significant Assistance

Broward County shall not give significant assistance, either financial or in-kind, to any organization that discriminates against individuals with disabilities. It is the County's responsibility to investigate any situation in which discrimination against individuals with disabilities may have occurred and take appropriate action, either to see that the discriminatory action is remedied or to recommend that the assistance be terminated. 28 C.F.R. § 35.130(b) (5)

The Office of Equal Opportunity Disability Affairs Section shall be responsible for the oversight, dissemination, coordination, and enforcement of procedures related to this policy.

REASONABLE MODIFICATIONS PROCEDURES

In accordance with Section 35.130(b)(7) of the Americans with Disabilities Act of 1990, Broward County has adopted the following procedures for addressing requests for reasonable modifications of County policies, practices, or procedures made by Citizens with disabilities in order to participate in County services, activities, programs.

Requests for simple modifications that have no or little cost and pose no administrative burden, such as assistance in filling out a form for an individual who does not write because of a disability or providing a chair to an individual with a mobility disability who has difficulty standing in line, may be granted by the County agency responsible for the service, program or activity.

Citizens seeking/requesting more complex modifications should submit their request in writing to:

Office of Equal Opportunity
Disability Affairs Section
115 S. Andrews Avenue
Suite A-680
Ft. Lauderdale, Florida 33301
(954) 357-6500
TTY: (954) 357-6181

(NOTE: For Request for Sign Language Interpreters, Braille and/ or other Auxiliary Aids and services see Sign Language Interpretation and Braille Request procedures)

The request should contain the name, address and telephone number of the individual requesting the modification; location of the program, service, activity or facility where the accommodation is required and a description of why the accommodation is needed.

The request can be submitted in any written format. However, it is recommended that the “*Disability Accommodation Request Form*” is used. Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing. This form is available by contacting the Office of Equal Opportunity Disability Affairs Section. Alternative means of filing a request will be made available, upon request.

If the Office of Equal Opportunity Disability Affairs Section grants the modification, the petitioner will be notified within 15 days of receipt of the request

and no further action will be required by the petitioner. The request will then be implemented by the appropriate County Agency. If the Office of Equal Opportunity Disability Affairs Section denies the modification request, the petitioner will be notified in writing of the decision, along with his or her rights to file a grievance under the County's Grievance Procedure, in a format acceptable to the petitioner. A copy of that procedure will be included in the correspondence to the petitioner.



Disability Accommodation Request Form

Broward County does not discriminate on the basis of disability in admission to, or operation of its programs, services, or activities. This form may be used by a private citizen with a disability seeking access to a County program or facility.

ACCOMMODATION REQUEST INFORMATION

Name: _____ Telephone (or TTY): _____
Address: _____ Date: _____

The program or facility to which I am requesting access is located

I am requesting the following accommodation(s)

- Wheelchair Access
- Sign Language Interpretation
- Written Material in Alternate Format (Large Print, Computer Disc)
- Written Material in Braille
- Reader
- Modification of Policy Procedures
- Other

Please provide any other details or information necessary to process this request

RETURN INFORMATION

Department: _____ Telephone: _____
Address: _____ TTY (if available): _____

ADDITIONAL QUESTIONS MAY BE DIRECTED TO THE OFFICE OF EQUAL OPPORTUNITY DISABILITY AFFAIRS SECTION

115 S. Andrews Avenue, Room 426
Fort Lauderdale, FL 33301
(954) 357-6500
TTY (954) 357-6181