

City of Flint Disability Nondiscrimination Plan

The City of Flint is committed to providing individuals with disabilities the opportunity for full participation in its programs, services, and activities through its compliance with Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and the Americans with Disabilities Act of 1990, as amended (the “ADA”).

The City recognizes that individuals with disabilities may need accommodations or modifications to have equal opportunities to participate in or benefit from the City’s programs, services and activities.

It is the City’s policy that no otherwise qualified individual with a disability will be denied access to or participation in any program, service, or activity offered by the City. The City will administer programs, services, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

The City will provide at no cost appropriate auxiliary aids and services including, for example, qualified interpreters to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the programs, services, and activities provided by the City in a timely manner and in such a way as to protect the privacy and independence of the individual.

Individuals with disabilities have a right to request accommodations. Individuals will receive accommodations appropriate to their needs in order to fully participate in or benefit from the City’s services and activities in a non-discriminatory, integrated setting.

The City and any of its agents will not coerce, intimidate, retaliate against, or discriminate against any individual for exercising a right under the ADA or Section 504, or for assisting or supporting another to exercise a right under the ADA or Section 504.

This Program and Policy applies to all City departments, agents and contractors.

Definitions

Disability means, with respect to an individual:

1. a physical or mental impairment that substantially limits one or more of the person's major life activities;
2. a history of such an impairment; or
3. being regarded as having such an impairment.

Qualified Individual with a Disability is someone who (with or without accommodations) meets the essential eligibility requirements for participating in the City's programs, services, and activities.

Accommodation means adjustments including reasonable modifications to rules, policies, or practices; environmental adjustments such as the removal of architectural, communication, or transportation barriers; or auxiliary aids and services. Examples of accommodations include, but are not limited to: scribe, interpreter, environment free of distractions, material in Braille, tapes, and computer-assisted instruction.

Nondiscrimination Coordinator

The Nondiscrimination Coordinator will coordinate the City's efforts to comply with Section 504 and the ADA, including ensuring the following:

- A. The City will adopt and make readily available in suitable formats (e.g., enlarged, Braille, audio-taped):
 - 1) accommodations believed needed to obtain equal access to and enable participation in City programs, services, and activities;
 - 2) a procedure for maintaining personal information in a manner that protects the privacy and independence of the individual; and a procedure for providing accommodations.
- B. The City will maintain data on the nature and extent of the services provided to individuals with disabilities and develop data collection requirements as part of the operational guidelines for implementing this policy.
- C. The City will provide accommodations to allow individuals with disabilities to participate in or benefit from the City and its programs, services, and activities in the most integrated setting appropriate.
- D. The City will utilize the grievance procedures set forth in its nondiscrimination program and policy for providing prompt and equitable resolution of complaints alleging any action that would violate Title II of the ADA or Section 504. These procedures should be applicable to any anticipated complaint, including an appeal of a denied accommodation request.
- E. The City will provide services that are required to comply with the ADA and Section 504 free of charge.
- F. The City will provide periodic in-service training for faculty and staff to develop their awareness and understanding of the needs of individuals with disabilities and legal compliance issues.

Facility Accessibility

Consistent with the City's self-assessment, the City will consider the extent to which any City facilities are "public facilities" or will be used by the public. The City will operate its programs and activities out of those facilities consistent with 40 C.F.R. § 7.65 so that, when each program or activity is viewed in its entirety, it is readily accessible to and usable by individuals with disabilities.

Existing Facilities:

- A. Structural changes in existing facilities are not required when other methods provide program accessibility. Such methods include:
 - 1) Redesigning equipment or the facility after case review.
 - 2) Providing appropriate signage directing people to accessible features.
 - 3) Reassigning staff, or services to accessible sites.
- B. Evacuation procedures will be developed by the City for individuals with disabilities.

New Construction:

Each facility or part of a facility constructed by, on behalf of, or for the use of the City must be designed and constructed in such a manner that the facility is readily accessible to and usable by persons with disabilities. Alterations to existing facilities shall, to the maximum extent feasible, be designed and constructed to be readily accessible to and usable by individuals with disabilities.

Off Campus:

Contractual or lease agreements for the use of non-City facilities should reflect efforts to secure accessibility. Any program, service, or activity in that facility must be accessible. If a program, service or activity is not wholly operated by the City, the City will attempt to assure that these programs, services or activities, as a whole, provide an equal opportunity for the participation of individuals with disabilities.

Accommodations:

Reasonable accommodations will be provided upon request to enable persons with disabilities to access all City programs, services, and activities. No participant with a disability in a City program, service or activity will be denied the benefits of, be excluded from participation in, or be otherwise discriminated against in the provision of services available to all individuals in general.

Each individual is responsible for making requests regarding accommodations to meet their particular needs in order to enable the City to provide an appropriate response to the

accommodation request. Auxiliary aids, services, or other accommodations used by individuals with disabilities to provide access to the City programs, services, and activities may not be on hand or present at all times, but will be provided as soon as is reasonably practicable after a request is made.

The City is committed to providing accommodations that ensure that all persons are able to access City programs, activities, and services for which they qualify. However, the City reserves the right to limit accommodations provided to those that are reasonable and appropriate under the circumstances. In determining appropriate accommodations, the City gives consideration to the wishes of the individual and, in certain appropriate circumstances, the documentation provided by experts working with individuals with disabilities. However, the wishes of the individual are not dispositive as to the appropriate accommodation if the accommodation offered by the City is otherwise reasonable and appropriate. Accommodations will not be considered reasonable and appropriate if they fundamentally alter the nature of the program, service, or activity; require waiver of essential program or licensure requirements; violate accreditation requirements; or pose an undue fiscal or administrative burden on the City. If the requested accommodation is not reasonable and appropriate under the circumstances, the City will propose an alternative reasonable and appropriate accommodation.

The City will not require an individual with a disability to accept an accommodation, aid, service, opportunity or benefit under any circumstances.