

## DANIEL BOONE REGIONAL LIBRARY

SUBJECT: Americans with Disabilities Act Title II Policy

ADMIN 2-625

### BOARD

SECTION: 600 – Library Administration

Approved: 02/13/97

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### POLICY

In compliance with the Americans with Disabilities Act (ADA) of 1990, including changes made by the ADA Amendments Act of 2008, it is the policy of the Daniel Boone Regional Library (DBRL), pursuant to Title II of the ADA, that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of DBRL, or be subjected to discrimination by DBRL.

It is the responsibility of management and designated library staff to ensure that this policy is implemented in all DBRL operations. It is the responsibility of the ADA Coordinator to monitor compliance with this policy and assist management and/or management's designee in meeting policy requirements. This policy is neither exhaustive nor exclusive.

### Accessibility – Services, Programs and Activities

***Title II of the ADA, which applies to public entities, states, in part, that “...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such public entity.”*** As a public entity, it is DBRL's priority and policy to provide accessibility to its services, programs, and activities. A list of ADA requirements for public entities includes, but is not limited to:

- A public entity cannot refuse to allow a qualified individual with a disability to participate in a service, program, or activity simply because the person has a disability.
- A public entity must provide programs and services in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity.
- A public entity must eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless “necessary” for the provision of the service, program or activity.
- A public entity is required to make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless a fundamental alteration in the program would result.

- A public entity must furnish appropriate auxiliary aids and services when necessary to provide individuals with disabilities an equal opportunity to participate in and enjoy the benefits of a service, program or activity of the entity, unless an undue financial or administrative burden or fundamental alteration of a program, service or activity would result.
- A public entity may not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory accessibility or providing qualified interpreters.
- A public entity shall operate its programs so that, when viewed in their entirety, they are readily accessible and usable by individuals with disabilities.

Every effort will be made to make services, programs and activities accessible to persons with disabilities. DBRL's service, program or activity guide will include a message about accommodations as will each flyer promoting any service, program or activity held regionally. Furthermore, general information regarding accessible facilities and services will be posted at each DBRL facility and on the DBRL website. The ADA Coordinator's name and contact information will be included in all such guides and flyers and on the DBRL website and will be posted at each DBRL facility.

Requests for accommodation by members of the public can be made verbally to any DBRL staff member or by completion of the *DBRL ADA Accommodation Request Form*. [DBRL employees who want to request an accommodation should refer to Policy 1-292 Americans with Disabilities Act.] The ADA Accommodation Request forms can be obtained at a public desk at the respective library branch or from the ADA Coordinator at the following address:

ADA Coordinator  
Daniel Boone Regional Library  
100 West Broadway  
Columbia, MO 65203  
(573) 443-3161

The form may be delivered to any DBRL staff member. Staff members taking public requests for accommodation will complete a "Request for Accommodation" form, if not already completed, and forward it to the ADA Coordinator. The Coordinator will contact the designated staff person for the appropriate service area so that he or she may make necessary arrangements. "Designated staff" are those persons representing DBRL for the program for which an accommodation has been requested. This person will make the arrangements and work with the actual staff person hosting the program to make certain everything is in place and ready for the program.

A copy of this policy shall be available to the public on the DBRL website and shall be posted, in an accessible format, at each DBRL facility.

### **Filing a Grievance or Complaint**

ADA grievances or complaints of disability discrimination by members of the public may be filed using the DBRL ADA Grievance process which follows. The public may also or alternatively file a charge with the appropriate state or federal external regulatory agency (e.g., EEOC, Missouri Commission on Human Rights, Department of Labor, etc.). DBRL employees with an ADA related grievance or complaint should refer to Policy 1-292 Americans with Disabilities Act and Policy 1-290 Complaint of Employment Discrimination.

### **GRIEVANCE PROCEDURE SUMMARY**

***The Daniel Boone Regional Library's internal grievance procedure has been established to review concerns of any member of the public who believes his or her rights under Title II of the Americans with Disabilities Act have been violated.***

<b>Responsibility</b>	<b>Action</b>
Grievant	Submits a grievance verbally or in writing within thirty (30) days of the alleged violation with DBRL. The grievance should contain the name and contact information (ex. address, phone number, email address) of the person filing, and should briefly describe the alleged violation. ADA Accommodation Request forms are available for this purpose.
Staff	Forwards grievance to ADA Coordinator upon receipt.
ADA Coordinator	Reviews grievance, notifies Executive Director of grievance and forwards it to appropriate service advisor within two (2) working days of date of receipt.
Service Advisor	Conducts an investigation into the concerns of the grievant within fifteen (15) working days of date of receipt.
Service Advisor	Confers with Executive Director and ADA Coordinator regarding resolution, if any, within twenty (20) working days of date of receipt.
Service Advisor	Issues a written determination to the grievant within forty-five (45) working days after filing the initial grievance.

***The Service Advisor's written determination of the grievance may be appealed by the grievant in circumstances where the grievant is dissatisfied with the resolution. Appeals are received by the ADA Coordinator and forwarded to the Executive Director. The Executive Director will render a written decision within thirty (30) days of receiving a request for a Grievance Appeal.***

The right of a person to a prompt resolution of the grievance filed hereunder shall not be impaired by the person's pursuit of other remedies, such as filing an ADA grievance with the appropriate federal and/or state entity. This grievance procedure is not a prerequisite to the pursuit of other remedies. These guidelines shall be construed to ensure that DBRL complies with the ADA.

The ADA Coordinator will maintain the files and records related to the grievances filed.