

KALAMAZOO COUNTY ADA POLICY

REFERENCES:

- A. The Americans with Disabilities Act of 1990 (42 USC 12101 et. Seq.)
- B. The ADA Amendments Act of 2008
- C. Section 504 of the Rehabilitation Act of 1973
- D. The Michigan Deaf Persons Interpreters Act, 1982 PA 204
- E. The Michigan Handicapper Civil Rights Act, 1976 PA 20, as amended 1990
- F. The Elliott-Larsen Civil Rights Act, 1976 PA 453

DEFINITIONS AND ABBREVIATIONS:

- A. “An individual with a disability” means a person covered by the Americans with Disabilities Act and other related state and federal law; and includes individuals who have a physical or mental impairment that substantially limits one or more of the major life activities; have a record of such impairment; or are regarded as having such impairment.
- B. “Qualified Individual with a Disability” means a person who meets the essential eligibility requirements for participation in a service or program provided by the County.
- C. “Accommodation(s)” may include, but are not limited to, making reasonable modifications in policies, practices, and procedures; furnishing, at no charge, to the qualified individuals with disabilities, auxiliary aids and services, which may include equipment, devices, materials in alternative formats, and qualified interpreters or readers; and making each service, program, or activity, when viewed in its entirety, readily accessible to and usable by qualified individuals with disabilities requesting accommodations. In order to ensure that County services are accessible, access may be provided by various methods including alteration of existing facilities, acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate sites. The County will consider the expressed choice of the individual requesting the accommodation to facilitate effective communication. The County will not place a surcharge on a particular individual or group of individuals to cover the cost of accommodation.
- D. “Policy” means the procedures set forth in this document regarding requests for accommodations by qualified individuals with disabilities.
- E. Confidentiality applies to the identity of the applicant in all oral or written communications, including all files and documents submitted by an applicant as part of the application process.

POLICY STATEMENT: It shall be the intent of the County of Kalamazoo to assure that qualified individuals with disabilities have equal and full access to the programs and services of Kalamazoo County Government. Nothing in this policy shall be construed to impose limitations or to invalidate the remedies, rights, and procedures accorded to any qualified individuals with disabilities under state or federal law.

PROCEDURES:

- A. The ADA Coordinator for the County shall be the County Administrator and/or his designee.
- B. The following procedure for requesting accommodations is established:
 1. Applications requesting accommodations pursuant to this policy may be presented in writing, on the County Accommodation Request form. Applications should be made to the ADA Coordinator, Kalamazoo County Administrator. Applications may be submitted online at <http://www.kalcounty.com/ada.htm> or printed and dropped off at 201 W. Kalamazoo Ave., Kalamazoo MI 49007, in person at any County office or by calling 269.384.8111.
 2. All applications for accommodations shall include a description of the accommodation sought along with a statement of the functional impairment that necessitates such accommodation. The County in its discretion may require the applicant to provide additional information about the qualifying impairment.
 3. Applications should be made as far in advance of the requested accommodations implementation date as possible.
 4. Upon request, the County shall maintain the application form in a separate, confidential file so as not to reveal the identity or other information contained in the application for accommodation.
- C. Grant of accommodation. This County shall grant an accommodation as follows:
 1. In determining whether to grant an accommodation and what accommodation to grant, the County shall consider, but is not limited by, the applicable provisions of the references identified in the "References" section of this policy.
 2. Within 5 business days of receipt of an application the County shall inform the applicant in writing, or other accessible format needed by the applicant, of the reasons a request for accommodation is either granted or denied.
- D. Denial of accommodation. This County shall grant an accommodation as follows:
 1. The applicant has failed to satisfy the requirements of this policy; or
 2. The requested accommodations(s) would result in a fundamental alteration in the nature of the program, service or activity, or create an undue financial or administrative burden on the County.

If the request for accommodation is denied or if the accommodation does not successfully establish effective communication, the applicant may file a grievance in accordance with the County's established grievance procedure. Upon request, the County shall provide the applicant a copy of the County's established grievance procedure. The procedure is also available on the County Website at <http://www.kalcounty.com/ada.htm>.

E. Review Procedure

An applicant whose request for accommodation has been denied or granted may seek review of a determination within 60 days of the date of the notice of denial or grant by submitting a request for review to the County ADA Coordinator.

F. Duration of accommodations

The accommodations by the County shall commence on the date indicated in the notice of accommodation and shall remain in effect for the period specified in the notice of accommodation. The County may grant accommodations for indefinite periods of time or for a particular service or program.