



## **Disability Non-Discrimination Plan**

The City of Willard is committed to providing persons with disabilities with equal opportunity to participate in or benefit from its programs, services, and activities through its compliance with section 504 of the Rehabilitation Act of 1973.

The City of Willard recognizes the persons with disabilities may need reasonable modifications to have equal opportunities to participate in or benefit from the City of Willard's programs, services, and activities.

It is the City of Willard'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 of Willard. The City of Willard will administer programs, services, and activities in the most integrated setting appropriate to the needs of qualified persons with disabilities.

The City of Willard will provide at no cost appropriate auxiliary aids and services where necessary to afford people with disabilities an equal opportunity to participate in and benefit from the programs, services, and activities provided by the City of Willard. Auxiliary aids and services may include qualified interpreters for individuals who are deaf or hard of hearing and must be brought in a timely manner and in such a way as to protect the privacy and independence of the individual. Persons with disabilities have a right to request reasonable modification to allow them to participate in or benefit from the City of Willard's services and activities.

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

This Program and Policy applies to all City of Willard's subrecipients, agents and contractors.

### **Definitions**

- A. Disability means, with respect to an individual:
  - a. a physical or mental impairment that substantially limits one or more of the person's major life activities;
  - b. the history of such an impairment; or
  - c. being regarded as having such an impairment.

The definition of “disability” should be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of section 504. The questioner whether an individual meets the definition of “disability” should not demand extensive analysis.

- B. Qualified Individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision on auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation of programs or activities provided by the City of Willard.

### **Non-Discrimination Coordinator**

The Non-Discrimination Coordinator will coordinate the City of Willard's efforts to comply with section 504, including ensuring the following:

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

### **Program Accessibility**

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

A. Existing Facilities:

- a. Structural changes in existing facilities are not required when other methods provide program accessibility. Such methods include:
  - i. Redesigning equipment or the facility after case review.
  - ii. Providing appropriate signage, directing people to accessible features.
  - iii. Reassigning staff, or services to accessible sites.
- b. Evacuation procedures will be developed by the City of Willard for persons with disabilities.

B. New Construction and Alterations:

Each facility or part of a facility constructed by, on behalf of, or for the use of the City of Willard must be designed and constructed in such a manner as 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 persons with disabilities.

C. Off Campus:

Contractual or lease agreements for the use of non-Recipient facilities should ensure that any program, service, or activity of the City of Willard in that facility is accessible. If a program, service, or activity is not wholly operated by the City of Willard, the City of Willard will attempt to assure that these programs, services, or activities, as a whole, provide an equal opportunity for the participation of persons with disabilities.

**Reasonable Modifications and Auxiliary Aids and Services**

No participant with a disability in a City of Willard Program, service or activity will be denied the benefits of, 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 reasonable modifications or auxiliary aids or services to meet their particular needs to enable the City of Willard to provide an appropriate response to the request. However, the failure of a request for a reasonable modification or auxiliary aid or service does not always excuse the City of Willard from providing a reasonable modification or auxiliary aid or service, as long as this does not result in a fundamental alteration or undue burden.

All auxiliary aids, and services used by persons with disabilities to provide access to the City of Willard programs, services, and activities need not be on hand or present at all times.

The City of Willard does not need to provide a reasonable modification or auxiliary aid or service that would fundamentally alter the nature of the program, service, or activity, for

example, requiring a waiver of essential program or licensure requirements; violating accreditation requirements; or posing an undue administrative burden on the City of Willard.

In determining reasonable modifications or appropriate auxiliary aids or services, the City of Willard considers the wishes of the individual.

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