

Americans with Disabilities Act - Title II Local Government Activities, Programs, and Services

Policies, Procedures, and Notices

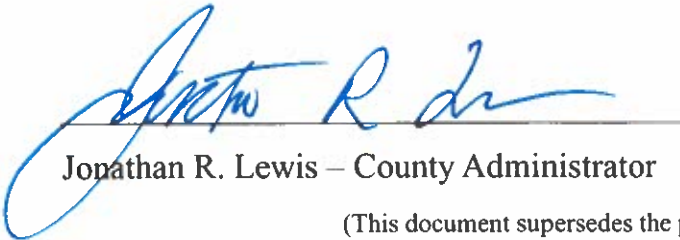
Sarasota County is committed to the principles of the Americans with Disabilities Act (the ADA). The ADA is a comprehensive federal civil rights law designed to protect people with disabilities from discrimination in, among other things, employment, transportation, and state and local government activities. Title II of the ADA specifically applies to public entities, including state and local governments, and prohibits discrimination based on disability in all aspects of government programs and services.

Anyone who requires assistance in accessing the County's activities, programs, or services, or wishes to file a complaint may contact:

Sarasota County ADA Coordinator
1660 Ringling Blvd.
Sarasota, FL 34236

Phone: 941-861-5000; TTY: 7-1-1 or 1-800-955-8771
Email: adacoordinator@scgov.net

APPROVED:



Jonathan R. Lewis – County Administrator

DATE: 3-24-23

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1.0 Policy Statement

Pursuant to the Sarasota County Charter, under the direction of the County Administrator, Sarasota County complies with the requirements of Title II of the ADA regarding its activities, programs, and services, and does not discriminate against individuals with disabilities.

Effective Communication: Sarasota County will, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Sarasota County activities, programs and services. Aids and services may consist of providing sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have a disability.

Sarasota County is committed to continuously improving access to all services, including the County's website. If an individual is unable to use any aspect of the County's website, PDF files, or other attachments, they should contact the adacoordinator@scgov.net, or call 941-861-5000 (TTY: 7-1-1 or 1-800-955-8771); and, the County will provide the individual or group with assistance.

Modifications to Policies and Procedures: Sarasota County will make all reasonable modifications to activities, programs, and services to ensure that people with disabilities have an equal opportunity to enjoy all of its activities, programs, and services.

Purpose: The purpose of this policy statement is to provide notice to the public and set forth Sarasota County's procedures for ensuring that all activities, programs, and services provide reasonable accessibility for individuals with disabilities as established under Title II of the ADA. These procedures include steps for ensuring appropriate communication and services, and for responding to complaints of discrimination.

2.0 Definitions

Activities - The operation of all activities, programs, and services offered by the County and by its contractors.

Americans with Disabilities Act (ADA) - A federal civil rights law enacted on July 26, 1990, that prohibits discrimination based on disability. The term ADA includes any amendment that has taken place, or will take place, such as the ADA Amendments Act of 2008.

Disability - As defined by the ADA, an individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more of his/her major life activities;
- Has a record of such impairment; or,
- Is regarded by others as having such impairment.

Effective Communication - Communication with people with disabilities that is as effective as communication with others participating in all activities, programs, and services.

Equal Opportunity - An opportunity for people with disabilities to participate and benefit from activities, programs, and services that are equal to and as effective as the opportunity provided to others.

Impairment - A physical impairment is a physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the body systems. A mental impairment is any mental or psychological disorder.

Integrated Programs - Services, programs or activities delivered in the most integrated setting appropriate to the person's level of need, even if separate services, programs or activities exist. Sarasota County strives to provide inclusive and accessible programming, both integrated and specialized, to meet the needs of the community.

Major Life Activity - Those functions that are important to most people's daily lives.

Personal Services or Personal Devices - Personal equipment such as wheelchairs, individually prescribed devices (such as eyeglasses or hearing aids), or services of a personal nature (such as assistance in eating, toileting, or dressing).

Primary Consideration - When choosing an aid or service, the County must give primary consideration to the choice of aid or service requested by the person who has a communication disability. The County must honor the person's choice, unless it can demonstrate that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration or an undue burden.

Program Access - The ability of disabled individuals to use and benefit from the County's activities, programs, and services.

Reasonable modification - Modifications to policies, practices, or procedures to avoid discrimination unless, the modification would fundamentally alter the nature of the County's services, programs or activities.

Self-Assessment - A comprehensive review of the County's current Title II accessibility compliance efforts. The County will identify any deficiency and create a transition plan with the objective of full compliance.

Transition Plan - A list of compliance deficiencies, under Title II standards. The list should also contain a plan to remedy each deficiency and a schedule for completion.

Undue Financial or Administrative Burden – A modification or remedy under Title II that would cause significant difficulty or expense if carried out. The existence of an undue financial or administrative burden may be determined on a case-by-case basis. The determination of an undue burden will be:

- Made by the County Administrator or his/her designee.
- Accompanied by a written statement containing the basis for the determination.
- The determination will consider all resources available.

3.0 Program Roles and Responsibilities

3.1 ADA Coordinator

- Is responsible to validate the County's departments' compliance with the ADA.
- Is responsible to coordinate the investigation of any complaints that the County has violated or is in violation of the ADA.
- Will coordinate enterprise-wide training sessions and information to educate county employees on the requirements as established by the ADA.
- Will assist the County's department ADA Liaisons, as needed, to ensure appropriate access to County services, programs and activities.
- Will guide and assist the County departments in conducting self-assessment and transition planning as requested.

3.2 Department Directors

- Will designate at least one department ADA Liaison to ensure the department's compliance with the ADA and other related federal laws.

- Will ensure that the Notice Under the ADA (Appendix A) is posted in a conspicuous area for visibility by the general public.
- Will ensure employees of the department know and understand the requirements of complying with the ADA mandates as they pertain to the activities, programs, and services provided by the department.
- Will support the department ADA Liaisons in conducting self-assessment and transition planning.

3.3 Department ADA Liaisons

- Are responsible to ensure all activities, programs, and services comply with the mandates of the ADA and other related federal law; this includes, but is not limited to, responding to requests for modifications as necessary.
- Will ensure the Notice Under the ADA (Appendix A) is appropriately posted in the County's departments' facilities, and that the Non-Discrimination Statement (condensed) is included on all publicly available materials, including but not limited to the County's website, invitations, event fliers, programs, applications, or public meeting notices.
- Will assist the ADA Coordinator in reviewing and resolving formal complaints filed against the County involving the department.
- Will provide the ADA Coordinator all files, communications, recommendations, and other records pertinent to the complaint.
- Will facilitate the department's self-assessment and transition planning.
- Will attend ADA Liaison meetings, when available.

4.0 Procedures

4.1 Notification: ADA Non-Discrimination Statement

Under Title II of the ADA, the County is required to distribute a public notice about the relevant provisions of the ADA. The notice below is to be placed on all publicly available materials, including the County's website, invitations, event fliers, programs, applications, and public meeting notices:

Americans with Disabilities Act
ADA Non-Discrimination Statement
(Condensed)

Sarasota County does not discriminate on the basis of disability in its activities, programs, services, and employment practices.

If you need auxiliary aids and/or services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or a reasonable modification in activities, programs, or services, contact the ADA Coordinator, preferably no less than 10 days before the activity or event.

A grievance procedure is available to resolve complaints.

Upon request, this notice is available in alternative formats such as large print or Braille.

To make a request or submit a complaint, the County's ADA Coordinator's contact information is:

Sarasota County ADA Coordinator
1660 Ringling Blvd.
Sarasota, Florida 34236
Phone: 941-861-5000; TTY 7-1-1 or 1-800-955-8771
Email: adacoordinator@scgov.net

In addition, the Notice Under the Americans with Disabilities Act (Appendix A) is to be conspicuously posted throughout all County buildings.

4.2 Communication

Under Title II of the ADA, the County is required to take steps to ensure that its communications with people with disabilities are as effective as communications with others. The requirement applies in all cases except when the County can show that providing effective communication would fundamentally alter the nature of the service or program in question or would result in an undue financial or administrative burden. The County is not required to provide individuals with disabilities personal devices, individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or, services of a personal nature including assistance in eating, toileting, or dressing.

The effective communication requirement applies to all members of the public with disabilities, including job applicants, program participants, and even people who simply contact the County seeking information about activities, programs, or services.

Under the ADA, it is the County's responsibility to provide effective communication that will allow equal access, and promote inclusiveness, for people with disabilities. Examples of potential effective communication requests may include:

- qualified interpreters
- note takers
- screen readers
- computer-aided real-time transcription (CART)
- written materials
- telephone handset amplifiers
- assistive-listening systems
- hearing aid-compatible telephones
- computer terminals
- speech synthesizers
- communication boards
- text telephones (TTYs)
- open or closed captioning
- closed caption decoders
- video interpreting services
- videotext displays
- description of visually presented materials
- exchange of written notes

- TIY or video relay service
- email
- text messaging
- instant messaging
- qualified readers
- assistance filling out forms
- taped texts
- audio recordings
- Braille materials
- large print materials
- materials in electronic format (in plain text format)

When an auxiliary aid and/or service is requested by someone with a disability, the County must provide an opportunity for that person to request the auxiliary aid and/or service of their choice and must give primary consideration to the individual's choice. "Primary consideration" means the County must honor the individual's choice, with certain exceptions. The individual with a disability may be in the best position to determine what type of aid or service will be effective for them. As such, it is important to engage in an interactive process with the individual making the request.

The individual's choice does not have to be followed if any of the below is established:

- The County can demonstrate that another equally effective means of communication is available.
- Use of the means chosen would result in a fundamental alteration in the activities, programs, or services.
- The means chosen would result in an undue financial or administrative burden.

4.3 Modifications to Policies and Procedures

Sarasota County will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all of its activities, programs, and services.

The County will make reasonable modifications for those who require an auxiliary aid or service for effective communication, or a modification of policies or procedures, to participate in activities, programs, and services. The County is not required to provide individuals with disabilities personal devices such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting, or dressing.

4.4 Complaint Procedures

Any individual who feels that he/she has been discriminated against on the basis of a disability in the provision of activities, programs, and services operated by Sarasota County, or an entity on behalf of the County, shall have the ability to file a complaint with the County, have the complaint responded to, and have the right to request an appeal. The complaint procedure established here does not preclude or waive any individual's right to seek redress through any other available remedy, including but not limited to, any other remedy established under the ADA.

The Complaint procedures and form (Appendix B) are to be accessible to the public on the County's website or from any County department, and upon request will be made available in other formats as necessary.

Anyone who wishes to file a complaint alleging discrimination shall file a complaint containing information about the alleged discrimination, including name, address, phone number of the person making the complaint, location, date, and a description of the problem. The complaint may be filed online using the e-mail address adacoordinator@scgov.net, by using the County's form found at: www.scgov.net (Appendix B), or by visiting any County department. Alternative means of filing complaints, such as personal interviews, will be made available for persons with disabilities upon request.

The complainant or his/her designee should submit a complaint as soon as practicable after the alleged violation to:

Sarasota County ADA Coordinator
1660 Ringling Blvd.
Sarasota, Florida 34236
Phone: 941-861-5000; TTY voice or 7-1-1 or 1-800-955-8771
Email: adacoordinator@scgov.net

The ADA Coordinator or designee (such as the responsible department ADA Liaison) will, within 30 business days after receipt of the complaint, meet with the complainant to discuss and informally resolve the complaint unless federal regulations require other procedures (e.g., Transit).

The ADA Coordinator or designee will, within 30 business days of the meeting, respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Sarasota County and offer options for substantive resolution of the complaint.

The complainant and/or his/her designee may appeal the decision within 30 business days after receipt of the response to the County Administrator or his/her designee, if the response by the ADA Coordinator or designee does not satisfactorily resolve the issue.

The County Administrator or his/her designee will, within 30 business days after receipt of the appeal, meet with the complainant to discuss and informally resolve the complaint. The County Administrator or his/her designee will, within 30 business days after the meeting, respond in writing, and, where appropriate, in a format accessible to the complainant, with a final disposition of the complaint.

4.5 Self-Assessment and Transition Planning

Sarasota County departments will conduct periodic self-evaluations to enhance their current policies and practices and will develop a transition plan to correct those policies and practices that are inconsistent with Title II's requirements.

Departments must analyze whether policies and practices unintentionally or adversely affect the full participation of individuals with disabilities in its activities, programs, and services. In this regard, a department should be mindful that although its policies and practices may appear harmless, they may unintentionally result in denying individuals with disabilities full participation in its activities, programs, or services. Furthermore, each department should have a mechanism for continuing to re-examine and re-address access-related issues, so activities, programs, and services are delivered in a seamless manner to individuals with disabilities.

Appendix A - Notice Under the Americans with Disabilities Act

Sarasota County does not discriminate on the basis of disability in its activities, programs, and services.

Employment: Sarasota County does not discriminate on the basis of disability in its hiring or employment practices and complies with the ADA Title I employment regulations.

Effective Communication: Sarasota County will, upon request, provide auxiliary aids and services leading to effective communication for people with disabilities, including qualified sign language interpreters, assistive listening devices, documents in Braille, and other ways of making communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Sarasota County will make reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy and/or participate in activities, programs, and services. For example, people with service animals are welcomed in Sarasota County facilities, even where pets and other animals are typically prohibited.

Requests: To request an auxiliary aid or service for effective communication, or a modification of policies or procedures contact the County's ADA coordinator, preferably no less than 10 days prior to the event or activity.

Complaints: Send your ADA related complaint to the County's ADA coordinator:

Sarasota County ADA Coordinator
1660 Ringling Blvd.
Sarasota, FL 34236
Phone: 941-861-5000; TTY: 7-1-1 or 1-800-955-8771
Email: adacoordinator@scgov.net

Note: The ADA does not require Sarasota County to take any action that would fundamentally alter the nature of its activities, programs, or services, or impose an undue financial or administrative burden.

Appendix B – Complaint Form

Instructions:

Print this document on standard 8 1/2 x 11 paper. After completing the form, place this page on the top, and fold all pages on the line below. Tape the package closed, to meet U.S. Postal Service requirements.

Mail to:

Sarasota County ADA Coordinator, 1660 Ringling Blvd., Sarasota, Florida 34236.

Or, if you prefer, you may email the form to: adacoordinator@scgov.net

If you need assistance in completing the form, contact the Sarasota County Call Center at:
Phone: 941-861-5000; TTY 7-1-1 or 1-800-955-8771

(Fold Line)

TO: Sarasota County ADA Coordinator
1660 Ringling Blvd.
Sarasota, Florida 34236

Complaint Form

Title II of the Americans with Disabilities Act

Sarasota County will make all reasonable modifications to ensure that people with disabilities will have equal opportunities to our activities, programs, and services. If you believe that your rights under the ADA have been denied, we respectfully request you complete this form to provide opportunities for us to improve.

Instructions: Please fill out this form completely, and return to:

Sarasota County ADA Coordinator
1660 Ringling Blvd.
Sarasota, Florida 34236
Email: adacoordinator@scgov.net
Phone: 941-861-5000; TTY 7-1-1 or 1-800-955-8771

Complainant/Name: _____

Telephone: _____

Cell: _____

Address: _____

City, State and Zip Code: _____

Email: _____

Describe the situation or way in which you feel the activities, programs, or services were and/or are inaccessible or your rights were otherwise denied. Please include the names of the individuals who were involved in the occurrence (add additional sheets if needed):

Describe the requested action to resolve the complaint (add additional sheets if needed):

Did anyone witness the incident: No__ Yes__ If yes, provide witness contact information (add additional sheets if needed to provide additional witnesses)

Witness Name: _____ Telephone Number: _____

Address: _____

City, State, and Zip Code: _____

Have efforts already been made to resolve this complaint through contact with the County? No__ Yes__ If yes, what is the status of the complaint?

Has a complaint been filed with the Department of Justice or any other federal, state, or local civil rights agency? No _____ Yes _____ If yes, what Agency?

Agency: _____

Contact Person: _____

Address: _____

City, State, and Zip Code: _____

Date Filed: _____ Telephone Number: _____

Email: _____

What is the status of the complaint filed? _____

Signature: _____ Date: _____