

<b>KITSAP PUBLIC HEALTH DISTRICT POLICIES &amp; PROCEDURES</b>		
Subject: Administrative Policy	Number: A-33	Page 1 of 4
Title: <b>Reasonable Accommodation for Disabilities in Programs and Services</b>	Effective Date: 3/17/11	
Initial Approval By: Management Team	Date: 3/17/11	
Periodic Review By: Management Team	Date: 3/17/14	
Applies to: All Customers, Clients, Vendors, Contractors and Applicants	Revision Dates: 4/28/2011	

**A. Purpose:** To affirm the Kitsap Public Health District’s commitment to provide equal access in its programs, services and activities for persons with disabilities.

**B. Policy Statement:** No qualified individual with a disability will, on the basis of disability, be excluded from the participation in or denied the benefits of the District’s programs, services, or activities, or be subjected to discrimination in accordance with:

- Americans with Disabilities Act of 1990 (ADA), as amended.
- Section 504 and 508 of the Rehabilitation Act of 1973, as amended.
- Revised Code of Washington (RCW) 49.60 Discrimination – Human Rights Commission.

To that end, District staff will make every reasonable effort to assist qualified persons with disabilities who request reasonable accommodations by utilizing the procedures established in this policy. ADA compliance applies to all District divisions, services, public use facilities, and programs regardless of the funding source.

**C. Definitions:**

1. **Disability** – With respect to an individual, a mental or physical impairment that substantially limits one or more of the major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment.
2. **Equal Access** – The opportunity to participate in or benefit from the aids, benefits, or services provided by the District.
3. **Qualified Person with a Disability** – A person with a disability who meets the essential eligibility requirements for the receipt of the services, or participation in programs or activities provided by the District.
4. **Reasonable Accommodation** – Measures to make each District service, program, or activity, when viewed in its entirety, readily accessible to and usable by an individual who is a qualified person with a disability, and may include but is not limited to:
  - a. Making reasonable modifications in policies, practices and procedures; and
  - b. Furnishing, at no charge, auxiliary aids and services, including but not limited to equipment, devices, materials in alternative formats, qualified interpreters, or readers.

Reasonable accommodation does not include providing individuals with 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.

5. **Requestor** – For purposes of this policy, any customer, client, contractor, job applicant, or other individual who submits a request for reasonable accommodation.

#### D. Implementing Procedures:

1. **Who May Receive a Reasonable Accommodation?** Any qualified person with a disability who needs assistance to participate in a District service, program, or activity may request a reasonable accommodation. The District may require reasonable evidence of a disability before providing accommodations.
2. **What is the Process to Request an Accommodation?** The requestor (person making the request) must tell the District why they need an accommodation, and what accommodation they would like, by completing a “Request for Reasonable Accommodation Form.” This form can be obtained at the District’s reception counter or by calling (360) 337-5235. Submit the completed form to:

Human Resources Manager  
Kitsap Public Health District  
345 6<sup>th</sup> Street, Suite 300  
Bremerton, WA 98337  
Telephone (360) 337-5299

Anyone needing help completing the “Request for Reasonable Accommodation Form” can contact the Human Resources Manager who will make arrangements to assist the requestor. The District’s Human Resources Analyst can also be contacted for assistance. The Human Resource Analyst can be reached at the same address, or by calling (360) 337-5294.

3. **What Happens after the Request is Submitted?** Unless the requestor’s disability and need for reasonable accommodation are obvious, the requestor may be requested to provide reasonable documentation from his or her physician or health care provider about the nature of the disability and the functional limitations that require accommodation. If requested, this documentation must be provided before the request for an accommodation will be granted.

After any requested documentation is provided, the District will participate in an interactive process with the requestor to understand the nature of the disability and the scope of any necessary reasonable accommodations. The District will determine whether the particular accommodation sought by the requestor is reasonable, and/or whether there are other accommodations that the District can provide which will allow the requestor to participate in the program, activity or service.

4. **Must All Requests Be Granted?** No. Although the District will give consideration to the requestor’s preferred accommodation, the District is free to choose any effective accommodation that is less expensive or easier to provide. Denial of an accommodation request will involve consideration and balancing of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the District.

The Program Manager, Division Director or the Human Resources Manager will notify the requestor whether an accommodation will be provided, the nature of the accommodation, and (if appropriate) when the accommodation will be received.

If the District determines that the accommodation sought by the requestor is not reasonable, and no other accommodation can be provided, the Human Resources Manager or designee will notify the requestor of that determination and will document all efforts made to find a reasonable accommodation and why the requested accommodation could not be provided.

## **E. Grievance Procedure**

The District has adopted the following grievance procedure to meet the requirements of Title II of the Americans with Disabilities Act. (ADA). Anyone who wishes to file a complaint alleging discrimination because of a disability in the provision of services, activities, programs, benefits or applications for employment should use this procedure. <sup>1</sup>

1. The District's Human Resources Manager, or their designee, is designated as the person to receive and manage grievances or complaints. Requests for accommodation by qualified disabled individuals which have not been resolved to the individual's satisfaction shall be submitted by the grievant and/or his/ her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Human Resources Manager  
Kitsap Public Health District  
345 6<sup>th</sup> Street, Suite 300  
Bremerton, WA 98337

2. Within 15 calendar days after receipt of the complaint, the Human Resources Manager will meet with the complainant, in person, by telephone, teleconference, or other appropriate means, to discuss the complaint and possible resolutions.
3. Within 15 calendar days after the meeting, the Human Resources Manager will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print or audio tape. The response will explain the position of the District and offer options for substantive resolution of the complaint.
4. If the response by the Human Resources Manager does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the Human Resources Manager within 15 calendar days after receipt of the response to the Board of Health.
5. Within 15 calendar days after receipt of the appeal, the Board of Health or their designee will meet with the complainant in person, by telephone, teleconference, or other appropriate means to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the Board of Health, or their designee, will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
6. All complaints, responses, and other records and files relating to ADA complaints filed shall be kept by the Human Resources Office for at least three years.

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<sup>1</sup> Complaints by persons employed with the District shall be filed in accordance with the Kitsap Public Health District Personnel Manual and collective bargaining agreement, if applicable.



SCOTT W. LINDQUIST, MD, MPH, DIRECTOR  
345 6<sup>TH</sup> STREET, SUITE 300  
BREMERTON, WA 98337-1866  
(360) 337-5235

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## EMPLOYEE ACKNOWLEDGMENT RECEIPT

### *Receipt for the Reasonable Accommodation for Disabilities in Programs and Services Policy*

I hereby acknowledge that I have reviewed a copy of the above Kitsap Public Health District policy. I understand that this policy is not a contract of employment, and may be modified by the Health District at any time.

I further acknowledge my responsibility for adhering to the contents of this policy and I understand that any questions regarding the contents should be directed to the Human Resources Manager for explanation or clarification. I understand that this policy supersedes all other prior versions.

My signature below further signifies that I have reviewed this policy and that I accept and will abide by its provisions.

Printed Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

Submit original to Human Resources for placement in personnel file.