

City of Miami Springs Hialeah-Miami Springs Rotary ADA Transition Plan

CITY OF MIAMI SPRINGS/HIALEAH- MIAMI SPRINGS ROTARY HIALEAH-MIAMI SPRINGS ROTARY AMERICANS WITH DISABILITIES ACT POLICIES AND PROCEDURES

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1- PURPOSE AND SCOPE:

The purpose of this policy is to outline the City of Miami Springs/Hialeah-Miami Springs Rotary's policy relative to the U.S. Americans with Disability Act of 1990. The City ensures compliance with applicable federal laws, state statutes and city ordinances as amended.

2- APPLICABILITY:

This policy applies to all member of the public with disabilities and their companions, including job applicants, program participants, people who contact the City seeking information about our programs, services or activities, or people who are using or attempting to use our facilities, programs and services.

This policy applies to all applicants and current employees of the City of Miami Springs/Hialeah-Miami Springs Rotary. Employees whose positions are covered by Civil Service Law or a collective bargaining agreement are subject only to those portions of the policy which are not separately regulated by Civil Service Law or a collective bargaining agreement.

3- DEFINITION:

Qualified Individual: an individual who, with or without reasonable accommodation, can perform the essential functions of the position that the individual holds or desires.

Disability: a physical or mental impairment that substantially limits one or more major life activities of the individual; a record of such impairment, or being regarded as having such impairment.

Major Life Activities: major life activities include, but are limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. The definition also includes the operation of major bodily functions such as the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

Reasonable Accommodation: a modification or adjustment to a job, employment practices, or work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity.

Undue Hardship or Burden: an action that is excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the department.

4- Public Notice of Americans with Disabilities Act (ADA) Compliance

A. The City of Miami Springs/Hialeah-Miami Springs Rotary hereby adopts the following Public Notice of Americans with Disabilities Act (ADA) Compliance:

Notice under the Americans with Disabilities Act

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Miami Springs/Hialeah-Miami Springs Rotary will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Miami Springs/Hialeah-Miami Springs Rotary does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The City of Miami Springs/Hialeah-Miami Springs Rotary will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in city programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of Miami Springs/Hialeah-Miami Springs Rotary will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Miami Springs/Hialeah-Miami Springs Rotary offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Miami Springs/Hialeah-Miami Springs Rotary, should contact the **ADA Coordinator in the City Clerk's Office at 305-805-5006** no later than seven (7) days before the scheduled event.

The ADA does not require the City of Miami Springs/Hialeah-Miami Springs Rotary to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the city is not accessible to persons with disabilities should be directed to the ADA Coordinator in the City Clerk's Office.

The City of Miami Springs/Hialeah-Miami Springs Rotary will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

CITY OF MIAMI SPRINGS/HIALEAH-MIAMI SPRINGS ROTARY AMERICANS WITH DISABILITIES ACT

The person named below is responsible for coordinating the City's compliance with the Americans with Disabilities Act. Inquiries, complaints, requests for communication aids, and other accommodations and assistance should be directed to:

City of Miami Springs/Hialeah-Miami Springs Rotary City Clerk's Office
Attn: Erika Gonzalez, MMC
201 Westward Drive
Miami Springs FL 33166
T. (305) 805-5006
F. (305) 805-5028

E-mail: gonzaleze@miamisprings-fl.gov

Copies of this notice are available in large print, audiotape, and on computer disk upon request. The City's ADA grievance procedure, Self-Evaluation, and policies and procedures are also available on request.

B. In compliance with the provisions of the Americans with Disabilities Act, the above Public Notice shall be posted in prominent locations in public buildings, City website, and in short form on all brochures and public information materials.

5- Policy

The City of Miami Springs/Hialeah-Miami Springs Rotary is committed to protecting the rights and dignity of all employees. The City will not tolerate discrimination against individuals with disabilities because of their disabilities in the work place or with regard to City sponsored activities.

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination against qualified individuals with disabilities because of their disabilities.

The City of Miami Springs/Hialeah-Miami Springs Rotary intends to ensure that individuals with disabilities who are employed by the City and persons applying for jobs are treated fairly and given opportunities equal to those of others working or seeking work.

6- Equal Employment Opportunity and Reasonable Accommodation Policies

The ADA, and other disability laws, prohibits discrimination against people with disabilities in every aspect of employment, including:

1. Recruitment, advertising, and job application procedures;
2. Hiring, upgrading, promotion, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
3. Rates of pay or any other form of compensation and changes in compensation;
4. Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
5. Leaves of absence, sick leave, or any other leave;
6. Fringe benefits by virtue of employment, whether or not administered by the employer;
7. Selection and financial support for training, including apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training;
8. Activities sponsored by the employer including meetings, social and recreational programs;
9. Any other term, condition, or privilege of employment.

The City of Miami Springs/Hialeah-Miami Springs Rotary does not exclude or isolate persons with disabilities who are using or attempting to use our facilities, programs and services, and is willing to modify the format of Employment Applications (such as a large print application or on audio tape) or to offer assistance in completing them, hold testing and interviewing in accessible locations (so people who use wheelchairs can participate, for example), provide accurate information about the abilities and skills of individuals with disabilities when conducting tests and interviews, and provide reasonable accommodation so that an individual with a disability can perform the essential

functions of his or her job.

The City of Miami Springs/Hialeah-Miami Springs Rotary is committed to the principle that individuals with disabilities who are employed by the City and persons applying for jobs should not be subjected to discrimination because of that disability, should be treated fairly and given opportunities equal to those of others working and/or seeking to work here. The City administration and all supervisory personnel are responsible for maintaining a work environment free of discrimination against persons with disabilities. The City encourages all employees to aid in the achievement of this objective and has established an ADA Coordinator within the City's Manager's Office to formalize its commitment to this purpose.

The City of Miami Springs/Hialeah-Miami Springs Rotary is not required to give preferential treatment to individuals with disabilities or lessen qualification standards. The law does require that the City consider reasonable modifications regarding how qualified individuals with disabilities demonstrate their abilities and skills.

Reasonable Accommodation Process for a qualified applicant or employee

The City of Miami Springs/Hialeah-Miami Springs Rotary does not discriminate against qualified applicants as defined under the Americans with Disabilities Act and employees on the basis of disability in any terms, conditions or privileges of employment. A qualified applicant or employee as defined under the Americans with Disabilities Act can submit reasonable accommodation request when they consider it necessary.

The accommodations request may include, but are not limited to, making reasonable modifications in policies, practices, and procedures; furnishings, auxiliary aids, and services; and making services, programs, or activities accessible, usable, and integrated wherever appropriate. Specific lists of types of accommodation are not included in this policy as they vary depending on program and individual needs and also by types of accommodation available.

A. Upon request, the City will provide reasonable accommodation to employees and applicants with disabilities when doing so does not pose an undue financial or administrative hardship.

B. Job applicants are not required to provide information about disabilities or accommodations required until a conditional job offer is made. Interviewing managers are prohibited from requesting information about any disabilities or accommodations required until making a conditional job offer. However, a job applicant who chooses to do so, may submit written requests for reasonable accommodation to the Director of Human Resources or alternatively to the ADA Coordinator prior to the conditional job offer. Or, after the job offer is made to the applicant, he or she should submit a written request to the supervisor offering the job or to the Director of Human Resources or alternatively to the ADA Coordinator. Employees who require accommodations should submit written requests for reasonable accommodation to his or her immediate supervisor.

Requests for accommodation should contain a description of the nature and purpose of the accommodation being requested. If an applicant or employee is unsure of the type of accommodation required, that individual, the Director of Human Resources or alternatively to the ADA Coordinator and the individual's immediate supervisor and/or Department Head shall work collaboratively to design an accommodation.

C. If the disability is not apparent, the request for accommodation should be accompanied by supporting documentation from a health care professional.

This documentation should state that the employee in question has a disability that substantially limits one or more major life activities that requires an accommodation. Copies of requests for accommodation together with supporting documentation should be forwarded to the Human Resources or alternatively to the ADA Coordinator by the employee's supervisor. Medical records shall be stored in a separate location from personnel records. Medical records include but are not limited to: documentation of illness, injury, short or long-term disability, accommodation requests, doctor's letters and certificates, Family and Medical Leave Act documentation and insurance information. Access to medical records shall be provided on a "needs to know basis" with authorization from the Director of Human Resources or alternatively to the ADA Coordinator or from the individual employee by written, signed release.

D. Supervisors/Department Heads may grant requests for accommodation, but may not deny them. Only the ADA Coordinator in concert with the Human Resources Director or City Manager may determine that a proposed accommodation constitutes an undue hardship. Qualified applicants and employees have the right to file a grievance upon denial of reasonable accommodation, using the City's ADA grievance procedure.

E. Employees requesting a reasonable accommodation will not be subject to retaliation for exercising their rights under the Americans with Disabilities Act.

7- ADA Coordinator

The ADA Coordinator will direct the City's compliance with the Americans with Disabilities Act. The ADA Coordinator shall receive and investigate grievances and requests for accommodations and assistance under said Act and as detailed in this Title.

The City of Miami Springs/Hialeah-Miami Springs Rotary's ADA Coordinator's responsibilities may include conducting the self-evaluation and developing the transition plan, handling requests for auxiliary aids and services, providing information about accessible programs and services, and serving as a local resource to the City. The ADA Coordinator may also have responsibility for working with the City Council to ensure that new facilities or alterations to town facilities meet ADA requirements. In some cases, The ADA Coordinator may also receive complaints from the public and will work to resolve them.

8- ADA Grievance Procedure

A. This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. Persons with disabilities or their authorized representatives, who believe that they have been discriminated against on the basis of disability in employment, or the provision of services, activities, programs, or benefits, are requested to use it to bring their complaints to the attention of the City.

B. The complaint should be submitted in writing or on audiotape to the ADA Coordinator. It should include a description of the alleged discriminatory incident or action, the place and date of its occurrence, and the name of any employee or representative of the City involved. The complaint should also include the name, address, and phone number of the person(s) bringing the complaint or their authorized representative(s). If assistance is needed to file or pursue the complaint, the ADA Coordinator upon request will provide it. The complaint should be submitted as soon as possible but no later than sixty (60) calendar days after the alleged discriminatory incident to the ADA Coordinator.

C. Within fifteen (15) calendar days of its receipt, the ADA Coordinator will meet with the

complainant to clarify the facts of the incident and discuss possible resolutions. Within fifteen (15) calendar days after the meeting, the ADA Coordinator will respond in writing, or if needed for effective communication, in an alternate format preferred by the complainant, such as large print, Braille, or audiotape. The response will explain the position of the City and present options for substantive resolution of the complaint.

D. If the ADA Coordinator's response does not satisfactorily resolve the issue, the complainant may appeal the Coordinator's decision within fifteen (15) calendar days of its receipt to the City Manager, or his or her designee. Within fifteen (15) calendar days of the receipt of the appeal, the City manager, or his or her designee, will meet with the complainant to further clarify the complaint and discuss possible resolutions. Within fifteen (15) calendar days of the meeting the City Manager, or his or her designee, will respond in writing or alternate format with a final resolution of the complaint.

E. Records of all complaints received by the ADA Coordinator and appeals will be kept on file for at least three (3) years.

9- Equal Opportunity Policy

No qualified person with a disability shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any of the City's programs or activities. In providing its services, programs, and activities, the City will not:

1. Deny a qualified individual with a disability the opportunity to participate in, or benefit from, an offered benefit, service, or activity.
2. Deny a qualified individual with a disability the opportunity to participate in, or benefit from, any aid, benefit, or service that is not equal to that afforded to others.
3. Otherwise limit a qualified individual with a disability the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other qualified individuals receiving the aid, benefit, or service.

10- Reasonable Modification Policy

A. The City will make reasonable modifications to policies and procedures necessary to accommodate the needs of a person with a disability whenever an otherwise qualified person with a disability requests such modification, unless it can be demonstrated that the requested modification would impose an undue burden or fundamental alteration to the program.

B. Requests for modifications should be made to program staff or the ADA Coordinator and can be presented verbally or in writing (please see Reasonable Modification Request Form). It is the responsibility of the ADA Coordinator to ensure that requests are responded to appropriately and in a timely fashion.

C. Final decisions regarding requests for modifications, that in the opinion of the ADA Coordinator may represent an undue burden or fundamental alteration, will be made by the City Manager in a timely fashion and no longer than ten (10) working days. Individuals seeking to contest a denial of a request for modification will be given the grievance procedure in format appropriate to their needs.

11- Eligibility and Safety Requirements Assurance

A. It is the policy of the City that prohibitions or limitations to the eligibility of qualified individuals with disabilities to receive services or participate in programs are not allowed unless they are essential to the operation of the program or service. Eligibility requirements must be reviewed by the ADA Coordinator and program managers and updated to comply with the requirements of the Americans with Disabilities Act. Whenever programs formulate new eligibility policies or new programs are developed, policies will be reviewed by the ADA Coordinator to ensure compliance.

B. Safety requirements will also be reviewed to ensure that they are necessary to the safe operation of programs, and that any decisions to limit the participation of a person with a disability related to safety concerns will be reviewed on a case basis to ensure that the decision is based on facts, not myths or stereotypes, and that all appropriate mitigating measures are taken to provide for maximum participation.

Staff will be informed of, and trained in any changes in eligibility and/or safety requirements that may arise.

12- Surcharges Prohibition Policy

It is the policy of the City that surcharges will not be charged to persons with disabilities, their family members, or organizations representing them for the provision of reasonable accommodations, reasonable modifications to policies and procedures, auxiliary aids and services, or any other costs related to the participation of persons with disabilities.

13- Integrated Services Policy

It is the policy of the City that all services, programs, and activities are provided in the most integrated setting appropriate to the needs of participants with disabilities.

Persons with disabilities are not required to participate in separate programs even if separate programs specifically designed to meet their needs are offered.

14- Significant Assistance Policy

It is the policy of the City that programs receiving significant assistance, either financial or in-kind from the City, may not discriminate against persons with disabilities. It is the responsibility of the ADA Coordinator and other personnel representing the City to inform organizations receiving assistance of this policy and to respond to any questions or, as appropriate, to refer questions to the ADA Coordinator regarding its meaning and application. It is also the Coordinator's responsibility to investigate any situation in which discrimination towards persons with disabilities may have occurred, and to take appropriate action either to correct the discriminatory situation or to recommend to the City Manager termination of assistance.

15- Accessible Transportation Policy

It is the policy of the City that transportation services are accessible to and usable by participants in qualified City operated programs regardless of disability. Individuals requiring accessible transportation for qualified City operated programs should make their requests in writing or verbally to the program directors or alternatively to the ADA Coordinator. Requests should be made at least

three (3) days in advance. Effort will be made to respond to requests made on shorter notice. When a request cannot be met, notice will be given as soon as possible and at least one (1) day before the date of the requested trip.

For transportation around the city, not related to qualified City operated programs. Individuals who need other type of transportation should contact the County offices directly such as STS.

16- Contracted Services Provider Policy

It is the policy of the City that if services are provided under contracts, the City will set forth in the terms of the contract the obligations of the provider agency or agencies to operate in a manner consistent with the requirements of Title II of the ADA, and, furthermore, that the City will monitor the performance of the contractor in fulfilling this contractual obligation.

17- Effective Communication Policy

A. It is the policy of the City that auxiliary aids and services will be provided when necessary to ensure effective communication with persons whose disabilities affect communication. Persons with communications disabilities will be given the opportunity to request the aid or service that they prefer and the requested aid or service will be given primary consideration. The preferred means of communication will be provided unless doing so would impose an undue burden or an effective alternative means of communication is available.

B. Requests for auxiliary aids or services should be made verbally or in writing to program directors or to the ADA Coordinator. Unless otherwise specified, the City urges that requests be made at least ten (10) days in advance of the occasion on which the communications support will be needed. Reasonable effort will be made to respond on shorter notice.

C. The person requesting the service will be notified as soon as possible if the City is unable to meet their request. In some circumstances, an appropriate alternative will be offered such as rescheduling. It will be the responsibility of the ADA Coordinator to train staff and oversee implementation of effective communications procedures. The ADA Coordinator will be responsible for making final decisions related to undue financial and administrative burden or fundamental alteration in the nature of programs. Alternative options can be discussed with requestor.

18- Accessible Print Material

Public documents such as City annual reports, promotional brochures, and other documents, such as tax bills, license applications and other printed information may need to be provided in an alternate accessible format to provide effective communication for individuals who are blind or visually impaired. Alternate formats may include materials in Braille, large print, files on computer disk that can be used in a personal computer, or an audiotape recording of the print document. Priority should be given to the type of format that has been requested unless the City determines that another format is effective or that providing the one requested would result in undue financial or administrative burdens or a fundamental alteration in the nature of the program. The City should publish a contact number for the public to request an accessible format or other auxiliary aid or service.

19- Alternative Format Assurance and Procedures

A. All documents, publications, and materials used in City programs will be made available to persons with disabilities who need them in alternate formats. Procedures will be established to respond to requests for alternate formats including large print, audiotape, Braille, and computer diskettes in a timely fashion. Three (3) weeks notice is generally required for the preparation of Braille materials. Reasonable efforts will be made to respond on shorter notice.

B. Large print, short audio tapes, and computer diskettes will be prepared by staff persons who have been identified by the ADA Coordinator and trained in the necessary skills and procedures. Preparation of long audiotapes will be purchased from a professional provider.

C. The procedure for requesting alternate formats is:

1. The person making the request should identify the materials desired and specify his/her preferred alternate format to the program director or the ADA Coordinator, either verbally or in writing ten (10) working days in advance of the event or activity for which the material is needed. Reasonable effort will be made to meet requests made less than ten (10) days before an event or activity.

2. The materials will be provided in the requested format at no additional charge.

3. Primary consideration will be given to the format preferred by the person making the request, and the City will decide whether to provide the preferred format or an effective alternate format.

4. If a request cannot be met the person making the request will be informed as soon as possible but at least one (1) day in advance of the event or activity.

5. The City Manager will make the final decision regarding any request that may represent an undue financial or administrative burden.

20- Interpreter Services Policy

A. It is the policy of the City that sign language interpreters, will be provided upon request to any person needing interpreter services in order to participate in any meeting, program, or activity of the City. Requests should be generally made at least twenty (20) working days in advance of the scheduled event or meeting, but reasonable effort will be made to meet requests made on shorter notice. Requests should be made either verbally, by TTY, or in writing to a Department Head or the ADA Coordinator. Within seven (7) days of receipt of the request, the ADA Coordinator or other responsible employee will contact the provider to schedule the interpreter service.

B. In addition to using the provider, the City will maintain a list of names and phone numbers of at least three qualified freelance sign language interpreters working in the region. If informed that provider has not been successful in scheduling interpreters as requested, staff of the City will immediately attempt to contact and schedule a freelance interpreter.

C. If an interpreter cannot be obtained, the ADA Coordinator or other member of the staff will offer the option of an alternative effective form of communication or the opportunity to postpone the meeting until such time as an interpreter can be scheduled.

21- Assistive Listening Device Assurance

A. Assistive listening devices will be provided upon request to persons needing such devices to participate in programs, services, and activities of the City.

B. The procedure for requesting an assistive listening device is for the person needing the device, or his or her representative, to make the request verbally or in writing to the ADA Coordinator or other program director at least ten (10) days before the scheduled event or activity will take place. The ADA Coordinator or Program Director, or other responsible member of the staff will arrange for the listening device's use and will provide any necessary training or orientation to program staff. Reasonable effort will be made to meet requests made with less than ten (10) days notice.

22- Effective Communication

The City of Miami Springs/Hialeah-Miami Springs Rotary will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services and activities.

The City must take appropriate steps to ensure that communications with members of the public, job applicants, and participants with disabilities are as effective as communications with others unless it is an undue financial or administrative burden to do so or it would result in a fundamental alteration in the nature of its program or activity.

Achieving effective communication often requires that the City provides auxiliary aids and services. Examples of auxiliary aids and services include qualified sign language interpreters, assistive listening devices, open and closed captioning, note takers, written materials, telephone handset devices, qualified readers, taped texts, audio recordings, Braille materials, materials on computer disk, and large print materials.

The City must provide appropriate auxiliary aids and services where they are necessary to achieve an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by or for the City. The City must give primary consideration to the type of auxiliary aid requested by a person with a disability. However, the City may provide a different type of aid if it can show that it is an effective means of communication.

It is the policy of the City that staff training and other staff development activities provided by City personnel and volunteers include training on the use of a TTY, the operator relay service, and other equipment necessary to assure effective communication. The city personnel will also receive training in procedures and policies on receiving and handling requests for auxiliary aids and services and for ensuring that primary consideration is given to the type of service or format preferred by the person with disability. Training on effective communication will be given during orientation and at in-service programs.

23- Training Assurance

A vital component of any ADA implementation plan is the training that is provided for staff. While a thorough knowledge of the provisions of the ADA is important for some positions, training should center on service attitudes, communication skills, and internal policies and procedures. Patrons with disabilities can be drawn from ADA Advisory Groups and serve as effective trainers.

24- City of Miami Springs/Hialeah-Miami Springs Rotary's Policy Regarding Service Animals for People with Disabilities

The City of Miami Springs/Hialeah-Miami Springs Rotary is committed to making reasonable modifications to its policies, practices, and procedures to permit the use of service animals by its guests with disabilities as defined, in Section 413.085, Florida Statutes. Service animals play an important role in ensuring the independence of individuals with disabilities, and it is therefore our policy to welcome any service animal that is individually trained to assist a person with a disability as defined in the Americans with Disabilities Act and Florida State Statute 413.085 (Please see Service Animal Policy).

25. Maintenance of Accessible Features on Facilities Owned and Operated by the City.

The City of Miami Springs/Hialeah-Miami Springs Rotary must maintain in operable working condition those features that are necessary to provide access to services, programs, and activities -- including elevators and lifts, curb ramps at intersections, accessible parking spaces, ramps to building or facility entrances, door hardware, and accessible toilet facilities. Isolated or temporary interruptions in service or access are permitted for maintenance or repairs.

26. Existing Facilities: Program Accessibility

When programs, services, or activities are located in facilities that existed prior to January 26, 1992, the effective date of title II of the ADA, the City will make sure that they are also available to persons with disabilities, unless to do so would fundamentally alter a program, service, or activity or result in undue financial or administrative burdens. This requirement is called program accessibility. When a service, program, or activity is located in a building that is not accessible, The City can achieve program accessibility in several ways. It can:

- relocate the program or activity to an accessible facility
- provide the activity, service, or benefit in another manner that meets ADA requirements, or
- make modifications to the building or facility itself to provide accessibility.

Thus, to achieve program accessibility, The City can relocate some programs to accessible facilities and modify other facilities, avoiding expensive physical modifications of on all of their facilities.

27- Policy for Accommodating Transportation Needs, Personal Care Attendants, Respirators or Portable Oxygen

The City must meet the ADA requirements for both temporary and permanent services, programs, or activities coordinated by the city. Facilities and structures that are built or altered for temporary use must comply with the ADA Standards. In addition, the policies and operations for the event must meet the nondiscrimination requirements of the ADA. When planning temporary events such as a City festival or concert, the City should review ADA Title II requirements and the ADA Standards.

Transporting of Wheelchairs

City of Miami Springs/Hialeah-Miami Springs Rotary/Hialeah-Miami Springs Rotary will accommodate mobility devices. Three or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered, will be accommodated as long as the lift can accommodate the size and weight of the wheelchair and its user and there is space for the wheelchair on the vehicle. Mobility devices will not be transported if they are inconsistent with legitimate safety requirements.

Wheelchair Securement

Section 38.23(d) of the DOT's ADA regulation requires all ADA compliant vehicles to have a two-part securement system: One to secure the common wheelchair and a seatbelt and shoulder harness for the wheelchair user (such seat belts and shoulder harnesses shall not be used in lieu of a device which secures the wheelchair or mobility aid itself.) The securement system shall limit the movement of an occupied wheelchair or mobility aid to no more than 2 inches in any direction under normal vehicle operating conditions. 49CFR 38(d)(5) All wheelchairs must be secured to the floor of the vehicle using the securement equipment.

Lift Deployment

Passengers will be permitted to use a lift or ramp to board or disembark from a vehicle at any designated stop, unless the lift or ramp cannot be deployed, the lift or ramp will be damaged if it is deployed, or temporary conditions preclude the safe use of the stop by all passengers. Standees should stand in the center of the platform facing the direction of travel. If capable, the passenger should hold both handrails when on the platform.

Personal Care Attendant (PCA)

A personal care attendant (PCA) is someone designated or employed to specifically help an ADA eligible person meet personal needs. They typically assist with one or more daily life activities such as providing personal care, performing manual tasks, or providing assistance with mobility or communication. A PCA may ride at no charge when acting in that capacity. Personal Care Attendants (PCA's) are not required. If a PCA accompanies a passenger, the PCA will ride free of charge. A companion (e.g., friend or family member) is not considered a personal care attendant unless the eligible individual regularly makes use of a personal care attendant and the companion is actually acting in that capacity. During the reservation process, an individual must indicate whether he/she will be traveling with a personal care attendant. If someone does not indicate the use of a PCA, then any individual accompanying him/her would be regarded as a companion.

Policy of Portable Breathing Aids

Portable oxygen supplies and respirators are permitted on board ADA Hialeah-Miami Springs Rotary Shuttle with proper notification. Oxygen tanks must be secured so they do not move during transport. Information about the use of this equipment must be provided to the scheduler when scheduling service.

The Standards can provide guidance to help event planners place temporary accessible parking spaces in appropriate locations, provide an accessible route throughout the site, and provide other accessible features for food service, toilet facilities (including accessible portable toilets), assembly area seating, etc., where such elements or facilities are provided for the public. It is very important to consider accessibility requirements when the event is in the planning stage so that accessible facilities can be identified and incorporated in a manner that does not require extensive construction or last-minute modifications.

28- City of Miami Springs/Hialeah-Miami Springs Rotary Web Site Accessibility Policy and Implementation

The City shall establish a Web Accessibility Coordinator. This position will be responsible for ADA compliance as it relates to accessibility of the City's website. These procedures implement City of Miami Springs/Hialeah-Miami Springs Rotary Web Accessibility Policy.

1. All new or revised Web pages and other Web resources published, hosted or otherwise provided by the City must be in compliance with the World Wide Web standards defined in the Federal Rehabilitation Act Section 508, specifically subsections 1194.22 and subsection 1194.31.

Reasonable effort must be taken to ensure that legacy Web pages and resources are in compliance with these subsections of Federal Rehabilitation Act Section 508 no later than November 1, 2003. That effort must be documented. Legacy Web pages and resources will be considered those that are published prior to November 1, 2001.

Upon specific request, information on Web pages and resources is to be made available to any individual needing access to such content, by revision or otherwise. The unit responsible for the creation of the information on the Web is responsible for providing that access.

Upon specific request, information on Web pages and resources in archive status (e.g. no longer in use but subject to records retention plans) containing core administrative or public information, official records, and similar information) is to be made available/accessible to any individual needing access to such content, by revision or otherwise.

What constitutes a Web page or other Web resource is to be interpreted broadly, and for example, does not depend upon the type of client or host device, the type of software on the client or host devices, or the technical means by which the client and host communicate over the Web.

2. Web pages or resources specifically requested to be made accessible as part of a formal accommodation request shall be made accessible as soon as possible, or an equally effective alternative shall be provided. Equally effective means that it communicates the same information and provides the equivalent functions in as timely a fashion as does the Web page or resource.

3. For items 1 and 2 above, undue administrative or financial burdens may contribute to a determination that alternative formats be used to provide the information to individuals requiring use of the information. If compliance in specific instances appears to be impossible or an undue burden, the City Manager may grant exceptions.

4. Each Web site must contain an accessible link or a person to contact if users have trouble accessing content within the site. This would usually be the Web developer or publisher. The addition of a link or contact person is not sufficient, in and of itself, to comply with the World Wide Web Accessibility Policy.

1. Priority of Implementation

Priority should be given to creating accessible web pages and resources for core institutional information such as reports, online applications, forms or permits, and other type of documents which may include but are not limited to tax bills, permit applications, license applications, letters to council, job-opportunities, calendar of events and notices. Cities with large web sites and resources containing core institutional information should establish priorities for ensuring access to these according to the pages and resources being used or requested most often. For setting priorities to make Web pages and resources accessible, the following guidance is suggested:

-All new and revised web pages should be made accessible at the time of creation or revision.

-The top 20% of existing Web pages and resources most frequently used (e.g. that get the largest number of hits) should be placed in the first priority for review, and made accessible as indicated.

Pages and resources required for participation, funding, disability-related services and other key information or functions needed by people with disabilities, not already in the top 20%, should also be placed in the first priority. Each department or entity is responsible for determining the top 20% used and other first priority Web pages and resources.

-Any remaining pages and resources providing core institutional information or functions should be reviewed, and made accessible as indicated.

-All other Web pages and resources should be reviewed, and made accessible as indicated.

2. Recommended Assessment Procedures

It is recommended that a variety of evaluation methods be used to test the accessibility of Web pages and resources, including automated testing, client and/or device testing, expert evaluation, and user testing.

3. Exception Procedure

Narrowly tailored exceptions to this policy may be granted by the City of Miami Springs/Hialeah-Miami Springs Rotary's Information Technology Director in specific instances where compliance is not possible or would constitute an undue administrative or financial burden. To request an exception send an e-mail to Information Technology Director.

4. Resources

Information about training, consulting, and technological tools can be found at the Federal Rehabilitation Act (Section 508) and W3C. The Federal Rehabilitation Act's Section 508 standards were established as the level of compliance required for institutions receiving federal funding. These standards, consistent with W3C's, provide achievable, well documented guidelines for implementation. The City's Web Accessibility Policy should therefore endorse compliance with the Federal Rehabilitation Act's Section 508 standards, specifically subsections 1194.1 through 1194.22 and 1194.31. Web sites may still be developed and presented using the W3C guidelines; the Section 508 standards establish the threshold or minimum for compliance. The policy also sets

forth a method for identifying portions of current Web sites to be brought into compliance as a priority, based on number of "hits" or specific requests for access.

Compliance with the Federal Rehabilitation Act's Section 508 standards should help the City achieve the goal of ensuring that individuals with disabilities have access to the increasing amount of Web-based material originating on our portal. There is a strong linkage between the required standards and the development of current technologies that support compliance with these standards.

The policy should support the City's effective use of emerging technologies in instruction; revised time-lines help make accessible the information residing on legacy pages. The success of the policy requires a continual coordination of programmatic needs, technology, and services. The policy will therefore be reviewed regularly to ensure its effectiveness in an environment of rapidly changing technology.

Where compliance is not possible or may require extraordinary measures, exceptions to this policy may be granted by Information Technology Director and/or City Manager.

The policies will be revised annually and modified as necessary to reflect any changes in law.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 (“ADA”), the City of Miami Springs/Hialeah-Miami Springs Rotary, Florida will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Miami Springs/Hialeah-Miami Springs Rotary does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City of Miami Springs/Hialeah-Miami Springs Rotary will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of Miami Springs/Hialeah-Miami Springs Rotary will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a City program, service, or activity, should contact the **City ADA Coordinator, Erika Gonzalez, at 305-805-5006; Florida Relay Service 711 or 1-800-955-8771 (TTY)** as soon as possible but no later than 48 hours before the scheduled event.

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



Complaints that a City program, service, or activity is not accessible to persons with disabilities should be directed to the **City ADA Coordinator, Erika Gonzalez, at 305-805-5006; Florida Relay Service 711 or 1-800-955-8771 (TTY). Email majorsd@bbfl.us**

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open.

AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE MODIFICATION REQUEST FORM

Complete and send to:

Erika Gonzalez, MMC, City Clerk/ADA Coordinator
Office of the City Clerk
City of Miami Springs/Hialeah-Miami Springs Rotary
201 Westward Drive
Miami Springs, Florida 33166
T. (305) 805-5006
F. (305) 805-5028
E-Mail: gonzaleze@miamisprings-fl.gov

Date received _____

REQUESTOR INFORMATION

Name _____ Date _____

Address: _____

City _____ State _____ Zip _____

Home Phone (include area code) _____

Business Phone (include area code) _____

PERSON MAKING THE REQUEST (if other than individual needing the modification): Name _____

Address: _____

City _____ State _____ Zip _____

Home Phone (include area code) _____

Business Phone (include area code) _____

Other contact information:

INFORMATION ON REQUEST

Date and time modification needed: _____

Location modification needed: _____

Duration for which the modification needed: _____

Nature of the disability that necessitates reasonable modification (attach additional information or documentation if necessary)

Reasonable modification requested (please check one of the following six options):

_____ Sign Language Interpreter (Please specify American Sign Language, oral interpreter, signed English, or other type of signing system used by persons with hearing loss.):

_____ Assignment to a meeting room that is accessible to a person using a mobility device (Please specify wheelchair, scooter, walker, or other mobility device that is used.):

_____ Provision of City documents in an alternative format (Please specify large print, accessible electronic document, or other accessible format used by persons who are blind or have low vision):

_____ Other (please specify):

The City may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities. The City is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The City, in making alterations to existing buildings, shall meet the accessibility requirements of the ADA Title II Regulation 35.151. In choosing among available methods for meeting the requirements of this section, The City shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate taking into consideration the request of the individual with disability.

Signature: _____ Date: _____

THE FOLLOWING SECTION IS TO BE COMPLETED BY CITY PERSONNEL ONLY

Date request was received: _____

Name and title of individual responding to this request: _____

Additional oral or written information requested? Yes No

If so, describe information:

Reasonable Modification Request granted? Yes No

Describe the modification(s) granted by the City if an alternative means to provide access to program or service is offered:

Indicate the duration the modification will be provided:

If a request is denied, indicate reason(s) for denial (If the request is denied, granted only in part, or if an alternative modification is granted, a written response must be provided to the individual with a disability. Transmittal of a copy of this section of the modification request form by email or by U.S. Mail delivery is one means of providing the written response required. If a reasonable modification request is denied due to a finding of undue burden or fundamental alteration, that such determination must be made in writing by the City Manager's Office).

Request is denied. Written response provided to requestor and a copy is attached to this document for the record. Alternatives are offered.

Signature: _____ Date: _____

Name/Title: _____

City of Miami Springs
Hialeah-Miami Springs Rotary
Grievance Procedure under
The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should 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:

Erika Gonzalez, MMC, City Clerk/ADA Coordinator
Office of the City Clerk
City of Miami Springs/Hialeah-Miami Springs Rotary
201 Westward Drive
Miami Springs, Florida 33166
T. (305) 805-5006
F. (305) 805-5028
E-Mail: gonzaleze@miamisprings-fl.gov

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will 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 the City and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City of Miami Springs/Hialeah-Miami Springs Rotary City Manager or his/her designee.

Within 30 calendar days after receipt of the appeal, the City of Miami Springs/Hialeah-Miami Springs Rotary City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City of Miami Springs/Hialeah-Miami Springs Rotary City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the City of Miami Springs/Hialeah-Miami Springs Rotary City Manager or his/her designee, and responses from these two offices will be retained by the City of Miami Springs/Hialeah-Miami Springs Rotary for at least three years.

POLICY REGARDING SERVICE ANIMALS FOR PEOPLE WITH DISABILITIES

The City of Miami Springs/Hialeah-Miami Springs Rotary is committed to making reasonable modifications in policies, practices, and procedures to permit the use of service animals by persons with disabilities. Service animals play an important role in ensuring the independence of people with disabilities, and it is therefore our policy to welcome on or in our city facilities and premises any dog that is individually trained to assist a person with a disability as defined in the Americans with Disabilities Act and Florida State Statute 413.085.

What is a Service Animal?

Service animals include any dog that is individually trained to do work or perform tasks for individuals with disabilities, including a physical, sensory, psychiatric, intellectual, or other mental disability. Service animals do not always have a harness, a sign, or a symbol indicating that they are service animals. A service animal is not a pet. Service animals assist people with disabilities in many different ways, such as:

- Guiding people who are blind or have low vision and retrieving dropped objects for them;
- Alerting people who are deaf or hard of hearing to sounds and the presence of others;
- Carrying and picking up items, opening doors, or flipping switches for people with disabilities who have limited use of hands or arms, limited use of their legs, or limited ability to bend or stoop;
- Pulling wheelchairs;
- Alerting people with disabilities to the onset of medical conditions such as seizures, protecting them and cushioning them if they fall, reviving them, and performing other tasks that reduce the risk of disability-related injury;
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication or waking him up, alerting a person with anxiety to the onset of panic attacks, orienting people with schizophrenia to reality, and helping people with intellectual or cognitive disabilities to locate misplaced items, find places, or follow daily routines; and
- Providing physical support and assisting people with physical disabilities with stability and balance.

Requirements with Regard to Service Animals:

Most of the time, people with disabilities who use service animals may be easily identified without any need for questioning. If we can tell by looking, it is our policy not to make an individual feel unwelcome by asking questions. If we are unsure whether an animal meets the definition of a service animal, it is our policy to ask the individual only two questions at the point that the individual seeks entry to the city premises:

- ***Is this dog a service animal required because of a disability?***
- ***What work or task has the dog been trained to perform?***

If the individual says yes to the first question and explains the work or tasks that the animal is trained to perform, we will welcome the person and service animal into our premises without asking any additional questions about his or her service animal. We will not ask an individual questions about his or her disability. We will not ask an individual to show a license, certification, or special identification card as proof of their animal's training. We will not ask the individual with to have the dog demonstrate what it is trained to do. We must permit service animals to accompany individuals with disabilities to all areas of our property normally used by customers or other members of the public and will treat individuals with service animals with the same courtesy and respect that this city affords to all of our customers.

Note: Any trainer of a service animal, while engaged in the training of such an animal, has the same rights and privileges with respect to access to public facilities and the same liability for damage as an individual with a disability accompanied by a service animal.

Florida Statute 413.08 (4) states: Any person, firm, or corporation, or the agent of any person, firm, or corporation, who denies or interferes with admittance to, or enjoyment of, a public accommodation or, with regard to a public accommodation, otherwise interferes with the rights of an individual with a disability or the trainer of a service animal while engaged in the training of such an animal, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 and must perform 30 hours of community service for an organization that serves individuals with disabilities, or for another entity or organization at the discretion of the court, to be completed in not more than 6 months.

Responsibilities:

Management of the city has the right to exclude a service animal from our premises if the dog is out of control and the handler does not take effective action to control it, or the dog is not housebroken. We will not exclude a particular service animal based on past experience with other animals or based on fear unrelated to an individual service animal's actual behavior. Each situation will be considered individually. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

Only the Department Head or designee can decide to exclude a service animal

The ADA Coordinator must be notified within 24 hours of the exclusion of a service animal from a city facility. The department head will be responsible for documenting the date, time, location, why the service animal was excluded and any other pertinent details.