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The City of Watertown

Reasonable Accommodation Policy

POLICIES

1. The City of Watertown does not discriminate on the basis of race, color, religion, national origin, ancestry, sexual orientation, age, familial status, or physical or mental disability in the access or administration to its programs or employment or in its programs, activities, functions or services.
2. The City of Watertown has designated a Primary ADA Coordinator and an Alternate ADA Coordinator to oversee compliance with Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The ADA Coordinators may be contacted at (315)785-7740 or at civilrights@watertown-ny.gov.
3. The City of Watertown is covered by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, as well as other federal and state laws which require reasonable accommodation to persons with disabilities as defined in those laws.
4. The City of Watertown will make a reasonable accommodation for people with disabilities when an accommodation is necessary to ensure equal access to its amenities, services, and programs. Reasonable accommodations include changes to the buildings and grounds and changes to policies, practices and procedures.
5. Accommodations will be made up to the point of structural infeasibility, undue financial and administrative burden or requiring changes fundamental to the program. If the City of Watertown cannot afford the full cost of an accommodation, the 504/ADA Coordinator will meet with the citizen to determine the best way to use the funds that are available to address the barrier.
6. The definition of a person with a disability for purposes of a reasonable accommodation follows the definition in Section 504, the ADA, the Fair Housing Act, and any other applicable statutes: a person with a physical or mental impairment that substantially interferes with one or more activities of daily living, has a history of such an impairment or is regarded as having such an impairment.
7. Notice of the right to reasonable accommodation shall be posted on the City's website and in areas accessed by the public where practicable.
8. Reasonable accommodation requests will be processed in the order in which necessary documentation is received.

PROCEDURES

1. Citizens may make a reasonable accommodation requests at any time and may make them verbally although for reasons of clarity for both parties, the City of Watertown recommends filling out a written Reasonable Accommodation Request Form for all but routine requests. The forms may be obtained by the City's 504/ADA Coordinator at (315)785-7732 or civilrights@watertown-ny.gov. Staff will assist citizens who need assistance and will accept requests in alternate format if necessary because of a disability.
2. All requests will be processed by the 504/ADA Coordinator.
3. When the disability is obvious or known to staff, documentation of the disability will not be required. When the need for the requested accommodation is obvious or known to staff, documentation of the need for the accommodation will not be required. When the disability and/or need is not obvious or known to staff, requests will require verification of disability status, need for equal access, and/or when relevant, likelihood that the request will resolve the problem.
4. When documentation is necessary, the City of Watertown strongly recommends that applicants or residents use the City of Watertown Verification of Need and Release Form in order to avoid delays. The City reserves the right to require documentation on a Verification of Need and Release Form provided by the 504/ADA Coordinator if other forms of documentation are not sufficient to document need. It is the citizen's responsibility to secure such documentation or to give the 504/ADA Coordinator the information necessary to secure such documentation. Documentation must come from a reliable source with sufficient professional and personal knowledge of the citizen to answer the applicable questions.
5. As soon as the 504/ADA Coordinator receives a reasonable accommodation request, he or she will send the citizen's request, verification of need and release form along with a cover letter explaining reasonable accommodations standards and process to the verification source identified by the applicant or resident for verification.
6. The City of Watertown has the right to sufficient documentation to make a decision, but does not have a right to diagnosis, medical history or treatment unless directly relevant to reasonable accommodation request, for example chemical sensitivity to certain materials.
7. The 504/ADA Coordinator will approve or disapprove a reasonable accommodation request as soon as possible, but within 10 working days if there is no verification required or within 10 working days of receiving sufficient verification to make a decision.

8. NOTE: In some complex cases, a meeting with the citizen, and any service providers or other technical assistance sources may be the best way to identify the best solution. Applicants or residents may bring anyone they consider helpful to such a meeting. Such meetings will be arranged as soon as possible at a mutually agreeable time for all participants.
9. If the citizen meets the eligibility definition and the necessity and likely effectiveness of an accommodation is known or documented, the 504/ADA Coordinator will implement the change as soon as possible, but no later than 10 working days from the time of the decision or as soon as reasonably possible for items requiring bids, construction, special equipment, etc. The 504/ADA Coordinator will notify applicant/resident of reasons for delay and estimated completion time for such requests.
10. If the 504/ADA Coordinator finds that the request poses an undue financial and administrative burden, they will notify the citizen and offer to make changes that do not pose such a burden. This could include paying for a less expensive partial accommodation, combining funds with resources the citizen may find or waiting until a later time when more funds are available. Any agreement for a partial or delayed accommodation should be in writing or in an alternate permanent format. The citizen may request documentation of basis for determining undue burden.
11. If the 504/ADA Coordinator finds that the request is not structurally feasible or requires a fundamental change in the nature of the program, management will give the citizen a written explanation and will discuss and carry out any reasonable alternatives that do not require an undue financial and administrative burden or a fundamental change in the nature of the program.
12. If a reasonable accommodation request is denied for any reason, the 504/ADA Coordinator will notify the citizen and will include in the denial notification a written or alternate format notice of the right to a grievance hearing and the procedure for requesting one. If a citizen disagrees with a reasonable accommodation decision, they may request a grievance hearing by asking the 504/ADA Coordinator either verbally or in writing or some alternate format within 10 working days of receiving the decision.
13. Upon request, the 504/ADA Coordinator will arrange a grievance hearing with the City Manager. The citizen may bring any other person(s) he/she deems necessary to present his/her case. The rules of evidence will not apply, but all parties will have the opportunity to present documentation of the request and reasons for denial. The City Manager will issue a final written or alternate format decision to all parties within 10 days of the hearing.
14. If, with or without a grievance hearing, a citizen agrees to something other than the request, the citizen will sign or otherwise record approval of such an agreement.