

APPENDIX A

**SETTLEMENT AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA
AND
THE CITY OF NEW HAVEN, CONNECTICUT**

Department of Justice Complaint Nos. 204-14-143/204-14-144

WHEREAS, this matter was initiated by two complaints filed pursuant to title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12131-12134, by the Office of Protection and Advocacy (hereinafter “OPA”) on behalf of Mr. Vincent Valanzuolo (hereinafter “Valanzuolo”). The complaints allege, inter alia, that from at least 2008 to 2011, the City of New Haven’s Livable City Initiative which oversees and has responsibility for housing and code enforcement (also known as the “Livable City Initiative”) and the New Haven Police Department (hereinafter “NHPD”) failed to effectively communicate with people who are deaf or hard of hearing in that they failed to provide interpreters during investigations, meetings, enforcement actions, arrests, and detentions. The complaints further allege that the City has failed to establish and enforce sufficient policies and training for its personnel regarding how to obtain interpreters, when to obtain interpreters, and how to interact with people who are deaf or hard of hearing.

WHEREAS, the City of New Haven (“City” or “New Haven”) does not admit and denies any and all liability arising out of the allegations contained in said complaints;

WHEREAS, the United States of America, through the United States Department of Justice, United States Attorney’s Office, District of Connecticut, (the “United States”) is authorized under 28 C.F.R. Part 35 to investigate whether the City is in compliance with title II of the ADA;

WHEREAS, the City is a “public entity” for purposes of 42 U.S.C. § 12132 and the implementing regulations, 28 C.F.R. § 35.104, et seq;

WHEREAS, the United States is authorized to investigate the facts, issue findings and, where appropriate, attempt informal resolution of such complaints, *see* 28 C.F.R. §§ 35.170-172;

WHEREAS, the United States and the City have the mutual goal of ensuring that the City complies with the requirements of title II of the ADA;

IT IS HEREBY AGREED between the City and the United States:

1. that this Settlement Agreement (the “Agreement”) is entered into pursuant to 28 C.F.R. § 35.172, and
2. that in consideration for the City’s performance of its obligations under this Agreement, the United States agrees to refrain from undertaking further investigation or from filing a civil suit based on the complaints described above except as provided in paragraph VI.G. below.

I. PURPOSE

It is the intent of the United States and the City that this Agreement shall resolve all issues associated with the complaints filed by OPA on behalf of Valanzuolo and enable persons who are deaf and hard of hearing to fully participate in and benefit from the City's services, programs, and activities on an equal basis with other individuals.

A. To the extent that the City already complies with these terms, the Agreement memorializes the City's continuing obligations to provide appropriate auxiliary aids and services whenever necessary to ensure effective communications with persons who are deaf or hard of hearing.

B. To the extent that the City does not yet comply with these terms, the Agreement establishes the City's obligations to provide appropriate auxiliary aids and services whenever necessary to ensure effective communications with persons who are deaf or hard of hearing.

II. GENERAL TERMS

A. **Deadline:** Unless otherwise indicated, within ninety (90) days after the effective date of this Agreement, the City agrees to implement fully the practices and policies set forth below.

B. **Public Document:** A copy of this Agreement may be made available to any person.

C. **Parameters of Agreement:** This Agreement does not purport to remedy any other potential violations of the ADA or any other Federal law not specifically referenced herein. This Agreement does not affect the City's continuing responsibility to comply with all aspects of the ADA.

D. **Authorization:** The individuals signing this Agreement represent that they are authorized to bind the parties to this Agreement.

E. **No Retaliation:** New Haven shall not retaliate against or coerce any individual who is receiving the City's services, programs, or activities and who is trying to exercise his or her rights under this Agreement or title II of the ADA.

III. DEFINITIONS

A. **Auxiliary aids and services** includes qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing. 28 C.F.R. § 36.303(b)(1).

B. **Qualified Interpreter** means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively

and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators. 28 C.F.R. § 36.104. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with terms and phrases commonly used during in the particular situation (e.g., an arrest, an investigation, or a citation).

C. Primary consideration means that the City shall defer to the choice expressed by the qualified individual with a disability unless the City can demonstrate:

1. that another equally effective means of communication is available, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
2. that the preferred auxiliary aid or service would fundamentally alter the service, program, or activity, or would result in undue financial or administrative burdens, as determined by the City Agency head or his or her designee. *See* 28 C.F.R. § 35.164.

IV. POLICIES

A. Nondiscrimination: The City agrees that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of its services, programs, or activities, or be subjected to discrimination by the City. 28 CFR § 35.130.

B. Effective Communication: The City shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others. The City shall furnish, free of charge, appropriate auxiliary aids and services, as defined below in III.A., where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the City's services, programs, and activities. In order to be effective, the City shall provide auxiliary aids and services in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability. The City shall not require an individual with a disability to bring another individual to interpret for him or her. 28 CFR § 35.160.

1. Type of Auxiliary Aid or Service: The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. In determining what types of auxiliary aids and services are necessary, the City shall give primary consideration, as defined above in III.C., to the requests of individuals with disabilities. 28 CFR § 35.160.

C. TELEPHONES: Where telephones are available to the public, the City shall make text telephones ("TTYs" or "TDDs") or equally effective telecommunication systems available to individuals who are deaf or hard of hearing upon request.

D. INFORMING THE PUBLIC:

1. **Signs:** The City will post signs visible to individuals with disabilities, advising individuals of the availability of appropriate auxiliary aids and services to access City programs, activities

and services. Aids and services specified must include, but are not limited to, qualified sign or oral interpreters free of charge. The signs will include the international symbols for interpreters and accessibility, and instructions on how to contact the office of the ADA Coordinator(s) and the availability of a grievance procedure. *See infra* Part VI(D).

2. Internet: The City will conspicuously display the availability of auxiliary aids and services, including qualified interpreters, on informative internet resources such as its "Web 311." <http://www.cityofnewhaven.com/ask/index.asp>.
3. Other Appropriate Means: To notify qualified people with disabilities about the provision of auxiliary aids and services, the City will distribute this information through pamphlets, newspaper notices, or other appropriate means in addition to signs, posters, and internet notices.

E. **INTERPRETIVE SERVICES:** The City will maintain a working relationship with one or more qualified oral/sign language interpreter agencies to ensure that interpreting services will be available upon request 24/7. In addition or in the alternative, the City shall make other appropriate arrangements, such as contracting directly with or hiring qualified interpreters on a fee for service basis.

F. **NEW HAVEN POLICE DEPARTMENT ("NHPD"):**

1. Within 90 days of the effective date of this Agreement, NHPD shall adopt the attached New Haven Police Department's Policy on Communicating With People Who are Deaf or Hard of Hearing (attached hereto as Attachment A).
2. NHPD shall provide effective communication to individuals who are deaf or hard of hearing. Whether at the scene of a call for service or simply interacting with a member of the public, upon becoming aware that a member of the public is deaf or hard of hearing, NHPD employees will focus on establishing effective communication by determining the auxiliary aid the person requires to communicate with NHPD employees. Generally, interpreter services are not required for simple transactions – such as checking a license or giving directions to a location – or for urgent situations – such as responding to a violent crime in progress. However, an interpreter may be needed in lengthy or complex transactions – such as interviewing a victim, witness, suspect, or arrestee – if the person being interviewed normally relies on sign language or speech reading to understand what others are saying. In non-emergency situations, scheduling the use of an interpreter at a mutually agreeable date and time may be the best option.
3. *Primary consideration*, as defined above in paragraph III.C., shall be given to the person's preferred auxiliary aid or service.
4. Availability of Interpreters: NHPD shall develop a procedure for obtaining qualified interpreters. All officers shall be trained on this procedure.
5. NHPD shall not rely on an adult or child accompanying an individual with a disability to interpret or facilitate communication except under the circumstances identified in 28 C.F.R. 35.160(c)(2) and 160(c)(3).

6. If the arresting or transporting officer is aware that the suspect is deaf or hard of hearing and is transferring custody of the suspect, he or she shall verbally advise personnel taking custody of the suspect, and document before transportation of the suspect, that the suspect is deaf or hard of hearing.
7. When NHPD arrests an individual who is deaf or hard of hearing and uses sign language, NHPD shall handcuff the individual in front of his or her body so the individual can continue to sign, except when the officer has a reasonable concern for his/her safety or the safety of others.

V. TRAINING REQUIREMENTS

A. Training Curriculum for City Departments, Programs, and Services:

1. The City will provide ADA/Section 504 training to all departments that communicate with the public. The purpose of the training is to ensure that staff understands the legal obligation to provide appropriate auxiliary aids and services when necessary to ensure effective communication with qualified individuals with disabilities. Training for NHPD staff will include the NHPD's Policy on Communicating with People Who are Deaf or Hard of Hearing. The training will begin within ninety (90) days of the effective date of this Agreement, and will be completed within twelve (12) months of the effective date of this Agreement. The City will ensure that new staff and recruits who will have contact with the public will receive this training as part of their orientation. The training material shall be subject to the approval of the United States.

VI. MONITORING & ENFORCEMENT

- A. The City shall document all requests that it receives for oral or sign language services, and shall document any action taken, or denial of services. The document shall be provided to the United States upon request, and in annual compliance reports as required below.
- B. **Annual Report:** For a period of three (3) years from the effective date of this Agreement, the City shall send the United States Attorney's Office, Civil Rights Coordinator, 157 Church Street, 25th Floor, New Haven, CT 06511, on the anniversary date of the Agreement, a letter containing the following information:
 1. A description of the actions taken to comply with this Agreement;
 2. Documentation that qualified interpreter services are being made available;
 3. The number of written grievances that have been filed during the relevant reporting period with the ADA Coordinator pursuant to the ADA Grievance Procedure, by persons with hearing impairments in regard to the availability of auxiliary aids and services for qualified individuals with hearing impairments;
 4. A brief, general description of the nature of each grievance; and
 5. A brief, general description of the nature of how each grievance was resolved.

- C. **ADA Coordinator:** The City's ADA Coordinator(s) will continue to provide the following:
1. The ADA Coordinator(s) will continue to serve as a resource for the public who have questions regarding access for qualified individuals with disabilities to the City's departments, programs, activities and services.
 2. The ADA Coordinator(s) will continue to serve as a resource to the City's staff in all departments regarding the ADA.
 3. The ADA Coordinator(s) will continue to know the specific procedures for requesting an interpreter.
 4. Within ninety (90) days of the effective date of this Agreement, the ADA Coordinator(s) will, if he or she has not already this year, receive training concerning a public entity's obligations under title II of the ADA. The training material shall be subject to the approval of the United States.
- D. **Grievance procedure:** The City will continue to maintain a documented grievance procedure. If a person with a disability is dissatisfied with the auxiliary aid or service proposed or used by the City, the individual may file a grievance with the ADA Coordinator. The ADA Coordinator will attempt to resolve the grievance within ten (10) business days.
- E. **Review at Any Time:** The City agrees that the United States may review compliance with this Agreement at any time.
- F. **Duration of the Agreement.** This Agreement will be in effect for three (3) years from the Effective Date.
- G. **Notification of Noncompliance:** If the United States believes that the City is not in compliance with this Agreement, it shall notify the City and the City's Corporation Counsel in writing of the alleged noncompliance and attempt to seek a resolution of the matter. Such notice shall contain reasonable particulars concerning the alleged violation. If the Parties are unable to reach a resolution within thirty (30) days of the date of the written notification, the United States may bring an action to enforce compliance with the ADA and to enforce the terms of this Agreement.
- H. **Nonwaiver of Enforcement:** Failure by the United States to enforce this entire Agreement or any provision thereof with respect to any deadline or any other provision herein shall not be construed as a waiver of its right to enforce other deadlines and provisions of this Agreement.
- I. **Entire Agreement.** This Agreement and the attachment hereto constitute the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or agents of either party, that is not contained in this written agreement, shall be enforceable. This Agreement is limited to the facts set forth herein and does not purport to remedy any other potential violations of the ADA or any other federal law.

APPENDIX B

NEW HAVEN DEPARTMENT OF POLICE SERVICE

GENERAL ORDERS



GENERAL ORDER: 315

EFFECTIVE DATE: MARCH 12, 2012

COMMUNICATION WITH THE DEAF OR HARD OF HEARING

315.1 PURPOSE

The purpose of this General Order is to establish guidelines regarding communicating with people who are deaf or hard of hearing. Officers are expected to carry out these guidelines with the utmost professionalism.

315.2 POLICY

It is the policy of the New Haven Police Department to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. The NHPD has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act to communicate effectively with people who are deaf or hard of hearing.

315.3 PROCEDURES

To carry out these policies and legal obligations, the NHPD instructs its officers and employees as follows:

- People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to other persons.
- The NHPD will make every effort to ensure that its officers and employees communicate effectively with people who are deaf or hard of hearing.

- Effective communication with a person who is deaf or hard of hearing involved in an incident -- whether as a victim, witness, suspect, or arrestee -- is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
- Various types of communication aids – known as “auxiliary aids and services” – are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of an assistive listening system or device to amplify sound for persons who are hard of hearing; or use of a qualified oral or sign language interpreter.
- The type of aid that will be required for effective communication will depend on the individual’s usual method of communication, and the nature, importance, and duration of the communication at issue.
- In many circumstances, oral communication supplemented by gestures and visual aids or an exchange of written notes will be an effective means of communicating with people who are deaf or hard of hearing. In other circumstances, a qualified sign language or oral interpreter may be needed to communicate effectively with persons who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication. For example:
 - a. If there has been an incident and the officer is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language. A qualified oral interpreter may be required to communicate effectively with someone who has been trained to speech read (read lips).
 - b. If a person is asking an officer for directions to a location, gestures or an exchange of written notes will likely be sufficient to communicate effectively.
- To serve each individual effectively, primary consideration should be given to providing the type of communication aid or service requested by the individual. Officers should find out from the person who is deaf or hard of hearing what type of auxiliary aid or service he or she needs. Officers should defer to those expressed choices, unless:
 - a. there is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing; or
 - b. doing so would fundamentally alter the nature of the law enforcement activity in question or would cause an undue administrative or financial

burden; only the NHPD head or his or her designee may make this determination.

- The input of people who are deaf or hard of hearing who are involved in incidents is just as important to the law enforcement process as the input of others. Officers must not draw conclusions about incidents unless they fully understand - and are understood by -- all those involved, including people who are deaf or hard of hearing.
- People who are deaf or hard of hearing must not be charged for the cost of an auxiliary aid or service needed for effective communication.

315.4 ON-CALL INTERPRETIVE SERVICES

- The NHPD will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. The NHPD will update this list annually.
- A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who speech reads) what is being said by the officer and be able to voice to the officer what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. Additionally, although a "qualified" interpreter may be certified, a certified interpreter is not necessarily "qualified," if he or she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or for the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary).
- The NHPD will not rely on an adult friend or family member of the individual with a disability to interpret except in an emergency involving an imminent threat to the safety of an individual or the public where there is no interpreter available; or where the individual with a disability specifically requests that the adult friend or family member interpret, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances.
- The NHPD will not rely on a minor child to interpret except in an emergency involving an imminent threat to the safety of an individual or the public where there is no interpreter available.

315.5 TTY AND RELAY SERVICES

- In situations when a nondisabled person would have access to a telephone, officers must provide persons who are deaf or hard of hearing the opportunity to place calls using a teletypewriter (TTY, also known as a telecommunications device for deaf people, or TDD). Officers must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service. Communications has a TTY available for individuals to use while at the NHPD.

315.6 TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

- Officers may utilize the following auxiliary aids, when available, to communicate effectively:
 - a. Use of gestures;
 - b. Use of visual aids;
 - c. Use of a notepad and pen or pencil;
 - d. Use of a computer or typewriter;
 - e. Use of an assistive listening system or device (obtained from the City of New Haven Department of Services for Persons with Disabilities);
 - f. Use of a teletypewriter (TTY) (available from Communications);
 - g. Use of a qualified oral or sign language interpreter.
- Officers must review and have a working knowledge of the publication: *Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers*. This document reviews how officers should communicate effectively in the types of situations officers will encounter.

315.7 PROCEDURES FOR OBTAINING AUXILIARY AIDS AND SERVICES

The necessary auxiliary aids and services can be obtained through the City of New Haven's Department of Services for Persons with Disabilities. **In order for an officer/supervisor to deny a request for auxiliary aids and services, they must obtain prior consent of the Director of Services for Persons with Disabilities.** To contact this department, please call: (203) 946-7651 or (203) 627-1237.

Dean Esserman
Chief of Police

Date

APPENDIX C

Americans with Disabilities Act

The City of New Haven does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. New Haven does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the City of New Haven's designated ADA Compliance Coordinator.

Michelle M. Duprey, Director
Department of Services for Persons with Disabilities
165 Church Street
New Haven, CT 06510
Phone (203) 946-7651
TTY/TTD (203) 946-8582

Individuals who need auxiliary aids for effective communication in programs and services of the City of New Haven are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice is available in large print and other alternate formats upon request, from the ADA Compliance Coordinator.

APPENDIX D

City of New Haven
ADA Disability Accommodation Request Policy and Procedure

Purpose: The purpose of this statement is to establish the City's policy on providing accommodations for people with disabilities and to set forth a clear procedure for all municipal employees to request an accommodation because of disability in accordance with the Americans with Disabilities Act (hereinafter, "ADA"). Employees of the Board of Education will be exempt under this policy since the New Haven Board of Education adopts and enforces its own policies in compliance with State law.

Issuing Authority: The Chief Administrative Officer is the issuing authority for this policy.

Enforcement Authority: Daily administration is the responsibility of Department Heads and the Director of the Department of Services for Persons with Disabilities.

Policy

1. The City will make a reasonable accommodation for an employee who is a qualified individual with a disability in order for them to perform the essential job functions of their position unless the accommodation creates an undue hardship, creates a direct threat to the employee or others, or is not otherwise required by the ADA.
2. The City will make modifications to its policies, practices and procedures to ensure qualified individuals with disabilities have an equal opportunity to participate in the City's programs, services or activities unless the modification fundamentally alters the program, service or activity, creates a direct threat to the employee or others, or is not otherwise required by the ADA.
3. Initial requests for an accommodation should be made in writing and submitted to the Director of the Department of Services for Persons with Disabilities, in consultation with the Director of Labor Relations, with a copy to the employee's supervisor. Any questions can be directed to the Director of the Department of Services for Persons with Disabilities at 946-7651 or TTY 946-8582.
4. Upon receipt of a request for a disability-related accommodation, the supervisor will conduct an inquiry in conjunction with the Department of Services for Persons with Disabilities, in consultation with the Director of Labor Relations, to determine the employee's eligibility for an accommodation, what accommodations are available and the feasibility of such accommodation. While not an exhaustive list of topics for exploration, the inquiry will likely make determinations regarding:
 - The qualified employee's disability status as defined by the ADA
 - The qualified employee's job description and essential job functions of the position
 - The employee's ability to perform the essential job functions with or without an accommodation

- The accommodations request and/or available to enable the qualified employee to perform the essential job functions of his or her position
 - The costs associated with making an accommodation
 - The reasonableness of the available accommodations
5. While the employee may suggest possible accommodations during this process, the City will ultimately make the decision of what reasonable accommodation will be offered to the employee.
 6. A preliminary determination regarding the accommodation request will be made within thirty (30) days and communicated to the employee in writing.
 7. All requests for accommodations and disability related information shall be strictly confidential. Additionally all records related to disability or accommodation request must be maintained in a file separate from the employee's personnel file.
 8. The employee has the right to accept or reject an offer of reasonable accommodation and should do so in writing. If an employee rejects an offer of reasonable accommodation and no other reasonable accommodations are available, the City, at its discretion, may not offer any other accommodations.

Issuing Authority: _____

Effective Date: _____

Effective Date: March 3, 2000

Previously Revised: N/A A copy of this policy is available for review at the Department of Human Resources, and on the City's computer network at N:\policies\accompol.doc



**DEPARTMENT OF SERVICES FOR
PERSONS WITH DISABILITIES**

CITY OF NEW HAVEN
165 CHURCH STREET
NEW HAVEN, CONNECTICUT 06510
(203) 946-8122 - VOICE (203) 946-8582 - TTY/TT
(203) 946-6934 - FAX



EMPLOYEE ADA ACCOMMODATION REQUEST FORM

NAME: _____ DATE: _____

ADDRESS: _____

WORK PHONE: _____

WHERE DO YOU WANT CORRESPONDENCE SENT? WORK HOME

JOB TITLE: _____

SUPERVISOR/DEPT. HEAD: _____

The Americans with Disabilities Act (ADA) enables qualified individuals with a disability who have a substantial impairments that effects one or more major life activities the opportunity to request a reasonable modification to the City's policies, practices and procedures to enable them to perform the essential job functions of their position. We will need from the employee information related to his or her disability to determine if they are covered under the ADA and what accommodation may be best for the employee.

What you need to know about the accommodation process:

1. All information provided to the Department of Services for Persons with Disabilities is confidential and will only be used to provide an appropriate accommodation to employees with disabilities whom have requested an accommodation.
2. Most employees who request an accommodation will be asked to submit medical documentation to verify that they are a person with a disability as defined in the ADA.
3. All information and documentation submitted from a health care provider must be written within the previous twelve (12) months to the date of application to insure that the accommodation meets the current needs of the employee.
4. Any health care provider used to support this application must be willing and able to speak knowledgeably about the disability and willing to work with our staff in determining the best accommodation for the employee.

To process your request for an accommodation we need the following information:

DESCRIBE YOUR HEALTH ISSUE OR IMPAIRMENT: _____

DESCRIBE HOW YOUR HEALTH ISSUE OR IMPAIRMENT AFFECTS YOUR LIFE: _____

DESCRIBE WHAT ACTIVITIES IN YOUR DAILY LIFE ARE RESTRICTED BY YOUR HEALTH ISSUE OR IMPAIRMENT: _____

PLEASE PROVIDE THE NAME AND PHONE NUMBER OF YOUR CURRENT TREATING HEALTH CARE PROVIDER THAT CAN SPEAK TO YOUR CURRENT LIMITATIONS. BE SURE TO CONTACT YOUR HEALTH CARE PROVIDER TO NOTIFY THEM THAT THIS DEPARTMENT WILL BE CONTACTING THEM. ALL MEDICAL INFORMATION PROVIDED TO THE DEPARTMENT OF SERVICES FOR PERSONS WITH DISABILITIES IS STRICTLY CONFIDENTIAL AND WILL ONLY BE USED IN EVALUATING THIS ACCOMMODATION REQUEST.

HEALTH CARE PROVIDER'S NAME: _____

PHONE: _____

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS REQUEST IS A TRUE AND ACCURATE.

EMPLOYEE'S SIGNATURE

DATE: _____

PLEASE DIRECT ALL QUESTIONS AND RETURN THIS FORM TO:

**MICHELLE DUPREY, DIRECTOR
(203) 946-7651
TTY 946-8582
FAX 946-6934**

**DEPARTMENT OF SERVICES FOR PERSONS WITH DISABILITIES
165 CHURCH STREET, NEW HAVEN, CT 06510**

APPENDIX E

City of New Haven
ADA Disability Policy Statement
And
Administrative Procedures

Purpose: The purpose of this policy is to set forth federal legal obligations and acceptable standards of conduct for all municipal employees by providing a work place free of discrimination, including harassment based on disability as defined in the Americans with Disabilities Act (42-USC 12101 et al). Harassment based on disability is a form of discrimination and is therefore unlawful and is prohibited by the Americans with Disabilities Act, the Rehabilitation Act of 1973 and the Connecticut Fair Employment Practices Act. Employees of the Board of Education will be exempt under this policy since the New Haven Board of Education adopts and enforces its own policies in compliance with State law.

Issuing Authority: The Chief Administrative Officer is the issuing authority for this policy.

Enforcement Authority: Daily administration is the responsibility of Department Heads and the Director of the Department of Services for Persons with Disabilities.

Policy

1. The City will take disciplinary action against any employee found to have engaged in discrimination or harassment of another employee based on disability. The extent of discipline will depend upon the nature and severity of the offense and may include warning, suspension, and termination.
2. The City does not discriminate on the basis of disability in the hiring or promotion of its employees, nor does it discriminate in the terms and conditions of employment because of disability.
3. The City will make a reasonable accommodation for an employee who is a qualified individual with a disability in order for them to perform the essential job functions of their position unless the accommodation creates an undue hardship, creates a direct threat to the employee or others, or is not otherwise required by the ADA.
4. The City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities.
5. The City will make reasonable modifications to its policies, practices and procedures to ensure qualified individuals with disabilities have an equal opportunity to participate in the City's programs, services or activities unless it fundamentally alters the program, service or activity, creates a direct threat to the employee or others, or is not otherwise required by the ADA.
6. This policy will be enforced at all levels of municipal government including but not limited to employees, applicants for employment, vendors, volunteers and visitors.

7. Forms of discrimination or harassment based on disability may include treating someone with a disability adversely because of their disability, inappropriate and/or unwelcome comments, jokes, questions, or unwarranted disclosure of disability related information by employees and non-employees.

Examples of discrimination or harassment based on disability include but are not limited to:

- hostile behavior or comments about a person with a disability because they requested and/or received a disability related accommodation as required by law
- tampering with or using without permission medical equipment, assistive devices/technology or accommodation related equipment belonging to or used by a person with a disability
- use of degrading or slang terms when referring to someone with a disability (for information on appropriate terms and etiquette, contact the Department of Services for Persons with Disabilities)
- inappropriate inquiries as to the existence, extent or treatment of someone's disability
- unwarranted disclosure of confidential disability related information
- denial of an employee benefit or opportunity because of an employee's disability
- jokes about disabilities or persons with disabilities
- engaging in the above stated conduct or harassing a person because they are associated with a person with a disability

Complaint Procedure:

- A. **Informal Procedure.** The informal process is discretionary and is not required prior to filing a formal complaint.

Any person who wishes to pursue the informal process should:

- promptly notify the offender that his/her conduct is unwelcome, inappropriate and illegal and should cease immediately, or
- make the complaint known to their Department Head, or
- notify the Department of Services for Persons with Disabilities, when the Department Head is the offender.

- B. **Formal Procedure.** In the event the aggrieved party does not wish to pursue the informal procedure, or the informal procedure fails to produce satisfactory results, the following procedure should be followed to initiate a formal complaint to the City's designated ADA Coordinator:

- Immediately file the complaint, i.e., a written description of the offensive conduct, with the Director of the Department of Services for Persons with Disabilities, the City's designated ADA Coordinator.
- A written complaint should contain the name and address of the complainant and a description of the discriminatory or harassing conduct because of complainant's disability.
- All employment related complaints must be filed within 180 days of occurrence in accordance with State law.

- The Director of the Department of Services for Persons with Disabilities must acknowledge receipt of the complaint within 10 days.
- The recipient of the complaint or his/her designee will undertake a thorough, objective and complete investigation of all allegations.
- The investigator(s) shall make a written report of the results of the investigation to the Corporation Counsel and Chief Administrative Officer within 90 days of receipt of the complaint.
- An investigator(s) may consult with the Office of Corporation Counsel on any formal complaint.
- The Department Head and the Department of Services for Persons with Disabilities will endeavor to protect the confidentiality and legal rights of all parties involved.
- The Department of Services for Persons with Disabilities in conjunction with the Chief Administrative Officer shall take appropriate action to remedy the issues raised in the complaint.

Persons filing charges of disability discrimination or harassment are instructed to notify the investigator(s) of any retaliatory conduct.

Definition of Disability under the Americans with Disabilities Act and for Purposes of this Policy

In order to be granted protection under the Americans with Disabilities Act you must be a qualified individual with a disability. A qualified individual with a disability is a person that can perform the essential job functions of his/her position with or without a reasonable accommodation. Generally a person has a disability if they have:

- a) a substantial impairment of a major life activity; or
- b) a record of a substantial impairment of a major life activity, or
- c) is regarded as having a substantial impairment of a major life activity.

Issuing Authority: _____

Effective Date: _____

Previously Revised: N/A
 A copy of this policy is available for review at the Department of Human Resources, and on the City's computer network at N:\policies\adapolicy.doc

APPENDIX F

**DEPARTMENT OF SERVICES FOR PERSONS
WITH DISABILITIES**

CITY OF NEW HAVEN

165 Church Street

New Haven, Connecticut 06510

Voice (203) 946-7833 • TTY (203) 946-8582 • Fax (203) 946-6934

Michelle M. Duprey Esq. • Director
Kristin Barber • Assistant Coordinator



Mayor John DeStefano, Jr.

INFORMATION FOR ZONING ACCOMMODATION REQUESTS

The City of New Haven provide property owners with disabilities or organizations serving people with disabilities the ability to request a modification to the City's policies, practices and procedures to provide equal opportunities to people with disabilities. If you are requesting a modification to City zoning regulations you must complete the Zoning Accommodation Request Form.

Please note the following important information:

- City zoning requirements limit the number of residents in a single dwelling unit to four unrelated individuals.
- City zoning allows up to eight unrelated individuals with disabilities to reside in one dwelling unit along with one care-taker upon providing this department with verification of disability status of the residents and subject to the limitations set by the housing code based on the size of the bedrooms.
- If you wish to house more than eight individuals with disabilities you must complete a Zoning Accommodation Request Form.
- The maximum number of bedrooms allowed by the City of New Haven for accommodation purposes will be dictated by the Assessor's office records for the property. If your accommodation request lists a different number of bedrooms than recorded at the Assessor's office, the City will inspect the property to determine the actual number of bedrooms meeting the requirements of the housing code.
- The maximum number of occupants allowed per bedroom for all accommodation requests is dictated by the requirements of the housing code. The housing code requires 75 square feet for the first bedroom occupant and 50 additional square feet for each additional occupant. For example, a 10'x10' bedroom is 100 square feet and only one occupant will be allowed; and a 12'x12' bedroom is 144 square feet and two occupants will be allowed.
- All zoning accommodations will be subject to annual inspections by City Building Inspector and the Fire Marshall to assure adherence to the accommodation request and for fire safety issues.
- If an accommodation is granted by the City to an organization such organization will be required to get a signed acknowledgement from every tenant stating that the tenant understands that because this accommodation is based on the residents constituting a family, the City treats the facility as a single family dwelling unit with regard to housing code and fire safety. And as a result all renters must be made aware that the facility may not have all the safety precautions found in a rental building or a rooming house. The City will furnish the language of these releases once the accommodation is granted.
- If the accommodation request is related to construction, the accommodation must be granted before construction begins.



**DEPARTMENT OF SERVICES FOR
PERSONS WITH DISABILITIES**

CITY OF NEW HAVEN
165 CHURCH STREET
NEW HAVEN, CONNECTICUT 06510
(203) 946-8122 - VOICE (203) 946-8582 - TTY/TT
(203) 946-8587 - FAX



ZONING ACCOMMODATION REQUEST FORM

DATE: _____

NAME OF ORGANIZATION: _____

IF ACCOMMODATION REQUEST IS NOT BY AN ORGANIZATION (CORPORATION OR 501(C)(3)),
PLEASE LIST NAMES OF ALL INDIVIDUALS WITH DISABILITIES WHO WILL BENEFIT FROM THE
REQUESTED ACCOMMODATION: _____

PROPERTY ADDRESS: _____

ADDRESS OF THOSE SEEKING ACCOMMODATION IF DIFFERENT FROM PROPERTY ADDRESS:

TELEPHONE: _____

IF YOU ARE REPRESENTED BY ATTORNEY AND WOULD LIKE TO BE CONTACT THROUGH THE
ATTORNEY PLEASE PROVIDE THEIR NAME AND CONTACT INFORMATION: _____

IS THE PROGRAM FOR WHICH YOU ARE SEEKING AN ACCOMMODATION CURRENTLY OPERATING
AT THE ABOVE ADDRESS? YES NO

IF "YES" PLEASE PROVIDE THE COMMENCEMENT DATE OF THE PROGRAM? _____

IF "NO" WHAT IS THE PLANNED START DATE FOR THIS PROGRAM? _____

HAS A CEASE AND DESIST ORDER BEEN FILED BY THE CITY OF NEW HAVEN FOR THIS
PROPERTY? YES NO

IF "YES" ON WHAT DATE WAS THE ORDER GIVEN? _____

DO YOU HAVE ANY PENDING MATTERS RELATED TO THIS PROPERTY BEFORE THE CITY OF
NEW HAVEN BOARD OF ZONING APPEALS? YES NO

DESCRIBE: _____

PLEASE DESCRIBE THE PROPERTY (IE. SINGLE OR MULTI-FAMILY DWELLING): _____

PLEASE STATE THE NUMBER OF PROPOSED OR CURRENT RESIDENTS (EXCLUDING STAFF): _____

PLEASE STATE THE NUMBER OF BEDROOMS AT THE PROPERTY : _____

WILL YOU BE OFFERING SERVICES ON SITE? Yes No

IF "YES" EXPLAIN THE SERVICES: _____

WILL THERE BE STAFF ON SITE? Yes No

IF "YES" PLEASE STATE HOW MANY STAFF WILL BE ON SITE: _____

IF THIS IS RENTAL PROPERTY, WHAT IS THE SHORTEST LEASE TERM FOR RESIDENTS? _____

PLEASE DESCRIBE THE COMMON AREAS THAT WILL BE AVAILABLE TO RESIDENTS OF THIS PROPERTY: _____

IF THIS ACCOMMODATION REQUEST IS FOR INDIVIDUALS WITH A HISTORY OF SUBSTANCE ABUSE, PLEASE STATE THE LENGTH OF TIME THAT THE INDIVIDUALS WILL NEED TO BE IN RECOVERY TO BE ADMITTED TO THE PROPERTY: _____

IF THIS ACCOMMODATION REQUEST IS FOR INDIVIDUALS WITH A HISTORY OF SUBSTANCE ABUSE, ARE INDIVIDUALS ALLOWED TO REMAIN AT THE FACILITY IF THEY RESUME USING ALCOHOL OR DRUGS? Yes No

IF THIS REQUEST IS BEING MADE BY AN ORGANIZATION AND THIS FACILITY IS FOR INDIVIDUALS WITH A HISTORY OF SUBSTANCE ABUSE, IS THE ORGANIZATION CURRENTLY A MEMBER OF THE CONNECTICUT COMMUNITY FOR ADDICTION RECOVERY? Yes No

THE FOLLOWING INFORMATION SHOULD BE PROVIDED IN AN ATTACHMENT:

1. IF AN ORGANIZATION IS REQUESTING THIS ACCOMMODATION ON BEHALF OF INDIVIDUALS WITH DISABILITIES, PLEASE DESCRIBE YOUR ORGANIZATION IN DETAIL.
2. IF AN ORGANIZATION IS REQUESTING THIS ACCOMMODATION ON BEHALF OF INDIVIDUALS WITH DISABILITIES, PLEASE ATTACH A COPY OF YOUR ADMISSIONS PROCESS AND POLICIES FOR RESIDENCY AT THE ABOVE STATED ADDRESS. SUCH POLICIES SHOULD CLEARLY PROVIDE THAT ALL INDIVIDUALS ALLOWED TO RESIDE AT THE ABOVE STATED ADDRESS MUST BE INDIVIDUALS WITH DISABILITIES (EXCLUDING SUPERVISORY STAFF). DISABILITY IS GENERALLY DEFINED AS AN IMPAIRMENT THAT SUBSTANTIALLY LIMITS ONE OR MORE MAJOR LIFE ACTIVITIES. FOR FURTHER

INFORMATION SEE THE FEDERAL FAIR HOUSING ACT AND THE AMERICANS WITH DISABILITIES ACT. SKIP TO 6.

- 3. IF AN ORGANIZATION IS NOT MAKING THIS REQUEST, PLEASE DESCRIBE THE IMPAIRMENTS OF ALL INDIVIDUALS BENEFITING FROM THIS ACCOMMODATION.
- 4. IF AN ORGANIZATION IS NOT MAKING THIS REQUEST, DESCRIBE HOW THE IMPAIRMENTS ARE SIGNIFICANT FOR ALL INDIVIDUALS BENEFITING FROM THIS ACCOMMODATION.
- 5. IF AN ORGANIZATION IS NOT MAKING THIS REQUEST, DESCRIBE FOR ALL INDIVIDUALS BENEFITING FROM THIS ACCOMMODATION REQUEST WHICH OF THEIR ACTIVITIES THAT ARE OF CENTRAL IMPORTANCE TO DAILY LIFE ARE RESTRICTED BY THEIR IMPAIRMENTS.
- 6. FOR THE INDIVIDUALS WITH DISABILITIES THAT WILL BENEFIT FROM THIS REQUEST, DESCRIBE THE MODIFICATIONS TO A CITY POLICY, PRACTICE OR PROCEDURE YOU ARE REQUESTING AND HOW IT SUCH A MODIFICATION WILL PROVIDE EQUAL OPPORTUNITY TO THOSE INDIVIDUALS. PLEASE CITE THE POLICY TO WHICH YOU ARE REQUESTING A MODIFICATION.
- 7. PLEASE LIST THE DIMENSIONS OF EACH BEDROOM AND THE NUMBER OF RESIDENTS THAT WILL BE HOUSED IN EACH BEDROOM.

IF AN ACCOMMODATION IS MADE RELATED TO THIS PROPERTY, THE CITY WILL NEED A CONTACT NAME, ADDRESS AND TELEPHONE NUMBER FOR THE INDIVIDUAL RESPONSIBLE FOR ANSWERING QUESTIONS OR RESOVLE ISSUES.

CONTACT NAME: _____

ADDRESS: _____

TELEPHONE: _____

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS REQUEST IS A TRUE AND ACCURATE.

SIGNATURE

DATE: _____

PLEASE DIRECT ALL QUESTIONS AND RETURN THIS FORM TO:

**MICHELLE DUPREY, DIRECTOR
(203) 946-7651
TTY 946-8582
FAX 946-8587**

**DEPARTMENT OF SERVICES FOR PERSONS WITH DISABILITIES
165 CHURCH STREET, NEW HAVEN, CT 06510**

CITY OF NEW HAVEN
OVERVIEW OF PROCESS FOR ZONING ACCOMMODATION REQUESTS

- 1) Zoning Accommodation Request Form is received either directly from organization or referred by another City official
- 2) Notify other departments of requested accommodations:
 - a) LCI
 - b) City Plan
 - c) Corporation Counsel
- 3) Check elements of property:
 - a) Verify zoning of site with City Plan
 - b) Verify the number of bedrooms on field card match the submitted request
 - i) If they don't match a letter goes to applicant with the following options:
 - (1) Revise request to match the number of bedrooms on field card
 - (2) Agree to have LCI verify that bedrooms listed in the request meet the requirements of the housing code
 - (a) If after LCI inspects the property and determines that the number of bedrooms is different than listed on the field card, the Assessor's Office is notified and will correct their records
- 4) Review of Request for following elements:
 - a) Type of work conducted by the organization
 - b) Verify that site requested only serves individuals with disabilities and determine what measure or steps will be taken to assure the City that only individuals with disabilities will reside at the location
 - c) Does the program criteria meet the definition of disability in statute
 - i) If not or it is unclear, all residents must demonstrate that they meet the definition of disability under the statute. They must have:
 - (1) A medical or physiological condition that
 - (2) Substantially impairs a
 - (3) Major life activity
 - (4) Central to daily living
 - d) Determine what City program, service or activity is being requested that the City modifies to provide equal opportunity to residents with disabilities
 - e) Determine what policy, practice or procedure deprives the applicant(s) or beneficiaries of an equal opportunity to access a City program, service or activity
 - f) Conduct legal research on the request and the City's obligations

- g) Determine if the request reasonable
- h) Determine if the request fundamentally alter the program, service or activity
- 5) Follow up with applicant to acquire any information that is lacking for complete review
- 6) Review request with notified departments to discuss the accommodation, the policy, practice or procedure requested to be modified
- 7) Look for non-accommodation alternatives to the request
- 8) Determine what and if there is a reasonable modification to policy, practice or procedure to insure equal opportunity for individuals with disabilities to a City program, service or activity
- 9) Offer, in writing, the application an accommodation or reject their request
- 10) Review reply from applicant with notified departments
- 11) If needed, negotiate an accepted accommodation

APPENDIX G

ACCESSIBILITY GUIDELINES FOR CITY EVENTS

PART I

**CONFERENCES, MEETINGS INCLUDING BOARDS
AND COMMISSIONS, WORKSHOPS,
RECEPTIONS, EMPLOYEE
PARTIES, FUNDRAISERS, PUBLIC CEREMONIES, ETC.
SPONSORED BY THE CITY OF NEW HAVEN**

PART II

OUTDOOR EVENTS

APPENDIX - CHECKLISTS

DEPARTMENT OF SERVICES FOR PERSONS WITH DISABILITIES
CITY OF NEW HAVEN
165 CHURCH STREET
NEW HAVEN, CT 06510
VOICE: (203) 946-7833
FAX: (203) 946-6934
TTY: (203) 946-8582

New Haven



2003

**PART I - CONFERENCES, MEETINGS INCLUDING BOARDS
AND COMMISSIONS, WORKSHOPS, RECEPTIONS, EMPLOYEE
PARTIES, FUNDRAISERS, PUBLIC CEREMONIES, ETC.
SPONSORED BY THE CITY OF NEW HAVEN**

1. All notices or invitations to public meetings must contain information on where individuals with disabilities can obtain information in accessible formats (i.e. large print) and whom to contact for accommodations for the event. The following language is recommended:

“For a disability related accommodation or materials in alternate formats contact the Department of Services for Persons with Disabilities at (203) 946-7833 or TTY (203) 946-8582.”

2. Provide adequate accessible parking for persons with disabilities adjacent to the accessible route(s) to the event/facility. Traffic & parking has meter bags for areas with parking meters. If off-street parking is provided, sufficient numbers of accessible parking spaces designed to meet building code dimensions and requirements must be provided.
3. Maintain clear accessible routes to and throughout the facility being used to enable persons using mobility devices or who have mobility disabilities to access the event.
3. For events for which tickets are sold or information is provided over time, rental or purchase of a telecommunications device for the deaf (tdd/tty) is recommended.
4. Information should be made available in alternate formats. [for example, large print or brailled minutes, audio cassettes describing an art exhibit.] Disability Services (946-7833) can assist.
5. Provide sign language interpreters. At least two weeks notice is required. Disability Services (946-7833) can assist. Certain events require additional preparation for interpreters, so early planning is critical.
6. Provide sufficient signage at the event location describing access to events, the accessibility features provided and the accessible route if it is not obvious. On maps and diagrams of events include accessible routes and other accommodations.
7. Publicize the accommodations and accessibility features which are available in any event publicity.
8. Both permanent and temporary assembly area seating must include seating space for persons who use wheelchairs and who have other mobility disabilities. Refer to Americans with Disabilities Act Accessibility Guidelines which is available www.access-board.gov or www.ada.gov.
9. Be sure there are adequate accessible restrooms. Standards for accessible restrooms are very specific. Contact Disability Services for assistance.
10. Any shuttle transportation services must include accommodations for persons with mobility impairments.
11. Under ADA, all performance areas must be accessible.
12. Regardless of the type of event being held, if the City is involved, it must be accessible. That means that event planners must ascertain the accessibility of the proposed location early on in the planning of the event. By law, the City must not hold events in inaccessible locations. Do not always assume the location is accessible just because the owner/manager says so. Disability Services has information on accessibility of many locations in the area -- call 946-7833 for help. When in doubt, ask!

PART II - OUTDOOR EVENTS

1. All notices, brochures or flyers to public events sponsored by the City must contain information on where individuals with disabilities can obtain information in accessible formats (i.e. large print) and whom to contact for accommodations for the event. The following language is recommended:

"For a disability related accommodation or materials in alternate formats contact the Department of Services for Persons with Disabilities at (203) 946-7833 or TTY (203) 946-8582."
2. If porta-johns are provided, at least 5%, but not less than one in each cluster must be accessible. They must be located in an accessible location adjacent to an accessible route.
3. Provide adequate parking accessible to persons with disabilities adjacent to the accessible route(s) to the event. Traffic & parking has meter bags for areas with parking meters. If off-street parking is provided, sufficient numbers of handicap parking spaces designed to meet building code dimensions and requirements must be provided.
4. Maintain clear accessible routes to events for persons using mobility devices or who have mobility difficulties. Observe building code and/or ADA accessibility standards, as appropriate, including regulations for protruding objects, barriers across accessible routes, walkways, etc., and areas needing ramps such as street to sidewalk routes. [for example, a festival, one area needing improvement was the number of low hanging umbrellas on cafe tables and temporary electrical boxes and such which intruded on accessible routes creating obstacles for individuals who are blind or visually impaired. Also at a festival, water hoses and electrical cables crossed accessible routes causing people in manual wheelchairs to have problems. The festival provided very good access to sidewalk events by using wooden ramps constructed to enable persons using wheelchairs to access vendors, cafe seating and other sidewalk activities.]
5. For events for which tickets are sold or information is provided over time, rental or purchase of a telecommunications device for the deaf (tdd/tty) is recommended. Information should be made available in alternate formats. [for example, large print menus, audio cassettes describing an art exhibit.]
6. Provide sign language interpreters when appropriate. For example, during concerts on the green when individuals address the audience (mcs or the mayor) or for larger events like a festival, select a variety of events to be interpreted. Theatrical events require additional preparation for interpreters, so early planning is critical. Contact the Connecticut Commission on the Deaf and Hearing Impaired at 566-7414 to arrange for interpreters and for information on fees.
7. Provide sufficient signage at the event location describing access to events and the accessibility features provided. On maps and diagrams of events include accessible routes and other accommodations
8. Publicize the accommodations and accessibility features which are available in any event publicity.
9. Both permanent and temporary assembly area seating must include seating space for persons who use wheelchairs and who have other mobility disabilities. Refer to Americans with Disabilities Act Accessibility Guidelines which is available www.access-board.gov or www.ada.gov.
10. Vendor tents or other temporary sales areas must be accessible.
11. Any shuttle transportation services must include accommodations for persons with mobility impairments.
12. Safe pedestrian access must be maintained during construction, setup and breakdown phases of events.
13. For events on the Green, be sure to keep all curb cuts clear of tents, cars, cables, etc. Tents on Temple Street have frequently been set up with cables crossing the curb cut in the center of the block. If no other alternative is available, the cable must be ramped to allow persons to access the green at that location. It is not ok to assume that people can use another route.

14. All performance areas must be accessible.
15. For events using the stage on the Green, be sure access to seating for persons in wheelchairs has a smooth transition from the walkways onto the grass in an area which has the most gradual slope. A clear path from the walkway to the seating area entrance and from the entrance to the specified seating location must be provided.
16. Temporary public telephones provided for events must include accessible phones (units with amplification buttons, units with a maximum height of 54" to all operable parts, and units with tty/tdd capability) in each bank.
17. Temporary structures including tents used for changing rooms, guest events, etc. Must be accessible.
18. Regardless of the type of event being held, if the City is involved, it must be accessible. That means that event planners must ascertain the accessibility of the proposed location early on in the planning of the event. By law, the City must not hold events in inaccessible locations. Do not always assume the location is accessible just because the owner/manager says so. Disability Services has information on accessibility of many locations in the area -- call 946-7833 for help. When in doubt, ask!

- 1. Accessible Route:**
- As Wide As Possible
 - Level
 - Smooth
 - Firm, Non-Slip Surface
 - Free Of Low-Hanging/Protruding Objects Which Can't Be Detected By A White Cane

- Target population:**
- Persons Who Have Difficulty Walking
 - Persons Who Use Wheelchairs
 - Persons Who Use Other Mobility Devices Including Crutches, Canes Or Walkers
 - Persons Who Are Blind Or Visually-Impaired

Element 1: Accessible route	Y	N	N/A
1. At least one accessible route connects all parts of facility?			
2. Minimum of 36" clear width with no intrusions?			
3. At least a 5' x 5' passing space every 200'?			
4. Minimum of 80" clear headroom?			
5. Surface: non-slip, firm and stable?			
6. Slope does not exceed 1:20?			
7. Routes not interrupted by steps or ½" or more changes in level?			
8. Are grates set in the direction of the route no more than ½" wide?			
9. Objects projecting from walls with leading edges between 27" and 80" are 4" or less?			
10. There is at least one accessible route from bus stops, parking, street or sidewalks?			
11. Handicap ramps/curb cuts			
(a) Located whenever accessible route crosses a curb and where cars do not park?			
(b) Slope does not exceed 1:12?			
(c) At least 36" wide, excluding flared sides?			
(d) Surface: firm stable & non-slip?			
(e) If no hand/guard rails, flared sides with slope of flare no more than 1:10?			
(f) If at intersection, located within marked crossing?			
(g) Flush, smooth transition with street?			

Comments

2. Parking:

- Wide Enough To Fully Open Car Doors And/Or Lower Wheelchair Lift
- If Not The Closest Spaces To Building Or Facility, Then Greater Access To An Accessible Entrance Ensuring Cost And Convenience
- On Accessible Route From Parking To Facility
- Has Proper Signage

Target Population:

- Persons With Mobility Disabilities

Element 2: Parking	Y	N	Y/N																		
1. Is visitor and/or employee parking provided?																					
2. If so, is handicap parking provided?																					
3. If handicap parking is provided, does it meet these guidelines:																					
(a) Have a raised sign with wheelchair access symbol saying "Handicap parking , State Permit Required, Violators will be Fined"?																					
(b) Parking space: 12' minimum width?																					
(c) Crosshatching: 3' minimum width?																					
(d) Slope no greater than 2%?																					
(e) Surface: non-slip, stable and firm?																					
4. Is handicap parking located closest to accessible entrance; on an accessible route?																					
5. Are there an adequate number of handicap spaces? <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>TOTAL SPACES</u></th> <th style="text-align: left;"><u>ACCESSIBLE SPACES</u></th> </tr> </thead> <tbody> <tr> <td>1-25</td> <td>1</td> </tr> <tr> <td>26-50</td> <td>2</td> </tr> <tr> <td>51-75</td> <td>3</td> </tr> <tr> <td>76-100</td> <td>4</td> </tr> <tr> <td>101-150</td> <td>5</td> </tr> <tr> <td>151-200</td> <td>6</td> </tr> <tr> <td>etc.</td> <td></td> </tr> <tr> <td colspan="2"><u>VAN ACCESSIBLE SPACES: 2</u></td> </tr> </tbody> </table>	<u>TOTAL SPACES</u>	<u>ACCESSIBLE SPACES</u>	1-25	1	26-50	2	51-75	3	76-100	4	101-150	5	151-200	6	etc.		<u>VAN ACCESSIBLE SPACES: 2</u>				
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26-50	2																				
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76-100	4																				
101-150	5																				
151-200	6																				
etc.																					
<u>VAN ACCESSIBLE SPACES: 2</u>																					

Comments

3. Ramps:

- Gently Sloped
- With Handrails
- No Drop-Offs
- Smooth, Level Top And Bottom Platforms

Target Population:

- Persons Who Use Wheelchairs

Element 3: Ramps	Y	N	N/A
1. Slope is least possible and no more than 1:12?			
2. Cross-slope no more than 1:50?			
3. Surface: non-slip, firm & stable?			
4. Walls, railings or curb at least 2" high to prevent slipping off ramp?			
5. Minimum landing length: 60" at top and bottom, and at 30' intervals of ramp?			
6. Minimum clear width: 36"?			
7. Handrails if rise greater than 6" or horizontal projection greater than 72"?			
(a) extend 12" beyond ramp at either end?			
(b) on both sides?			
(c) at least 1½" from wall?			
(d) parallel to slope of ramp surface?			

Comments

4. Entrance

- Wide, Smooth, Level Or Ramped
- Adequate Space For Maneuvering On Both Sides Of Door
- Door Requires Light Pressure To Open

Target Population:

- Persons With Mobility Disabilities

Element 4: Entrances and Doors	Y	N	N/A
1. At least one main entrance located on an accessible route?			
2. Accessible doors are standard single or double-leaf hinged doors, not revolving doors/turnstiles?			
3. Clear door width with no protrusions: 32" (if double doors are used, at least one)?			
4. Door hardware no higher than 48", push/pull or lever operated?			
5. Maximum hinged exterior door force: 8.5 lb.; interior hinged/sliding/folding doors: 5 lb.; sweep period of door closing at least 3 seconds?			
6. Thresholds no higher than 1/2" with beveled edge & slope no greater than 1:2?			
7. At least 48" between sets of open doors?			
8. At least 24" clear space on pull side of door and 18" on push side?			
9. 5' x 5' clear on each side of door?			

Comments

- 5. Elevators/Wheelchair Lifts:**
- Adequate Maneuvering Space
 - Time To Get To And Enter Cab
 - Conveniently Located
 - Have Visual And Tactile Marked Controls
 - Have Audible Indications On Direction Of Travel And Floors
 - Able To Be Operated Independently
 - Emergency Communication System

Target Population: • Persons With Mobility, Hearing And Visual Disabilities

Element 5: Elevators/Wheelchair lifts	Y	N	N/A
1. At least one serves each level on accessible route unless ramped?			
2. Automatic self-leveling?			
3. Cab dimensions: center opening on door: at least 51" x 80" side opening on door: at least 51" x 68"?			
4. Hall call buttons: centered 42" or less from floor & lighted?			
5. Interior controls: highest control 48" front approach, with braille & raised characters?			
6. Door remains open at least 3 seconds?			
7. Visual & audible floor indicators and alarms provided?			
8. Minimum door width: 36"?			
9. Raised and braille numbers on door jambs: 60" height?			
10. Hall lanterns : minimum 72" height?			

Comments

- 6. Restrooms:**
- On Accessible Route
 - Easily Used & Safe (No Hot, Sharp, Abrasive Or Protruding Objects)
 - Adequate Clear Floor Space For Approach & Turning
 - Sturdily Mounted Grab Bars
 - Controls & Hardware Within Reach & Easily Operable

Target Population: • Persons With Mobility Disabilities

Element 6: Restrooms	Y	N	N/A
1. If there are accessible restrooms, at least one is on an accessible route?			
2. Entrance door:			
(a) has at least 32" clear opening?			
(b) has lever handle or push/pull hardware?			
(c) identified by symbol of access?			
3. Stall door at least 32" wide?			
4. Stall 5' x 5' excluding door swing?			
5. Rear and side grab bars: 33"-36" off floor?			
6. Toilet seat 17"-19" high & maximum 18" from center of toilet to closest wall?			
7. Basin opening of wall-mounted urinal no more than 17" from floor; 30" x 48" clear?			
8. Toilet paper dispenser at least 19" above floor?			
9. Sinks:			
(a) rim or counter no higher than 34"?			
(b) at least 29" clear to bottom of apron?			
(c) 30" x 48" clear floor space in front?			
(d) 19" deep underneath sink?			
(e) pipes insulated/wrapped?			
10. Faucets: single control, lever-operated or similar?			
11. Where there are mirrors, bottom edge no higher than 40" above floor?			
12. Towel dispenser, disposal and soap dispenser operable part no higher than 40" above floor?			
13. Swing grab bar in at least one location?			

Comments

- 7. Drinking Fountains:**
- Mounted Low
 - Pull Under Or Along Side
 - Easily Operated Controls

- Target Population:**
- Persons Who Use Wheelchairs
 - Persons Who Have Difficulty Using Their Hands

Element 7: Drinking Fountains	Y	N	N/A
1. Working parts at 27" - 36" height?			
2. Spout 36" maximum at front of unit with water flow at least 4" high?			
3. Clear knee space at least 27"?			
4. 30" x 48" clear floor space for front/parallel approach ?			
5. Control operable with one hand without grasping or twisting?			

Comments

- 8. Public Telephones:**
- Adequate Floor Space To Pull Up
 - Low Mounting Height To Reach Operable Parts
 - Volume Controls
 - TTY/TDD

- Target Population:**
- Persons Using Wheelchairs
 - Persons Who Are Deaf Or Hard-Of-Hearing

Element 8: Public Telephones	Y	N	N/A
1. If public telephones, at least one accessible?			
2. If 4 or more, at least one with TTY/TDD?			
3. Accessible phone located on accessible route with clear floor space 30" x 48"?			
4. Highest operable control 48" high for front approach, 54" for parallel?			
5. Amplified handset?			

Comments

APPENDIX H

City of New Haven

Universal Web Site Accessibility Policy

Purpose: It is the policy of the City of New Haven that information and services on City of New Haven Web Sites, including department web sites, are/be designed to be accessible to people with disabilities.

Issuing Authority: The Chief Administrative Officer is the issuing authority for this policy.

Enforcement Authority: Daily administration is the responsibility of Department Heads, the Technology Department and the Director of the Department of Services for Persons with Disabilities.

Policy

It is the responsibility of the departments and their web page developers to become familiar with the guidelines for achieving universal accessibility and to apply these principles in designing and creating any official City of New Haven web site.

According to the latest statistics available from the Bureau of the Census, there are 9.7 million people in the United States who have difficulty seeing the words and letters in ordinary newsprint, equal to 5.0% of the total population. Another 10.9 million people, or nearly 6% of the total population, have difficulty hearing what is said in an ordinary conversation with another person. In 1995, Connecticut had an estimated 35,000 people who were legally blind, and twice that number who were visually impaired. Additionally, there are estimated to be 25,000 people who are profoundly deaf and 175,000 people who are hard of hearing in Connecticut.

The use of the guidelines below will ensure that web sites created by the City of New Haven are developed to serve the largest possible audience. Compliance with these guidelines provides an added benefit to those users with text-based browsers, low-end processors, slow modem connections and/or no multi-media capabilities on their computer. It also allows for access to City of New Haven web sites by new technologies, such as WebTV, internet phones, and personal organizers with internet connectivity.

Design Guidelines

This policy provides a set of established guidelines adopted by Web Site Policy Committee and a checklist of design requirements, which provides a quick reference for numerous design issues. Additional references can be found at:

<http://www.cmac.state.ct.us/access/resources.html>

The City of New Haven's Web Site Policy Committee has adopted the Web Content Accessibility Guidelines 1.0 W3C Recommendation 5-May-1999 (WCAG) as the primary guideline to meet the objectives of the Universal Accessibility for City Of New Haven Web

Sites policy. These guidelines explain how and why to make Web content accessible to people with disabilities. The guidelines are intended for all Web content developers (page authors and site designers) and for developers using authoring tools. The primary goal of these guidelines is to promote accessibility. However, following them will also make Web content more available to *all* users, whatever user agent they are using (e.g., desktop browser, voice browser, mobile phone, automobile-based personal computer, etc.) or constraints they may be operating under (e.g., noisy surroundings, under- or over-illuminated rooms, in a hands-busy environment, etc.). Following these guidelines will also help people find information on the Web more quickly. These guidelines do not discourage content developers from using images, video, etc., but rather explain how to make multimedia content more accessible to a wide audience.

To comply with this policy, departments must be able to demonstrate two things:

1. that they have achieved WCAG Conformance Level "A" which means that all Priority 1 checkpoints are satisfied
2. that they have successfully addressed all the items in the Checklist of Design Requirements

Department webmasters are encouraged, but not required at this time, to achieve WCAG Conformance Level "AA". The full checklist of Checkpoints for Web Content Accessibility Guidelines 1.0 can be found at:

<http://www.w3.org/TR/1999/WAI-WEBCONTENT-19990505/full-checklist.html>

Checklist of Design Requirements

The following checklist list has been compiled from various sources. Some of the items in this checklist are categorized as Priority 2 checkpoints in the WCAG. The purpose of this list is to provide a summary of the types of issues to consider when creating and designing accessible HTML pages. Please note that not all of the requirements are yet supported by all browsers, but the rendering of your page in current browsers will not be adversely affected by their use.

Universal Design

1. Include a document type declaration (DOCTYPE) (see <http://www.w3.org/TR/html401/struct/global.html> \l "version-info) in your web pages. This declares what version of HTML you are using in your documents, and assists the browser in rendering your pages correctly.
2. Maintain a standard page layout and navigation method throughout the web site.
3. Use headings, lists, and consistent structure.
4. Avoid the unnecessary use of icons, graphics and photographs.
5. Use plain backgrounds and simple layouts to improve the readability of text.
6. Ensure that foreground and background color combinations provide sufficient contrast when viewed by someone having color deficits or when viewed on a black and white screen.
7. Provide a text-only index or site map of your site.
8. Include textual as well as graphical navigation aids.

9. Do not abbreviate dates; for example, use December 1, 2000 rather than 12/1/00.
10. Ensure that dynamic content is accessible or provide an alternative presentation or page.
11. Until user agents allow users to freeze moving content, avoid movement in pages.
12. Test your web pages with a variety of web technologies; including ,but not limited to, graphical browsers with the images turned off, browsers with JavaScript disabled, a text based browser, using only your keyboard, and using assistive technology.
13. Avoid the use of HTML tags or extensions which are supported by only one browser.
14. Check web pages and images at different monitor resolutions, monitor sizes and color depth settings.
15. Hyperlinks to downloadable files should include a text description that includes the file size and file type.
16. You may consider the development of a text-only version of the document or site to facilitate access not only by people with visual impairments, but users of non-graphical browsers or slow Internet connections. Keep in mind, however, this option requires considerable resources and discipline to keep the two versions of the content in sync.

Text-Based Design

1. End all sentences, headers, list items, etc. with a period or other suitable punctuation.
2. Avoid using side by side presentation of text, for example, columns and tables.
3. Provide alternate versions of forms; Alternatives might include a simple list or paragraph of what is needed to submit a form entry and then provide a link to a mailto: feature or simply an appropriate e-mail address to send the text.
4. Minimize the number of hyperlinks that appear in a single line of text - one hyperlink is best; consider using vertical lists for links wherever possible.
5. Avoid/Limit the use of bitmap images of text, unless a textual alternative is also provided.
6. Consider beginning lists with a descriptive identifier and the number of items so the users will have an idea of what the list represents and the total length of the list. Using numbers instead of bullets will also help the user to remember items that interest them.
7. Provide meaningful and descriptive text for hyperlinks, don't use short hand, e.g. "click here"; instead "Follow this link to our News Page". (Screen readers can search specifically for linked text, "click here" provides no indication of where the link will take them.) If documents are provided in a specialized format (e.g. PDF (Portable Document Format) , etc.) provide the equivalent text in plain text or HTML format.

Graphics and Images

1. Keep the number of colors in your images to a minimum.
2. Minimize the file size and number of images you display on any one page.
3. Design your background image at the lowest color depth and resolution you can.
4. Ensure that text can always be clearly read at any location against the background.
5. Avoid/Limit using image maps; provide an alternate text-based method of selecting options when image maps are used, e.g., separate HTML page or menu bar.
6. Use the ALT attribute with image tags to provide associated, meaningful, text for all images, pictures and graphical bullets.

7. Consider using the "longdesc" attribute of the IMG tag to specify a link to a long description of the image. This description should supplement the short description provided using the ALT attribute. When the image has an associated image map, this attribute should provide information about the image map's contents. This is particularly important for server-side image maps.
8. If image files are used for graphical bullets in place of standard HTML, it is best to use a bullet character like an asterisk " * " or "o" in the ALT = text field of the tag (rather than describing the bullet as: "This is a small purple square").

Audio/Visual Features

1. Provide text transcriptions of all video clips.
2. If possible include captions or text tracts with a description or sounds of the movie.
3. Provide descriptive passages about speakers and events being shown through video clips.
4. Give a written description of any critical information that is contained in audio files contained on your web site.
5. If you link to an audio file, inform the user of the audio file format and file size in kilobytes.

Scripts, applets and plug-ins

1. Provide alternative content in case active features are inaccessible or unsupported.

Additional References

<http://validator.w3.org/check/referer>

[http://validator.w3.org/check/referer|](http://validator.w3.org/check/referer)

<http://jigsaw.w3.org/css-validator/check/referer>

<http://jigsaw.w3.org/css-alidator/check/referer>

Training and Eligibility of Web Site Consultants and Staff

All City staff with the skill classifications listed below for the City's web sites must within six months of the implementation of this policy enroll and complete Web Site Accessibility training offered through the State of Connecticut Department of Information Technology.

Web site consultants in the skill classifications listed below are required to receive Web Site Accessibility training offered through the State of Connecticut Department of Information Technology. Consultants that are currently under contract for Web/Internet projects must be trained prior to additional work being conducted. Consultants proposing to work on a Web/Internet project for the City must be enrolled in the above referenced training at the time their bid is submitted and the training must be completed before work on the project can commence. Only those consultants trained by the State will be authorized to work on these categories.

- Internet Project Manager
- Internet Developer
- Advanced Internet Developer
- Senior Internet Developer

- Internet Usability Design Expert
 - Internet Information Architect
 - Internet Application Server Administrator
 - Webmaster
 - Internet Graphic Designer
-

Issuing Authority: _____

Effective Date: _____

Effective Date:

Previously Revised: N/A

A copy of this policy is available for review at the Department of Human Resources, and on the City's computer network at N:\policies\accompol.doc