

AMERICANS WITH DISABILITIES ACT COMPLIANCE POLICY

Approved by the Board of Library Trustees July 11, 2022

1.0 General Guidelines

1.1 The Wauconda Area Public Library District complies with the Americans with Disabilities Act of 1990, as amended (the "ADA") and offers alternative reasonable compliance to meet its requirements. Accordingly, the Library is committed to ensuring that Library communications with applicants, employees and members of the public with ADA disabilities are as effective as communications with others; makes reasonable accommodations in Library policies, practices and procedures when necessary to avoid discrimination on the basis of disability, unless a fundamental alteration in a Library program would result; and operates its services, programs and activities so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities. The Library provides equal access to persons with disabilities, including those individuals who use service animals.

1.2 Any person needing an accommodation for a disability in order to access the benefits of the Library's services, programs, or activities under the Americans with Disabilities Act are encouraged to contact the Library Director or the Library's ADA Compliance Officer.

2.0 ADA Compliance Officer

2.1 The Library Director or his/her designee is the Library's ADA Compliance Officer. The ADA Compliance Officer may be contacted via telephone at 847-526-6225.

2.2 Implementation of this Policy is the responsibility of all Library staff.

3.0 Method of Notification

3.1 A copy of this Policy is included in the Library's policy handbook and is posted on the Library's website. If a person with visual impairment or other disability inquires about this Policy or about the Library's ADA services, staff will offer to read the Policy and to provide appropriate ADA services.

4.0 Service Animals

4.1 The Library welcomes service animals, and service animals are permitted in any area of the Library where members of the public are permitted to go. Trainers are also permitted to accompany service animals in training in the Library.

4.2 Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder during an anxiety attack or performing other duties. The work or task that the dog has been trained to provide must be directly related to the person's disability.

4.3 The ADA has also defined a miniature horse as an animal that may serve as a service animal if it has been individually trained to do work or perform tasks for a person with a disability. To determine

if a miniature horse can be accommodated in the Library, the Library will assess whether (1) the miniature horse is housebroken, (2) the miniature horse is under the owner's control, (3) the Library can accommodate the miniature horse's type, size and weight, and (4) the miniature horse's presence will compromise legitimate safety requirements necessary for the safe operation of the Library.

4.4 Some service animals may wear special collars, harnesses, vests or capes and some are licensed and certified and have identification papers. However, special identification and certification are not required by the ADA. Employees may only ask an individual who accesses the Library with a service animal the following two questions: (1) whether the animal is a service animal and (2) what work or task the service animal has been trained to perform. Employees may not require identification documents for the animal and may not ask about the person's disability.

4.5 A service animal may be removed from the premises only if (1) the animal is out of control and the handler does not take effective action to control it, or (2) the animal is not housebroken. Service animals must be harnessed, leashed, or tethered, unless such devices interfere with the animal's work or the individual's disability prevents using such devices, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

4.6 When there is a legitimate reason to remove a service animal, staff will offer the person with the disability the opportunity to obtain Library materials or services without the animal's presence. Staff is not required to provide care, food or a special location for the animal.

5.0 Programming & Meeting Accessibility

5.1 All notices and advertising for Library-sponsored programming will contain an appropriate ADA notice (such as the following):

5.2 *Any person needing an accommodation for a disability in order to access the benefits of the Library's services, programs, or activities under the Americans with Disabilities Act should contact a Library manager by telephone at 847-526-6225, by email at patronservices@wauclib.org or in writing, not less than five (5) working days prior to the program.*

5.3 All notices for library board or committee meetings will contain an appropriate Library notice (such as the following):

5.4 *Any person needing an accommodation for a disability in order to attend a meeting at the Library should contact the Administration Office by telephone at 847-526-6225, by email at patronservices@wauclib.org or in writing, not less than five (5) working days prior to the meeting.*

6.0 Accommodations to Persons with a Disability

6.1 Library staff will assist a patron with a disability in any reasonable way needed, including opening doors, carrying and retrieving library materials, and reading and/or completing library forms. Library staff are available to provide ADA assistance and to assist a patron in filling out the forms, if needed.

6.2 The Library is committed to ensuring that communication with individuals with disabilities is as effective as with individuals without disabilities. In addition, in order to assist persons with visual, hearing, mobility, intellectual, or other disabilities, the Library provides materials in a variety of formats: conventional print, large type, DVD, CD, electronic download, streaming services. When materials are not available in all needed formats, the Library attempts to provide equivalent or similar items for use by persons with disabilities.

6.3 Despite the Library's best efforts, not all library materials may be available in accessible formats, not all areas of the Library are available to individuals with disabilities, and not every Library program, service and activity can be made accessible to every disabled person without fundamentally altering the nature of the service, activity or program. However, the Library does make every reasonable effort to provide assistance to individuals with disabilities upon request.

7.0 Threats to Health and Safety

7.1 If an individual with a disability poses a direct threat to the health and safety of others the Library may refuse or revoke said individual's reasonable accommodation. However, in determining whether an individual with a disability poses a direct health and/ or safety threat the Library will make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: The nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

8.0 Meeting Room Users

8.1 Groups using the meeting room and presenters are required to meet the requirements of the Americans with Disabilities Act. The Library offers the facility as a service to community groups, but has no responsibility for the groups using the room.

9.0 Grievance Procedures

9.1 Any person who believes that the Library has discriminated against that person because of the person's disability may file a written complaint with the Library's Compliance Officer, or the Library Director. The complaint will provide information about the alleged discrimination, including the date, location, persons involved, and other particulars. The complaint will include the name, address, and telephone number of the person filing the claim. Upon request, the Library will provide alternate means for filing a complaint, such as a personal interview or tape or digital recording, to a person with a disability.

9.2 The Library's ADA Compliance Officer or Library Director will make every effort to work cooperatively with a complainant to resolve the issue forming the basis of the complaint. In the event the response of the Library's Compliance Officer or Library Director does not satisfactorily resolve the problem, an individual may choose to file an administrative complaint with the following government agencies:

9.3 Employees may file an administrative complaint with the U.S. Equal Employment Opportunity Commission (EEOC) within 180 days of the alleged discrimination, or may file a lawsuit for injunctive relief and damages.

9.4 Members of the public may file an administrative complaint with the U.S. Department of Justice, Civil Rights Division, Disability Rights Section or with the U.S. Department of Education, Office for Civil Rights.

9.5 Any or all of these methods may be pursued at the same time. Individuals are protected from retaliation or coercion when pursuing their rights or responsibilities under the ADA.

10 For further information

10.1 In accordance with Section 35.106 of the ADA's Title II Regulations, all applicants, participants, beneficiaries, and other interested persons are advised that further information may be obtained from the ADA Compliance Officer and also from the Disability Rights Section, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Avenue, Washington, DC 20530. Telephone: (800) 514-0301 (Voice) or (800) 514-0383 (TDD).

10.2 To the extent that any existing policies, procedures or guidelines of the Library are inconsistent with this policy, this policy shall prevail.