



ADA, Title II Accommodations

1.802.1p

Standard Operating Procedure Outline

<i>Category:</i>	Board Operations	<i>Department:</i>	Facility Planning & Construction		
<i>Procedure:</i>	ADA, Title II Accommodations				
<i>Policy Reference #:</i>	1.802	<i>Version:</i>	1.0	<i>Date Revised:</i>	9/15/23

Operational Objective(s)

- To assure compliance with Title II of the Americans with Disabilities Act (ADA), and other federal and state laws and regulations pertaining to qualified persons with disabilities. The scope of responsibility includes access to programs and facilities for members of the general public^{1,2,3}.
 - Students with Individual Education Plans (IEPs), see MNPS Board of Education Policies 4.202 (Special Education) and 6.500 (Special Education Students).*
 - Students with 504 Plans, see MNPS Administrative Procedures 6.205.1p (Section 504 Evaluations & Eligibility) and 6.205.2p (Section 504 Grievance & Due Process).*
 - MNPS employees, see MNPS Administrative Procedure 5.1214.1p (ADA, Title I Accommodations).*

Procedure

1. Requesting ADA Accommodations

School administrators and departmental supervisors shall complete, on behalf of members of the public requesting an accommodation, an ADA Accommodation Request Form. Completed forms shall be forwarded to the Office of the ADA Coordinator (ADA@mnps.org). Requests shall include the name, address, email, and telephone number of the member of the public requesting the accommodation, the location of the program, service, activity, or facility where the accommodation is required and a description of why the accommodation is needed. Alternative means of filing a request shall be made available upon request (e.g., large print, Braille, audiotape).

Within 15 calendar days after the receipt of a written request, the Office of the ADA Coordinator shall make initial contact with the administrator or supervisor and/or member of the public requesting accommodation to initiate the interactive process for consideration

of the request. Once all information has been considered, the member of the public shall receive a written response to their request. The written response shall provide details for plan of accommodation or state reasons for denial. If the response does not satisfy the request for accommodation or if the request is denied, the administrator, supervisor, or member of the public may file an appeal within 20 calendar days of the ADA Coordinator's decision with the Director of Facility Planning & Construction in accordance with Step 2 of the ADA Grievance process below.

Metro Nashville Public Schools (MNPS) shall keep all written requests for accommodation received by the Office of the ADA Coordinator for at least three years.

2. Requesting Effective Communication Accommodations

Members of the public with disabilities shall make requests for auxiliary aids and services directly to school administrators or departmental supervisors. Auxiliary aids and services may include qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TTY), videotext displays, or other effective methods of making aurally delivered materials available to members of the public with hearing impairments. School administrators and departmental supervisors shall complete and submit an Interpreter Request Form on behalf of members of the public requesting interpreting services and submit such forms to ADA@mnps.org.

Accommodation requests for effective communication at specific school or district events shall be submitted as early as possible to allow the ADA Coordinator sufficient time to process the request. Such requests shall be submitted to the ADA Coordinator at least 72 business hours prior to the event. Accommodation requests submitted less than 72 business hours prior to the event cannot be guaranteed.

3. Filing ADA Grievances

This grievance procedure is established to meet the requirements of the ADA. It may be used by members of the public who have attempted to access one of the MNPS' services, activities, or programs and who believes that they have been denied access due to discrimination on the basis of disability.

Step 1-The Written Complaint

The ADA Coordinator shall hear all ADA Title II complaints. The complaint shall be submitted on MNPS' ADA Complaint Form and contain information about the alleged discrimination such as name, address, email, phone number of complainant and location, date, and description of the alleged discrimination. Completed forms shall be forwarded to the Office of the ADA Coordinator (ADA@mnps.org). Alternative means of filing complaints, e.g., personal interviews or a tape recording of the complaint shall be available for persons with disabilities upon request.

The ADA Coordinator shall respond to all complaints within twenty (20) calendar days with a written response as well as information on further grievance procedures that may be followed if the complaining party is not satisfied with the ADA Coordinator's proposed resolution. If the complainant is not satisfied with the proposed resolution, the complainant may appeal the decision within 20 calendar days of the ADA Coordinator's decision to the Director of Facility Planning & Construction.

Step 2- Appeal to the Director of Facility Planning & Construction

Appeals of an accommodation decision rendered by the ADA Coordinator may be filed within 20 calendar days of the ADA Coordinator's decision. Appeals shall be submitted on the MNPS ADA Appeal Form and submitted to ADA@mnps.org. Within twenty (20) calendar days after receipt of the appeal, the Director of Facility Planning & Construction shall discuss with the complainant the complaint and possible resolutions. Within twenty (20) calendar days of the conclusion of this discussion, the Director of Facility Planning & Construction shall respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille or audiotape. The response shall state whether the decision of the ADA Coordinator is upheld and may, if appropriate, offer options for substantive resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant may appeal the decision to the Director of Schools or their designee.

Step 3- Appeal to the Director of Schools or Designee

Appeals of an accommodation decision rendered by the Director of Facility Planning & Construction may be filed within 20 calendar days of the Director of Facility Planning & Construction's decision. Appeals shall be submitted on the MNPS ADA Appeal Form and submitted to (ADA@mnps.org). Within twenty (20) calendar days after receipt of the appeal, the Director of Schools or their designee shall discuss with the complainant the complaint and possible resolutions. Within twenty (20) calendar days after the conclusion of the discussion, the Director of Schools or their designee shall respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints and appeals received by MNPS shall be kept for a minimum of three (3) years.

MNPS ADA Coordinator

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Performance Measure/Accountability

Continuous evaluation of procedure to ensure efficiency and compliance with all regulations.

Maintenance Responsibility

The Director of Schools or their cabinet level designee is responsible for maintenance of this document.