

# BOARD OF JEFFERSON COUNTY COMMISSIONERS

**IN THE MATTER OF ADOPTING A** )  
**JEFFERSON COUNTY AMERICANS** ) RESOLUTION \_\_\_\_\_  
**WITH DISABILITIES (ADA)** )  
**ACCOMMODATION POLICY** )

**WHEREAS**, the Board of Jefferson County Commissioners has determined the need to adopt an ADA Accommodation Policy to ensure that persons with disabilities have equal and meaningful access to County services and public facilities; and

**WHEREAS**, the Board of Jefferson County Commissioners has determined that Jefferson County's ADA Accommodation Policy shall be effective when executed by the Board of Commissioners, below; now, therefore,

**BE IT HEREBY RESOLVED** by the Board of Jefferson County Commissioners that Jefferson County's ADA Accommodation Policy be adopted effective on the date below.

APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

JEFFERSON COUNTY BOARD OF  
COMMISSIONERS

\_\_\_\_\_  
Greg Brotherton, Chair

ATTEST:

\_\_\_\_\_  
David Sullivan, Member

\_\_\_\_\_  
Carolyn Galloway  
Deputy Clerk of the Board

\_\_\_\_\_  
Kate Dean, Member

Approved as to form only:

\_\_\_\_\_  
Philip C. Hunsucker                      Date  
Chief Civil Deputy Prosecuting Attorney

## **JEFFERSON COUNTY ADA ACCOMMODATION POLICY**

Access to governmental services for all persons is a fundamental right. It is the policy of Jefferson County to ensure that persons with disabilities have equal and meaningful access to County services and public facilities.

### **Application:**

This policy shall apply to all employees of Jefferson County and members of the public who seek accommodations due to a disability or disabilities as defined under the Americans with Disabilities Act and its amendments. All County offices and departments subject to the rulemaking authority of the Board of County Commissioners will be required to follow the procedural requirements set forth in this policy, when receiving or addressing requests made to Jefferson County for accommodation of persons with a disability.

### **Purpose:**

The purpose of this policy is to create a uniform process by which persons with disabilities can obtain reasonable accommodations in order to access or participate in County services, programs and facilities. Specifically, this policy outlines how Jefferson County will carry out this purpose and sets forth a process by which requests for accommodation will be handled.

### **Responsibilities:**

This policy will define who is eligible to apply for an accommodation and will set forth a process for applicants to present accommodation requests.

Jefferson County must assess whether or not to provide a requested accommodation under the definitions and rules contained in the Americans with Disabilities Act.

Jefferson County will provide a reasonable accommodation unless the applicant has failed to meet the substantive requirements of this policy, or the requested accommodation would create an undue burden; fundamentally alter the nature of the County service, program or activity; or the accommodation would create a direct threat to the safety or well-being of the applicant or others.

### **Definitions:**

**Accommodation** means measures to make each County service, program or activity, when viewed in its entirety, readily accessible to and usable by an individual who is a person with a disability, and may include, but is not limited to:

- A) Making reasonable modifications in policies, practices and procedures.

- B) Furnishing, at no charge, auxiliary aids and services, including but not limited to equipment, devices, materials in alternative formats, certified or qualified interpreters or readers.

**Applicant** means any person with a disability who has a specific interest in, desires access to, or is participating in any County service or program.

**Person with a disability** means a person covered by the Americans with Disabilities Act of 1990 (& 42 U.S.C. 12101 et seq.), the Washington Law Against Discrimination (RCW 49.60 et seq.), or other similar local, state or federal laws which govern Jefferson County. This term includes but is not limited to an individual who has a physical or mental impairment that limits one or more major life activities, has a documented history of such impairment or is regarded as having such impairment.

### **Procedural Requirements:**

#### **I. Notification**

All requests for accommodation shall be made using the approved "**Jefferson County Request for Accommodation**" form, which is included as Attachment A. (This form is available in the Quick Links section of the County's homepage under Americans with Disabilities Act.)

- A) The form may be presented in writing or presented orally and reduced to writing.
- B) If a request for reasonable accommodation is made directly by an applicant to an employee of Jefferson County, the employee shall be responsible for ensuring that the Request for Reasonable Accommodation form is completed, either by having the applicant, or a person on their behalf, complete the form, or by the employee taking the information orally, completing the form and forwarding the request to the Jefferson County ADA Coordinator.
- C) If a non-County agency or body (e.g. other state or local governmental agency, advocacy group, etc.) makes a request for reasonable accommodation on behalf of a disabled individual to Jefferson County, then that agency or body is responsible for completing and forwarding the Request for Reasonable Accommodation form to Jefferson County's ADA Coordinator.
- D) The Request for Reasonable Accommodation form shall include a description of the accommodation sought, along with a statement of the impairment necessitating the accommodation.
- E) Jefferson County may require the applicant to provide additional information about the qualifying impairment to help assess the appropriate accommodation. Medical and other health information shall be submitted under a cover sheet designated "Confidential Medical and Health Information. Such information is confidential and shall only be used by the person(s) responsible for evaluating and arranging for the accommodation, or as required by law.

- F) An application for accommodation should be made as far in advance as practical of the event/date for which the accommodation is sought, but not less than 5 business days prior to the event/service date, except in the case of an emergency.

## **II. Assessment:**

- A) In determining whether to grant an accommodation, Jefferson County will:
  - i) Consider the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and its amendments, and the Washington Law Against Discrimination (RCW 49.60), and other similar local, state and federal laws which govern Jefferson County.
  - ii) Give primary consideration to the accommodation requested by the applicant.
  - iii) Make the decision on an individual and case specific basis with due regard to the nature of the applicant's disability and feasibility of the requested accommodation.
- B) If an application for accommodation is presented to Jefferson County five (5) or more business days prior to the event/service date for which the accommodation is sought, an accommodation shall be provided unless:
  - i) The requested accommodation is not available, and no alternative accommodation would enable the applicant to participate in the event or servicerequested.
- C) If an application for accommodation is presented to Jefferson County fewer than five (5) business days prior to the scheduled date of the event or service for which the accommodation is requested, and if the applicant would otherwise be entitled to an accommodation, it shall be provided unless:
  - i) It is impossible for the County to provide a reasonable accommodation on the date specified due to insufficient advance notice.
- D) An application for accommodation may be denied if Jefferson County finds one or more of the following:
  - i) The applicant has failed to satisfy the substantive requirements of this policy.
  - ii) The requested accommodation would create an undue financial or administrative burden.
  - iii) The requested accommodation would fundamentally alter the nature of the County service, program or activity.

- iv) The requested accommodation would create a direct threat to the safety or well-being of the applicant or others.

### **III. Accommodation or Denial**

- A) Jefferson County will render a decision in writing regarding the requested accommodation. This written decision shall be prepared by the County ADA Coordinator within 3 business days of receipt of the "Request for Reasonable Accommodation Form".
- B) If the request is granted the ADA Coordinator, or his/her designee, shall notify the applicant that the request has been approved and describe the reasonable accommodation that will be made. The ADA Coordinator, or his/her designee, shall also notify any other County employee(s) responsible for implementing the accommodation regarding the nature of the accommodation to be provided.
- C) If Jefferson County denies an accommodation, the written decision shall be provided to the applicant, including the reasons for denial.

### **IV. Record Keeping**

The ADA Coordinator shall be responsible for maintaining copies of all Requests for Reasonable Accommodations made to Jefferson County and copies of all written decisions. All employees of Jefferson County are responsible for forwarding copies of the Request for Reasonable Accommodation Forms to the ADA Coordinator within one business day of receipt.

ADA ACCOMMODATIONS CONTACT INFORMATION FOR JEFFERSON COUNTY:

ADA Coordinator for Jefferson County (Non-court related requests)

Mark McCauley

Director of Central Services

P.O. Box 1220

1820 Jefferson Street

Port Townsend, WA 98368

Phone Number (360) 385-9130

E-Mail Address: [mmccauley@co.jefferson.wa.us](mailto:mmccauley@co.jefferson.wa.us)

County website: <https://www.co.jefferson.wa.us/>

ADA ACCOMMODATIONS CONTACT INFORMATION FOR JEFFERSON COUNTY COURTS:

Sophie Nordstrom, Superior Court

Administrator

Jefferson County Superior Court

P.O. Box 1220

1820 Jefferson Street

Port Townsend, WA 98368

(360) 385-9395

Brian Gleason, District Court

Administrator

P.O. Box 1220

1820 Jefferson Street

Port Townsend, WA 98368

(360) 385-9134

## ATTACHMENT A

**Jefferson County  
Request for ADA Accommodation**

Request Received: \_\_\_\_\_  
(for County Use only)

1. Information about the Person Requesting Accommodation.  
What is your name? \_\_\_\_\_
2. Describe the activity or County service you need accommodation for. Include the date, time, and location:
3. Describe the disability for which you are requesting an accommodation:
4. Describe what accommodation you are requesting and explain why this specific accommodation is necessary:

5. Provide any information that you think would help the County respond to your request:

6. Contact information:

Email:

Mailing address:

Telephone where the County can leave a message:

Other (specify):

What is the best way to notify you about the decision on your request?

Email – mail - phone call - other (see above).

Date:

(Signature of Person Requesting Accommodation)

(Print Name of Person Requesting Accommodation)

Return this form to the County ADA Coordinator at:

Jefferson County ADA Coordinator

Central Services Department

P.O. Box 1220

1820 Jefferson Street

Port Townsend, WA 98368

