

POLICY DIRECTIVE

(signature pending)

Stephanie Pollack, Secretary and CEO

Applicability

ADA/SECTION 504 POLICY STATEMENT

Purpose

This Policy Statement and Notice is established by the Massachusetts Department of Transportation ("MassDOT") to meet the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), as amended, 42 U.S.C. §§ 12132, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, which require nondiscrimination toward people with disabilities. MassDOT also complies with Massachusetts laws that ensure access to people with disabilities, including, but not limited to: Article CXIV of the Massachusetts Constitution; M.G.L Chapters 93 § 103, 151B, 272 §§ 98 and 98A; and Massachusetts Executive Order 526.

In accordance with 49 CFR 27.15(a), this policy statement serves as initial and continuing notice to participants, beneficiaries, applicants, employees, and unions or professional organizations holding collective bargaining or professional agreement with MassDOT that this agency does not discriminate on the basis of disability in admission or access to, or treatment or employment in, programs, services or activities.

Availability of Services and Modifications

Auxiliary Aids and Services:

MassDOT will, upon request, provide appropriate aids and services to effective communication for persons with disabilities so they can participate equally in MassDOT's programs, services, and activities, including, but not limited to, qualified sign language interpreters, documents in alternate formats such as Braille and audio, and such other ways as will make information and communications accessible.

Modifications to Policies and Procedures:

MassDOT will, upon request, make reasonable modifications to policies and procedures to ensure that persons with disabilities have an equal opportunity to participate in all programs, services, and activities.

The ADA does not require MassDOT to take any action that would fundamentally alter the nature of its programs, services, or activities, or impose an undue financial or administrative burden.

MassDOT will not place a surcharge on an individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

Requests for Services and Modifications

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity at MassDOT, should contact the MassDOT ADA/Section 504 Coordinator:

Julian Tynes, Assistant Secretary for Civil Rights
MassDOT, Office of Diversity and Civil Rights (ODCR)
10 Park Plaza, Suite 3800
Boston, MA 02116
Phone: (857) 368-8580
Fax: (857) 368-0602
Email: MASSDOT.CivilRights@state.ma.us

Timing Considerations

Requests should be made as soon as possible prior to the MassDOT program, service, or activity. For services that require time to arrange, such as CART or sign language interpretation, requests should be made at least ten (10) business days before the meeting. MassDOT will use reasonable efforts to accommodate requests made after the cut off date.

Request Form Available but not Required

Utilization of a written request form is not required to make a reasonable accommodation request. However, a written form is available for those who would like to utilize one and full assistance shall be provided, if needed, to complete the form. The MassDOT ADA Title II Request Form, Form **526P**, can be accessed online via the MassDOT ODCR website or by contacting the above mentioned ADA/504 Coordinator.

Questions and Clarifications

Any individual requesting services or modification to accommodate a disability shall have the opportunity for a thorough discussion with the ADA/504 Coordinator or his designee, as warranted.

Complaints

MassDOT is committed to ensuring the accessibility of all programs, services, and activities. MassDOT strongly encourages contacting the ADA/504 Coordinator with requests for aids and services or modifications to policies or procedures as the first step in ensuring accessibility. In the event that a member of the public feels there is a need to file a complaint concerning access to a program, service, or activity provided by MassDOT, there is a complaint process available that is described in the MassDOT ADA Complaint Procedure.

The MassDOT ADA Complaint Procedure can be accessed online via the MassDOT ODCR website or by contacting the MassDOT ADA/Section 504 Coordinator:

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Dissemination

Methods of initial and continuing dissemination and notice of this policy will include: posting on the MassDOT website, posting on MassDOT bulletin boards, posting within MassDOT public areas, distribution to key stakeholders and stakeholder groups, inclusion in correspondence with subrecipients, participants, beneficiaries, applicants, or employees, and other methods that may now or in the future become available.