

---

**POLICY: ENSURING MEANINGFUL ACCESS FOR PERSONS WITH DISABILITIES**

**Version Date: September 3, 2024**



---

**I. PURPOSE**

The [Executive Office of Energy and Environmental Affairs \(“EEA”\)](#) institutes this policy to ensure meaningful access for persons with disabilities. This policy applies both to the Executive Office of EEA and agencies and departments reporting to the Secretary of EEA, including the [Department of Public Utilities and Energy Facilities Siting Board](#).

EEA is committed to providing persons with disabilities equal opportunity to participate in or benefit from its programs, services, and activities through its compliance with [Section 504 of Rehabilitation Act of 1973](#)

[Section 504 of Rehabilitation Act of 1973](#) requires that no otherwise qualified individual with a disability will be denied access to or participation in any program, service, or activity offered by EEA. EEA will administer programs, services, and activities in the most integrated setting appropriate to the needs of qualified persons with disabilities.

As part of this commitment, providing reasonable accommodations and [effective communication](#) are critical components to achieving equal opportunity. Additionally, EEA and its agencies will not coerce, intimidate, retaliate against, or discriminate against any individual for exercising a right under Section 504, or for assisting or supporting another to exercise a right under Section 504. [\(For further details see 40 C.F.R. § 7.55\).](#)

**II. DEFINITIONS**

**A. Disability**

Disability means, with respect to an individual:

1. a physical or mental impairment that substantially limits one or more of the person's major life activities;
2. a history of such an impairment; or
3. being regarded as having such an impairment.

The definition of “disability” shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of Section 504. The question of whether an individual meets the definition of “disability” should not demand extensive analysis.

## **B. Qualified Individual with a Disability**

Qualified Individual with a Disability is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by EEA.

## **III. NONDISCRIMINATION COORDINATOR ROLE**

### **A. Nondiscrimination Coordinator Functions**

The Nondiscrimination Coordinator performs the following functions:

- Provides information internally and externally regarding rights of access to programs, services, and activities without regard to a person's sex, race, color, religion, creed, national origin (including limited English proficiency), gender identity, income, disability, age, sexual orientation, ethnicity, genetic information, ancestry, or status as a veteran.
- Provides notice internally and externally of EEA's grievance procedure and the ability to file a discrimination grievance.
- Assists members of the public with filing grievances
- Serves as a single point of contact for complainants under the grievance procedure and keeps complainants apprised of the status of investigations.
- Maintains the non-discrimination complaint log for EEA.
- When appropriate, resolves grievances informally.
- Reviews, with appropriate personnel, within 30 calendar days of the start of each fiscal year and within 30 days of the start of each calendar year, all grievances in the complaint log in order to identify any patterns or systemic issues. Assists in addressing any patterns or system issues that are identified.

## **IV. PROCEDURES**

The Executive Office's Nondiscrimination Coordinator will coordinate EEA's efforts to comply with Section 504. Each EEA agencies have assigned Nondiscrimination Coordinators and ADA Coordinator; some agencies have one person serving dual roles. To request a reasonable accommodation to participate in any program, public hearing, or meeting, please contact the agency's ADA Coordinator/Nondiscrimination Coordinator (see contact lists below). To ensure proper access to public meetings or hearings for all, EEA will provide the following:

- Provision of Communication Access Realtime Translation ("CART") or American Sign Language ("ASL") services upon request. When submitting a request for an ASL

interpreter CART services please do so fourteen days in advance. Requests made after such a period will be considered but may not be possible to fill.

- Provision of all meeting notices and meeting materials both in digital and print format will be provided upon request. Alternative formats may be provided upon request.
- Provision of video relay services, video remote interpreting, or speech-to-speech transliterators upon request. Please direct all requests to the hosting agency's ADA Coordinator.
- All public meeting venues will be physically accessible to participants and any needed Service Animals.
- Agency and Secretariat collaboration to ensure language access needs are addressed in accordance with the agency's Language Access Plan. To request translation or interpretation services, please contact the agency's assigned Language Access Coordinator.

## **V. COMPLAINTS**

EEA does not discriminate on the basis of race, color, national origin, disability, age, sex, income, ethnicity, class, handicap, religious creed or belief, gender identity, sexual orientation, genetic information, English language proficiency or ancestry in administration of its programs or activities, and, it does not retaliate against or intimidate any individual because they have exercised their rights to participate in actions protected by 40 C.F.R. Parts 5 and 7 and all other applicable federal and state civil rights and non-discrimination laws and regulations; oppose actions prohibited by 40 C.F.R. Parts 5 and 7 and all other applicable federal and state civil rights and non-discrimination laws and regulations, or for the purpose of interfering with such rights. EEA is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972.

**How to file a complaint:** If you believe that you have been discriminated against with respect to an EEA program or activity, you may contact Melixza Esenyie - Secretariat Non-Discrimination Coordinator and Director of Diversity, Equity, and Inclusion, Massachusetts Executive Office of Energy and Environmental Affairs, Human Resources, 9<sup>th</sup> Floor, 100 Cambridge Street, Boston, MA 02114. [melixza.esenyie2@mass.gov](mailto:melixza.esenyie2@mass.gov), 617-626-1282. Contacts for each EEA agency can be found below.

Our Non-Discrimination procedure for handling such complaints may be found on our website, [Executive Office of Energy & Environmental Affairs Civil Rights And Non-Discrimination Policy And Grievance Procedure.](#)

You may reach out to the Massachusetts Office on Disabilities to request a [disability rights consultation](#) regarding reasonable accommodations and accessibility regulations. Visit MOD's website, [Our Disability Rights Guidance](#) for more information or click [here](#) to request further information.

**Other resources available:** Complaints may be filed with the U.S. Environmental Protection Agency, Office of External Civil Rights, Mail Code, 2310A, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Email [Title\\_VI\\_Complaints@epa.gov](mailto:Title_VI_Complaints@epa.gov), or fax:(202) 565-0196.

## **VI. BEST PRACTICES**

The following best practices are recommended to all EEA agencies:

- Allow people from the general public have fourteen calendar days to request accommodations to participate in public meetings.
- Send out accessible meeting materials (slides, handouts, etc.) in advance.
- When making certain accommodations such as ASL or CART available without request, agencies should be sure to include this information on any meeting advertisements.
- If using CART services, agencies should include the link to CART in meeting reminders so attendees can access the meeting link and the link to the CART platform in one place.
- If participants must request services such as ASL or CART, agencies should provide instructions on how to make those requests.
- If providing ASL interpreter services, agencies should secure two interpreters for meetings/presentations lasting one hour or longer. Prior to the meeting/presentation, agencies will discuss with the ASL interpreters on how long each would like to be visible on screen before taking a break.
- If the meeting/presentation will be recorded, agencies will advise attendees at the start.
- If using two or more ASL interpreters, meeting hosts should temporarily pause the meeting/presentation to allow for a smooth changeover.
- Agencies will be encouraged to avoid more than one person speaking at a time as crosstalk may be distracting for attendees and presents difficulties in relaying accurate information for ASL interpreters and CART captioners.
- Agency presenters should direct participants to identify themselves each time they speak. Doing this will ensure that attendees participating over the phone or who may be using assistive technology understand who is speaking at any given moment.

See more guidance on [Best Practices for in-person, virtual, and hybrid events and meetings](#) from the Massachusetts Office on Disabilities (MOD).

## **VII. CONTACT INFORMATION**

### **A. Non-Discrimination Coordinators Contacts**

<b>Executive Office (ENV)</b> <b>State Reclamation Board (SRB)</b> <b>Department of Public Utilities (DPU)</b>	Melixza Esenyie (she/her) Secretariat Director of Diversity, Equity and Inclusion Melixza.Esenyie2@mass.gov 617-872-3270
<b>Department of Fish and Games (DFG)</b> <b>Department of Agricultural Resources (MDAR)</b>	Gabriella Knight (she/they) ADA and Diversity Manager Gabriella.Knight@mass.gov 857-268-0629
<b>Department of Environmental Protection (DEP)</b>	Deneen M. Simpson Director of Environmental Justice & Title VI Nondiscrimination Coordinator Deneen.Simpson@mass.gov 857-406-0738
<b>Department of Conservation and Recreation (DCR)</b>	Moneesha Dasgupta (she/her) DEI Manager Moneesha.Dasgupta2@mass.gov 617-645-0358
<b>Department of Energy Resources (DOER)</b>	Andrea Rivera Casul (she/her) DEI Manager Andrea.R.Casul@mass.gov 857-274-6194

**B. ADA Coordinators**

<b>Executive Office (ENV)</b> <b>Massachusetts Environmental Police (MEP)</b> <b>State Reclamation Board (SRB)</b> <b>Department of Public Utilities (DPU)</b>	Melixza Esenyie (she/her) Secretariat Director of Diversity, Equity and Inclusion Melixza.Esenyie2@mass.gov 617-872-3270
<b>Department of Fish and Games (DFG)</b> <b>Department of Agricultural Resources (MDAR)</b>	Gabriella Knight (she/they) ADA and Diversity Manager Gabriella.Knight@mass.gov 857-268-0629
<b>Department of Environmental Protection (DEP)</b>	Chris Mendez (he/him) DEI Manager Chris.Mendez@mass.gov 617-872-7730
<b>Department of Conservation and Recreation (DCR)</b>	Moneesha Dasgupta (she/her) DEI Manager Moneesha.Dasgupta2@mass.gov 617-645-0358
<b>Department of Energy Resources (DOER)</b>	Andrea Rivera Casul (she/her) DEI Manager Andrea.R.Casul@mass.gov 857-274-6194

### C. Language Access Coordinators

<b>Executive Office</b>	Caroline Lemoine Secretariat language Access Coordinator caroline.lemoine2@mass.gov 857-378-1703
<b>Department of Agricultural Resources (MDAR)</b>	Rebecca Davidson Language Access Coordinator – Director of Food and Climate Equity rebecca.davidson@mass.gov 857-202-7699
<b>Department of Conservation and Recreation (DCR)</b>	Karen Granatino Interim Language Access Coordinator karen.granatino2@mass.gov 857-283-7374
<b>Department of Environmental Protection (DEP)</b>	Chiquita Cox Program Coordinator II chiquita.cox2@mass.gov 781-915-9721
<b>Department of Fish and Games (DFG)</b>	Conrad R. Crawford Environmental Justice Liaison Coordinator conrad.r.crawford@mass.gov 857-283-8081
<b>Department of Energy Resources (DOER)</b>	Elischia Fludd Environmental Justice Senior Lead. elischia.fludd@mass.gov 857-393-5538
<b>Department of Public Utilities (DPU)</b>	Veena Dharmaraj Language Access Coordinator Director of Environmental Justice and Public Participation veena.dharmaraj@mass.gov 617-305-3779
<b>Massachusetts Environmental Police (MEP)</b>	Major Kevin L. Clayton kevin.clayton@mass.gov 508-815-2934