



## **AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE POLICY**

### **Article I: General Guidelines.**

Lark's Song Inc. complies with the Americans with Disabilities Act of 1990, as amended (the "ADA") and offers alternative reasonable compliance to meet its requirements. Accordingly, Lark's Song is committed to taking appropriate steps to ensure that communications with and services offered to participants, employees, clients, and members of the public with ADA disabilities are as effective and as beneficial as communications and services with others. Lark's Song makes reasonable accommodations in organizational policies, practices and procedures when necessary and/or requested to avoid discrimination on the basis of disability, unless a fundamental alteration in a Lark's Song program would result. As an organization, it offers educational services, programs and activities so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities. Lark's Song provides equal access to persons with disabilities, including those individuals who use service animals. As an organization, Lark's Song remains open to new requests, accommodations and alterations that will best serve our participants, employees, clients and members of the public, while continuing to grow in pro-dignity practices that honor each individual's wholeness and

### **Article II: ADA Compliance Officer.**

The Lark's Song Executive Director or his/her designee is Lark's Song's ADA Compliance Officer. The ADA Compliance Officer may be contacted via telephone at: (765) 351-5275 or via email at: [connect@larkssong.com](mailto:connect@larkssong.com)

Implementation of this Policy is the responsibility of all members of Lark's Song Inc.'s Board of Directors, Collective Coaches, and Staff.

**Article III: Method of Notification.**

A copy of this Policy is included in the Lark's Song's policy handbook and is posted on the website. If a person with visual impairment or other disability inquires about this Policy or about the Lark's Song's ADA services, staff will offer to read the Policy and to provide appropriate ADA services. In addition, an audio recording of the Policy is available on the website, as well.

**Article IV: Service Animals.**

Lark's Song welcomes service animals, and service animals are permitted in any areas that Lark's Song programs and services are provided where members of the public are permitted to go. Trainers are also permitted to accompany service animals in training at Lark's Song. 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.

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 at Lark's Song, the organization will assess whether (1) the miniature horse is housebroken, (2) the miniature horse is under the owner's control, (3) Lark's Song 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 Lark's Song programs and services.

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 Lark's Song 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.

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).

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

#### **Article V: Programming & Meeting Accessibility.**

All notices and advertising for Lark's Song-sponsored programming will contain an appropriate ADA notice (such as the following):

*Any person needing an accommodation for a disability in order to access the benefits of the Lark's Song services, programs, or activities under the Americans with Disabilities Act should contact the Executive Director by telephone at (765) 667-2757, by email at [connect@larkssong.com](mailto:connect@larkssong.com) or in writing, not less than five (5) working days prior to the program.*

All notices for Lark's Song board or committee meetings will contain an appropriate ADA notice (such as the following):

*Any person needing an accommodation for a disability in order to attend a meeting at the Lark's Song should contact the Administration Office by telephone at (765) 667-2757, by email at [connect@larkssong.com](mailto:connect@larkssong.com) or in writing, not less than five (5) working days prior to the meeting.*

#### **Article VI: Accommodations to Persons with a Disability.**

Staff will assist a patron with a disability in any reasonable way needed, including opening doors, carrying and retrieving library materials, and completing library forms. In addition, in order to assist persons with visual, hearing, mobility, intellectual, or other disabilities, Lark's Song provides materials in a variety of formats upon request: conventional print, large type, DVD, CD, electronic download, streaming services. When materials are not available in all needed formats, Lark's Song attempts to provide equivalent or similar items for use by persons with disabilities.

**Article VII: Collective Coaches and Co-Working Space Users.**

Groups acting on behalf of Lark's Song and using the organization's professional work spaces, as well as special presenters and contractors are required to meet the requirements of the Americans with Disabilities Act.

**Article VIII: Grievance Procedures.**

Any person who believes that Lark's Song Inc. has discriminated against that person because of the person's disability may file a written complaint with the ADA Compliance Officer, within 60 days of the alleged occurrence of discrimination. 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. The complaint will include the complaining person's proposed resolution of the matter.

Upon request, Lark's Song will provide alternate means for filing a complaint, such as a personal interview or tape or digital recording, to a person with a disability.

Within 15 days after receipt of a complaint, the ADA Compliance Officer, Board Officer, or other designated Lark's Song representative will meet with the person filing the complaint, with the purpose of receiving any additional information and seeking a mutually acceptable resolution of the complaint.

Within 15 days after the meeting, the ADA Compliance Officer, Board Officer, or other designated Lark's Song representative will respond to the person filing the complaint, in writing or other appropriate format, stating Lark's Song's response to the complaint and proposed resolution of the complaint.

Within 15 days after receipt of Lark's Song's response, if the organization's proposed resolution is not acceptable to the person filing the complaint, that person may submit a written appeal of the matter to the Board of Directors. The presiding Board Chair will appoint a committee of no more than two Board members to meet with the person filing the appeal within 15 days, with the purpose of receiving any additional information and seeking a mutually acceptable resolution of the complaint.

At the next regular Board meeting, the committee will report its findings and recommendations to the Board. The Board will take action upon these findings and recommendations. The Board will report its action to the person filing the appeal, in writing or other appropriate format. The Board's action will conclude Lark's Song's grievance procedure.

Individuals may also 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.

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.

### **For further information**

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).

To the extent that any existing policies, procedures or guidelines of Lark's Song are inconsistent with this policy, this policy shall prevail.

Adopted: 07/07/2022

Revised: