

Procedures for Implementing the Requirements of Title III of ADA
42 U.S.C. § 12182 and 28 C.F.R. Part 36
with Specific Focus on Requirements Related to Type I Diabetes

Responsibility for coordination of this procedure, including monitoring of compliance with the settlement agreement (D.J. No. 202-69-41) between the United States of America and Youth & Family Services, related to compliance with Title III of ADA, is assigned to the YFS Chief Program Officer.

Policy Statement:

YFS will not discriminate against an individual on the basis of disability in the full and equal enjoyment of its goods, services, facilities, privileges, advantages, or accommodations.

YFS program staff will read and acknowledge the YFS policies related to serving clients with disabilities and administering medication to children--both in emergency situations, and as a potential reasonable accommodation for a child with a disability. Health Services staff and selected program staff will receive instruction and training related to diabetes and topics related to aspects of caring for a child with insulin dependent diabetes, including information on how to administer insulin.

YFS will ensure that, as necessary to individual circumstances, each of its programs, working with the parent(s), provides Child Specific Training to appropriate employees where necessary to afford a child with a disability the full and equal enjoyment of the program. In the context of insulin dependent diabetes, this training would typically include, among other things, training on blood sugar testing; administration of insulin through pen, syringe, or pump; administration of the emergency drug Glucagon; and a refresher on practicing universal precautions.

YFS will provide information to clients of YFS programs (which includes parents of children enrolled in the YFS programs) regarding YFS's policy on non-discrimination and the process for requesting reasonable modification on the basis of disability to allow participation in the program(s). Information will be provided in enrollment packets, YFS handbooks, and via the YFS web site.

Procedure for Clients Requesting a Reasonable Accommodation:

1. Clients will discuss needs related to a disability with the Program Director of the program in which the client is enrolled or is pursuing enrollment.
2. Through interactive discussion with the Program Director, and with the professional input from the client's physician or other qualified health professional, the client will develop a request for reasonable modification related to the disability.
3. The client will then present the request, in writing, to the Program Director.
4. The Program Director will review the request on an individualized basis and make a determination about whether to grant or deny the request, or if further information is needed.
5. The Program Director will respond in writing to the individual making the request for reasonable modification within seven (7) days from the date the request is received.
6. If the request for reasonable modification is denied, YFS will notify the child's parents in writing of the specific reasons for the denial, and advise the individual making the request that if the circumstances change, they may make a new request.
7. The Program Director will also inform the Chief Program Officer of the request and the decision made, and if applicable, any implementation effort related to the request.

YFS will evaluate each request for reasonable modification on an individualized basis, based on objective evidence and current medical standards, and in a manner consistent with the requirements of title III of ADA, 42 U.S.C § 12182, and its implementing regulation, 28 C.F.R. Part 36.

If YFS is able to demonstrate that a particular request for reasonable modifications would fundamentally alter the nature of its programs and services, it will consider whether other reasonable modifications would be suitable for the individual with a disability.

The Chief Program Officer will review and maintain records regarding all denied requests for reasonable modification and any decisions to exclude from enrollment a child with a disability.

Training:

YFS will provide training to all current and future employees responsible for granting or denying enrollment and/or considering requests for reasonable modification. Receipt of the training will be documented via a training log, reflecting the name and title of each individual who attends the training, or documented in each employee's training file. The training will address, at a minimum, the following:

- i. The requirements of title III of the ADA;
- ii. The existence and general content of settlement agreement D.J. No. 202-69-41;
- iii. YFS's nondiscrimination obligations under the ADA, including the obligations outlined in the settlement agreement;
- iv. Diabetes and topics related to aspects of caring for a child with insulin dependent diabetes, including information on how to administer insulin.