



IOWA DEPARTMENT OF NATURAL RESOURCES DISABILITY NONDISCRIMINATION PLAN

I. INTRODUCTION

Your Right to Participate. The Iowa Department of Natural Resources (DNR) is committed to providing individuals with disabilities the opportunity to fully participate in its programs, services, and activities. DNR follows Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendments Act of 2008.¹ This plan was developed to meet that commitment.

Getting the Help You Need. DNR understands that individuals with disabilities may need accommodations or modifications² to have equal opportunities to participate in or benefit from DNR's programs, services and activities. It is DNR's policy that no otherwise-qualified individual with a disability will be denied access to or participation in any program, service, or activity offered by DNR. DNR will administer and provide programs, services, and activities in the most inclusive and integrated setting appropriate to the needs of qualified individuals with disabilities.

Free Support for Communication. Upon request, DNR will provide appropriate auxiliary aids and services at no cost. This includes, for example, qualified interpreters to individuals who are deaf or hard of hearing. This ensures that communication is effective and that people have an equal opportunity to participate fully in DNR's programs, services, and activities in a timely manner and in such a way as to protect the privacy and independence of the individual.

Your Rights are Protected. Individuals with disabilities have a right to ask for and receive reasonable accommodations that are appropriate to their needs. This allows individuals with disabilities to fully participate in or benefit from DNR's programs, services, and activities in the most integrated setting appropriate. DNR and any of its agents will not coerce, intimidate, retaliate against, or discriminate against any person for exercising a right under the ADA or Section 504, or for helping or supporting another person exercising a right under the ADA or Section 504.

This Plan applies to all DNR agents and contractors.

FREE LANGUAGE ASSISTANCE - ASISTENCIA LINGÜÍSTICA GRATUITA

If you speak a language other than English, we offer free language help. Call (515) 725-8200.

Si habla un idioma distinto del inglés, ofrecemos asistencia lingüística gratuita. Llame al (515) 725-8200.

II. DEFINITIONS

- A. "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.
- B. "Qualified Individual with a Disability" is someone who meets the essential eligibility requirements for participating in DNR's programs, services, and activities, with or without accommodations.
- C. "Accommodation" means any of the following:
 - adjustments, like reasonable modifications to rules, policies, or practices;

¹ DNR also prohibits discrimination in employment, including on the basis of disability, and has promulgated a separate employment nondiscrimination policy.

² Section 504 of the Rehabilitation Act refers to reasonable accommodations. Title II of the ADA refers to reasonable modifications. For purposes of this Plan, "accommodation" refers to both.

- environmental adjustments such as the removal of architectural, communication, or transportation barriers;
- auxiliary aids and services.

Examples of accommodations include, but are not limited to: scribe, interpreter, environment free of distractions, material in Braille, tapes, and computer-assisted instruction.

III. NONDISCRIMINATION COORDINATOR

The Nondiscrimination Coordinator³ will coordinate DNR's efforts to comply with Section 504 and ADA, including ensuring the following as applicable:

- A. DNR will adopt and make readily available in suitable formats (e.g., enlarged, Braille, audio-taped):
 1. a procedure that allows an individual to disclose a disabling condition and request accommodations believed needed to obtain equal access to and enable participation in DNR programs, services, and activities;
 2. a procedure for maintaining personal information in a manner that protects the privacy and independence of the individual; and
 3. a procedure for providing accommodations.
- B. DNR will keep records on the type of the services provided to individuals with disabilities and develop data collection requirements as part of the operational guidelines for implementing this policy.
- C. DNR will provide reasonable accommodations to allow individuals with disabilities to participate in or benefit from DNR and its programs, services, and activities in the most inclusive and integrated setting.
- D. DNR will utilize the discrimination complaint procedures to provide prompt and equitable resolution of complaints alleging any action that would violate Title II of the ADA or Section 504. These procedures should be applicable to any anticipated complaint, including an appeal of a denied accommodation request.
- E. DNR will provide services that are required to comply with ADA and Section 504 free of charge.
- F. DNR will provide periodic in-service training for faculty and staff to help them understand the needs of individuals with disabilities and how to follow the law.

IV. FACILITY ACCESSIBILITY

DNR will assess its own facilities to consider the extent to which any are "public facilities" or will be used by the public. When DNR operates its programs, services, and activities in those facilities, DNR will operate consistent with 40 C.F.R. § 7.65 so that when each program, service, or activity is viewed in its entirety, it is readily accessible to and usable by individuals with disabilities.

- A. DNR is not required to make structural changes in existing facilities if other methods can provide access to our programs. These methods include but are not limited to:
 1. Redesigning equipment or the facility after case review.
 2. Providing signs directing people to accessible features.
 3. Reassigning staff or services to accessible locations.
 4. Providing online access, when possible.
- B. All new DNR facilities must be designed and built to be accessible to and usable by individuals with disabilities. Alterations to existing facilities shall, to the maximum extent feasible, be designed and constructed to be readily accessible to and usable by individuals with disabilities.
- C. When DNR rents or leases non-DNR facilities, DNR should try to secure accessibility. Any program, service, or activity in that facility must be accessible. If a program, service, or activity is not wholly operated by DNR, DNR will try to make sure that these programs, services, or activities, as a whole, provide an equal opportunity for the participation of individuals with disabilities.
- D. DNR will create procedures for how to evacuate individuals with disabilities from our facilities.

³ Designated per 40 C.F.R. § 7.85(g).

V. ACCOMMODATIONS

- A. A person with a disability in a DNR program will not be denied services or be excluded from programs or activities available to everyone else.
- B. Each individual is responsible for making a timely request for accommodations so that DNR can provide an appropriate response to the accommodation request. You can send your request to the DNR staff member in charge of a program or to the Nondiscrimination Coordinator directly.
- Iowa Department of Natural Resources
c/o Emily Cohen
6200 Park Ave Ste 200
Des Moines, IA 50321
civilrights@dnr.iowa.gov
- C. Accommodations are not required if they would:
- fundamentally change the nature of the program, service, or activity;
 - require waiver of essential program or licensure requirements;
 - violate applicable accreditation requirement; or
 - pose an undue financial or administrative burden on DNR.
- D. In determining an appropriate accommodation, DNR shall consider the wishes of the individual, and in certain appropriate circumstances, the documentation provided and institutional expertise in working with individuals with disabilities.
- E. DNR will not require an individual with a disability to accept an accommodation, aid, service, opportunity, or benefit as a condition of participation unless their personal safety or the safety of others is a concern. DNR reserves the right to make determinations as to the safety of any and all participants in a program, service, or activity and may require individuals with disabilities to accept certain accommodations or modifications where personal safety is of concern.