

Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Reasonable Accommodation Policy

I. PURPOSE

The purpose of this policy is to outline procedures for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency (“LOSSAN”) receipt of and response to requests for reasonable accommodation from individuals with disabilities to participate in meetings subject to the Ralph M. Brown Act (Government Code Section 54950 et seq.).

II. ORGANIZATIONAL UNITS AFFECTED

The LOSSAN Clerk of the Board (COB) Department shall be responsible for processing and responding to requests for reasonable accommodations to participate in public meetings.

III. POLICY

It is the policy of LOSSAN to swiftly resolve reasonable accommodation requests for individuals with disabilities, consistent with the federal Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. Sec. 12132) and implementing regulations in Title 28 of the Code of Federal Regulations Part 35 and resolving any doubt in favor of accessibility. Requests may be submitted by any individual that participates in or conducts the meeting, including members of the public, staff, and the LOSSAN Board of Directors. This policy shall apply to all meetings of the LOSSAN Board of Directors and any meetings open to the public as required by the Ralph M. Brown Act (Government Code Section 54950 et seq.).

IV. DEFINITIONS

Not applicable.

V. PROCEDURE

A. Readily Available Accommodations

Any of the following accommodations can be provided in-person for an LOSSAN meeting subject to this policy:

1. Agendas and staff reports: Upon request, any agendas or staff reports can be made available in appropriate alternative formats to persons with a disability, including hyperlinks where appropriate so that the user can access the linked information.
2. For individuals with hearing loss: Upon request, accommodations can include the following:
 - a. Assistive listening devices;

(2) Email Address: lossanclerk@octa.net

(3) Mailing Address:

LOSSAN Rail Corridor Agency
c/o Orange County Transportation Authority
Clerk of the Board
550 S. Main Street, Orange, CA 92868

c. A request for an accommodation must include the following information:

(1) *Identify the proposed accommodation.* The request must include the type of accommodation sought, and how the accommodation will enable access and participation in the meeting. The specific impairment does not need to be disclosed. Instead, a general statement of explanation of the type of need will suffice. A letter from a physician that the requested accommodation is required for access and participation in the meeting can also be submitted but is not required. Any information submitted to LOSSAN is subject to the California Public Records Act, Government Code Section 7920.000 et seq.

(2) *Contact information.* The request must include current contact information to enable LOSSAN to respond in a timely manner. This can be a mailing address, email address, or telephone number, for example. Note that if only a mailing address is provided, the request will need to be submitted early enough that a mailed response can be timely provided.

(3) *Identify the meeting where the additional accommodation is requested.* The request must specify the specific meeting(s) where the accommodation is requested.

2. Procedures for LOSSAN staff: Once LOSSAN staff has received a request for an additional accommodation, the following procedures will apply:

a. Any LOSSAN staff member who receives, or believes they may have received, an accommodation request will promptly forward the request and the requestor's contact information to COB.

b. The COB shall contact as appropriate General Counsel to assist in the review and response to the request.

c. The COB will provide a response to the requester in a timely manner and in writing if that is reasonably practicable prior to the start of the meeting. If a written response cannot be provided, COB will notify the requester orally. LOSSAN staff will document requests and responses provided orally. Responses shall identify whether the accommodation is granted or denied, or if an alternative will be provided. The response must also provide any instructions necessary for the accommodation to be accessed. If an accommodation request is denied, the response must be in writing and identify the grounds for denial.

- d. Any doubt regarding whether a request is reasonable and feasible should be resolved in favor of accommodations. Staff shall make reasonable efforts to communicate with requestors to obtain clarifications or to discuss whether alternative accommodations will be viable.

VI. EXCEPTIONS

LOSSAN reserves the right to change this policy at any time without prior notice. LOSSAN has the authority to make exceptions to this policy as required by business needs. Any exceptions must be authorized by the Managing Director. In the event that any changes are made to the policy, the revised policy will be posted on: www.octa.net/about/leadership/lossan-agency/plans-and-documents.

VII. PROVISIONS AND CONDITIONS

Not applicable.

VIII. RELATED DOCUMENTS

- A. Ralph M. Brown Act (Government Code Section 54950 et seq.)
- B. Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132)
- C. Title 28 of the Code of Federal Regulations Part 35

END OF POLICY