



City of Montclair Reasonable Modification Policy & Procedure

The City of Montclair is committed to providing individuals with disabilities an equal opportunity to participate in and benefit from the City of Montclair programs, activities, and services. Individuals may request reasonable modifications from the City of Montclair that they believe will enable them to have such equal opportunity to participate in our programs, activities, and services.

A reasonable modification is a change or modification to afford a qualified individual with a disability full enjoyment of the City of Montclair programs or activities, unless modifications of policies, practices, and procedures would fundamentally alter the nature of the program, service, or activity, or result in undue financial and administrative burdens to the City of Montclair.

1. Definitions

A person with a disability is someone who:

- a. has a physical or mental impairment that substantially limits one or more major life activities;
- b. has a history or record of such an impairment (such as cancer that is in remission); or
- c. is perceived by others as having such an impairment (such as a person who has scars from a severe burn).

The term “substantially limits” is interpreted broadly and is not meant to be a demanding standard, but not every condition will meet this standard. An example of a condition that is not substantially limiting is a mild allergy to pollen.

Major life activities are the kind of activities that you do every day including the following examples:

- actions like eating, sleeping, speaking and breathing;
- movements like walking, standing, lifting and bending;
- cognitive functions like thinking and concentrating;
- sensory functions like seeing and hearing;
- tasks like working, reading, learning and communicating; and
- the operation of major bodily functions like circulation, reproduction and individual organs.

2. Disability Access Legal Obligations

- a. Program accessibility, including by providing equal opportunity to access programs, services and activities and delivering these in the most integrated setting appropriate to the individual’s needs;
- b. Physical access, including by providing accessible new construction and alterations in accordance with applicable architectural standards;
- c. Effective communication, including by providing auxiliary aids and services, giving primary consideration to the individual’s preference regarding type of aid or service; and
- d. Reasonable accommodation, including an interactive process with the individual to determine how best to meet their need.



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3. Notice to Program Beneficiaries

- a. A member of the public with a qualifying disability may request a reasonable modification to a City of Montclair program, activity, or service. Such request shall be made in writing via email or letter to the appropriate Department Director.
- b. The Department Director shall acknowledge receipt of the request in writing to the requesting party. A copy of the correspondence and request will also be forwarded to the Director of Administrative Services who serves as the City Coordinator for disability and discrimination related processes.
- c. If a member of the public is unsure of what Department Director is responsible for the program, activity, or service for which they are seeking an accommodation, they may contact the Director of Administrative Services via email at dcrp@cityofmontclair.org, or via mail at:

City of Montclair
Attn: Director of Administrative Services
5111 Benito Street
PO Box 2308
Montclair, CA 91763

- d. Appropriate City personnel will review the request for accommodation and shall provide a written response to the requesting party within thirty (30) calendar days.
- e. This Reasonable Modification Policy and Procedure shall be posted on the City of Montclair website (link) and in City facilities. Copies of the Reasonable Modification Policy and Procedure shall be also be made available in Spanish as the English and Spanish languages represent the demographics of the City of Montclair. Persons with disabilities and persons with limited English proficiency may also request to have a qualified bilingual staff member provide translation services for them as part of the request process.
- f. The requester is not responsible for the cost of the auxiliary aid or service provided by the City of Montclair.

4. Accepting and Responding to Requests for Reasonable Modifications

- a. Depending on the nature of the request, there may be additional correspondence between the requesting party and appropriate City personnel. This correspondence may be in person, via telephone, and/or in writing. The process for determining whether to provide a requested modification, shall include consulting with the individual requesting the modification in an interactive process to determine what, if any, modification the City should provide;
- b. If a reasonable accommodation can be made, it shall be done as soon as possible with consideration given to relevant financial burdens and administrative restrictions.
- c. In some instances, an interim modification may be implemented if a requested modification cannot be provided immediately.
- d. The City of Montclair will research accommodation options based on the particular need presented to the City. Examples include producing alternate forms of print materials and arranging for qualified sign language interpreters. Resources for guidance include the National Council on Disability and FEMA's Office of Disability Integration and Coordination.



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- e. The City of Montclair is committed to maintaining the confidentiality of and appropriately secure any personally identifiable information (PII) in the requests for reasonable modifications to ensure that only those City employees with a need to know have the information. Related records shall be maintained by the Director of Administrative Services with limited access provided to these records.
- f. Approved reasonable accommodations shall be provided on an ongoing basis for the requesting party. Additionally, appropriate City personnel will periodically check with the requesting party to ensure that the reasonable accommodation continues to be successful and, if needed, engage in additional interactive process meetings to try to ensure adequate reasonable accommodation.