



# Access to Programs and Activities by Persons with Disabilities

## I. Introduction

GDA is committed to providing individuals with disabilities the opportunity for full participation in its programs, services, and activities through its compliance with 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.

GDA recognizes that individuals with disabilities may need accommodations or modifications to have equal opportunities to participate in or benefit from GDA's programs, services and activities.

Individuals with disabilities have a right to request accommodations, and individuals will receive accommodations appropriate to their needs in order to fully participate in or benefit from GDA's services and activities in a non-discriminatory, integrated setting.

It is GDA'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 GDA. GDA will administer programs or activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

## II. Definitions

Department and GDA — The Georgia Department of Agriculture.

Disability — With respect to an individual, a physical or mental impairment that substantially limits one or more of the person's major life activities; a history of such an impairment; or being regarded as having such an impairment.

Discrimination — The unfavorable treatment or consideration of, or making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs rather than on individual merit.

Individual with a Disability or Persons with Disabilities — A person who (with or without accommodations) meets the essential eligibility requirements for participating in GDA's programs, services, and activities.

Accommodation — Any reasonable modifications to rules, policies, or practices; environmental adjustments; or auxiliary aids and services that allow an individual with a disability to enjoy equal access to the benefits of a service, program, or activity available to others. Examples of accommodations include, but are not limited to: scribe, interpreter, environment free of distractions, material in Braille, tapes, and computer-assisted instruction.

### III. Ensuring Access

This document outlines GDA’s process of ensuring access to persons with disabilities, training GDA staff members, notifying persons with disabilities of available services, and the availability of complaint procedures.

#### Coordinating Access

In order to quickly and uniformly address access issues, the Department has appointed a “Non-Discrimination Coordinator” who shall serve as the official GDA disability access coordinator and work in concert with division staff members tasked with monitoring and addressing disability assistance needs. For questions, concerns, complaints, or requests regarding disability-related accommodations, please contact:

Petra Evans  
Non-Discrimination Coordinator  
19 Martin Luther King, Jr. Drive, S.W., Room 227  
Atlanta, Georgia 30334  
Phone Number: (404) 586-1152  
Fax Number: (404) 232-1547  
E-mail Address: [titlevi@agr.georgia.gov](mailto:titlevi@agr.georgia.gov)

Any GDA employee who observes a need for disability assistance services shall immediately contact the Non-Discrimination Coordinator who will be tasked with taking any appropriate and reasonable action to ensure effective communication and/or an equal opportunity to participate fully in the benefits, activities, programs and services provided by GDA.

The Non-Discrimination Coordinator will coordinate GDA’s efforts to comply with Section 504 and the ADA, including ensuring the following:

- Adoption of procedures for disclosure of disabling conditions and requests for accommodations;
- Adopt of procedures for maintaining personal information in a manner that protects the privacy and independence of the individual;
- Adoption of procedures for providing accommodations;
- Maintenance of data on the nature and extent of the services provided to individuals with disabilities;
- Provision of accommodations to allow individuals with disabilities to participate in or benefit from GDA and its programs, services, and activities in the most integrated setting appropriate;

- Utilization of grievance procedures that provide prompt and equitable resolution of complaints alleging any action that would violate Title II of the ADA or Section 504;
- Provision of services that are required to comply with ADA and Section 504 free of charge.
- Provision of periodic training for faculty and staff to develop their awareness and understanding of the needs of individuals with disabilities and legal compliance issues.

### **Accommodations**

With regard to the provision of reasonable accommodations:

- No participant with a disability in a GDA program, service, or activity will be denied the benefits of, be excluded from participation in, or be otherwise discriminated against in the provision of services available to all individuals in general.
- Each individual is responsible for making requests regarding accommodations to meet his or her particular needs in order to enable GDA to provide an appropriate response to the accommodation request.
- All accommodations available to provide access to GDA programs, services, and activities need not be on hand or present at all times.
- Accommodations that fundamentally alter the nature of the program, service, or activity; require waiver of essential program or licensure requirements; violate accreditation requirements; pose a direct threat to the health or safety of others; or pose an undue fiscal or administrative burden on GDA are not required.
- In determining appropriate accommodations, GDA gives consideration to the wishes of the individual, and in certain appropriate circumstances, for example, the documentation provided and institutional expertise in working with individuals with disabilities.
- GDA will not require an individual with a disability to accept an accommodation, aid, service, opportunity, or benefit under any circumstances.

### **Disability Assistance Measures**

In order to facilitate effective and meaningful communication and equal participation, GDA has identified methods and resources that shall be utilized. The following methods and resources will aid GDA in providing meaningful access to all individuals:

- Upon request, GDA will provide, at no cost, accommodations necessary to ensure effective communication and equal participation.
- GDA will ensure that its existing facilities are physically accessible for individuals with disabilities. GDA will also ensure that evacuation procedures for existing facilities account for individuals with disabilities.

- GDA will ensure that future facilities and facility improvements are constructed in a manner to allow accessibility by persons with disabilities. Alterations to existing facilities shall, to the maximum extent feasible, be designed in a manner to allow accessibility by persons with disabilities.
- GDA will engage in interactive, courteous dialogue with individuals making a request for accommodation.
- GDA will maintain data on the nature and extent of the services provided to individuals with disabilities in an effort to develop better service strategies.
- GDA will utilize local and community programs that offer services for persons with disabilities.

### **Staff training**

All GDA staff will be notified of the availability of this document on GDA's website, provided a copy of this document, and educated on the procedures and services available under this document. The information contained herein will serve as an integral part of the GDA staff orientation process for all newly hired employees, and it will be integrated into periodic overviews during staff meetings.

Current GDA staff will receive training on the requirements set forth by this document during group workshop sessions conducted by the GDA Non-Discrimination Coordinator. The Department will conduct these trainings on a yearly basis.

Both new employee and current GDA employee training will cover the following topics:

- General overview of 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.;
- Department responsibilities to persons with disabilities;
- Disability assistance services offered by the Department;
- Procedures for providing assistance to persons with disabilities;
- Documentation of requests for disabilities assistance; and
- Procedures for handling complaints regarding disability assistance.

### **Providing Notice of Available Services to Persons with Disabilities**

GDA will take reasonable steps to ensure persons with disabilities are aware of available services, including the following:

- A notice detailing the availability of disability assistance will be posted in the GDA reception area and in other public places.
- A notice detailing the availability of disability assistance will be posted online at [agr.georgia.gov](http://agr.georgia.gov).

- GDA outreach staff will have distributable documents that advertise the availability of services for persons with disabilities.

## IV. Complaints

Any individual seeking to file a complaint may contact the GDA Non-Discrimination Coordinator if they feel they have been denied any benefits established by this document. The Department will investigate every complaint pursuant to its official complaint procedures, which can be found in the document titled “Procedure for Non-Employee Discrimination Complaints.” To file a complaint, please contact the Non-Discrimination Coordinator identified below:

Petra Evans  
Non-Discrimination Coordinator  
19 Martin Luther King, Jr. Drive, S.W., Room 227  
Atlanta, Georgia 30334  
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GDA and any of its agents will not coerce, intimidate, retaliate against, or discriminate against any individual for exercising a right under the ADA or Section 504, or for assisting another to exercise a right under the ADA or Section 504.

This program and policy applies to all GDA subrecipients, agents, and contractors.