



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Santa Monica-Malibu Unified School District ADA Nondiscrimination Notice



In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Santa Monica-Malibu Unified School District will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Santa Monica-Malibu Unified School District does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The Santa Monica Malibu-Unified School District will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Santa Monica Malibu Unified School District's programs, services, and activities.

Modifications to Policies and Procedures: The Santa Monica-Malibu Unified School District will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Santa Monica-Malibu Unified School District offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Santa Monica-Malibu Unified School District, should contact the office of the program, service or activity coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Santa Monica-Malibu Unified School District to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Santa Monica-Malibu Unified School District is not accessible to persons with disabilities should be directed to:

Victoria Hurst, ADA Coordinator
Santa Monica-Malibu Unified School
District 1717 4th St.
Santa Monica, CA 90401
Phone: (310) 450-8338 ext. 70295
TTY: California Relay at 7-1-1
vhurst@smmusd.org

The Santa Monica-Malibu Unified School District will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/ services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

This notice is available in alternate formats from the ADA Coordinator.

Alternative Format Request Requirements, Public Policy 21-017R statement, following pages:



SMMUSD Public Policy No. 21-017R Statement

Date: 8/1/2023

To: SMMUSD Families and Community Members

Subject: **Alternative Format Request Requirements**

This Policy and Procedure Letter (PPL) clarifies that SMMUSD and our subcontractors responsibilities to provide qualified persons who have speech, hearing or vision disabilities with auxiliary aids and services, including materials in alternate formats, to ensure that they can effectively communicate and participate in SMMUSD and SMMUSD- sponsored programs, services, and activities.

Under federal and state law, including the Americans with Disabilities Act (42 U.S. Code § 12101, et.seq.) and section 5-8 of the Rehabilitation Act of 1973, as amended (29 E.S.Code § 794 (d)), discrimination against qualified members of the public participating in public programs based on disability is prohibited. A person is a qualified member of the public if they are an appropriate person with whom a public agency would or should communicate. The rights of persons with disabilities must be protected to ensure meaningful and equal access to public services, including but not limited to Medi-Cal and other programs that the Department of Health Services (DHCS) oversees in whole or in part through partnerships with other entities, such as providers, facilities, managed care plans, vendors, contractors, counties, or other state agencies. Accordingly, SMMUSD and their subcontractors must provide auxiliary aids and services to ensure that all qualified members of the public with disabilities, and Medi-Cal beneficiaries, can effectively communicate and participate in public programs, services and/or activities, which included making program documents available in alternate forms (e.g. braille, large font, audio recording).

All public agencies are required to provide auxiliary aids and services, free of charge, to ensure all qualified persons with speech, hearing, and/or vision disabilities can effectively communicate and participate in public programs, services, and/or activities. Public agencies must also provide auxiliary aids and services to a family member, friend, or associate of the program participant if said individual is identified as the beneficiary's authorized representative, or it is someone with whom it is appropriate to communicate (e.g., a disabled parent of a beneficiary).

The type for auxiliary aid or service necessary requires the consideration of numerous factors, including:

- The method of communication used by the person with a disability
- The nature, length, and difficulty of the communication taking place
- The complexity of what is being communicated

When providing aids or services, primary consideration should be given to the requester's choice, unless SMMUSD or the subcontractor can demonstrate that another equally effective means of communication is available or that use of the requester's choice would result in a fundamental alteration of the information or an undue burden for the agency. These auxiliary aids and services include providing communications in alternate formats.

Alternate formats may include, but are not limited to:

- Braille
- Large print (20-point Arial Font)
- Audio Format
- Accessible electronic format (such as a data CD)
- Closed captioning
- Text-to-Speech
- Voice-to- text

Please note: By choosing audio or data CD as an alternate format, beneficiaries will receive their Medi-Cal notices and information in an electronic format that is not encrypted (password protected) Beneficiaries who wish to receive Medi-Cal notices and information in a password protected electronic format should call 1-822-284-0040.

SMMUSD Alternative Format Requests and Reporting

Any parent, family member or school community member and/or their representative who requires an alternative format for information should contact their school office. If the request is for a District-wide program, Board Meeting, SMMUSD Sponsored Activity or activity provided by a SMMUSD contracted agency, please contact the Department of Special Education at (310)450-8338 ext. 70295 or email vhurst@smmusd.org and smorales@smmusd.org. Please specify what information format you are requesting to assist us.

All requests will be tracked for reporting purposes by the Department of Special Education. Schools will share all requests for alternate formats for information with the Department of Special Education.



Declaración de la Política Pública No. 21-017 del SMMUSD

Fecha: 8/1/2023

Para: Las familias del SMMUSD e integrantes de la comunidad

Tema: **Requisitos de la solicitud de un formato alternativo**

Esta Carta de Política y Procedimientos (PPL, por sus siglas en inglés) aclara las responsabilidades del SMMUSD y de nuestros subcontratistas de brindar asistencia y servicios a personas que tienen discapacidades del habla, la audición o la vista, incluyendo materiales en formatos alternativos, para asegurar que se puedan comunicar eficazmente y participar en los programas, servicios y actividades del SMMUSD y patrocinados por el SMMUSD.

Bajo la ley federal y estatal, incluyendo la Ley para Estadounidenses con Discapacidades (42 U.S. Code § 12101, et.seq.) y el artículo 5-8 del Acta de Rehabilitación de 1973, según la enmienda (29 E.S.Code § 794 (d)), está prohibida la discriminación a causa una discapacidad contra integrantes calificados del público que participan en programas públicos. Una persona es un integrante calificado del público si es la persona adecuada con la que el departamento gubernamental debería o tiene que comunicarse. Se deben proteger los derechos de las personas con discapacidades para asegurar un acceso significativo y equitativo a los servicios públicos, lo que incluye y sin limitarse a Medi-Cal y otros programas que el Departamento de Servicios de Salud (DHCS, por sus siglas en inglés), supervisa en su totalidad o parcialmente a través de las asociaciones con otras entidades, tales como proveedores, servicios, planes de cuidado de salud, compañías, contratistas, condados, y otras agencias estatales. De la misma manera, el SMMUSD y sus subcontratistas deben brindar asistencia auxiliar y servicios para asegurar que todos los miembros del público calificados con discapacidades, y los beneficiarios de Medi-Cal, pueden comunicarse eficazmente y participar en los programas públicos, los servicios y/o actividades, lo que incluye poner a la disponibilidad los documentos en formatos alternativos (p.ej. braille, letra grande, grabación en audio).

Todas las agencias públicas están obligadas a brindar asistencia y servicios, sin costo, para asegurar que todas las personas calificadas con discapacidad del habla, la audición o la vista, pueden comunicarse eficazmente y participar en los programas públicos, servicios y/o actividades. Las agencias gubernamentales también deben brindar asistencia y servicios a los integrantes de la familia, amigo o conocido del participante del programa si dicho individuo se ha identificado como un representante autorizado del beneficiario, o si se trata de alguien con quien es adecuado comunicarse (p.ej. una persona discapacitada o beneficiario).

Es necesario considerar numerosos factores para determinar el tipo de asistencia auxiliar o servicio necesario, tales como:

- La forma de comunicación que utiliza la persona con una discapacidad
- La naturaleza, extensión, y dificultad de la comunicación que se trata
- La complejidad de lo que se está comunicando

Al brindar la asistencia y los servicios, se debe dar una consideración principal a lo que el solicitante eligió, a menos que el SMMUSD o el subcontratista pueda demostrar que está disponible otra forma de comunicación igualmente eficaz o que la opción del solicitante resultaría en una alteración fundamental a la información o a una carga excesiva para la agencia. Esta asistencia y servicios incluye brindar formas de comunicación en formatos alternativos.

Los formatos alternativos pudieran consistir en, y no se limitan a:

- Braille
- Letra grande (letra Arial de 20-puntos)
- Formato de audio
- Formato electrónico accesible (como un CD)
- Subtítulos
- Texto a voz
- Voz a texto

Favor de tomar en cuenta: al elegir audio o datos en CD como un formato alternativo, los beneficiarios recibirán sus avisos de Medi-Cal e información en un formato electrónico que no está protegido por un código de ingreso. Los beneficiarios que desean recibir los avisos e información de Medi-Cal protegido por un código de ingreso deben llamar al 1-822-284-0040.

Formatos alternativos de solicitud y reportes en el SMMUSD

Cualquier padre, miembro de la familia o integrante de la comunidad y/o su representante que necesite un formato alternativo para la información debe contactar a la oficina de su escuela. Si la solicitud es para un programa de todo el distrito, la Mesa Directiva, una actividad patrocinada por el SMMUSD, o actividad a cargo de una agencia que el SMMUSD ha contratado, favor de comunicarse con el Departamento de Educación Especial al (310)450-8338 ext. 70295 o correo electrónico vhurst@smmusd.org y smorales@smmusd.org

El Departamento de Educación Especial llevará un registro de las solicitudes para propósitos informativos. Las escuelas compartirán todas las solicitudes de formatos alternativos con el Departamento de Educación Especial.