



**TITLE: INCLUSION POLICY**

**EFFECTIVE DATE:**

**REFERENCE NUMBER: REC001**

**CAPRA STANDARD(S):**

**NEXT REVIEW DATE:**

**RESPONSIBLE AUTHORITY:** Director

**PAGES: 1**

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**Inclusion Statement:**

The City of New Braunfels Parks and Recreation Department (NB PARD) fully supports the provision of the Americans with Disabilities Act and is committed to supporting the full inclusion of persons with disabilities into programs, classes, services and public facilities so that full participation may be enjoyed by all. Persons with a disability may request a reasonable modification to participate with NB PARD by contacting the Administration office at 830-221-4350. All requests must be made a minimum of 14 days prior to the starting date of the program/service

**Policy:**

NB PARD will make reasonable modifications in recreation programs to enable participation by an individual with a disability that meets essential eligibility requirements for that recreation program and facilities. The ADA requires that recreation programs offered by the NB PARD be available in the most integrated setting appropriate for each individual.

**What does “reasonable modification” mean?**

Reasonable modifications are changes made policies, practices, or procedures, in order to assist a person with a disability to meet essential eligibility requirements (participation skills). An modification is “reasonable” when it does not result in a fundamental alteration of the nature of the service, program, or activity. (42 USC Section 12132; 28 CFR 35.130(7))

Reasonable accommodations/modifications specifically mentioned in Title II of the ADA may include, but are not limited to, the following:

- **Extra staff:** providing additional employees or trained volunteers to assist the participant
- **Additional staff training**
- **Auxiliary Aids or Services:** this may include sign language interpreters, note takers, assistive listening services, cassette versions of documents, and Braille documents.
- **Changes to Rules and Policies:** When a rule can be changed without resulting in a fundamental alteration of the service, it must be changed for the person with a disability.

- **Adaptive Equipment:** Many vendors make adaptive sports equipment, adaptive game pieces, adaptive card holders, special eating utensils, and adaptive musical instruments. NB PARD shall make every effort to acquire adaptive equipment, if requested.
- **Removal of Architectural Barriers.** This will occur only when it is “readily achievable” to do so. When barrier removal is easily accomplishable and able to be carried out without much difficulty or expense. (28 CFR 36.304)
- **Other Effective Modifications.** Public entities do not necessarily have to make each of their existing facilities accessible. NB PARD will make every effort to evaluate how to provide program access through any number of methods. This may include alteration of existing facilities, acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate accessible sites.

### **Inclusion Guidelines:**

The following steps are necessary when a customer requests special accommodation:

1. Using the parks and recreation brochure as a guide, determine which activity(ies) you wish to participate in and register yourself/child by either contacting a guest service representative at either recreation center or administration office; or register online at [www.nbtexas.org/parks](http://www.nbtexas.org/parks)
2. Complete a Program Modification Request Form at any parks and recreation office, or online at [www.nbtexas.org/parks](http://www.nbtexas.org/parks) Fill it out and return it allowing two working weeks to have your request filled.
3. In order to qualify for assistance under ADA guidelines, an individual must meet the essential eligibility requirements for participation in recreation services with or without reasonable modification. This includes the ability to follow directions.
4. Exceptions to this policy are:
  - Modifications will not include invasive procedures such as trach suctioning, cauterization, tube feedings, injections or oxygen tank monitoring.
  - Toileting: Staff will provide the following toileting assistance to participants (with the consent of the parent if under the age of 18): reminders, verbal cueing, pulling up and down of clothes, and snapping, zipping, or buttoning of clothes. Staff will not provide diapering, post-toilet wiping, or hands-on transferring of persons with special needs. Staff will not provide any procedures dealing with a catheter.
  - All participants must enroll in age appropriate programs with their peers. Age/grade requirements for each program/activity will be enforced for all programs.

The New Braunfels Parks and Recreation Department will make every attempt to provide reasonable modifications, however, failure to request a modification within the specified time frame may limit our ability to complete the request.

### **Safety/Risk Issues**

Under the Americans with Disabilities Act (ADA) modifications are not reasonable if it compromises the safety of staff and/or participants. Safety issues must be formally identified and recorded. The Department of Parks and Recreation staff must issue a memo to the participant and/or his or her legal guardian or caregiver if a modification is denied. The memo must include what was requested, what the agency considered or attempted, why the agency denied the request, and any alternatives that were made available instead of accommodating the request.

In the event that a participant's behavior causes an unsafe situation to arise, a behavior plan must be developed. Appropriate Parks and Recreation staff, in consultation with other departments if necessary, will develop the plan.

If a parent/guardian has not requested modifications and has registered the participant for a program, and it is then determined and communicated that the accommodation/modification is needed, the following steps will be taken.

- If a participant is deemed to be disruptive or unsafe, participant will be removed from program until parent/guardian meeting, inclusion profile and discussion of the modification is complete.
- If modification is needed and includes the need for additional staff, there may be a time delay for participant to re-enter into the program until staffing is acquired.
- If it is determined that no modification is needed, it is then understood that participant must meet the basic qualifying skills of the program.