ADMINISTRATIVE DIRECTIVE

AMERICANS WITH DISABILITIES (ADA) COMPLIANCE WITH TITLE II – PUBLIC SERVICES	NUMBER 2.05-10	PAGE 1 of 5
	EFFECTIVE DATE February 17, 2012	

I. PURPOSE

To effectuate the provisions of Title II of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and the Arizonans with Disabilities Act as they apply to the delivery of city programs and activities to the public.

II. POLICY

Consistent with existing state and federal laws, it is the policy of the City of Tucson ("City") that all members of the public have equal access to and full participation in the programs, services and activities it provides to the community. This Directive sets forth the City requirements and procedures regarding public services provided by the City and prohibits discriminatory treatment and/or retaliation against an individual who requests an accommodation, opposes a practice or program, makes a charge of noncompliance, or who participates or assists in a disability-related complaint.

III. DEFINITIONS

A. **ADA** – Americans with Disabilities Act

B. **Auxiliary Aids and Services** – Includes qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices/systems, telephone compatible hearing aids, closed caption decoders, open and closed captioning, telecommunications for deaf persons (TDD's), video text displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments. Qualified readers, taped texts, audio recordings, Brailed materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments' acquisition or modification of equipment or devices.

C. **Direct Threat** – A significant risk to the health and safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services.

D. **Disability** – A physical or mental impairment that substantially limits one or more major life activities , including caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities can also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

E. **Facility** - Means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking

lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

F. **Individual with a Qualified Disability** – A disabled individual who:

1. Has a physical or mental impairment which substantially limits one or more major life activities;

2. Has a record of such impairment; or

3. Is regarded as having an impairment.

G. **Reasonable Accommodation** – Modifications to policies, practices and procedures, removal of barriers, provision of auxiliary aids and services, and other actions as necessary, that enable a qualified individual with a disability to have full and equal enjoyment of the goods, services, facilities, and privileges provided to the public.

H. **Substantially Limiting** – For an impairment to be considered substantially limiting, the individual must be unable to perform some major life activity or be significantly restricted as to the condition, manner or duration under which s/he can perform that major life activity as compared to the average person in the general population. (The term "substantially limits" or substantially limiting means materially restricts.)

I. **Undue Burden** – An action that requires excessive expense for the city in relation to the resources available, or is excessively extensive, substantial, or disruptive, or would fundamentally alter the nature or operation of the program, service and/or activity.

IV. PRINCIPLES OF NON-DISCRIMINATION

A. The City shall provide an equal opportunity and access for Individuals with a Qualified Disability to participate in programs, services and activities, to the extent there is not an Undue Burden.

B. Auxiliary Aids and Services will be provided to Individuals with a Qualified Disability that are necessary to ensure equal opportunity and access to programs, services, and/or activities.

C. A Reasonable Accommodation including, but not limited to, modifications in policies, procedures and practices will be made in accordance with this directive, unless it would create an Undue Burden.

D. Programs, services and/or activities will be provided in the most integrated setting appropriate to the needs of individuals with disabilities. Pursuant to Title II, II-3.4000, an integrated setting is the equal participation of individuals with disabilities in the "mainstream" of American society. In accordance with federal guidelines, separate

programs may be offered; however, the City may not preclude individuals with disabilities from participating in integrated programs and activities solely because the separate programs are available.

V. PROHIBITED ACTIVITIES

In accordance with applicable federal and state laws, the City will not:

A. Fund or assist an organization that discriminates on the basis of disability;

B. Deny an Individual with a Qualified Disability the opportunity to serve in any capacity or participate in a program, service and/or activity simply because the person has a disability;

C. Apply or impose eligibility criteria that screen out or tend to screen out individuals with disabilities or a class of individuals with disabilities, unless it can show that the criteria are necessary to provide the program, service or activity in question;

D. Award procurement contracts based on criteria that subject individuals with disabilities to discrimination;

E. Require a person with a disability to accept an accommodation or auxiliary aid or service;

F. Charge individuals with a Qualified Disability for costs incurred in barrier removal, alternatives to barrier removal, reasonable modifications or the provision of auxiliary aids, including making modifications required to provide program accessibility or providing qualified interpreters. Charging for home delivery of goods is allowed, as long as the service is not provided as an alternative to barrier removal;

G. Discriminate against qualified individuals solely because they are related to or associated with an individual with a disability;

H. Retaliate against an individual who requests an accommodation, opposes a practice or program, makes a charge of noncompliance, or who participates or assists in a disability-related complaint;

I. Unnecessarily request information about a disability on program application forms or testing procedures. The city may, however, impose neutral criteria necessary to safely operate its program, even if those criteria do tend to screen out Individuals with a Qualified Disability;

J. The City shall eliminate any restrictions on the number of Individuals with a Qualified Disability who may participate in a program.

VI. GENERAL ROLES AND RESPONSIBILITIES

A. Office of Equal Opportunity Programs and Independent Police Review (OEOP)

OEOP shall provide guidance and assistance to City departments on the requirements of the ADA and state law, as well other issues relating to accessibility and disability. OEOP shall report to the City Manager any action, or lack of, on the part of City departments that affects the City's compliance with the ADA.

B. Department Directors

Department Directors shall be responsible for ensuring ADA compliance under all programs, services, and/or activities provided by the department and for assigning ADA compliance responsibilities within the department (see Attachment A).

C. Department ADA Liaisons

Each Department Director shall appoint an ADA Liaison, on an annual basis, who shall report to the Department Director, and who shall serve as the central point of contact between the department and OEOP.

VII. DEPARTMENTAL RESPONSIBILITIES

A. Ensure ADA Liaison contact information is posted on the departmental website, in the City directory, and in any departmental directory and available through telephone information services

B. Coordinate the departmental ADA complaint process in accordance with the attached City of Tucson ADA accessibility complaint procedure (see Attachment B). All employment discrimination complaints should be referred directly to OEOP. In all other cases, the appropriate departmental staff should review the complaint and prepare a written response.

C. Ensure department ADA Liaisons attend mandatory ADA Liaison meetings and training sessions. ADA Liaison also serves as departmental liaisons for the Commission on Disability Issues (CODI).

D. Assess and identify the need for ADA compliance and awareness training within the department and coordinate the necessary training for departmental personnel with OEOP.

E. Promote the inclusion of people with disabilities in all departmental programs, services and activities.

F. Review new and proposed programs, policies, and procedures to ensure they appropriately address the needs of individuals with disabilities and are in full compliance with the requirements of the ADA.

G. Review existing departmental programs, policies, and procedures for ADA compliance.

VIII. ACCOMMODATION REQUESTS FROM THE PUBLIC

Individuals who require an accommodation should contact the sponsoring department not later than five (5) business days prior to the scheduled meeting or event date.

Accommodation/accessibility information is available by contacting the following city offices:

General Questions: ADA Coordinator, Office of Equal Opportunity Programs, 791-4593
Parks & Recreation Programs: Parks & Recreation Department, 791-4593
Public Transportation Services: Transit Division, Department of Transportation, 791-5883

Departments unable to satisfy an accommodation/accessibility request must contact the ADA Coordinator, Office of Equal Opportunity Programs, and provide a written statement signed by the department director as to why the request cannot be fulfilled.

IX. COMPLAINTS OF DISCRIMINATION

Complaint forms are available through the Office of Equal Opportunity Programs, 201 N. Stone Avenue, 3rd Floor North, (520) 791-4593, or on the intranet at:
http://intranet.ci.tucson.az.us/docs/careerandtraining/oeop/ada_complaint_card.pdf

Appendices

Attachment A – Department ADA Compliance Guidelines
Attachment B – ADA Complaint Procedures
Attachment C – Accessible Display Guidelines
Attachment D – Service Animal Guidelines
Attachment E – Accessible Conference Rooms

References

AD 2.05-2 Reasonable Accommodations of Applicants and Employee with Disabilities

Review Responsibility and Frequency

The Office of Equal Opportunity of Programs Director will review this directive annually, based on date of publication.

Authorized

City Manager

2 22 12
Date

DEPARTMENT ADA COMPLIANCE GUIDELINES

- Coordinate sign language interpreter services. Ensure that all appropriate staff are aware of:

  1. The City's policy and legal obligation to provide sign language interpreters, as needed for effective communication with members of the public, job applicants, and employees who are hearing impaired.

  2. The process for obtaining sign language interpreter services.

  3. The need to include projected costs for interpreters in annual budget requests.

- Provide departmental materials, such as public meeting notices, brochures, programs, services and activities information, as requested, in an accessible format for persons who are visually impaired. This involves providing information in Braille, in large type, on audiotape, or in a computer text file, when requested. The department is responsible for providing the appropriate accessible format.

- Ensure that all notices of City sponsored public meetings conducted by the department contain the following statement:

  "If you require an accommodation or materials in accessible format for this event, please call (this should include the name and telephone number of the responsible departmental person) at least five business days in advance."

  Notice of city compliance with the ADA and other related federal and state laws and regulations shall be included in all program advertisements and forms. Failure to provide this notice in a timely manner for response does not relieve the department of its responsibility to provide the appropriate accessible format.

- Public meetings shall be held in accessible locations. Factors to be considered in the determination of accessibility include wheelchair access (designated parking, sidewalk ramps, curb cuts, automatic front door, available seating area, restrooms, telephone, drinking fountain) and Assistive Listening System (ALS) set-up, or provision of sign language interpreters upon request. Notices of public meetings should also state the facility accessibility (e.g. wheelchair accessible, ALS, etc.). Mayor and Council Chamber, the Tucson Convention Center, and various meeting rooms are equipped for ALS. (See Attachment E, Accessible Conference Rooms.)

- Ensure that the aforementioned statement and information regarding the ADA and persons with disabilities are included in the department's written communications, e.g. meeting notices, minutes of public meetings, if any, etc., and publications. OEOP should be contacted for this information, when necessary.

- Coordinate TDD (telecommunication device for the deaf) or TTY (text telephone communication device for the deaf) and ALS Services.

  1. Maintain a list of departmental TDDs/TTYs.

  2. Ensure that appropriate staff members are trained in the use of TDDs/TTYs.

3. Ensure that TTY numbers are listed on business cards, in publications with other phone numbers, on departmental web sites, and in the TTY directories maintained by the City and Century Link.

4. Ensure that appropriate staff is trained in use of the ALS system.

- Ensure that all departmental broadcasts and video productions comply with the following:

  1. Responding to individual requests for captioning of programs the department broadcasts to, or otherwise makes available to, the general public.

  2. In conjunction with the Information Technology Department and Channel 12, each department that produces videos shall develop a process and ensure access to a contract for providing real time and postproduction captioning, as appropriate.

  3. In the case of emergency related broadcasts and videos, Channel 12 and all Public Information Officers shall:

     a. Caption emergency related announcements and programs including emergency preparedness, shelter information, special needs registry, evacuation instructions, etc.

     b. Include a statement in all emergency related public service announcements requesting that the station provide captioning.

     c. If it is not possible to provide real time captioning when emergency information is broadcast, provide scrolled message with essential emergency information and, if possible, provide sign language interpreters.

- Ensure that all departmental displays including exhibits, information booths, and information counters, provide program access for individuals with disabilities including individuals who are hearing and/or vision-impaired, individuals who use wheelchairs and individuals with developmental disabilities. For guidelines on accessible displays, see Attachment C.

- Ensure that any special events sponsored by the department are fully accessible to people with disabilities by:

  1. Assuring that any restroom facilities available to event participants are accessible. This includes portable toilets, not less than one or five percent, whichever is greater, of which must be a contract model that the City has certified as ADA compliant. The number of portable toilets required to be accessible is stated in the ADA *Standards for Accessible Design* (also known as ADA Accessibility Guidelines, or ADAAG), 28 CFR Part 36, revised as of July 1, 1994.

  2. Assuring there is accessible parking and an accessible route to spectator areas, stages, and all goods and services provided at the event.

  3. Assuring that, where seating is provided, there is accessible seating in the spectator area.

  4. Assuring that stages are accessible by ramp or lift.

5. Assuring that plans for any construction, including tenant improvements, have been reviewed and approved by Development Services for ADA compliance in accordance with ADAAG.

6. Assuring that accessible communication is provided as described above.

7. Assuring that all signs and structures comply with ADAAG specifications relating to protruding objects, so that people who are visually impaired will not be injured.

- Ensure that persons with disabilities accompanied by service animals are granted full access to all departmental facilities which are open to the public. For guidelines regarding service animals, see Attachment D.

- Set departmental priorities for removal of barriers in buildings and facilities (e.g. furniture, pamphlet display racks, etc.), to ensure access to all City programs.

- Ensure that any newly constructed, altered, or leased facilities comply with the accessibility requirements of the ADA and Arizona law. This involves:

  1. Requesting the assistance of special interest groups, when appropriate.

  2. Following up to make certain that recommended changes are carefully considered and required changes are incorporated in the plans.

- Ensure that plans for all new construction and alterations to City-owned or leased facilities are submitted to Development Services for review and approval in accordance with the Americans with Disabilities Act Accessible Guidelines (ADAAG), 28 CFR, Part 36. Additionally, ensure that departmental project managers and/or project coordinators responsible for construction:

  1. Perform and/or participate (in collaboration with Development Services) in critical inspections, such as inspection of forms, prior to pouring of concrete ramps.

  2. Perform and/or participate (in collaboration with Development Services) in the punch list development and intermediate and final inspection prior to the acceptance of the project from the contractor.

  It is the department's responsibility to comply with the ADA requirements for construction and alterations.

- Ensure, by contract language, that any contractors providing programs or services on behalf of the department do so in a manner that complies with the Title II requirements of the ADA. NOTE: It is the department's responsibility to review contracts for ADA and other compliance language. OEOP is a resource, and will review contracts on request. City contracts for services or materials shall include the following ADA compliance language:

  "The (contractor or agency) shall comply with all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 USC 12101-12213) and applicable federal regulations under the Act (28 CFR Parts 35 and 36), as well as the Arizonans with Disabilities Act (ARS 41-1492)."

Private enterprise is covered by Title III of the ADA, which applies to state and local government. When the contractor provides services on behalf of the City, the City is required to ensure, by contract, that the services will be provided in a manner that complies with Title II of the ADA. Without that contractual agreement, the provider is only legally obligated to comply with the lesser requirement of Title III, and the City can be held liable for noncompliance with Title II

- Ensure that the department does not provide funding or other substantial benefits to entities that are not in compliance with their obligations under the ADA.

  A private entity is obligated to comply with the requirements of Title III of the ADA. If that entity receives federal funds, it would also be required to meet Section 504 requirements of the Rehabilitation Act, which are very similar to Title II requirements, and include provisions for program access.

- **TRANSPORTATION SERVICES**

  A lift-equipped van is available from the Fleet Pool section of the Department of General Services for transporting staff, volunteers or participants with disabilities, who are engaged in city business or city functions. Instructions on how to use the van's lift and wheelchair tie-downs will be provided by the Fleet Pool staff.

ADA COMPLAINT PROCESS

This complaint procedure shall serve as the City's mechanism to respond to complaints of discrimination on the basis of a disability in City programs and services and facility accessibility, under the Americans with Disabilities Act (ADA). This procedure shall not apply to complaints of discrimination in employment.

The complaint process involves receiving and processing complaints from the public that allege the department is not complying with the ADA.

Any individual who feels s/he has been discriminated against in the provision of a program or service operated by the City of Tucson, to include facility accessibility, shall have the ability to file a formal complaint, have the complaint responded to, and have the right to request a review by the City Manager, if dissatisfied with the resolution of the complaint. The procedures to be followed in filing a formal complaint shall be available and accessible to the general public.

Coordination of Procedure

The Office of Equal Opportunity Programs (OEOP), 201 N. Stone Avenue, 3rd Floor North, Tucson, Arizona 85701, shall be responsible for coordinating the City's ADA complaint procedure and will serve as the conduit between the complainant and the department against whom the complaint is made. If a complaint is received directly by a department, OEOP should be notified immediately. OEOP shall maintain the City's central ADA complaint log and issue complaint number assignments. OEOP will provide the department with the necessary technical assistance needed in reaching an amicable resolution of the complaint.

Filing a Complaint

A written complaint may be filed with the Office of Equal Opportunity Programs (OEOP). Complaint forms (a no postage necessary green postcard addressed to OEOP and entitled *City of Tucson ADA Accessibility Complain Card)* are available through OEOP, 201 N. Stone Avenue, 3rd Floor North, Tucson, Arizona 85701, or by calling (520) 791-4593 or on the intranet at: http://intranet.ci.tucson.az.us/docs/careerandtraining/oeop/ada_complaint_card.pdf.

In the event that a complainant submits a written complaint to the operating department, the department shall send a copy of the complaint to OEOP within five (5) business days of receipt.

Note: When receiving a complaint, recommendation or request for information from the Commission on Disability Issues (CODI), departments shall identify appropriate departmental staff, in collaboration with OEOP, to respond to the complaint, recommendation or request for information, and follow up to ensure a proper response is made by memorandum, report or presentation.

Complaint Resolution

Within five (5) business days of receipt of a complaint, OEOP shall inform the department of the complaint; transmit a copy of the complaint to the department with general instructions as to the format which the department should follow in their response, and a date by which the department shall return a response to OEOP. Appropriate departmental staff should review the complaint and prepare a written response. OEOP will review the response and/or complaint resolution with the department before the final response is issued to the complainant.

The department shall have thirty (30) days from receipt of the complaint from OEOP to respond to the complaint. When necessary, attempts will be made by the department to clarify the facts of the complaint. The actions taken by the department shall be conveyed to the complainant in writing. The response shall be mailed to the complainant by OEOP with a cover letter informing the complainant of her/his right to request a review by the City Manager. In no instance shall the Department mail the response directly to the complainant.

All reasonable attempts should be made by the department, with the assistance of OEOP, to mediate and resolve the complaint. Where a department can resolve a written complaint informally, the department will provide OEOP a written statement explaining the mutually agreeable solution. If OEOP concurs with the resolution, it should be signed by the complainant and the department representative and an executed copy provided by OEOP.

Request for Review

A complainant who is dissatisfied with the recommended resolution of her/his complaint may request a review by the City Manager. The complainant shall have thirty (30) days from the date of the written recommendation offered by the City to submit her/his request to OEOP for submission to the City Manager.

Review Process

Upon receipt of a written request for review, OEOP shall log in the request and forward it to the City Manager for review. The decision of the City Manager shall be final and shall be communicated to the complainant and the department by written notice from OEOP.

Recordkeeping

OEOP shall maintain files on complaints received along with all communications, recommendations, and other records pertinent to the complaints, pursuant to the state-approved retention schedule.

Alternative Remedies

The establishment of this complaint procedure shall not preclude nor waive the complainant's right to seek redress under any alternative remedy available.

Emergency Situations

In the event of an emergency in which accessibility must be readily achieved, departments shall consult with OEOP for direction.

ACCESSIBLE DISPLAY GUIDELINES

- Ideally: Any display with audio information should have the same information readily available in writing. Sign language interpreters should be available where any extensive or complex verbal communication is anticipated.

  Alternatively: If the display is advertised, the advertisement could include a notice that text information and sign language interpreters will be available upon request five days in advance. At the display area, a notice could be posted indicating that text information can be sent upon request and, in the event that the display involves extensive or complex verbal communication, that an appointment can be arranged with a sign language interpreter at a later time.

- Ideally: Any display containing text, photographs or illustrations used to provide information should have the same information available in accessible format including audio tapes, large type, Braille and computer disks. Descriptions of artwork should take into consideration the perspective of a visually-impaired person and should be available in accessible format. Where feasible, visually-impaired people should be allowed to touch artwork such as sculptures, even if latex gloves need to be provided.

  Alternatively: A person could be assigned to read information and provide verbal descriptions. At a minimum, a notice could either be posted in Braille and large type, or an audio notice provided, indicating a phone number to call to have the text information provided in an accessible format at a later date.

- Ideally: Any display should be approachable by persons using wheelchairs and be at a height viewable by persons using wheelchairs.

  Alternatively: While the general area would have to be accessible, a video display could be set up to provide those views that would not otherwise be available from a wheelchair; or a notice could be posted stating that a video tape would be available upon request and providing a phone number to call.

SERVICE ANIMALS GUIDELINES

As of March 15, 2011, a change was made in the definition of what constitutes a service animal pursuant to Title II of the Americans with Disabilities Act (ADA). The main change to the definition of a service animal is that Title II now recognizes only dogs and in some cases, miniature horses, to be service animals. Rabbits, chickens, snakes, etc, are no longer considered service animals under Title II.

Definition

The ADA defines a service animal as *any* dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.

Some examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Identifying a Service Animal

In most cases, a service animal is well trained and well behaved. Some people may take advantage of the law in an attempt to bring their family pet into a City of Tucson facility that otherwise does not allow pets. If there is doubt whether an animal is a service animal, it is permissible to ask the person who has the animal if it is a service animal required because of disability. It is not permissible to as the individual to identify his or her disability. It is permissible, but not advisable, to ask what service tasks the animal performs. This is unadvisable to ask because the ADA does not define qualified or unqualified tasks, nor does it include any provision to deny access to a service animal because the task it performs will not need to be performed at that location. Because there is no standardized certification for service animals, a person's claims that an animal is a service animal must be assumed to be truthful. As long as the animals are well controlled, it is better to let a few pets through than to risk a lawsuit by denying access to a person who may have a valid need for a service animal. However, if it is felt that an individual is trying to take advantage of the service animal rule to bring an unqualified animal into a City facility, and that some significant harm may come from that act, a supervisor, the departmental ADA Liaison, or OEOP should be contacted.

Admittance of a Service Animal

The service animal must be permitted to accompany the individual with a disability to all areas of the facility where customers are normally allowed to go. An individual with a service animal may not be segregated from other customers.

No Pets Policy

A service animal is *not* a pet. Although City facilities may have a "no pets" policy, service animals are not subject to policies regarding pets.

Health Department Regulations

Service animals of any type may not be refused admittance on the basis of local health department regulations or other state or local laws. As a federal law, the ADA takes priority over local or state laws or regulations.

Responsibility

Except where the City has responsibility for the owner of a service animal, the care or supervision of a service animal is solely the responsibility of his or her owner and the City is not required to provide care, food, or a special location for the animal. However, building managers and security personnel shall be able to direct the owner of a service animal to a nearby place where the animal can relieve itself. While there are no clear guidelines for situations where the City has responsibility for the owner of a service animal, such as emergency care, arrest, incarceration, etc. employees need to be aware that a service animal may be essential to the independent function of its owner and is often very valuable monetarily as well. Departments should work with OEOP to develop policies to meet specific circumstances.

Maintenance and Cleaning Fees

Neither a deposit nor a surcharge may be imposed on an individual with a disability as a condition to allowing a service animal to accompany the individual, even if deposits are routinely required for pets. However, the owner of the service animal is responsible for its actions and may be charged if a service animal causes damage, so long as it is the regular practice of the City to charge non-disabled customers for the same types of damages, such as damage done by a child.

Service Animals in Vehicles

The same requirements relating to service animals apply to vehicles such as taxis and busses. No extra fee can be charged for the space needed by the service animal.

Exceptions

City employee shall recognize the right of persons with disabilities to be accompanied by a service animal unless there is direct evidence that:

- *The animal is not being adequately controlled by the person with a disability.* Evidence of this would include the animal's leaving the side of the person for reasons other than to perform tasks. It would be appropriate to warn the individual that the animal must be kept under control at all times while in the facility.

- *The animal poses a threat to other persons:* Evidence of this would include the animal barking, growling, or making threatening gestures or approaches toward other persons or generally acting vicious whether or not directed at another person. Normal defensive or protective actions, such as barking or growling on the part of the animal in response to improper action on the part of other persons should not be considered threatening behavior. It would be appropriate to warn the individual that the animal must not threaten other people in the building.

- *The animal, through its actions, is being disruptive to the proceedings.* Evidence of this would include the animal barking or making other disruptive sounds, the animal moving about, other than to perform tasks, with such frequency or energy as to cause a significant distraction to others, the animal approaching other persons to the extent of causing a significant distraction. It would be appropriate to warn the individual the animal not disrupt the proceedings.

Security

If employees find it necessary to guide an animal through or around a metal detector, etc., they should not approach or touch the animal without consulting with the owner. Also, employees should not approach or touch the owner of the animal, or any person with a disability, without first consulting him or her.

ACCESSIBLE CONFERENCE ROOMS

The listing will be updated periodically as more facilities are modified to become ADA accessible.

CONFERENCE ROOM	LOCATION
Eastside City Hall	7575 E. Speedway Boulevard
El Pueblo Neighborhood Center	101 W. Irvington Road
Mayor and Council Chambers	255 W. Alameda Street
Neighborhood Resources: Sentinel Building	320 N Commerce Park Loop
Police: Department Headquarters	270 S. Stone Avenue
Hardesty Midtown Multi-Service Center	1100 S. Alvernon Way
Santa Cruz Substation	4410 S. Park Avenue
Westside Multi-Service Center	1310 W. Miracle Mile Road
Quincie Douglas Neighborhood Center	1575 E. 36th Street
Randolph Recreation Center	200 S. Alvernon Way
Therapeutic Recreation Center	1000 S. Randolph Way
Tucson Convention Center (all meeting rooms)	260 S. Church Avenue
Udall Regional and Senior Center	7200 E. Tanque Verde Road