

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE

Purpose Statement:

The Democratic Party is the Party of inclusion. The Democratic Party at the State and National levels have had non-discrimination policies in place for decades and have adopted Platform language which includes compliance with the federal Americans with Disabilities Amendment Act of 2008. The California Democratic Party formally and officially adopted the ADA into its Disabilities Platform in 2003.

As the official representative of the Democratic Party in Riverside County, it is a duty of the Riverside County Democratic Party (RCDP) to affirm, when necessary, non-discrimination policies consistent with the Democratic Party Platform and Americans with Disabilities Act (ADA). This endeavors to make a clear affirmation of specific non-discrimination policies that lie within the purview of the RCDP.

ADA Coordinator/Committee Chair:

The RCDP established a permanent ADA Coordinator/Committee Chair. The Committee Chair is appointed by the Chair of the RCDP. All questions, complaints, and issues regarding compliance to this Standing Rule will be the responsibility of ADA Coordinator/Committee. The ADA Committee will be responsible for determining if, when, and what type of sanctions may be required for non-compliance with this rule. The committee will report to the Executive Board of the RCDP.

The ADA Committee will make recommendations to the RCDP Executive Board in the form of a motion asking the Executive Board for approval/amendments. The Committee Report and Executive Board Recommendations will be taken to the General Membership.

Rule to be Applied for Public Entities/Places:

Any meeting or event held in a public place and associated with the RCDP or any organization Chartered by the RCDP must convene in a location that is fully compliant with California and Federal disabled access law (ADA) and regulations. As example, public meeting rooms, restaurants, and community centers are considered "open to the public."

All public entities are required to make "reasonable accommodation" to the known physical or mental limitations of persons with disabilities, unless the public entity can show that the accommodation would impose an "undue hardship" on the operation of its program. "Undue hardship" has been defined

as significant difficulty or expense relative to the operation of a public entity's program. Where a particular accommodation would result in an undue hardship, the public entity must determine if another accommodation is available that would not result in an undue hardship.

When given 48 hours advance notice of the attendance of a person requiring accommodation under the ADA, the event/meeting organizer(s) must provide any assistance requested, in compliance with the ADA. The assistance requested could range from assistive listening devices for the hearing impaired, to sign language interpreters for the deaf and alternate format hand out materials for the sight impaired. To not meet the requirement violates the Civil Rights of a person or persons with disability, and therefore violates the non-discrimination provision of the rules of the Democratic Party.

Rule to be Applied for Private Residences:

An attempt to meet the Spirit and/or Intent of the ADA and all other Civil Rights statutes are expected of Democrats and Democratic organizations associated with the Riverside County Democratic Party. A conversation about what accommodations a guest will need is absolutely required as a minimum to meet the intent of ADA.

Disclosure and discussion of the accommodation issue is critical. Informed Consent encourages respect for individuals. Offering the best and highest accommodations you possibly can is the requirement.

Event organizers must put a note on the invitation or announcement of the event or meeting telling potential attendees that "reasonable accommodations" can be made available with 48 hours notice.

A Democratic political event or meeting (including fundraisers) held in a private residence, for the benefit of a candidate or a Chartered Democratic organization, must, at a minimum, consider "reasonable accommodation" to the known physical or mental limitations of persons with disabilities.

An accommodation is not required if it would impose an "undue hardship" on the operation of its program. "Undue hardship" has been defined by the ADA as "significant difficulty or expense." Where a particular accommodation would result in an undue hardship, the organizer(s) must determine if another accommodation is available that would not result in an undue hardship.

Examples of Accommodation at a Private Residence:

Parking can be provided by offering your garage space, and if more than one person with disability requires the accommodation, utilizing a person to act as a "parking valet" to move vehicles in and out is the minimum requirement.

Access via a portable ramp to get into a home that has steps is an accommodation, or offering the use of a back way into the home or yard is an acceptable accommodation.

Toilet facilities and the ability to get into the bathroom is a requirement. If this cannot be achieved, then the person with the disability must be so informed and they can make their own choice to attend. A portable toilet that meets ADA standards could be rented for the event. If a “reasonable effort” can get them close to the bathroom and they have a partner, spouse, or attendant to get them in, then this may be the best that can be offered.

Accessibility Statement/Notification Required:

Reasonable accommodations will be provided for persons with disabilities. Please call _____ 48 hours in advance to make your request or for any questions, including but not limited to the program, parking, restroom facilities, American Sign Language requirements, or alternate format materials.

The Statement above must be included as part of all communications distributed with regard to Public Entity or Private Residence meetings, event invitations, or notices of opportunity for education, entertainment or volunteering. This requirement applies to the RCDP and any organization chartered or sponsored by the RCDP.