**Operating Procedure No. 4217P
Community Relations**

**EFFECTIVE COMMUNICATION PROCEDURE**

Puget Sound Educational Service District (PSESD) is committed to ensuring that all PSESD-sponsored programs, activities, meetings, and services will be accessible to individuals with disabilities, including persons who have impaired hearing, vision or speech.  The following procedure is intended to assist PSESD in taking appropriate steps to ensure that, related to such programs, activities, meetings, or services, any communication with students, families, applicants, participants, members of the public, and their companions with disabilities are as effective as communications with persons who have no disabilities. There is no fee or charge for the PSESD to provide appropriate auxiliary aids or services.

**Requesting Communication Aids or Services for a Program, Activity, or Event**
Individuals who may need an auxiliary aid or service to participate in and enjoy the benefits of a program, activity, meeting, or event should contact PSESD as soon as possible and no later than forty-eight (48) hours before a scheduled program or activity so that ESD can make necessary arrangements. PSESD will make reasonable efforts to accommodate any requests made less than forty-eight (48) hours in advance of a program, activity, meeting, or event. For auxiliary aids or services specifically during a meeting of the Board of Directors, the request should be made directly to the office of the Superintendent.

PSESD’s website provides information on how to request auxiliary aids and services, ask related questions, or raise concerns. The following is the site for this information: www.psesd.org.

If a person with a disability cannot access this format, this information will also be provided in an accessible format when necessary and upon request.

A form for requesting auxiliary aids and services is on the PSESD website. While it is not required that this form be used to make such a request, this written form will minimize miscommunication and help PSESD understand the specific auxiliary aids or services being requested. PSESD staff will also assist a requestor in filling out this form, when necessary. A copy of the form is attached to this procedure as an appendix.

**Requesting Website Accessibility**

A form for requesting website accessibility concerns and complaints is on the PSESD website. While it is not required that this form be used to make such a request, this written form will minimize miscommunication and help PSESD understand the specific website concerns. PSESD staff will also assist a requestor in filling out this form, when necessary. A copy of the form is attached to this procedure as an appendix.  The complaint must include the following information:

•   Complainant’s name

•   Complainant’s address

•   Date

•   Description of the problem encountered

•   Web address or location of the problem page

•   Solution desired

•   Contact information in case more details are needed (email and phone number)

The complaint or grievance will be investigated by the website compliance coordinator or another person designated by the Superintendent. The investigator will contact the complainant no later than five (5) working days following the date the website accessibility compliance coordinator receives the complaint. The following procedures apply to complaints made under this policy:

* An investigation of the complaint shall be completed within fifteen (15) working days. Extension of the time line may only be approved by the Superintendent.
* The investigator shall prepare a written report of findings and conclusions within five (5) working days of the completion of the investigation.
* The investigator shall contact the complainant upon conclusion of the investigation to discuss the findings and conclusions and actions to be taken as a result of the investigation.
* A record of each complaint made pursuant to this procedure shall be maintained at the PSESD office. The record shall include a copy of the complaint filed, report of findings from the investigation, and the disposition of the matter.

**Determining an Appropriate Auxiliary Aid or Service**
When PSESD provides an auxiliary aid or service necessary to ensure effective communication, the aid or service must be provided in an accessible format, in a timely manner, and in such a way as to protect the privacy and independence of any person with a disability. Determining an appropriate auxiliary aid or service must be individualized and made on a case-by-case basis, considering the communication used by the person with a disability; the nature, length and complexity of the communication involved; the content and the context in which the communication is taking place; the number of people involved in the communication; and the expected or actual length of time of the interaction(s). During this process, PSESD will give primary consideration to the auxiliary aid or service specifically requested by the person with a disability. “Primary consideration” means that PSESD will provide an opportunity for the person with the disability (or an appropriate family member) to request the aid or service that he or she thinks is needed to provide effective communication.

PSESD will honor the choice of the person with a disability unless:

1. PSESD can prove that an alternative auxiliary aid or service provides communication that is equally as effective as communication provided to an individual without a disability; or
2. PSESD determines that such aid or service would result in a fundamental alteration inthe nature of the service, program, or activity, or would result in an undue financial and administrative burden to the ESD.

If PSESD refuses to provide a particular auxiliary aid or service for the reasons stated in number (2.) above, such determination must be made by the Superintendent or the Superintendent’s designee who has the authority to make budgetary and spending decisions, after considering all resources available for use by PSESD in the funding and operation of the service, program, or activity. This determination must be issued in writing with the reasons for concluding that a requested auxiliary aid or service would cause such alteration or burden. Nevertheless, PSESD must take other steps that would not result in such an alteration or burden, but would still ensure that, to the maximum extent possible, the individual with a hearing, vision, or speech disability can participate in and receive the benefits or services provided by PSESD’s program or activity.

If PSESD provides an auxiliary aid or service that is different than what is requested by the individual with a disability, ESD will make a reasonable effort to provide notice to the requester in advance of the program, activity, meeting, or activity.

The PSESD recognizes that communication and circumstances can change or evolve over time. If the communication with the person with a disability takes place over an extended period of time, the PSESD should reassess the effectiveness of communications and seek regular feedback from the person with a disability.

**Timely Manner**
PSESD will determine an appropriate auxiliary aid or service as soon as possible following a request by a person with a disability, and will likewise provide the auxiliary aid or service as soon as practicable. PSESD personnel working with the person with a disability (or an appropriate family member) will keep that person informed of when the auxiliary aid or service will be provided.

**Interpreters**
For purposes of this policy, a “qualified interpreter” means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include sign language interpreters, oral translators, and cured-language translators. Interpreters certified to provide interpretation in court proceedings or during the delivery of health services are presumptively qualified to provide such services.

Title II of the Americans with Disabilities Act expressly prohibits PSESD from requiring an individual with a disability to bring another person to interpret for him or her. PSESD is prohibited from relying upon a person who accompanies a child or adult with a hearing, vision, or speech disability to interpret or facilitate communication except under two circumstances:

1. In an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available, PSESD may ask either a minor child or an adult to interpret or facilitate communication. In no other circumstances will PSESD rely on a minor child to interpret or facilitate communication with a person with a disability.
2. Where the individual with the hearing, vision, or speech disability specifically makes the request, an accompanying adult may interpret or facilitate communication if the accompanying adult agrees to provide the assistance and the PSESD’s reliance on the accompanying adult is appropriate under the circumstances.

**Complaints and Compliance**
PSESD has an ADA Coordinator who monitors the District’s obligations and compliance with Title II, and who is charged with investigating complaints of disability discrimination. Questions and concerns relating to communication with persons with hearing, vision, and/or speech disabilities may be directed to:

Denise Altheimer
ADA Coordinator for Title II
800 Oakesdale Ave SW
(425) 917-7600
email at comm@psesd.org

Adopted: December 2017