

NYSIF Policy on Reasonable Accommodation in Programs and Services for Individuals with Disabilities

The State of New York and NYSIF are committed to the proposition that every individual in the State has an equal opportunity to enjoy a full and productive life. This commitment to equal opportunity extends to all state-owned or operated programs and services. To this end, it is NYSIF's policy to provide reasonable accommodation in all its accommodations, programs and services. This policy is based on the federal Americans with Disabilities Act, Title II, and all applicable federal regulations thereunder. This duty of reasonable accommodation applies to:

- physical accessibility at government facilities, programs, and events;
- policy changes necessary to ensure that all people with disabilities can take part in, and benefit from, all state-owned or operated programs and services;
- the provision of necessary auxiliary aids and services to ensure effective communication with persons with disabilities.

Americans with Disabilities Act

NYSIF must comply with the provisions of the Americans with Disabilities Act (ADA), Title II. Title II (42 USCA §§ 12131-12134) applies to State and local government entities. State entities are covered by Title II regardless of whether they receive federal funding.

Access to civic life by people with disabilities is a fundamental goal of the ADA. To ensure that this goal is met, Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events – but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication – including the provision of necessary auxiliary aids and services – so that individuals with disabilities can participate in civic life.

New York State Human Rights Law

The New York State Human Rights Law (Executive Law, article 15) requires non-discrimination on the basis of disability in public accommodations, including those owned by state and local governmental entities. Therefore, public buildings, parks, libraries, museums, etc., and any attendant services that constitute public accommodations, such as food service, campgrounds, and other accommodations open to the public, must not deny service to an individual because of disability, pursuant to Human Rights Law § 296.2, and must provide accommodation and accessibility as set forth in § 296.2, subsections (c), (d) and (e). Complaints may be filed with the NYS Division of Human Rights for claims falling within the scope of § 296.2.

Attached to this policy is NYSIF's Notice under the American with Disabilities Act and NYSIF's Grievance Procedures under the Americans with Disabilities Act.

NYSIF has designated **Damaris Torres** as the agency's Designee for Reasonable Accommodation (DRA). NYSIF's DRA is also NYSIF's Designated Americans with Disabilities Act Coordinator. Contact Ms. Torres at: 199 Church St., New York, NY 10007; 212-312-9923 or dtorres@nysif.com.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: NYSIF 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: NYSIF will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in NYSIF's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: NYSIF 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 NYSIF offices, even where pets are generally prohibited.

Ms. Damaris Torres is NYSIF's Designee for Reasonable Accommodation (DRA) and ADA Coordinator.

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 NYSIF, should contact Damaris Torres as soon as possible, but no later than 48 hours before the scheduled event.

The ADA does not require NYSIF 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 NYSIF is not accessible to persons with disabilities should be directed to Damaris Torres, 199 Church Street, New York, NY 10007; 212-312-9923 or dtorres@nysif.com.

NYSIF 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.