

**MLAC POLICY TO ENSURE EQUAL ACCESS  
FOR PEOPLE WITH DISABILITIES**

**Statement of Policy:**

All organizations receiving funds from the Massachusetts Legal Assistance Corporation either directly or through sub grants (recipients) shall make their programs, policies, and practices accessible to individuals with disabilities. Recipients subject to the Legal Services Corporation regulation, Prohibition Against Discrimination on the Basis of Disability (45 CFR 1624), may certify that they are in compliance with the Legal Services Corporation Regulation in place of the requirements of this policy.

For the purpose of this policy, the definition of a “person with a disability” is as follows:

“Any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities; has a record of such an impairment; or is regarded as having such an impairment.”

**I. General Requirements:**

- A. No qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by any recipient of MLAC funding.
- B. In determining the geographic site of a facility, a MLAC recipient may not make selections that have the purpose or effect of excluding persons with disabilities from the benefits of, or otherwise subjecting them to discrimination under any program or activity of the MLAC recipient.
- C. MLAC recipients shall take reasonable steps to ensure that it provides effective communication to its applicants, employees, and beneficiaries who have visual impairments and/or hearing impairments, or other sensory disabilities. When necessary, recipients shall provide appropriate auxiliary aids and/or other assistive technologies to persons with impaired sensory, manual or speaking skills, in order to afford such persons an equal opportunity to benefit from the services of a MLAC recipient. Included within this requirement, recipients shall:

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1. Ensure that its communications with the public are accessible to people with disabilities, including the dissemination of community education materials, its website, and its client grievance procedures.
2. Procure a TDD machine or other method of effective communication with persons with hearing impairments, establish a system for appropriate TDD use or other method of effective communication including adequate staff training and indicate that it can receive TDD calls or other method of effective communication on its stationery and brochures.
3. Determine how it will provide reasonable accommodation to clients with disabilities (i.e., provide directly or arrange for free or affordable special transportation, arrange and pay for sign language interpreters, transcribe written documents to tape or Braille).

**II. Accessibility of Legal Services**

- A. No qualified person with a disability shall, because a recipient's facilities are inaccessible to or unusable by person with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination by the MLAC recipient.
- B. MLAC recipients shall conduct its programs and activities so that, when viewed in their entirety, they are readily accessible to and usable by persons with disabilities. To implement these requirements, recipients shall:
  1. Locate their offices, including their branch or neighborhood offices, in buildings which are accessible within the meaning of 521 CMR § 5.1. Outreach sites used by the recipient shall also be accessible.
  2. Hold all training events, coalition meetings and all meetings to which the public is invited, including board and priority-setting meetings, at accessible locations as defined by the Massachusetts Architectural Access Board.
  3. Any recipient may request a waiver of all or part of this section. A waiver request must state specifically why compliance with this section is not practicable and how the recipient will otherwise effectively serve people with disabilities.
  4. MLAC shall consult with qualified organizations including Adaptive Environments/Institute for Human Centered Design during consideration of such waiver requests.

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**III. Access Audits**

- A. If a recipient intends to move to new office space, or initiate any renovation and/or construction at an existing location which would affect the usability of the office space, the Recipient shall conduct an access audit of the new location or newly constructed or renovated space. Audits shall be conducted by a team which includes at least one knowledgeable person with a disability.
- B. In situations where a recipient intends to move to a new office space, the access audit should:
- (1) evaluate the external portion of the recipient offices including parking, ramps, curb cuts and signage and the internal portion including bathrooms, common areas, office entrances, elevator (if present), carpeting, handrails, doors and knobs in all areas used by clients;
  - (2) list the barriers to accessibility found at the locations visited;
  - (3) suggest methods which will meet the Architectural Access Board Rules and Regulations, and to the extent feasible make the non-public spaces in the office accessible; and,
  - (4) include, where possible, cost estimates of the renovations necessary to meet code requirements and to make non- public spaces accessible.
- C. In situations where a recipient intends to initiate any renovation and/or construction at an existing location which would affect the usability of the office space, the access audit should:
- (1) evaluate the portion of the recipient offices being targeted for renovation or new construction and the proposed renovation or construction plans, if any;
  - (2) list any barriers to accessibility found;
  - (3) suggest methods which meet the Architectural Access Board Rules and Regulations and, to the extent feasible, make the non-public spaces in the office accessible; and,
  - (4) include, where possible, cost estimates of the renovations necessary to meet code requirements and to make non- public spaces accessible.

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- D. Each recipient shall review the results of the access audit, shall determine, after consultation with MLAC, which renovations it can practicably make and shall establish a schedule for completing the renovations.
- E. Any renovations made to existing recipient offices shall comply with the Architectural Access Board regulations and, to the extent feasible, make the non-public spaces in the office accessible.
- F. Prior to moving to new office space, the recipient must obtain a report from a qualified consultant or agency certifying that the new space meets the Architectural Access Board regulations and provide a copy of that certification to MLAC prior to signing a lease or purchase agreement for new office space and shall, to the extent feasible, make the non-public spaces in the office accessible.

**IV. Being responsive to the needs of the disability community**

To make its services responsive and accessible to the disability community, each recipient shall:

- A. Consult, in carrying out this policy and in developing its accessibility plan, with disability advocacy and direct service organizations in the recipient's service area to better assess and understand the access and legal needs of the disability community
- B. The Executive Director or her/his designee shall coordinate the recipient's accessibility compliance and affirmative action plans. If someone other than the Executive Director is designated, that person shall report directly to the Executive Director.
- C. Contact the Massachusetts Office on Disability, and other appropriate agencies for the names of disability advocacy and service organizations in the recipient's service area, if not already known.
- D.. Provide information to disability advocacy and service organizations in its service area to inform these groups about the recipient's services. Methods recipients may use include individual visits, use of posters and leaflets, presentations at group meetings, public service announcements and other media events.
- E. Solicit the comments of disability advocacy and service organizations when establishing its priorities.

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**V. Employment and Training**

Each recipient shall:

- A. Make every reasonable effort to inform people with disabilities, advocacy groups and service organizations of staff vacancies, including ensuring that vacancy announcements be created and disseminated in an accessible format.
- B. Develop and include in its accessibility plan a list of people with disabilities, advocacy groups and service organizations to receive job vacancy announcements.
- C. Review its present job descriptions and qualifications to determine whether they can be rewritten to encourage disabled persons to apply for job vacancies. Such revisions may include restructuring full-time positions to part-time, job sharing and other modified work schedules.
- D. Include the category of people with disabilities in its affirmative action plan if such a plan is currently in effect or shall adopt an affirmative action plan which includes handicapped persons if one does not exist.
- E. Include in its accessibility plan a statement that the recipient will provide reasonable accommodation to employees with disabilities, including the provision of adaptive equipment to employees who may need such as a reasonable accommodation.
- F. Assess, during the development of employee training plans, the need to train staff members on such topics as attitudinal barriers to serving people with disabilities, the recipient's affirmative action policy, working with colleagues with disabilities and other topics related to disability issues and shall provide such training as needed.
- G. Attend and participate in, as it determines to be necessary, training provided by the Disability Law Center, Massachusetts Law Reform Institute, the Massachusetts Office on Disability, Adaptive Environments/Institute for Human Centered Design and other organizations on such subjects as implementing the Architectural Access Board regulations and the Americans with Disabilities Act.

**VI. Accessibility Plan**

- A. As part of an applicant's initial request for funding from MLAC each applicant or recipient shall review this policy and the cited laws and regulations and develop a written accessibility plan which details specifically the present status of the

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recipient's compliance with the policy, the steps the recipient will take to come into compliance and any areas where the recipient believes it is not practicable to come into full compliance with this Policy. The plan shall include the following sections:

1. Physical Access
  2. Access to Services
  3. Employment
  4. Training
- B. The plan shall include a timetable for compliance and a statement of the methods the recipient will use to measure progress toward achieving compliance in those areas where the recipient is not currently accessible.
- C. No less than once every five years thereafter, each recipient shall review its accessibility plan, make any modifications which may be necessary and detail the present status of the recipient's compliance with the policy, the steps the recipient will take to come into compliance, and any areas where the recipient believes it is not practicable to come into full compliance with this Policy.
- D. MLAC staff will examine each recipient's accessibility plan or the recipient's review of its accessibility plan for compliance with this Accessibility Policy and will provide appropriate feedback to ensure the maximum practicable compliance.