

California Water Boards

June 16, 2017

Reasonable Accommodation Policy and Guidance

Reasonable Accommodation Policy

Members of the public or of regulated entities who have a disability or medical condition protected under the law and who are visiting any Water Boards' meeting or office, or participating in any Water Boards' proceeding may request a reasonable accommodation to allow for the individual to participate fully.

The intent of this policy is to ensure effective reasonable accommodations for any individual with a disability to engage in or conduct business with the Water Boards. The policy informs members of the public of the appropriate process for requesting reasonable accommodation due to limitations caused by physical or mental disabilities or qualifying medical conditions. Additionally, the policy is intended to guide Water Boards' staff regarding their role in the reasonable accommodation process.

The reasonable accommodation process requires a timely, good faith, interactive dialogue between the Water Boards and the vendor or member of public.

Role of the Person Requesting Accommodation

If you, or your representative, would like to request a reasonable accommodation to visit a Water Boards' office or to participate in a Water Boards' proceeding, you must:

- In verbal or written communication request reasonable accommodation from the appropriate Regional Water Board, Division, or Office or, preferably, the Water Boards' Office of Public Participation (OPP).
- Participate in the interactive process to identify appropriate reasonable accommodations.
- You may be asked to provide written documentation from a qualified health care provider to identify and substantiate the limitations posed by the disability/medical condition and the need for reasonable accommodation. Diagnoses are not required and are discouraged. Preferred accommodations will be considered but may not be reasonable in all cases.

Please note that the interactive process and/or implementation of a reasonable accommodation may take some time and it is prudent to make your request with as much time as possible before your visit or participation begins.

Role of the State and Regional Water Boards, Divisions and Offices

When you are notified a member of the public or vendor is requesting reasonable accommodation you must:

- Notify OPP immediately for intake of documents and initial discussions with the person requesting reasonable accommodation.
- Participate in the interactive process with the person requesting reasonable accommodation and OPP to assist in identifying the person's limitations and the program's needs/abilities any determining appropriate reasonable accommodations.
- Be mindful of the sensitivity surrounding the request. Through the process, respect the privacy of the person requesting reasonable accommodation and maintain confidentiality of the request.
- Promptly implement any accommodations agreed-upon by the person requesting reasonable accommodation and the Regional Water Board, Division or Office through the interactive process.
- Ensure OPP, the person requesting reasonable accommodation and any affected staff all know what reasonable accommodations have been agreed to.
- Periodically work with OPP and the person requesting or having received reasonable accommodation on the effectiveness of the accommodation(s), if ongoing.

Role of the Office of Public Participation

In response to requests for reasonable accommodation, the Office must:

- Promptly contact the affected Regional Water Board, Division or Office, if receiving the request for reasonable accommodation directly.
- Guide the affected Water Boards' staff through the interactive process.
- Facilitate the interactive process.
- Work with the person requesting reasonable accommodation and the health care professional (when necessary) to help determine an effective, appropriate accommodation.
- Retain documentation of all approved reasonable accommodations.
- Securely maintain any confidential medical information that may have been provided during the interactive process or with a request.
- Promptly implement any accommodations agreed-upon by the person requesting reasonable accommodation and the Regional Water Board, Division or Office through the interactive process.
- Ensure the person requesting reasonable accommodation and any affected staff all know what reasonable accommodations have been agreed to.
- Periodically evaluate the effectiveness of the accommodation(s), if ongoing.