**NORTEC**
**POLICY STATEMENT**
**REASONABLE ACCOMMODATION POLICY AND PROCEDURE GUIDE**

*Last Updated: July 10, 2025*

## I. INTRODUCTION

The purpose of this guide is to assist local entities who are funded with *Workforce Innovation and Opportunity Act* (WIOA) funding in processing reasonable accommodation requests. Each entity will ensure that reasonable accommodations are provided to qualified individuals with disabilities to enable them to do the following:

- Be considered for aid, benefits, services, training or employment as desired.
- Perform the essential functions of their jobs or to receive aid, benefits, services or training equal to that is provided to qualified individuals without disabilities.
- Enjoy benefits and privileges of the aid, benefits, services, training or employment equal to those that are enjoyed by other similarly situated individuals without disabilities unless providing such accommodation would impose an undue hardship.

The requirement to provide reasonable accommodations applies to disabilities that are known to the local entity.

The reasonable accommodation process, including a description of key terms, is set forth below and should be implemented immediately.

## II. KEY TERMS

A. *Reasonable accommodation* means any of the following:
   1. Modifications or adjustments to an application/registration process that enables a qualified individual with a disability to be considered for the aid, benefits, services, training or employment that the qualified individual desires.
   2. Modifications or adjustments that enable a qualified individual with a disability to perform the essential functions of a job or to receive aid, benefits, services or training equal to that provided to qualified individuals without disabilities.
   3. Modifications or adjustments that enable a qualified individual with a disability to enjoy the same benefits and privileges of the aid, benefits, services, training or employment as are enjoyed by other similarly situated individuals without disabilities.

B. *Qualified individual with a disability* means any of the following:
   1. With respect to employment, an individual with a disability who, with or without reasonable accommodation, is capable of performing the essential functions of the job in question.
   2. With respect to aid, benefits, services or training, an individual with a disability who, with or without reasonable accommodation and/or reasonable modification, meets

the essential eligibility requirements for the receipt of such aid, benefits, services or training.

C. *An applicant* is an individual seeking federally-assisted aid, benefits, services or training. An individual is considered an "applicant" at the point in which they submit personal information in response to a request by the local entity for such information.

D. *A participant* is an individual who is receiving aid, benefits, services or training under a WIOA Title I or W-P funded program.

E. *A disability* means the following, with respect to an individual:
   1. "Medical condition" includes the following:
      a. Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer.
      b. Genetic characteristics. For purposes of this section, "genetic characteristics" means either of the following:
         i. Any scientifically or medically identifiable gene or chromosome or combination or alteration thereof, that is known to be a cause of a disease or disorder in a person or his or her offspring or that is determined to be associated with a statistically increased risk of development of a disease or disorder and that is presently not associated with any symptoms of any disease or disorder.
         ii. Inherited characteristics that may derive from the individual or family member, that are known to be a cause of a disease or disorder in a person or his or her offspring or that are determined to be associated with a statistically increased risk of development of a disease or disorder and that are presently not associated with any symptoms of any disease or disorder.
   2. "Mental disability" includes, but is not limited to, all of the following:
      a. Having any mental or psychological disorder or condition, such as mental retardation organic brain syndrome, emotional or mental illness or specific learning disabilities, that limits a major life activity. For purposes of this section:
         i. "Limits" shall be determined without regard to mitigating measures, such as medications, assistive devices or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
         ii. A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
         iii. "Major life activities" shall be broadly construed and shall include physical, mental and social activities and working.

         Any other mental or psychological disorder or condition not described in paragraph *a.* that requires special education or related services.

      b. Having a record or history of a mental or psychological disorder or condition described in paragraph *a.* or *b*. which is known to the employer or other entity covered by this part.

c. Being regarded or treated by the employer or other entity covered by this part as having or having had, any mental condition that makes achievement of a major life activity difficult.
d. Being regarded or treated by the employer or other entity covered by this part as having or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (a) or (b).

"Mental disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

3. "Physical disability" includes the following:
   a. Having any physiological disease, disorder, condition, cosmetic disfigurement or anatomical loss that does both of the following:
      i. Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.
      ii. Limits a major life activity. For purposes of this section:
         - "Limits" shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
         - A physiological disease, disorder, condition, cosmetic disfigurement or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
         - "Major life activities" shall be broadly construed and includes physical, mental and social activities and working.
   b. Any other health impairment not described in paragraph *a.* that requires special education or related services.
   c. Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss or health impairment described in paragraph *a.* or *b.* which is known to the employer or other entity covered by this part.
   d. Being regarded or treated by the employer or other entity covered by this part as having or having had, any physical condition that makes achievement of a major life activity difficult.
   e. Being regarded or treated by the employer or other entity covered by this part as having or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss or health impairment that has no present disabling effect but may become a physical disability as described in paragraph *a.* or *b.*
   f. "Physical disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

F. *Essential eligibility requirements* are such criteria that can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered.

G. *Essential functions* means the fundamental job duties of the employment position the individual with a disability holds or desires. "Essential functions" does not include the marginal functions of the position.

   1. A job function may be considered essential for any of several reasons, including, but not limited to, any one or more of the following:
      a. The function may be essential because the reason the position exists is to perform that function.
      b. The function may be essential because of the limited number of employees available among whom the performance of that job function can be distributed.
      c. The function may be highly specialized, so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.

   2. Evidence of whether a particular function is essential includes, but is not limited to the following:
      a. The employer's judgment as to which functions are essential.
      b. Written job descriptions prepared before advertising or interviewing applicants for the job.
      c. The amount of time spent on the job performing the function.
      d. The consequences of not requiring the incumbent to perform the function.
      e. The terms of a collective bargaining agreement.
      f. The work experiences of past incumbents in the job.
      g. The current work experience of incumbents in similar jobs.

H. *Fundamental alteration* means a change in the essential nature of a program or activity or a cost that the local entity can demonstrate would result in an undue burden. Factors to be considered in determining whether a requested modification would result in a fundamental alteration are referenced in Step 3 of this process (described later in the Step by Step Process section of this guide.)

I. *Major life activities* means, but is not limited to, functions such as the following:
   - Caring for one's self
   - Performing manual tasks
   - Walking
   - Seeing
   - Hearing
   - Speaking
   - Breathing
   - Learning
   - Working

J. *Undue hardship* means an action requiring significant difficulty or expense, when considered in light of the following factors:

1. The nature and cost of the accommodation needed.
2. The overall financial resources of the facilities involved in the provision of the reasonable accommodations, the number of persons employed at the facility and the effect on expenses and resources or the impact otherwise of these accommodations upon the operation of the facility.
3. The overall financial resources of the covered entity, the overall size of the business of a covered entity with respect to the number of employees and the number, type and location of its facilities.
4. The type of operations, including the composition, structure and functions of the workforce of the entity.
5. The geographic separateness, administrative or fiscal relationship of the facility or facilities.

## III. EFFECTIVE COMMUNICATION AND OTHER ASSISTANCE

Each local entity shall be responsible for ensuring effective communication between the qualified individual with a disability and entity staff throughout the reasonable accommodation process. Effective communication may require arranging for sign language interpreters, assistive listening equipment, alternative formats for people with visual impairments or other approaches. In addition, the local entity shall also be responsible for providing such other reasonable assistance as is requested throughout the reasonable accommodation process, as well as through the process of any necessary appeals.

## IV. CONFIDENTIALITY

**Local entity must maintain confidentiality**. All documentation and information concerning the medical condition or history of an individual with a disability requesting an accommodation must be collected on forms separate from other forms related to that individual and must be maintained by the local entity in separate medical files. The information shall be treated as confidential medical records and access to the records must be limited, except to the extent of the following:

1. The local entity management must be informed about work restrictions or reasonable accommodations.
2. The first-aid and safety personnel need to be informed if the disability may require emergency treatment.
3. Government officials investigating compliance with law are required to be provided with relevant information upon request.

## V. WHAT ACCOMMODATIONS ARE REASONABLE?

The reasonableness of an accommodation will depend upon the circumstances of each case. For additional clarification as to what are reasonable accommodations in the employment context, refer to 29 CFR Part 32. Reasonable accommodations include, but are not limited to the following:

- Making facilities that are not otherwise required to comply with Federal accessibility standards physically accessible to and usable by people with disabilities (e.g., providing ramps, restroom grab bars, signage, etc.).
- Restructuring of job or training tasks (e.g., reallocating non-essential typing, telephone or other clerical assignments among employees, assignment of non-essential tasks to others, eliminating non-essential tasks, etc.).
- Modifying schedules (e.g., permitting alternative starting and ending times to avoid standing and jostling on subways).
- Providing or modifying equipment, devices or materials (e.g., raising a desk on boards for a person who uses a wheelchair, providing flashing lights and volume controls on intercoms and telephones, installing text telephones [TTYs], providing large-print computer display programs or materials in alternative formats, including Braille, audio tape or enlarged print, etc.).
- Providing qualified readers, interpreters or other support services for all aspects of programs and activities including the application, interview and testing processes and during training and employment-related activities.

Reasonable accommodation may also include permitting the individual with a disability to use aids or services that the local entity is not otherwise required to provide. For example, although a local entity generally would not be required to provide a motorized scooter to an individual with mobility impairment, reasonable accommodation may include providing an area to stow such a mobility aid, if necessary.

The local entity is not required to provide personal items to individuals with disabilities. Such items include hearing aids, prosthetic limbs, wheelchairs or eyeglasses. However, such items may constitute reasonable accommodation where they are specifically designed to meet needs that are related to the program or activity in which the person is participating or the job the person is performing. For example, eyeglasses designed to enable the individual to view a computer monitor, but which are not otherwise needed outside of the program or activity in which the person is participating or the job the person is performing, may constitute a reasonable accommodation.

Where more than one possible reasonable accommodation exists, the local entity should give primary consideration to the individual's preference in determining what accommodation it will provide.

As noted above, some requests for reasonable accommodation can be granted and implemented immediately following their receipt, without formal evaluation, consistent with this procedure. Such may be the case where the individual identifies any requested accommodation with specificity. For example, an employee who is deaf and routinely uses a text telephone (TTY) can readily identify a job-related limitation, as well as the accommodation needed. Where it is obvious that providing the TTY will enable the individual to meet the job's essential functions, the TTY can be ordered, provided and documented without the more comprehensive analysis provided for in Steps 2 and 3 (described later in the Step by Step Process section of this guide.) In these cases, the reasonable accommodation process is merely compressed; it is not eliminated.

Accommodations may be considered “unreasonable” only if they impose an undue hardship for the specific local entity in question. For example, shifting tasks among clerical employees to accommodate an employee with a disability may be reasonable where a sufficient number of employees exist among whom the tasks can be distributed; however, such an accommodation may be unreasonable in a very small office with few employees. The factors listed in the definition of “undue hardship” in 29 CFR Section 38.4(rrr) must be considered in making this determination.

If a requested accommodation would result in undue hardship, the recipient must, after consultation with an individual with a disability (or individuals with disabilities), take any other action that would not result in such hardship, but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the aid, benefit, service, training or employment provided by the recipient.

**REASONABLE ACCOMMODATION POLICY AND PROCEDURE**
**Step by Step Process**

**Step 1 – Individual with a Disability Requests Reasonable Accommodation**

*Initial Consultation*

The individual with a disability should submit a reasonable accommodation request to designated staff. If a request for reasonable accommodation is made to facilitate the application process, the local entity manager supervising the application process should assist where requested and, in conjunction with the local entity staff, process the request for accommodation. The local entity manager receiving the request shall acknowledge each request in writing. The current request for reasonable accommodation shall not preclude the submission of subsequent requests.

Generally, it is the responsibility of the individual with a disability to inform the local entity of the need for an accommodation. Reasonable accommodation must be provided for disabilities that are known. Nevertheless, once the local entity is aware of an individual's disability, it may have the responsibility to initiate discussions about reasonable accommodation and set these procedures in motion.

Where the need for a requested accommodation is not apparent, the local entity manager supervising the application process may ask the individual to provide documentation in support of the request. For example, if the individual with dyslexia requests additional time within which to complete a timed, written entrance qualifying examination, that individual may be asked to provide documentation in support of that request.

Similarly, if an individual with a mental disability requests a flexible schedule to attend psychotherapy during the work day, the individual may be asked to provide documentation from the treating professional in support of that request.

After acknowledging a request for accommodation, the local entity manager should do one of the following:

1. Provide or implement the request and document the accommodation
2. Proceed to Step 2 of this procedure.

**Step 2 – Consult with the Individual Requesting a Reasonable Accommodation**

The reasonable accommodation process sometimes can be accomplished without a formal analysis of the individual's limitations and the local entity's resources, as in the example provided above, where an individual's desk is elevated on blocks to permit access from a wheelchair. Other situations are more complex, however and require structured analysis. In these instances, upon receipt of a request for reasonable accommodation, the local entity should consult with the individual requesting the accommodation to assess the limitations of the disability and how the individual may best be involved in the accommodation process.

Using a collaborative, open and flexible approach, the local entity should consider how any limitations can be overcome, discuss possible reasonable accommodations and assess the

effectiveness of each. Other possible resources to consult with throughout this process include, but are not limited to, the following:

- The Job Accommodation Network, which can be reached at 1-800-JAN-7234 or by accessing their website at: www.Jan.wvu.edu.
- The California Committee on Employment of People with Disabilities at the Department of Rehabilitation. They can be reached at: (855) 894-3436 or via email at: CCEPD@dor.ca.gov.

The local entity must consider the individual's preferences along with what is reasonable and does not impose an undue hardship.

The circumstances in which documentation can be requested, as well as the procedure for requesting such documentation, are as follows:

A. When the disability and/or the need for accommodation are not obvious, the local entity may ask the individual for reasonable documentation about his/her disability and functional limitations.

   Reasonable documentation means that the local entity may require only the documentation that is needed to establish that a person has an actual, current disability and that the disability necessitates a reasonable accommodation. However, in response to a request for reasonable accommodation, the local entity,cannot ask for documentation that is unrelated to determining the existence of a disability and the necessity for an accommodation.

   The local entity may require that the documentation about the disability and the functional limitations come from an appropriate health care or rehabilitation professional. The appropriate professional in any particular situation will depend on the disability and the type of function limitation it imposes. Appropriate professionals include, but are not limited to, doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists and licensed mental health professionals.

   In requesting documentation, the local entity should specify what types of information they are seeking regarding the disability, its functional limitations and the need for reasonable accommodation. For example, the person can be asked to sign a limited release allowing the local entity to submit a list of specific questions to the health care or vocational professional. **The local entity must maintain the confidentiality of all medical information collected during this process, regardless of where the information comes from.**

   1. It is unlawful except as provided in paragraph (2) or (3), for any employer or employment agency to require any medical or psychological examination of an applicant, to make any medical or psychological inquiry of an applicant, to make any inquiry whether an applicant has a mental disability or physical disability or medical condition or to make any inquiry regarding the nature or severity of a physical disability, mental disability or medical condition.

2. Notwithstanding paragraph (1), an employer or employment agency may inquire into the ability of an applicant to perform job-related functions and may respond to an applicant's request for reasonable accommodation.
3. Notwithstanding paragraph (1), an employer or employment agency may require a medical or psychological examination or make a medical or psychological inquiry of a job applicant after an employment offer has been made but prior to the commencement of employment duties, provided that the examination or inquiry is job-related and consistent with business necessity and that all entering employees in the same job classification are subject to the same examination or inquiry.
4. It is unlawful except as provided in paragraph (5), for any employer or employment agency to require any medical or psychological examination of an employee, to make any medical or psychological inquiry of an employee, to make an inquiry whether an employee has a mental disability, physical disability or medical condition or to make any inquiry regarding the nature or severity of a physical disability, mental disability or medical condition.
5. Notwithstanding paragraph (4), an employer or employment agency may require any examinations or inquiries that it can show to be job-related and consistent with business necessity. An employer or employment agency may conduct voluntary medical examinations, including voluntary medical histories, which are part of an employee health program available to employees at that worksite.

B. If a person provides insufficient documentation of a disability in response to the local entity's initial request, the local entity may require the person to go to a health care professional of the local entity's choice. However, the local entity should explain why the documentation is insufficient and allow the person an opportunity to provide the missing information in a timely manner.

   Please note that under the federal disability nondiscrimination law, the local entity cannot ask for documentation under the following circumstances:

   1. Both the disability and the need for reasonable accommodation are obvious or
   2. The person has already provided sufficient information to substantiate they have an actual, current disability and needs the reasonable accommodation requested.

   If the individual's disability or need for reasonable accommodation is not obvious and they refuse to provide the reasonable documentation requested by the local entity, then they are not entitled to reasonable accommodation. On the other hand, failure by the local entity to initiate or participate in an interactive process with the individual after receiving a request for reasonable accommodation could result in liability for failure to provide a reasonable accommodation.

**Step 3 – Local Entity Management and/or Designated Staff Analyzes the Request for Reasonable Accommodation**

After consulting with the individual with a disability, the entity should examine the request and determine if the requested accommodation is feasible and does not create an undue hardship or result in a fundamental alteration. Please note, if a requested accommodation would result

in undue hardship, the recipient must, after consultation with an individual with a disability (or individuals with disabilities), take any other action that would not result in such hardship, but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the aid, benefit, service, training or employment provided by the recipient (29 CFR Section 38.14[a][3]).

It is unlawful for an employer or other entity covered by the WIOA, Section 188, 29 CFR part 38, W-P, the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA), to fail to engage in a timely, good faith, interactive process with the employee or applicant to determine effective reasonable accommodations, if any, in response to a request for reasonable accommodation by an employee or applicant with a known physical or mental disability or known medical condition.

The factors to be considered in determining whether an accommodation would impose an undue hardship or in determining whether the cost of a modification would result in a fundamental alteration includes the following:

A. The nature and net cost of the accommodation/modifications needed, taking into consideration the availability of tax credits and deductions and/or outside funding, for the accommodation/modification.

B. The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation/modification, including the following:
    1. The number of persons aided, benefited, served or trained by or employed at, the facility or facilities.
    2. The effect the accommodation/modification would have on the expenses and resources of the facility or facilities.

C. The overall financial resources of the local entity, including the following:
    1. The overall size of the local entity.
    2. The number of persons aided, benefited, served, trained or employed by the local entity.
    3. The number, type and location of the local entity's facilities.

D. The type of operation or operations of the local entity, including the following:
    1. The geographic separateness and administrative or fiscal relationship of the facility or facilities in question to the local entity.
    2. Where the individual is seeking an employment related accommodation/modification, the composition, structure and functions of the local entity's workforce.

E. The impact of the accommodation/modification upon the operation of the facility or facilities, including the following:
    1. The impact on the ability of other participants to receive aid, benefits, services or training or of other employees to perform their duties.
    2. The impact on the facility's ability to carry out its mission.

It is unlawful for an employer or other entity covered by the WIOA, Section 188, 29 CFR part 38, W-P, ADA and the FEHA, to fail to make reasonable accommodation for the known physical or

mental disability of an applicant or employee. Nothing in this document shall be construed to require an accommodation that is demonstrated by the employer or other covered entity to produce undue hardship to its operation.

**Step 4 – Select and Implement an Appropriate Reasonable Accommodation**

Within 10 business days of receipt of a request for reasonable accommodation, the local entity to where it was submitted shall either grant or deny the request in writing. Provisions of this accommodation should commence immediately. If a requested accommodation would result in undue hardship, the recipient must, after consultation with an individual with a disability (or individuals with disabilities), take any other action that would not result in such hardship, but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the aid, benefit, service, training or employment provided by the recipient (29 CFR Section 38.14[a][3]).

Where the provision or implementation of a reasonable accommodation will take longer than 10 business days, the steps taken to order, secure or carry out the accommodation shall be documented and discussed with the individual requesting a reasonable accommodation. In all instances, however, the local entity shall act as expeditiously as possible to provide reasonable accommodations.

Where further supporting documentation has been sought from the individual requesting a reasonable accommodation, the grant or denial of a request for reasonable accommodation shall be rendered as noted below:

A. For those cases in which medical documentation is necessary in order to understand the individual's limitations and what accommodations are possible, the grant or denial shall be issued within 10 business days of receipt of the requested documentation.
B. For those cases in which the documentation is being requested merely to verify the information provided by the individual with a disability, the grant or denial shall be issued within 5 business days of receipt of the requested documentation.
C. For those cases in which the individual refuses to provide reasonable requested documentation, the grant or denial shall be issued within 5 business days of the notification of refusal.

Where the local entity determines to deny a request for accommodation or to provide an accommodation other than the individual's expressed preference, the local entity shall first consult with the individual requesting the reasonable accommodation. The local entity will document the determination in writing. Where the determination is to deny the request on the basis of undue hardship or fundamental alteration, the proposed alternative accommodation or modification will also be documented.

**What if an Appropriate Reasonable Accommodation cannot be identified?**

Sometimes, the local entity or the individual requesting the reasonable accommodation, cannot identify possible reasonable accommodations. In those instances, the local entity should consult with appropriate resources e.g., those listed in Step 2 of these instructions. The local entity will seek to facilitate effective communication between the parties with the goal of

identifying and implementing appropriate reasonable accommodation and, where a reasonable accommodation has been selected, shall monitor its implementation.

Throughout the Step 2 consultation process, the individual and the local entity may seek technical assistance or clarification of each component of the reasonable accommodation process from appropriate resources.

**Attachment A**

Regarding Service Animals

A Service Animal is defined as an animal that is individually trained to perform work or tasks for a person with a disability. Service Animals must be permitted in all areas where members of the public are allowed to go. As of March 15, 2011, **only dogs are recognized as Service Animals** under Titles II and III of the ADA.

In situations where it is not obvious that the animal is a Service Animal, staff may ask only two specific questions to determine eligibility: (1) is the animal a Service Animal required because of a disability? And (2) what work or tasks has the animal been trained to perform? No other questions or qualifications shall be established with regard to public access.

A. The handler is responsible for the care and supervision of the Service Animal, which includes toileting, feeding, grooming and veterinary care.

B. If a particular Service Animal is not housebroken, behaves in a way that poses a direct threat to the health or safety of others or is not otherwise in the control of the handler, the animal may be asked to leave. If an animal is excluded for such reasons, staff must still offer their services to the person without the animal present.

   “Under control of the handler" includes but is not limited to the use of a harness, leash or tether; the use of voice, signal or other effective means of control. This also means that a Service Animal should not be allowed to bark repeatedly; however, of the animal barks just once, does so under provocation or barks as required to perform a task, this would not mean the animal is out of control.

   If a Service Animal is out of control and the handler does not take effective action to control it, staff may request the animal be removed from the premises. In such case, the handler should still be otherwise allowed access to services without the animal present.

C. Individuals who use a Service Animal cannot be isolated from other patrons, treated less favorably from other patrons or charged fees that are not charged to other patrons without an animal. Any fee or barrier applied to pets and animals shall be waived and/or does not apply to a Service Animal.

   In the case of others affected due to allergies, strategies may be employed to separate the Service Animal from the affected individual. In such circumstances, the Service Animal must be accommodated in a way that does not limit or prohibit any task it is trained to perform and efforts will be made to ensure the individual with a Service Animal maintains access to all public areas.

D. Emotional Support Animals not otherwise trained to perform a task to alleviate a disability or **only** assist by comfort by being with a person, do not qualify as Service Animals under the Americans with Disabilities Act and is not guaranteed access.

   However, a reasonable accommodation may be requested that an Emotional Support Animal or Comfort Animal not otherwise meeting the ADA definition of a Service Animal be

allowed to accompany employees at work as an accommodation. Such requests are subject to policies and procedures for reasonable accommodation.

Therapy Animals are animals utilized by healthcare professionals as part of a treatment plan and do not qualify to access public spaces. If a Therapy Animal otherwise qualifies as a Service Animal or Emotional Support Animal, then the policies and procedures governing the applicable categories shall be applied.

**Individuals who believe they have been illegally denied access due to use of a Service Animal** may file a complaint (as detailed in the Equal Opportunity and Nondiscrimination Policy and the Complaint Resolution Process Policy) with the Equal Opportunity Officer or with the U.S. Department of Justice.

Questions and complaints may be directed to:

NoRTEC Equal Opportunity Officer
Andrea Campos, Diretor of Program Administration
11 Ilahee Lane
Chico, CA 95973
(530) 892-9600 x 205
acampos@ncen.org

*Note*: separate provision of the ADA applies to miniature horses that have been individually trained to perform tasks for people with disabilities.

Miniature horses functioning as a Service Animal may be permitted where reasonable. The assessment factor utilized to determine reasonability for access include the following: (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility. Reasonable accommodation policies and procedures otherwise apply.