

THE AMERICANS WITH DISABILITIES ACT (ADA) EFFECTIVE COMMUNICATION POLICY (§35.160)

It is the policy of City of Golden, CO to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications are with others.

The City of Golden, through its agencies, will furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, members of the public, and companions an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the City.

The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication involved; and the context in which the communication is taking place. In order to be effective, auxiliary aids and services will be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Auxiliary aids and services include:

- (1) qualified interpreters on-site or through video remote interpreting (VRI) services, notetakers, real-time computer-aided transcription services, written materials, exchanges of written notes, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, including real-time captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTY's), video telephones, and captioned telephones, or equally effective telecommunications devices, videotext displays, accessible electronic and information technology, or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing; and
- (2) qualified readers; taped texts; audio recordings, Braille materials and displays, screen reader software, magnification software, optical readers, second auditory programs (SAP), large print materials, electronic and information technology, or other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

When an auxiliary aid or service is requested, the City of Golden will give primary consideration to the choice expressed by the individual with disabilities. The City will honor the choice unless:

- (1) it can show that another effective means of communication is available;
- (2) it can show that the use of the means chosen would result in a fundamental alteration in the service, program, or activity; or
- (3) it can show that the use of the means chosen would result in undue financial burden to the City

A City of Golden agency will consult with the individual with a disability to identify an effective manner of communication that can be achieved with the individual in the context of the agency's program, service or activity. The City will not require an individual with a disability to bring another individual to interpret for him or her.

The City of Golden will not require an adult accompanying an individual with a disability to interpret or facilitate communication except -

- (1) In an emergency involving imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or
- (2) Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on the adult for assistance is appropriate under the circumstances

The City of Golden will not rely on a minor child to interpret or facilitate communications, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

When the City of Golden uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with individuals using auxiliary aids and services, including TTY's and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.

The City of Golden will respond to telephone calls from a telecommunications relay service established under Title IV of the ADA in the same manner that it responds to other telephone calls.