

<b>POLICY #217</b>	<b>SUBJECT: Non-discrimination Policy</b>
<b>EFFECTIVE DATE:</b> April 1, 2019 <b>REVISION DATE:</b>	Page 1 of 2
<b>Approved By: Josette Manning, Cabinet Secretary</b>	

## **DELAWARE CHILDREN’S DEPARTMENT POLICY**

### **I. PURPOSE**

The Delaware Department of Services for Children, Youth and Their Families (DSCYF) is committed to non-discrimination and its responsibilities in accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Civil Rights Act of 1964 and its subsequent amendments, the Equal Employment Opportunity Act of 1972 and its subsequent amendments, and other state and federal laws.

### **II. POLICY**

It is the policy of DSCYF that no person shall, on the grounds of a person’s race, color, national origin, gender, age, sex, pregnancy, marital status, sexual orientation, gender identity or expression, religion, creed, disability, veteran’s status, or any other category protected by state and/or federal laws, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity which is administered by the Department. Employment-related discrimination complaints are covered by Policy #302 (Affirmative Action/Equal Employment Opportunities).

### **III. DEFINITIONS**

- A. ADA Title II Coordinator: A person responsible for coordinating the efforts of the government entity to comply with Title II of the Americans with Disabilities Act and investigate any complaints that the entity has violated Title II.
- B. Complaint: A written or electronic statement concerning an allegation of discrimination that contains a request for the receiving person to take action. Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

### **IV. PROCEDURES**

The DSCYF Cabinet Secretary shall appoint an ADA Title II Coordinator consistent with the requirements of Title II of the ADA. The ADA Title II Coordinator shall coordinate the administrative requirements of ADA compliance and respond to complaints filed by the public. The ADA Title II Coordinator will be a liaison with the Statewide ADA Coordinator and should attend relevant Statewide EEO Officer meetings which will focus on the ADA. It is

recommended that the DSCYF ADA Title II Coordinator be trained annually on the reasonable accommodation process and rights and responsibilities under the ADA.

In accordance with the requirements of Title II of the ADA, DSCYF will, upon request, provide modifications and aids for qualified persons with disabilities so they can participate equally in department programs and services (see Appendix A: Notice Under the Americans with Disabilities Act).

The ADA Coordinator or his/her designee shall follow the department's grievance procedure providing for prompt and equitable resolution of complaints alleging discrimination or retaliation prohibited by Title II of the Americans with Disabilities Act of 1990 (see Appendix B: Department of Services for Children, Youth & Their Families Grievance Procedure).

No department employee shall retaliate against, intimidate, threaten, coerce, or discriminate against any individual because they filed a complaint of discrimination.

The department shall ensure that all employees are informed of their responsibilities under Title II of the ADA. All employees will review this policy annually and sign an acknowledgment that they understand their responsibilities under this policy.

## **V. RESPONSIBILITY FOR THIS POLICY**

The ADA Title II Coordinator is responsible for providing guidance regarding this policy.