

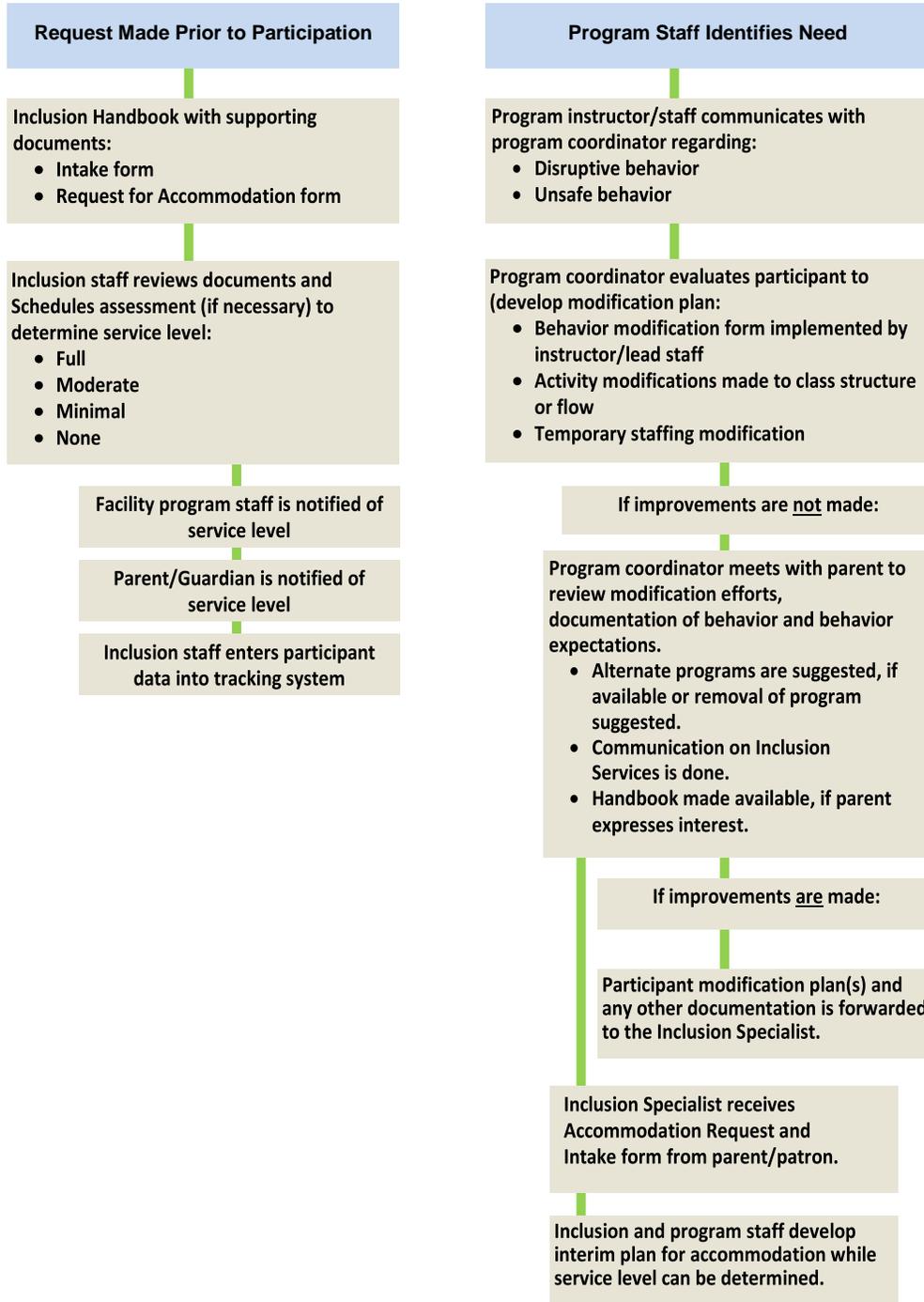
Tualatin Hills Park & Recreation District

# **Inclusion Policies and Procedures**



**Inclusion requests can be made by:**

1. A person experiencing a disability.
2. Recreation personnel from other recreation programs, agencies or facilities.
3. Family members, parents, guardians or significant others requesting services on behalf of a person with a disability.
4. Case managers, mental health counselors, school district personnel or early education specialists.



**The Inclusion Coordinator will take the following steps when contacted by someone who expresses interest in inclusion services (PRIOR to registering or participating):**

- Step 1 Provide Program Handbook, including all required forms (Web accessible)
- Step 2 Completed forms will be submitted to inclusion program coordinator
- Step 3 Inclusion staff will add request information to tracking system
- Step 4 A new record (file) will be developed on the participant that includes:
- A completed *Inclusion Intake Form*
  - A listing of registered classes
  - A *Consent to Release Information* form
  - Any other pertinent information to assist in the inclusion placements.
- Step 5 A telephone call to the participant, their parent/guardian, will be made to collect any additional medical or behavior information, program/recreation interests and skill level, if necessary.
- Step 6 Inclusion staff will review required documents and determine level of service that will be provided. If they are unable to determine what accommodations are appropriate or feel that the program instructor needs more training or assistance, the staff will obtain more information from the parents or other professionals to develop methods to address the needs of the participant.
- Step 7 Person is approved to enter programs. Program recommendations will be made, if necessary.

**The Inclusion Coordinator will take the following steps when contacted by someone who has registered for a THPRD recreation program, then requests inclusion services: (PRIOR to participating but AFTER registering)**

- Step 1 Provide Program Handbook, (Web accessible) if new to inclusion services. If participant has previously used inclusion services within the last four months, staff will review Intake Form previously submitted.
- Step 2 All required completed documents will be submitted to the inclusion program coordinator. THPRD has the right to request up to a two-week delay in participation, depending on receipt of required paperwork.
- Step 3 Inclusion staff will review required documents and determine level of service that will be provided. If they are unable to determine what accommodations are appropriate or feel that the program instructor needs more training or assistance, the staff will obtain more information from the parents or other professionals to develop methods to address the needs of the participant.
- Step 4 Recreation program supervisor and the inclusion coordinator discuss the level of service that will be provided. A joint decision is made on necessary accommodations and if additional staff is needed. If an inclusion aid is assigned, then the Cover Sheet Form will be sent to program supervisor.
- Step 5 The individual attends the program or uses a facility with appropriate and predetermined accommodations and supports.
- Step 6 Assigned inclusion staff is required to submit daily documentation on the inclusion participant for recordkeeping purposes. Forms should be electronically submitted to inclusion coordinator and recreation program supervisor.
- Step 7 The inclusion coordinator provides follow-up service on the placement to ensure that everything is going smoothly for the participant and the staff. Any concerns are addressed at this time. Additionally, the inclusion coordinator consults with the parent, participant and staff on future concerns and determines whether there is a need for additional visits and/or observation.

**If an individual with or without a known disability comes to a program without prior notification or contact with the inclusion coordinator, and the program instructor and supervisor determine that the individual requires additional modifications to be successful:**

- Step 1 The recreation program supervisor will follow the modification in an attempt to make modifications that will support successful participation.
- Step 2 Once program staff complete the modification checklist and the participant is still unable to successfully participate, then program supervisor will meet with the parent/guardian to review choices and will provide Inclusion Program Information. If, inclusion services are desired, then recreation supervisor will forward the modification check list to inclusion coordinator, along with parent/guardian intent to submit inclusion request forms
- Step 3 If possible, the program staff will continue to accommodate the person to the best of its ability until inclusion staff receive required documents and can determine level of service and appropriate accommodations and supports. In this instance, a trained person (volunteer, parent, personal aide, junior leader or a recreation staff member) may accompany the participant until the inclusion plan is developed. (If a person cannot be secured, a parent may be asked to attend the program, or the parent will be asked if their child can attend an alternative activity for part or all of the day or not attend certain aspects of the activity (i.e., swimming) until a plan is developed and adequate supports are in place.
- Step 4 If it is determined that the program is unable to accommodate the person without supports in place, the participant will be withdrawn from the program until adequate resources are secured. The parent and/or participant will be offered a credit or refund for any missed time.
- Step 5 If the individual meets the minimum requirements for the activity, staff will follow the outlined steps when required paperwork is submitted by parent/guardian.
- Step 6 Inclusion staff will notify parent/guardian or individual of the level of service and accommodation and support plan, including start date. If it is determined that the participant does not meet the eligibility requirements for the program, inclusion staff will notify the parents and/or individual and appropriate alternative activities may be suggested.
- Step 7 Inclusion staff will provide recreation staff supervisor with participant cover sheet, notifying of accommodations and inclusion plan.

## Four Key Components of the ADA

1. **Reasonable accommodation**
2. **Essential eligibility**
3. **Fundamental alteration**
4. **Undue burden**

1. **Reasonable Accommodation:** Providing assistance to aid individuals in recreation services and programs. Examples include:

- **Modify Services.** Any rules, policies, or practices that result in the discrimination against or exclusion of an individual with a disability must be modified to meet essential eligibility requirements to participate in the program.
- **Remove architectural barriers.** Architectural barriers that exclude people with disabilities from entering a facility must be removed, or services must be moved to an accessible area of the building. Facilities with historical significance are exempt.
- **Remove transportation barriers.** When transportation is provided as part of a program and a transportation barrier results in the exclusion of a person with a disability, transportation barriers must be removed.
- **Remove communication barriers.** Communication barriers must be removed when communication poses a barrier to participation (e.g., procedures for registrations).
- **Provide aids.** Auxiliary aids and devices that will enhance participation and communication must be provided.
- **Supply personnel.** Additional staff must be provided as needed.
- **Reassign programs.** Programs offered in an inaccessible site can be reassigned to a site free of architectural barriers.
- **Adapt equipment.** Equipment that is an integral part of the recreation program can be adapted to help a person with a disability use the equipment.
- **Conduct in-service training.** It is recommended that agency personnel and volunteers using adaptive equipment receive appropriate training prior to use.

2. **Essential Eligibility:** A minimal set of factors which determines whether a person will be permitted to use a facility or program. With a reasonable accommodation an individual can meet the basic or essential requirement for participation. Examples include:

- **Capacity.** The person must register before the program fills to capacity.
- **Fee.** The person must pay the appropriate registration fee. Individuals may not be charged a higher fee if accommodations are necessary.
- **Relative skill.** The person must possess relative skill in order to participate, or the recreation providers should consider providing alternative options.
- **Age.** The activity must be age-appropriate; a 15-year-old may not register to participate with 3-year-olds regardless of the cognitive ability.
- **Rules of conduct.** Persons must agree to rules of conduct in order to participate.
- **Safety.** Employees may not assume that all people with disabilities pose a

direct threat of imminent physical harm. However, if the threat is real and not perceived, then participation may be refused.

- **Residence.** Services should be available to residents as well as nonresidents, except where limited capacity is an issue. In that case, nonresidents with disabilities may be excluded.

- 3. Fundamental alteration:** Reasonable accommodation(s) should not alter the fundamental nature or intent of the service, activity, or program. Examples:
  - Alteration of an activity that endangers the program's viability.
  - Altering an activity or program to a degree that it would jeopardize the effectiveness of the program.
  - Altering or modifying a program to a point that it requires major reconstruction of the enterprise and/or requires an agency to establish an entirely new program.
- 4. Undue burden:** An undue burden exists when a reasonable accommodation would impose one of the following:
  - **Economic burden.** An undue economic burden exists when the cost of the accommodation, in light of the number of people benefitting from the accommodation, is compared to the size of the agency's entire operating budget.
  - **Administrative.** Consider the number of employees who could perform the accommodation relative to the size and capability of the agency and the number of people benefitting from the accommodation.

## **Reasonable Accommodations in Inclusion Services**

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**Reasonable accommodation:** The act of providing appropriate modifications and adjustments to ensure persons with disabilities can participate in an activity on an equal basis with others without imposing a disproportionate or undue burden. Consideration of the following criteria will help determine the nature and level of support for individuals with disabilities requesting services.

### **Criteria Considered in Providing Reasonable Accommodations**

- 1. Choice**  
Time, duration, location, and activity preferences.
- 2. Functional levels and interests**  
The participant's mobility, independence, medical and personal/social characteristics may be considered. Behavioral patterns and the participant's interests in recreation activities must also be evaluated, as well as his or her ability to follow the rules of the program with or without accommodation.
- 3. Recreational staffing and location**  
Crucial facts to be considered are the competencies and attitudes of staff members, the accommodative capacity of the site, and the number and type of participants currently enrolled

#### **4. Availability of support personnel**

Placement decisions can be affected by the resource people available to support staff members when options are selected.

#### **5. Participant/family recreational goals and expectations**

The goals for the participant need to match the intent and design of the program or services.

#### **6. Communication**

Appropriate supports will be given to allow successful communication for the participant. Supports can be available to people using ASL, augmentative communication, or other alternative mode of communication when available. ASL supports may be by a certified or non-certified interpreter.

#### **7. Program Design**

Goals, objectives and intent of the program

### **What constitutes a reasonable accommodation is determined on a case-by-case basis.**

- Accommodations considered to be reasonable by the family or individual may not be reasonable to THPRD.
- What is reasonable for one service area may not be reasonable to another service area within THPRD.
- The ADA does not require nor expect THPRD to exhaust every potential option in providing accommodations to a person experiencing a disability.

### **Guidelines for Determining Support**

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Every inclusion request will be assessed individually to determine the level of accommodation or support necessary for the individual to successfully participate in a program or activity of their choice. The characteristics of the participant, along with the nature and location of the activity, will determine the need for specifically trained staff and/or other accommodations. The following issues will be considered prior to placing additional staff in a program. These decisions are made collaboratively to ensure that the guidelines of the inclusion process are being followed and that the participant's needs are met.

1. Does the participant exhibit behaviors that interfere with learning and participating independently in the program?
2. Does the participant need continuous direction or redirection to take part in the activities?
3. Does the participant require intensive one-on-one intervention to access the environment and interact with others and be safe?
4. Does the participant have mobility, communication or significant cognitive impairments?
5. Is the instructor/participant ratio high?
6. What are the skill levels and experience of the program instructors?

#### Support Options

**No additional staff provided:** If it is determined in the assessment process that an individual can participate in the programs without staff assistance, the inclusion coordinator may suggest:

- Program supervisor observe the first week of the program to ensure that successful inclusion is occurring and identify any potential problem areas.

**Staff training provided:** Inclusion services staff will provide quarterly staff training that all new program staff will be required to attend. Those staff working with youth, will be required to attend a training annually. Training will focus on activity and behavior modification techniques for working individuals with and without special needs. Aside from quarterly scheduled trainings, the inclusion program coordinator may provide additional staff training to ensure the participant's needs are being met:

- Provide hands-on training to staff during the program.
- Provide formal training to staff on a specific disability.
- Assist in designing program modifications, activity alternatives, and additional staffing for critical times.

**Staff provided:** If the individual requires more assistance, the inclusion coordinator may:

- Do all of the above plus adjust staff ratios by working with program supervisors to assigning trained staff to assist

### **Problems or Issues in the Inclusion Process**

In the event it is determined that a program situation is unsafe for staff and participants, or the participant with a disability, THPRD reserves the right to remove that participant from the program and may also choose to exclude the participant from other programs until documentation is available to prove the behavior is no longer a safety threat.

- Safety threats include, but are not limited to:
  - Running away or wandering
  - Being physically aggressive towards others and self
  - Gross inappropriate behavior that cannot be mitigated nor controlled.

There could be times when a situation warrants immediate suspension, for example, when gross inappropriate behavior occurs.

If a participant with a disability is identified as having difficulty in the program, even with accommodations and support, the behavior modification steps and documentation occur before withdrawing the participant from the program. Each step provides an opportunity to work through the process in a respectful and equitable way and facilitates communication and collaboration.

**Intervention Steps:** Inclusion and/or program staff contact inclusion coordinator and program supervisor, who work together to initiate steps below:

1. Contact or re-contact parents, teachers, counselors, behavior specialists or other stakeholders, for the purpose of gathering additional information and developing additional supports and/or accommodations.
2. Meet with parents, program staff, and inclusion staff to discuss and develop intermediary plans. Determine if implementation of the plan is reasonable.
3. Create an intermediary plan with input from parents and staff that outlines goals and expectations for participation and clearly identifies conduct expectations and consequences for noncompliance.
4. Have family and team members sign off on the plan and begin implementation.
5. Monitor and evaluate regularly based on participation levels. The team will meet or

communicate on an “as-needed” basis to evaluate the plan or consider more effective accommodations.

6. Redesign or modify the plan if necessary and communicate any changes to the entire team.
7. Continue to monitor and evaluate.
8. Document all meetings, telephone calls, incidents, complaints, safety concerns, problems and successes.

If removing the participant becomes necessary, and there are no alternative programs to offer, then the following procedures will be followed:

1. The participant/parent or guardian is notified of the specific reasons why removal from the program is necessary.
2. A refund or credit will be extended for any days or classes remaining in the program.
3. A documentation of the process will be included in the participant’s file.
4. Staff will ensure that any future participation in programs is not affected by the removal of the participant from the program unless there is criminal or violent behavior involved or the individual poses a significant safety risk.
5. Recommendations for other programs or activities may be suggested.
6. The inclusion coordinator will notify his or her supervisor and provide any necessary documentation that supports the removal of the participant from the program.

### **Inclusion Staff Support Levels**

**Full support**, provided by THPRD, is determined by the following criteria:

- 1) Documentation from current service provider indicates that one-on-one staff is currently being provided in identified setting. **Example:** *School IEP indicating placement in a one-on-one class setting.*
- 2) THPRD inclusion staff’s assessment determines full support is necessary for successful participation.
  - a. Participant needs re-direction an average of 50% of program time
  - b. Participant needs sensory breaks an average of 50% of program time
  - c. Environmental Adaptations

The cost of providing a one-on-one inclusion aide to a participant receiving full support is absorbed 100% by inclusion services department.

**Moderate support**, provided by THPRD, is determined by the following criteria:

- 1) Documentation from current service provider indicates modifications to the identified setting are being provided. **Example:** *School IEP indicating placement in non-traditional classroom setting that provided modifications to participant.*
- 2) THPRD inclusion staff’s assessment determines moderate support is necessary for successful participation.
  - a. Participant needs re-direction an average of 25% of program time
  - b. Participant needs sensory breaks an average of 25% of program time

The cost of providing an inclusion aide for a participant receiving moderate support will be the responsibility of inclusion services and the facility depending on the following criteria.

- 1) When one participant in an activity is receiving support:
  - a. Split 50/50 between the inclusion services department and the facility providing the activity, when there is only one participant receiving moderate support.  
Example: Five weeks will be paid by inclusion services department and five weeks will be paid by facility for an activity scheduled for 10 weeks.
  - b. 100% is paid by inclusion services department when two-three participants are receiving moderate support.

Staff placement for moderate support is determined collaboratively by facility program coordinator and inclusion coordinator:

- 1) Facility staff, with skills in designated activity area will be used whenever possible.
  - a. Facility staff will receive additional training from inclusion services department to successfully provide necessary support.
  - b. Facility staff will provide additional support to all participants in activity.
  - c. Class enrollment will be increased appropriately for the activity whenever possible to absorb additional instructor/staff costs.
- 2) Inclusion staff, for general programs (full day camp/afterschool) will be assigned to programs when two-three participants in the same activity are receiving moderate support.

**No Support** provided by THPRD.

- 1) When THPRD inclusion staff's assessment determines no additional staff support is needed for successful participation.
- 2) When THPRD inclusion staff's assessment determines the participant's needs extend past the criteria for inclusion services.

### **When an Inclusion Assistant is approved and assisting in a class or program**

THPRD makes every effort to assure that patrons are supported in a way that meets their needs in our goal of providing diverse, assessable recreation. However, there are times the need for Inclusion Assistant support exceeds the workforce and Inclusion Assistant support will be on a first come first serve basis based on the date the Inclusion Request was received for a particular class, event, or camp. This may occur during high traffic times such as school holidays and summer break. For this reason, THPRD encourages patrons to apply for Inclusion support as soon as possible to provide a greater assurance that THPRD will be able to meet their needs.