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State of Indiana

Indiana Family and Social Services Administration
Office of General Counsel

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Indiana Family and Social Services Administration

Accessibility Barrier Removal Policy

The Indiana Family and Social Services Administration (FSSA) is committed to ensuring equal access and navigation to agency facilities in accordance with the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1973, Architectural Barriers Act (ABA), and all other applicable federal, state, and local laws. *28 CFR Part 35; 29 CFR § 1614; 24 CFR § 570.614.*

Scope

This policy applies to all FSSA divisions, business units, and functional areas therein. All barriers addressed in this policy are those that are public-facing and may affect constituents accessing FSSA services. Barriers effecting employee specific areas should be addressed to FSSA's Department of Physical Plant Operations at physical.plantoperations@fssa.in.gov. If the barrier is related to a reasonable accommodation, an employee should contact their division's Indiana State Personnel representative. Indiana State Personnel's reasonable accommodation policy can be found at the following link. <https://www.in.gov/spd/files/reasonable-accommodations-policy.pdf>

Definitions

- **Accessibility barriers:** Architectural design of a building (e.g., stairs, doorways, hallway width, layout of room, etc.) parking areas or walking paths which may present additional barriers for people with disabilities.
- **Auxiliary aids:** Tools that help individuals with hearing, vision, or speech impairments affecting communications with others. Auxiliary aids and services can include qualified readers, taped text, audio recording, braille and large print materials, or other methods of making audible, written, and visually represented information accessible to individuals.
- **Barrier removal:** Removing or addressing architectural barriers where such removal can be carried out without much difficulty or expense.



- **Concerned party:** FSSA employees or contractors who have experienced and/or reported an accessibility barrier.
- **Contractor:** An individual or entity who has a professional services contract to conduct consultation or work with or on the behalf of FSSA.
- **Disability:** The Americans with Disabilities Act defines disability as a mental or physical impairment that substantially limits one or more life activities. A person that has a record of a disability, and an individual who is perceived as having a disability are also covered under this definition.
- **Legal counsel:** Refers to legal counsel involved in the barrier removal process including legal counsel handling leases and any FSSA legal counsel assisting with the complaint.
- **Office:** Refers to any space being leased or purchased to conduct business to the public on behalf of FSSA.

Introduction

The following procedure provides divisions within FSSA a process to support barrier removal complaints to comply with the ADA, ABA, and all other applicable federal, state, and local laws.

FSSA must be compliant with federal and state laws regarding physical and digital accessibility. It is the responsibility of FSSA division directors to make the final decision about compliance with the assistance of the ADA Director. This includes encouraging contractors designated to work with the division to become and remain in compliance. The FSSA ADA Director's role is to monitor and improve compliance for the agency by supporting each division.

Complaint Process

A complaint may be submitted to the ADA Director at any time by e-mailing ADA@fssa.in.gov. If division directors have received a complaint from staff or constituents the information should be shared with the ADA Director and the Department of Physical Plant Operations within 3 business days. Complaints must contain the following information when applicable:

- Location of the accessibility barrier (e.g., office or suite address).
- Source of the barrier (e.g., automated doors, elevators, or parking lots).
- Names of any contractors, or division leadership who were notified of the barrier previously.

- Provide information about whether the landlord was notified if applicable, or if tickets were completed regarding the property.
- An explanation of how the accessibility barrier is limiting access to physical spaces, needed tools and resources, and/or auxiliary aids.

Barrier Resolution

The ADA Director will work in conjunction with the division and the Department of Physical Plant Operations. If the ADA concern is substantiated, the ADA Director, the Department of Physical Plant Operations, and the division will resolve the barrier or provide a reasonable alternative. Resolutions may include the support of FSSA legal counsel. All documentation related to the concern and barrier will be kept by the ADA Director for auditing purposes.

In cases where a concern is unsubstantiated, the ADA Director will provide an e-mail to the concerned party with division directors explaining the decision and the outcome.