

# Audubon Nature Institute

6500 Magazine Street • New Orleans, LA 70118  
www.auduboninstitute.org

## SECTION 504 ASSURANCE

Audubon Nature Institute, Inc. does hereby assure the Office of Community Development, Division of Administration, that, as a recipient of Louisiana Community Development Block Grant funds, all activities of this grant will be operated in compliance with requirements of Section 504 of the Rehabilitation Act of 1973, as amended.

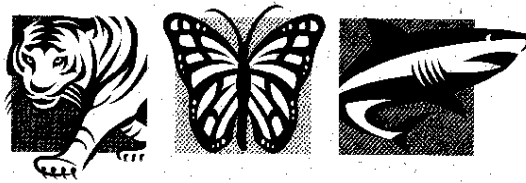
As an organization with 15 or more employees, the Audubon Nature Institute further assures the Office of Community Development, Division of Administration, that it has appointed Larry Rivarde, Senior Vice President and Managing Director, Audubon Zoo, as the designated Section 504 Coordinator (24CFR 8.53), and adopted a Section 504 Grievance Procedure on March 23, 2010 (24 CFR 8.53), and made efforts through publication in the local newspaper as well as posting notices at AudubonInstitute.org and on employee bulletin boards as a means of providing for continuing notification of participants, beneficiaries, applicants, and employees that it does not discriminate on the basis of handicap in its federally assisted programs (24 CFR 8.54).

L. Ronald Forman, President and Chief Executive Officer

March 23, 2010

Date

*Celebrating the Wonders of Nature*



## Audubon Nature Institute

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**OFFERED BY:** Drew Jardine  
**SECONDED BY:** J. Kelly Duncan

### RESOLUTION BY AUDUBON NATURE INSTITUTE, INC.

**A RESOLUTION ADOPTING THOSE ADMINISTRATIVE PROCEDURES REQUIRED IN MAINTAINING COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED; AUTHORIZING THE CHIEF OFFICIAL/OFFICER TO EXECUTE APPLICABLE SECTION 504 DOCUMENTS REQUIRED IN THE IMPLEMENTATION OF AUDUBON NATURE INSTITUTE'S HURRICANE KATRINA/RITA COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM; AND ADDRESSING OTHER MATTERS RELATIVE THERETO.**

**WHEREAS**, Audubon Nature Institute, Inc. has been afforded the opportunity to participate in the Hurricanes Katrina/Rita Community Development Block Grant-Disaster Recovery Program, as funded by the U. S. Department of Housing and Urban Development (HUD) and administered by the LA Division of Administration, Office of Community Development, Disaster Recovery Unit; and

**WHEREAS**, under HUD's regulations, 24 CFR Part 8, the Institute, as a recipient of this federal funding, must ensure full compliance with Section 504 of the Rehabilitation Act of 1973, as amended in the operation of programs and activities receiving such assistance; and

**WHEREAS**, the fundamental purpose of Section 504 is to ensure that, no otherwise qualified individual with a disability shall be excluded from participation in or denied benefits of, or be subjected to discrimination under any program receiving CDBG assistance; and

**WHEREAS**, such regulations further require the Institute to provide formal assurances and enact internal administrative procedures/policies to facilitate Section 504 compliance in the implementation of its CDBG-Disaster Recovery Program;

**NOW, THEREFORE, BE IT RESOLVED** by Audubon Nature Institute, Inc. Board, on behalf of Audubon Nature Institute, Inc.:

**SECTION 1: Appointment of Section 504 Coordinator.** That Larry Rivarde, Senior Vice President and Managing Director, Audubon Zoo, is hereby appointed as the designated Section 504 Coordinator to ensure that Audubon Nature Institute's programs, services and activities meet the requirements of Section 504 [24 CFR 8.53];

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**SECTION 2. Employment Activities.** That Audubon Nature Institute, Inc. will ensure that employment activities, including job announcements, recruitment, interviews, hiring, work assignments, promotions and dismissals, do not discriminate on the basis of disability [24 CFR 8.10-8.13];

**SECTION 3. Program Activities.** That Audubon Nature Institute, Inc. will ensure that all non-housing programs are operated in a manner that does not discriminate on the basis of disability and that new construction and alterations of non-housing facilities are made accessible in accordance with applicable standards [24 CFR 8.21]; and, when applicable, ensure that all existing housing programs are operated in a manner that does not discriminate on the basis of disability, and take steps, as needed, to ensure that existing housing programs are readily accessible to and usable by persons with disabilities. Develop and implement a transition plan to assure compliance [24 CFR 8.24];

**SECTION 4. Reasonable Accommodations.** That Audubon Nature Institute, Inc. will provide reasonable accommodations which may be necessary for a person with a disability to use or participate in the program, service, or activity; unless it is demonstrated that the accommodation will result in an undue financial and administrative burden or a fundamental alteration in the nature of the program, service or activity. A reasonable accommodation is an adaptation or modification to a policy, program, service, or workplace which will allow a qualified person with a disability to participate fully in a program, take advantage of a service, or perform a job. Reasonable accommodations may include, but are not limited to, adjustments or modifications to buildings, facilities, dwellings, and may also include provision of auxiliary aids, such as readers, interpreters, and materials in accessible formats; and it will pay for a reasonable accommodation, unless providing that accommodation will result in an undue financial and administrative burden or a fundamental alteration of the Program [24 CFR 8.4, 8.11, 8.20, 8.21, 8.24, 8.25, 8.33];

**SECTION 5. Physical Accessibility.** That Audubon Nature Institute, Inc. will ensure that substantial alterations, when undertaken, meet the requirements for new construction [24 CFR 8.23(a)]; and, that all other alterations, to the maximum extent feasible, meet the requirements of the applicable accessibility standards [24 CFR 8.23(b)];

**SECTION 6. Evaluations/Assessment.** That Audubon Nature Institute, Inc. has/will conduct a self-evaluation of programs, services, and activities to determine if they are programmatically and physically accessible to persons with disabilities, and involve persons with disabilities in these evaluations [24 CFR 8.51]; and will periodically review its evaluation and transition plan to ensure that compliance with Section 504 is maintained throughout the Program.

**SECTION 7. Public Notice.** That Audubon Nature Institute, Inc. will publish notice(s) in its Official Journal notifying participants, beneficiaries, applicants and employees of their nondiscriminatory provisions [24 CFR 8.54];

**SECTION 8. Communications Policy.** That Audubon Nature Institute, Inc. hereby adopts the " Audubon Nature Institute Section 504 Communications Policy," as contained in Exhibit A, which is attached hereto and made a part hereof, to ensure effective communication with applicants, beneficiaries, and members of the public [24 CFR 8.6];

**SECTION 9. Grievance Procedure.** That Audubon Nature Institute, Inc. hereby adopts the " Audubon Nature Institute Section 504 Grievance Procedure," as contained in Exhibit B, which is attached hereto and made a part hereof, to effect due process standards and prompt and equitable resolution of complaints [24 CFR 8.53]; and

**SECTION 10. Records.** That Audubon Nature Institute, Inc. will maintain records and reports of efforts to meet the requirements of Section 504, and keep these records on file so that they are available if a complaint is filed, or if HUD conducts a compliance review [24 CFR 8.55].

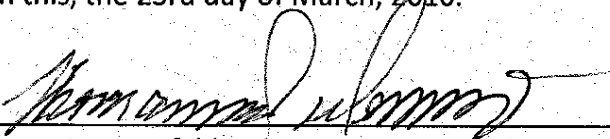
**SECTION 11. Assurances.** That the President and Chief Executive Officer be hereby authorized to execute the required "Section 504 Assurances Certification" for subsequent submission to the LA Office of Community Development-Disaster Recovery Unit.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 12  
NAYS: 0  
ABSENT: 20  
NOT VOTING: 0

The resolution adopted on this, the 23rd day of March, 2010.

Signed:

  
Thomas D. Westfeldt, Chairman

## EXHIBIT A

### AUDUBON NATURE INSTITUTE Hurricanes Katrina/Rita CDBG Disaster Recovery Program

#### SECTION 504 POLICY FOR COMMUNICATING INFORMATION TO PERSONS WITH SENSORY IMPAIRMENTS

Audubon Nature Institute, Inc. will take such steps as are necessary to insure that qualified persons with disabilities, including those with impaired sensory skills, receive effective notice. All aids needed to provide this notice, e.g., sign-language interpreters, readers, etc., are provided without cost to the person being served.

#### **FOR PERSONS WITH HEARING IMPAIRMENTS**

1. *Qualified Sign Language Interpreter.* For persons who are hearing-impaired and who use sign-language as their primary means of communication, the following procedure has been developed and resources identified for obtaining the services of a qualified sign-language interpreter to communicate both verbal and written information. Audubon Nature Institute, Inc. will provide qualified sign language interpreters *on an as needed basis*. Such an interpreter will be used at job interviews, large meetings, explanations of policies and procedures, etc. A minimum advance notice for such use is four (4) days unless circumstances or conditions dictate lesser time. In that case, the minimum time will be that required to notify the organization furnishing the interpreter as well as the time required for that organization to act. When time permits the request is to be in writing. If request is made orally, written documentation must be prepared and placed in the appropriate file. The following person(s) is authorized to obtain an interpreter: Larry Rivarde, Section 504 Coordinator.

The following organization will be contacted when an interpreter is needed:

**Deaf Action Center - New Orleans**  
1000 Howard Avenue, Suite 1200  
New Orleans, LA 70113-1916  
504-615-4944 V/Text  
504-615-7122 V/Text  
504-736-9103 FAX  
[sabernius@mycingular.blackberry.net](mailto:sabernius@mycingular.blackberry.net)  
[jguerrieri@mycingular.blackberry.net](mailto:jguerrieri@mycingular.blackberry.net)

Information to be furnished when requesting an interpreter:

- a) Reason for using interpreter services.
- b) Date and time services are needed.

- c) Place where interpreter is to report and directions if needed.
  - d) Name and title of person requesting service.
  - e) Address and telephone number of Audubon Nature Institute, Inc..
  - f) How cost for services will be billed, understanding of cost (hourly, travel, etc.)
  - g) Method by which interpreter is to be notified in case of cancellation or change in time/place.
  - h) Method by which Audubon Nature Institute, Inc. will be notified if services cannot be furnished as agreed to.
2. *Written Materials.* All program information will be provided to hearing-impaired persons in writing. Printed materials and writing materials are available.
3. *Telecommunication Device for the Deaf.* Audubon Nature Institute, Inc. may also be reached through the LA Relay Communications System at the following numbers:

Information:	1-800-333-0605
Voice Users:	1-800-947-5277
TDD Users:	1-800-846-5277
ASCII Users:	1-888-550-5277

#### **FOR PERSONS WITH VISUAL IMPAIRMENTS**

For persons with visual impairments, Audubon Nature Institute, Inc. will provide staff members to serve as readers, communicating the content of written material by reading them out loud. In addition, upon request, the Institute may provide written material in large print, via electronic tapes or Braille materials.

#### **FOR PERSONS WITH MANUAL IMPAIRMENTS**

For persons with manual impairments, Audubon Nature Institute, Inc. will provide personal assistance with completing forms and other writing. In addition, upon request, the Association may provide typewriters, keyboards and other adaptive self-help devices.

## **EXHIBIT B**

### **AUDUBON NATURE INSTITUTE Hurricanes Katrina/Rita CDBG Disaster Recovery Program**

#### **SECTION 504 GRIEVANCE PROCEDURE**

Audubon Nature Institute, Inc. has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the regulation of the U. S. Department of Housing and Urban Development, 24 CFR Part 8, implementing Section 504 of the Rehabilitation Act of 1973, as amended (Public Law 93-112). Section 504 states, in part: "No otherwise qualified handicapped individual....shall, solely by reason of his handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." To further assist those who may have a grievance concerning Section 504 compliance, Larry Rivarde, Senior Vice President and Managing Director, Audubon Zoo, has been designated to coordinate the efforts of Audubon Nature Institute, Inc. to comply with requirements of Section 504 and its implementing regulation, 24 CFR Part 8.

1. A complaint should be in writing, contain the name and address of the person filing it, and briefly describe the action alleged to be prohibited by the regulation.
2. A complaint should be filed in the Office of the Section 504 Coordinator within a reasonable time after the person filing the complaint became aware of the action alleged to be prohibited by the regulation.
3. Within fifteen (15) days after receiving the complaint, the Section 504 Coordinator or his/her designee will meet with the complainant to discuss the complaint and possible resolution.
4. Within fifteen (15) calendar days after the meeting the Section 504 Coordinator or his/her representative will respond in writing. Where appropriate, the response shall be in a format accessible to the complainant (such as large print or audio tape) The response will explain the position of Audubon Nature Institute, Inc. and offer options for resolving the complaint.
5. If the response by the Section 504 Coordinator does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision of the 504 Coordinator. Appeals must be made within fifteen (15) calendar days after receipt of the response. Appeals must be directed to the chief official/officer or his/her designee.
6. Within fifteen (15) calendar days after receiving the appeal, the chief official/officer or his/her designee will meet with the complainant to discuss the complaint and to discuss possible resolutions.

7. Within fifteen (15) calendar days after the meeting, the chief official/officer or his/her designee will provide a response in writing. Where appropriate, the response shall be in a format accessible to the complainant. The response shall be accompanied by a final resolution of the complaint.
8. The 504 Coordinator shall maintain the files and records of Audubon Nature Institute, Inc. pertaining to the complaints filed for a period of three years after the grant is closed out

**Other Complaint Procedures**

All individuals have a right to a prompt and equitable resolution. Individuals or classes of individuals who believe they have been subjected to discrimination based on disability have several ways to file a grievance.

Under Title II, filing a grievance with the entity's 504 Coordinator, filing a complaint with a federal agency, or filing a lawsuit may be done independently of others. Individuals are not required to file either a grievance or complaint to bring a lawsuit. Lawsuits may be filed at any time. The following are agencies where a Title II complaint can be filed.

Office of Housing and Equal Opportunity  
Department of Housing and Urban Development  
Washington, D.C. 20410

United States Department of Justice (DOJ)  
Coordination and Review Section  
Civil Rights Division  
P.O. Box 66118  
Washington, D.C. 20035-6118

Assistant Secretary for Fair Housing and Equal Opportunity  
Department of Housing and Urban Development (HUD)  
451 7<sup>th</sup> Street SW, Room 5100  
Washington, D.C. 20202

Office for Civil Rights  
Department of Education  
330 C Street SW, Suite 5000  
Washington, D.C. 20201



Fort Worth Regional Office of FHEO  
U.S. Department of Housing and Urban Development  
801 Cherry Street, Unit #45  
Suite 2500  
Fort Worth, Texas 76102  
(817) 978-5900  
1-800-669-9777  
TTY (817) 978-5595