

ACCESSIBILITY INFORMATION (ADA)

NOTICE OF RIGHTS

The Americans with Disabilities Act (ADA) is a federal civil rights law that provides protections against discrimination based on disability. It guarantees equal opportunity for individuals with disabilities in places of public accommodation, employment, transportation, state and local government services, and telecommunications. Title II of the ADA protects individuals with disabilities from disability-based discrimination in the services, programs, or activities of public entities.

PUBLIC ENTITIES

A public entity includes any state or local government; any department, agency, or branch of a state or local government. Title II applies to all programs, activities, and services provided or operated by state and local governments, including public education (schools), school food authorities (SFAs) and local educational agencies (LEAs). The federal government is not a state or local government and is not covered by Title II. Discrimination in this area may be covered by Section 504 of the Rehabilitation Act.

ACCESSIBILITY

Public entities must operate in a manner that is accessible to individuals with disabilities. This means individuals with disabilities have the right of equal access to programs, services, and activities offered by public entities.

Is accessibility limited to physical access?

No. Accessibility is not limited to physical access. It also includes a responsibility to provide effective communication to individuals with disabilities that is as effective as communications with others. The public entity must provide the appropriate auxiliary aids and services to individuals with hearing, vision, or speech impairments when necessary to ensure effective communication. A public entity may not charge for the use of an auxiliary aid or service.

Examples of auxiliary aids and services:

- American Sign Language interpreters
- Video remote interpreting
- Qualified interpreters
- Captioning
- Note takers
- Screen readers
- Computer Aided Real-Time Transcription (CART) services

- Video interpreting services
- Assistive listening headsets
- Telecommunications devices for deaf persons (TDDs)
- Videotext displays, readers, taped texts, audio recordings, and written materials in Braille, large print, or electronic formats.

Is there a surcharge associated with reasonable modifications and/or accommodations?

No. A public entity cannot make an individual with a disability pay to cover the cost of measures, such as providing auxiliary aids or barrier removal, that are required to provide that individual with non-discriminatory treatment. New Mexico Public Education will make all reasonable accommodations and all permitted modifications to policies and programs to ensure that people with disabilities have an equal opportunity to participate in our programs and services.

REQUEST FOR REASONABLE ACCOMMODATIONS

If you have a disability and the format of any material on our web pages interferes with your ability to access the information, or you require aids or services to access our program and services, please call 1-575-601-4416. Our helpdesk will refer your request to the appropriate Department component, and the component will respond to your request. To enable us to respond in a manner most helpful to you, please indicate the nature of the accessibility problem, the web address of the requested material, your preferred format in which you want to receive the material (electronic format (ASCII, etc.), standard print, large print, etc.), and your contact information.

COMPLAINTS

Any individual who believes that he or she is a victim of discrimination prohibited by Title II of the ADA may file a complaint. Complaints should be in writing, signed by the complainant or an authorized representative, and should contain the complainant's name and address and describe the public entities alleged discriminatory action.

Please use the contact information below to submit:

Tana Daugherty
Cloudcroft Municipal Schools
P.O. Box 198
Cloudcroft N.M. 88317
FAX: 866-235-1668
Email: tana.daugherty@cmsbears.org

You may also contact the USDA Office of Assistant Secretary for Civil Rights, Information Research Service, on (866) 632-9992 (toll free) or send an email to the USDA Office of the Assistant Secretary for Civil Rights at CR-INFO@usda.gov.

Individuals who are deaf, hard of hearing, or have speech disabilities, may contact the USDA through the Federal Relay Service on 711 or (800) 845-6136 (Spanish).

You can also file a complaint against a public entity with the U.S. Department of Justice:
Online: <http://www.ada.gov/complaint/>; or Fax: (202) 307-1197; or by Mail: US Department of Justice, 950 Pennsylvania Avenue, NW, Civil Rights Division, Disability Rights Section – 1425 NYAV, Washington, DC 20530

Complaints should include: your name, your full contact information, the name of the public entity that violated Title II of the ADA, a brief description of the Title II violations (including what happened, the dates they occurred, and the names of people involved), photocopies of any documents that support the complaint, and, if relevant, information on how you communicate effectively (for example, if you need written communications in an electronic format or you use video relay services).