

Revision of Policy 84 - ADA Statement and Accessibility Policy

Background:

CBH staff have reviewed the CBH ADA Statement and Accessibility Policy (Policy #84) and are pleased to recommend revisions to the Board of Directors for review.

A primary theme of the recommended changes is the movement of several portions of the Policy to the level of procedure. These changes are made without compromising the intent or integrity of the Policy itself.

This policy and accompanying revisions have been reviewed and endorsed by the agency’s lawyer, Pat McDermott.

Summary of Changes:

Current ADA Statement and Accessibility Policy	Proposed Changes to Policy
The Policy Statement in the current version of this policy generally affirms CBH’s commitment to compliance with the Americans with Disabilities Act (ADA) and provides a definition of the ADA. Pg. 2	The Policy Statement continues to affirm CBH’s commitment to compliance with the ADA and provides a clear and concise description of how the agency provides, and continues to strive to provide, accessible services and employment opportunities for individuals with disabilities. This section now also includes the agency’s strict prohibition against actions or activities that restrict the rights of individuals protected under the ADA. The definition of the ADA remains included. Pg. 2
This section does not exist in the current version of the policy.	A “Source of Authorization” section has been added to identify the authority responsible for governance of agency operations and policies. Pg. 3
This section does not exist in the current version of the policy.	A “Legal/Regulatory References” section has been added to identify the federal, state, and local laws and regulations with which CBH must comply in the provision of services and the employment of individuals

Action Item X-#

	with disabilities. Pg. 3
This section does not exist in the current version of the policy.	A “Definitions” section has been added to clarify essential terms used within this policy. Pg. 3
The following sections are included in the current version of the policy, providing detailed guidance on areas that must be accessible or modified to accommodate individuals with disabilities in accessing CBH’s services and employment: <ul style="list-style-type: none"> • Effective Communication • Facility Accessibility • Service Animals (sub-section: Transportation of Service Animals) • Employment (sub-section: Reasonable Accommodations) Pgs. 2-4	These sections have been removed from the policy and will be included verbatim in a separate ADA Procedures document.
The Modifications to Policies and Procedures section in the current version of the policy provides a detailed statement of CBH’s commitment to making all reasonable modifications without imposing an undue burden on the agency. This section also outlines how an individual with disabilities can contact the agency to initiate the process for requesting a reasonable accommodation. Pg. 5	This section has been removed from the policy and will be included verbatim in a separate ADA Procedures document.
The ADA Coordinator section in the current policy outlines the roles, functions, and responsibilities of the staff member serving in this position. Pg. 5	This section has been removed from the policy and will be included verbatim in a separate ADA Procedures document.
The current version of the policy includes the Grievance Procedure section, with sub-sections Submission and Response,	These sections have been removed from the policy and will be included verbatim in a separate ADA Procedures document.

Action Item X-#

which outlines the entire process for handling an ADA grievance from start to finish. Pg. 5 & 6	
Appendix 1, ADA Complaint Form, is included in the current version of this policy as a visual example of the form used to file a complaint alleging discrimination. Pg. 7	Appendix 1, ADA Complaint Form, has been removed from this policy. A link to the online complaint form will be included in the separate ADA Procedures document.
There are no other changes from the 9/2024 approved Plan.	

Motion from the CBH Executive Committee:

That the Board approve the revisions to Confidentiality policy as presented.

COLONIAL BEHAVIORAL HEALTH

COUNSEL REVIEW OF BOARD POLICY

Name of Policy: ADA Statement and Accessibility Policy
Category: Organization
Policy No.: 84

Review Date: February 20, 2026

Name of Counsel: Patrick B. McDermott, Esq.

Comments of Counsel:

- 1. Virginia Code Compliance:** Up to date, No Violations
- 2. Federal Law Compliance:** up to date, No Violations
- 3. Grammer and Punctuation:** Acceptable
- 4. Comments:** No Comments

Patrick B. McDermott, Esq.

Signature of Counsel

Policy and Procedures

Category: Organization
Title: ADA Statement and Accessibility Policy
Policy Number: 84
Primary Areas Affected: CBH Organization

Policy Statement..... 2

Source of Authorization 3

Legal/Regulatory References 3

Definitions 3

Diary of Changes 5

 Date of Origin 5

 Dates of Review 5

 Dates of Revision 5

 Approved By 5

Policy and Procedures

Category:	Organization
Title:	ADA Statement and Accessibility Policy
Policy Number:	84
Primary Areas Affected:	CBH Organization

Policy Statement

This policy affirms the Colonial Behavioral Health’s (CBH) commitment to compliance with the Americans with Disabilities Act (ADA) and all applicable federal and state disability rights laws. CBH does not discriminate on the basis of disability in the provision of behavioral health and developmental disabilities services, employment practices, or access to Agency programs, activities, or facilities, and affords individuals with disabilities equal opportunity to participate in and benefit from all Agency services and supports.

The ADA prohibits discrimination on the basis of disability in employment, state and local government services, public accommodations, commercial facilities, transportation, and telecommunications. The ADA protects individuals with disabilities as defined by law and provides broad protections to ensure equal opportunity and access for qualified individuals with disabilities.

CBH is committed to providing services in the most integrated setting appropriate and to maintaining accessible environments that support equitable participation by individuals with disabilities. Equal employment opportunities are provided to qualified individuals with disabilities, and employment decisions are based on job-related qualifications, skills, and abilities, consistent with applicable law.

CBH recognizes effective communication and reasonable accommodation supports, including the presence of service animals as defined by the ADA, as essential components of nondiscriminatory service delivery and participation.

Policy and Procedures

Category:	Organization
Title:	ADA Statement and Accessibility Policy
Policy Number:	84
Primary Areas Affected:	CBH Organization

Retaliation, coercion, intimidation, or interference against any individual for exercising rights protected under the ADA or participating in any ADA-related matter involving the Agency is strictly prohibited.

All CBH employees, contractors, and representatives share responsibility for supporting compliance with this policy and for upholding CBH’s commitment to accessibility, inclusion, and nondiscrimination.

Source of Authorization

This policy is authorized by the Colonial Behavioral Health’s Board of Directors, which holds the governance authority over agency operations and policies. The Board grants CBH the authorization to implement and enforce policies to ensure compliance with the Americans with Disabilities Act (ADA) and related federal and state accessibility requirements.

Legal/Regulatory References

- Federal Law - American with Disabilities Act (ADA)
- State Law - Virginians with Disabilities Act (VDA)
- Virginia Human Rights Act (VHRA)
- DBHDS - 12VAC35-105-150. Compliance with Applicable Laws, Regulations and Policies

Definitions

- Americans with Disabilities Act (ADA) – The ADA is a federal civil rights law that prohibits discrimination against people with disabilities in everyday activities.
- Disability - A physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such an impairment, as defined by the ADA.

Policy and Procedures

Category: Organization
Title: ADA Statement and Accessibility Policy
Policy Number: 84
Primary Areas Affected: CBH Organization

- **Effective Communication** – Effective communication means ensuring that information provided to or received from people with disabilities (vision, hearing, or speech) is just as clear and understandable as communication with people without disabilities.
- **Reasonable Accommodation** - a reasonable accommodation is any modification to a job, work environment, or hiring process that enables a qualified person with a disability to apply, perform essential job functions, and enjoy equal employment benefits.
- **Service Animal** - A service animal is an animal that is individually trained to perform work or tasks for a person with a disability.

Policy and Procedures

Category: Organization
Title: ADA Statement and Accessibility Policy
Policy Number: 84
Primary Areas Affected: CBH Organization

Diary of Changes

Date of Origin

11/01/2022

Dates of Review

03/03/2026 02/20/2026 09/12/2024 05/08/2024 - ADA Compliance

Dates of Revision

03/03/2026 02/20/2026 09/12/2024 05/08/2024 - ADA Compliance

Approved By

Signature
Ryan Ashe
Printed Name

04/07/2026
Effective Date
CBH Board Chair
Title