



Policy
ADA - DISCRIMINATION

Department: Nursing

Date: April 2009

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Application: Independent Assisted Living Nursing Facility

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Approval:

STATEMENT OF POLICY:

It is the policy of Woodland Pond to provide equal housing opportunity without regard to race, color, religion, sexual orientation, sexual expression regardless of their identity, gender identity, disability, finances, familial status regardless of same sex or different sex or national origin or HIV status. It is the policy of Woodland Pond to provide full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of the facility without regard to disability. A public notice of Non-Discrimination will be advertised bi-annually in conjunction with an ad placed by facilities belonging to the New York Homes and Services for the Aging (WNYAHS).

PURPOSE OF POLICY:

The purpose of this policy is to ensure compliance with the Fair Housing Act and the Americans with Disabilities Act.

IMPLEMENTATION:

All corporation managers and staff, including contract service providers, volunteers, students, interns and trainees

PROCEDURE:

1. Woodland Pond, its employees and agents shall not discriminate against applicants for residency, potential applicants or residents in the sale, rental or advertising of housing on the basis of race, color, religion, sex, disability, mental illness, familial status or national origin or HIV status.
2. Woodland Pond, its employees and agents shall not discriminate against any individual on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of the facility.
3. Employees and agents shall respond to all inquiries regarding tenancy without reference to race, color, religion, sex, disability, mental illness, HIV status, familial status, or national origin except as required to identify legitimate qualifications for residency such as permissible age-specific criteria.
4. All Woodland Pond advertising, including any website, shall reflect the Equal Housing Opportunity logo or a statement expressing Woodland Pond's compliance with Equal Housing Opportunity.

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5. All photographic representations used in advertising brochures and other material representing Woodland Pond shall reflect the community in which it is located as a whole.
6. or qualified individuals with a disability, Woodland Pond shall:
 - a. respond to requests and permit reasonable accommodations in the application process;
 - b. provide accommodations unless able to demonstrate that making such modifications would fundamentally alter the nature of programs provided; and,
 - c. remove architectural barriers and communication barriers where such removal is readily achievable.
7. Woodland Pond shall permit persons with disabilities to make reasonable modifications to a residential unit at their own expense.
8. Woodland Pond and its employees and agents shall not impose different terms, conditions, or privileges or deny or limit services based on race, color, religion, sex, disability, mental illness, HIV status, familial status or national origin. Woodland Pond shall not use different contract provisions, fail or delay maintenance or repairs, fail to process an offer for rental of dwelling based on race, color, religion, sex, disability, HIV status, familial status or national origin.
9. Woodland Pond, its employees and agents shall not discriminate in transfer or discharge decisions on the basis of disability.
10. Woodland Pond, its employees and agents shall make transfer or discharge decisions on the basis of a resident's ability to meet the terms and conditions of residency.
11. Woodland Pond, its employees and agents shall comply with the provisions of related standards, including, but not limited to state residents' rights regulations.

RESPONSIBILITIES:

1. The Woodland Pond Board of Directors shall be responsible for oversight of the Woodland Pond Compliance Program. The Board shall adopt a resolution specifying compliance with the Fair Housing Act and the Americans with Disabilities Act, and creating a program designed to prevent and detect violations of the Acts' provisions in Woodland Pond's daily operations.
2. The Executive Director shall serve as the Compliance Officer for the program, and shall conduct unannounced review of admission processes not less than annually.
3. The Executive Assistant shall maintain a suggestion box and voice mailbox for receipt of complaints regarding violations of the above policies.
4. The Director of Resident Services, the Marketing Director and the Administrator shall each submit to the Compliance Officer:
 - a. Marketing materials which will be reviewed regarding compliance;
 - b. A report at least monthly containing a review of discharges/transfers within Woodland Pond and to outside facilities.
5. The Compliance Officer shall present an annual report on compliance issues, if any, to the Woodland Pond Ethics Committee. The organization's compliance status shall be reported to the Board of Trustees by the Woodland Pond Ethics Committee on an annual basis as part of the Corporate Compliance Report.
6. The Compliance Officer shall take disciplinary action in any situation where an employee or agent violates the provisions of this policy.
7. The Compliance Officer shall devise a Corrective Action Plan to eliminate any noted violations of this policy. This plan shall be communicated to the Board of Directors.