

## Participants with Disabilities

### Policy

#### **USDA Federal Regulations:**

7 CFR 15b.1 Purpose. The purpose of this part is to implement section 504 of the Rehabilitation Act of 1973, as amended, to the end that no otherwise qualified handicapped individual in the United States shall solely by reason of his or her handicap be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

### Authority

USDA Federal Regulations: 7 CFR 15b.1  
Section 504 of the Rehabilitation Act  
The Americans with Disabilities Act

### Procedures

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities receiving or benefiting from Federal financial assistance. Similarly, the Americans with Disabilities Act protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all State and local governments.

The WIC Program must provide services to disabled clients which:

- Are equal to those provided to non-disabled clients
- Are held in integrated settings, appropriate to each person's needs
- Do not limit participation because of the disability (make reasonable modifications on a case by case basis)
- Do not deny them the opportunity to serve on a planning or advisory board because of a disability
- Allow full participation without physical barriers restricting access to the program.

Local agencies must take necessary steps toward compliance with the Americans With Disabilities Act of 1990 (ADA). See the policy titled "Contract Agency Policies and Procedures" for more information.

#### **Definition of Disability**

Per FNS Instruction 113-1, a disability is a physical or mental impairment that substantially limits one or more of an individual's major life activities, having a record of such impairment, or being regarded as having such an impairment.

**Clinic Accessibility**

The WIC Clinic Access Survey is a tool to use to review clinic sites to determine compliance with Title II of the Americans with Disabilities Act (ADA). See the policy titled “WIC Clinic Access Survey” for more information about completing this tool.

**Notification Assistance**

Local and State agencies must provide notice to persons with disabilities about the availability of reasonable modifications, auxiliary aids, and services and how to request them. Notification may include but is not limited to the posting of notices, placement of notices in the recipient's publications, radio announcements, and the use of other visual and aural media. Websites must also provide notice of the availability of language assistance services and how to request them. Example: “If you have difficulty understanding English or have a disability, free language assistance or other aids and services are available upon request. Deaf Relay: (Hearing or Speech Impaired) 711 or 1-800-735-2942”.

**Section 504 Americans with Disabilities Coordinator**

Agencies must have a Section 504 Americans with Disabilities Coordinator. See the policy titled “Section 504/Americans with Disabilities Coordinator, for more information.