

Cowlitz-Wahkiakum Council of Governments
Agency Policy
Americans with Disabilities Act (ADA)



Executive Review: May 14, 2026
Board of Directors Approved: May 28, 2026

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AGENCY ADA CONTACT INFORMATION

ADA Coordinator: Gabe Reese
Email: TitleVI-ADA@cw cog.org
Call: 360-577-3041 during regular business hours
WA Relay Calls 7-1-1
(HCO-Hearing Carry Over; STS-Speech to Speech; TTY-Text Telephone;
Voice-Voice Assistance, VCO-Voice Carry Over)
WA Relay Calls/Spanish TTY (877) 833-6399; Voice (877) 833-6398
Mail: PO Box 128, Kelso, WA 98626

ACRONYMS AND ABBREVIATIONS

ADA Americans with Disabilities Act
CFR Code of Federal Regulations
FTA Federal Transit Administration
RTAP Rural Transit Assistance Program
WLAD Washington’s Law Against Discrimination

POLICY DEFINITIONS

The following definitions from 49 CFR 37, the [National RTAP ADA Toolkit Glossary](#), and [FTA ADA Circular 4710.1](#) may be useful while using this policy:

- **ADA Coordinator:** The ADA Coordinator is a separate job description attached to a full-time equivalent (FTE) position and charged with performing the duties of the ADA Coordinator (Coordinator) to implement the CWCOG’s Americans with Disabilities Act (ADA) Agency Policy regardless of funding source.

The Coordinator position is considered part-time in relation to the other duties assigned to the FTE position. At any time, the ADA Coordinator, in consultation with the Executive Director and/or Director of Administration, may solicit the help of other staff in fulfilling the responsibilities of this role. The Coordinator reports directly to the Executive Director.

- **ADA Liaisons:** The CWCOG has designated all staff as ADA Liaisons (Liaisons) within their different assigned program areas. These Liaisons are accountable to the Executive Director but collaborate and report all ADA activities to the Coordinator to ensure compliance with grant, contract, and policy fulfillment.
- **Administrative Director:** The Administrative Director is the agency's Grants and Compliance Manager and works in concert with the Executive Director and ADA Coordinator to ensure compliance.
- **Disability:** With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
- **Executive Director:** The CWCOG Executive Director is the agency's administrator and is authorized to ensure compliance with provisions of the CWCOG policy of non-discrimination and with the laws governing Title VI compliance. The CWCOG's compliance function and Title VI coordination shall be performed under the authority of the Executive Director.
- **Service Animal:** Any animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.
- **Service Animal Trainee:** Any animal that is undergoing training to be a service animal.
- **Service Animal Trainer:** An individual exercising care, custody, and control over a service animal trainee during a course of training designed to develop the service animal trainee into a service animal.

ADA SERVICES DEFINITIONS

Whereas the CWCOG does not directly provide paratransit, transit, or transportation operating projects, it does provide information on such services, and it is relevant that staff are aware of and understand the services that are supported by the CWCOG through its Mobility Management and Human Services Transportation Plan services.

- **Commuter Bus Service:** Fixed route bus service characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other services, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.
- **Fixed Route Service:** System of transporting individuals which operates along a prescribed route according to a fixed (regular) schedule.
- **Mobility Device or Aid:** A device designed to assist an individual with disabilities with locomotion. Examples include wheelchairs, canes, crutches, and walkers.
- **Deviated Fixed Route Service:** Transit service that operates along established routes that typically have designated stops. Between these stops, vehicles deviate (depart) from an established route to pick up or drop off riders within a defined off-route service area.
- **Securement Area or Station:** On a vehicle, a designated location for riders using wheelchairs, equipped with a securement system.
- **Securement Device, Equipment or System:** On a vehicle, equipment used for securing a wheelchair against uncontrolled movement during transport.
- **Wheelchair:** A mobility aid belonging to any class of three- or more- wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

STATEMENTS OF COMPLIANCE

Americans with Disabilities Act (ADA) Information

The CWCOG is committed to providing a fully accessible website experience for all users of all abilities, including those who rely on assistive technologies like screen readers, screen enlargement software, and alternative keyboard input devices to navigate the web. The materials can be made available in an alternate format by emailing the ADA Coordinator. People who are deaf or hard of hearing may make a request by calling the Washington State Relay at 7-1-1.

All services are free of charge to individuals in need of assistance.

Title VI

The CWCOG operates in accordance with all applicable federal and state laws, including Title VI of the Civil Rights Act of 1964, without regard to race, color, national origin, religion, sex, sexual orientation, marital status, age or disability. Those persons with limited English Proficiency may request language assistance through oral, visual, and/or written translation at no cost to the individual. For assistance or questions regarding the CWCOG's Title VI or Limited English Proficiency policies or to file a complaint, please contact the Agency's Title VI Coordinator at (360) 577-3041.

PURPOSE

The purpose of the CWCOG's Americans with Disabilities Act (ADA) Policy is to set guidance for the agency, employees, officers, board and committee members in providing transparency in fulfilling the objectives and regulations for ADA state and federal compliance.

OBJECTIVES

- Provide transparency in all CWCOG activities
- Provide guidance for employees, officers, board and committee members conducting business as agents of the CWCOG
- To develop and implement business standards that address the ADA regulations set by state and federal funding agreements entered into by the CWCOG

INTRODUCTION

The Cowlitz-Wahkiakum Council of Governments (CWCOG) is committed to compliance with Section 504 of the Rehabilitation Act of 1973, as amended; Americans with Disabilities Act (ADA), signed into law on July 26, 1990; and RCW 49.60, Washington's Law Against Discrimination (WLAD).

These civil rights legislations prohibit discrimination based on disability and require service options to be provided to people with disabilities comparable to those available to people without disabilities.

Whereas the CWCOG does not provide direct paratransit, transit, or transportation operating project services, it is the overall commitment of the CWCOG that the services, programs, facilities, and communications the CWCOG does provide directly, or by a contracted service provider, are readily accessible to and usable by individuals with disabilities to the maximum extent possible. To maintain the guidelines to do so, the CWCOG shall regularly review its policies for applicable ADA compliance.

The CWCOG commits to sharing information with the public about its ADA reasonable modification request procedures using the same means used to inform the public about other agency policies and procedures including utilization of the

organization's website (www.cwco.org) and printed materials available at the agency's office and/or upon request.

New construction and facility alterations completed by the CWCOG will be ADA compliant. If full ADA compliance is unfeasible due to structural impracticability, facility alterations will be ADA compliant to the maximum extent feasible. For information on upcoming projects and an opportunity to comment on plans, please visit our website or contact our ADA Coordinator.

The CWCOG provides ADA-related training to staff upon hire and on an annual basis thereafter including any as-needed training updates to ensure staff proficiency as appropriate to their duties and to assist and treat people with disabilities in a respectful and courteous way.

DAYS/HOURS OF OPERATION AND ACCESSIBILITY

The CWCOG's office operational hours are 8:30 am to 5:00 PM, Monday through Thursday. The agency's office space shall be continually assessed for accessibility and with accommodations being provided which do not cause undue burden as defined by this policy.

The CWCOG website is available seven days a week, 24 hours per day except when down for maintenance or technical challenges. The CWCOG is committed to maintaining website accessibility features as they become known and required by state and federal regulations.

REASONABLE MODIFICATION

Requests for modifications of the CWCOG policies, practices, or procedures to accommodate a person with a disability may be made either in advance or at the time of service. The CWCOG is best able to address and accommodate requests when made in advance.

Advance requests for reasonable modifications may be made to the CWCOG by contacting the CWCOG's ADA Coordinator using the contact methods listed at the beginning of this policy. The request should contain an explanation of the modification needed.

For requests at the time of service, the CWCOG Coordinator and/or Liaisons will determine if the modification can be provided. Liaisons may consult with the ADA Coordinator or agency management before deciding to grant or deny the request.

The CWCOG may deny requests based on one or more of the following:

- Without the requested modification, the person with a disability can still fully use the CWCOG's services, programs, or activities for their intended purpose.
- Granting the request would fundamentally alter the nature of the CWCOG's services, programs, or activities as defined under section Undue Burden within this policy.
- In extreme circumstances, granting the request would create a direct threat or risk to the health or safety of others as defined under section Denial of Services within this policy.

When the CWCOG denies a request for a reasonable modification, the agency will take other actions to ensure that the person with a disability receives the services provided by the CWCOG to the maximum extent possible.

SERVICE ANIMALS

The CWCOG allows service animals and service animal trainees to accompany people with disabilities into its facilities and meetings.

To participate in the CWCOG meetings and events, service animals and service animal trainees:

- Must be on a leash, tether, or harness unless use of such a device would interfere with the task the service animal or service animal trainee performs or the person's disability prevents use of such devices. In these cases, the handler must use voice, signal, or other effective means to maintain control of the service animal or service animal trainee.
- Must not be aggressive toward or pose a direct threat to the health or safety of others participating in such events.
- Must be housetrained.

The CWCOG staff will not request written certification that an individual's animal is a service animal or service animal trainee or request demonstration of service

animal or service animal trainee's task(s). However, the CWCOG staff may ask users of service animals the following questions:

- Is the animal required because of a disability?
- What work or task has the animal been trained for or is in training to perform?

The CWCOG may deny service to a service animal or service animal trainee if the animal is out of control of the handler, posing a direct threat, not housetrained, or if its handler refuses to answer the questions about the animal as noted above.

If the CWCOG denies the service animal or service animal trainee to accompany the handler/trainer/person with a disability, the handler/trainer/person may still use agency's services.

If denied, the CWCOG staff will provide the handler/trainer/person with information on how to appeal the denial and, if applicable, options to remedy the situation so the service animal/service animal trainee can be allowed to enter the CWCOG facilities or public meetings.

If a service animal/service animal trainee causes damage to facilities while in attendance of a CWCOG function, the user of the service animal/service animal trainee may be charged for those damages.

UNDUE BURDEN

According to the ADA, the CWCOG is not required to provide an accommodation or modification if it would create a significant alteration of services or create an undue financial or administrative burden. This determination can be made by the ADA Coordinator in collaboration with agency management and must be accompanied by a written statement citing the reasons for reaching that conclusion.

If an action results in such an alteration or such burdens, the CWCOG shall take any other action that would not result in such an alteration or burdens but would still ensure that individuals with disabilities receive access to the CWCOG facilities, programs, services and activities.

DENIAL OF SERVICES

The CWCOG may deny, suspend, or exclude any person(s) or service animal or animal trainee, from its facilities and/or board, committees, meetings, or program services and/or activities for engaging in conduct that is violent, seriously disruptive, illegal, considered a “direct threat” to others, or for other behaviors and actions as may be described in this policy.

A direct threat is a significant risk to the health or safety of others that cannot be eliminated by a reasonable modification to the CWCOG policies, practices, procedures, or by the provision of auxiliary services. A direct threat does not occur when a person’s disability results in an appearance or involuntary behavior that may offend, annoy, or inconvenience others.

If a person(s), service animal or animal trainee is suspended or excluded from the CWCOG’s property, meetings, or activities, they may request an appeal of this decision by contacting the CWCOG and/or the ADA Coordinator. See Complaint/Grievance Process below and contact information at the beginning of this policy.

COMPLAINT/GRIEVANCE PROCESS

The CWCOG is committed to providing safe, reliable, and accessible services and welcomes customer feedback. ADA complaints and questions about the CWCOG’s ADA complaint process may be submitted to the CWCOG’s ADA Coordinator using the contact methods listed at the beginning of this policy.

The CWCOG is committed to responding promptly to all complaints that have valid contact information.

The CWCOG will retain copies of complaints, investigation and resolution documentation, and the CWCOG’s response in accordance with the record retention requirements of the Washington State Archives Office and Washington State Department of Transportation Consolidated Grant Program.

The ADA complaint process will be available to the general public in the same manner it uses to disseminate its other policies and procedures including the use of the organization’s website. The ADA Complaint form (Appendix A) will be maintained on the agency website as well.

COMPLAINT PROCEDURE

The grievance procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to appeal the decision of a department in response to a request for accommodation or modification of services, activities, programs or benefits by the CWCOG. This grievance procedure does not apply to complaints alleging discrimination in employment policies or practices. This grievance procedure is established to provide a vehicle that will allow objective fact finding to occur, followed by a discussion of options, with mediation that attempts to find a mutually acceptable solution to any issue identified. The goal of this process is to preclude the need to grieve or appeal a request for accommodation to another level of government.

GRIEVANCE PROCEDURE

The complainant and/or his/her designee should submit the grievance as soon as possible, but no later than 60 calendar days after the alleged discrimination, to the CWCOG's ADA Coordinator.

The complaint should be in writing and contain the following information about the alleged discrimination: Name, address, phone number of complainants; location, date, and description of the alleged discrimination; and date and name of agency representative involved in the alleged discrimination. Upon request, alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities.

The ADA Coordinator will consult with CWCOG management on all grievances filed against the agency. The individual filing the grievance may be asked to meet with the Executive Director to discuss the issue in order to allow said Director to facilitate a resolution of the issue.

Within 15 calendar days after receipt of the complaint, the CWCOG's ADA Coordinator and Executive Director will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days of the meeting, the CWCOG's ADA Coordinator and/or Executive Director will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The

response will explain the position of the CWCOG and offer options for substantive resolution.

If the response by the CWCOG's ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response by the CWCOG's ADA Coordinator and/or Executive Director.

Within 15 calendar days after receipt of the appeal, the CWCOG's ADA Coordinator and Executive Director will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the CWCOG's ADA Coordinator and/or Executive Director will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the CWCOG's ADA Coordinator, appeals to the said Coordinator and/or Executive Director, and responses will be retained by the CWCOG for at least three years.

**Cowlitz-Wahkiakum Council of Governments (CWCOG)
Disability Accommodation Form**



1. Information about the accommodation requested including timing, location and purpose.

2. Describe the disability for which you are requesting an accommodation.

3. Describe what accommodation you are requesting and explain why this specific accommodation is necessary.

4. Provide any information that you think would help the CWCOG respond to your request.

5. Contact information:

Your Name: _____

Address: _____ City: _____ Zip: _____

Home/Mobile: _____ Work: _____

Best time of day to contact you about this complaint: _____

Email: _____

Signed: _____ Date: _____

___ **Accommodation Granted:**

___ In whole ___ In part (specify): _____

Alternative (specify): _____

Dates accommodation will be provided: _____

___ **Accommodation Denied**

Requested accommodation denied because:

___ The person requesting the accommodation failed to satisfy the requirements of need or failed to file a complete request.

___ Permitting the person to participate in the event or activity with the requested accommodation creates a direct threat to the safety or well-being of the person requesting accommodation or others (explain): _____

___ The requested accommodation creates an undue financial or administrative burden for the CWCOG or fundamentally alters the nature of the service, program, or activity (explain): _____

Basis for finding: _____

Additional findings: _____

___ Notice of the right to file a complaint: Does not apply.

___ Your request for accommodation was denied in whole or in part as indicated above. You have a right to file an ADA complaint with the U.S. Department of Justice Civil Rights Division or other applicable federal or state agency.

**Cowlitz-Wahkiakum Council of Governments (CWCOG)
Disability Complaint / Grievance Form**



If you would like to submit a disability complaint to the CWCOG, please fill out the form below and send it to the address below. For translation or assistance, or for a copy of CWCOG’s ADA Plan, see https://www.cwcog.org/about/#_policies or contact TitleVI-ADA@cwco.org.

Cowlitz-Wahkiakum Council of Governments
Attn: ADA Coordinator
PO Box 128, Kelso
WA 98626-0128.

BASIS OF COMPLAINT:

Date of alleged incident: _____

Who discriminated against you?

Name: _____

Name of Organization: _____

Address: _____ City: _____ Zip: _____

Telephone _____

Explain what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. If you have any other information about what happened, please attach supporting documentation to the form. (Attach additional pages if more space is needed.)

What remedy are you seeking for the alleged discrimination? Please note that this process will not result in the payment of punitive damages or financial compensation. _____

List any other persons that we should contact for additional information in support of your complaint. Please list their names, phone numbers, address, email address below.

Have you filed your complaint, grievance, or lawsuit with any other agency or court? _____

With Whom: _____ When: _____

Status (pending, resolved, etc.): _____

Result, if known: _____

Complaint or case number, if known: _____

Do you have an attorney in this matter? _____

Attorney Name (print): _____

Attorney Phone: _____

COMPLAINANT INFORMATION:

Your Name: _____

Address: _____ City: _____ Zip: _____

Home/Mobile: _____ Work: _____

Best time of day to contact you about this complaint: _____

Email: _____

Signed: _____ Date: _____

Cowlitz-Wahkiakum Council of Governments (CWCOG)

A Resolution Approving the)
CWCOG Americans with) RESOLUTION 26-21
Disabilities Act (ADA) Policy)

WHEREAS, the Cowlitz-Wahkiakum Council of Governments (CWCOG), as established under RCWs 36.64.080-110, is held accountable to the laws, regulations, and contractual certifications of a government agency receiving federal, state and local funds; and

WHEREAS, the CWCOG, as a recipient of federal and state funding, is required to adhere to funding guidelines certifying that required policies are implemented on an agency-wide level; and

WHEREAS, the CWCOG is committed to compliance with Section 504 of the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act (ADA), signed into law on July 26, 1990; and RCW 49.60, Washington’s Law Against Discrimination (WLAD); and

WHEREAS, to establish guidance for the employees, officers, board, and committee members in providing transparency to the public, the CWCOG authored a policy by which to fulfill the objectives and regulations for ADA state and federal compliance;

NOW THEREFORE, BE IT RESOLVED that the CWCOG Board of Directors does hereby approve Resolution 26-21 adopting the CWCOG’s Americans with Disabilities Act (ADA) Policy as presented.

PASSED AND APPROVED on this 28th day of May 2026.



William A. Fashing, Executive Director



Mike Karnofski, Chair