

NATURAL EPICUREAN ACADEMY OF CULINARY ARTS
POLICY FOR ENSURING EFFECTIVE COMMUNICATIONS WITH
INDIVIDUALS WITH DISABILITIES

It is the policy of the Natural Epicurean Academy of Culinary Arts (“Academy”) to not discriminate against any individual on the basis of disability in the full and equal enjoyment of its goods, services, facilities, privileges, advantages, or accommodations, including the Academy’s training programs and events sponsored, organized, or hosted by the Academy that are open to the general public.

Accordingly, the Academy will ensure that communications with individuals with disabilities are as effective as communications with individuals without disabilities, consistent with the requirements of Title III of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12181 - 12189, and the regulation implementing Title III, 28 C.F.R. pt. 36. To meet this obligation, the Academy will provide, free of charge, appropriate auxiliary aids and services, whenever necessary, to ensure that individuals with disabilities have an equal opportunity to participate in and benefit from the Academy’s goods, services, facilities, privileges, advantages, and accommodations unless the Academy can demonstrate that taking those steps would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations being offered or would result in an undue burden, i.e., significant difficulty or expense. To the extent the provision of a particular auxiliary aid or service by the Academy would result in a fundamental alteration or an undue burden, the Academy shall provide an alternative auxiliary aid or service, if one exists, that would not result in a fundamental alteration or undue burden but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the goods, services, facilities, privileges, advantages, or accommodations offered by the public accommodation. 28 C.F.R. §§ 36.301(c), 36.303. This policy applies to all members of the public, including students and prospective students, who interact with the Academy.

1. **Appropriate Auxiliary Aids and Services**

Appropriate auxiliary aids and services include a wide variety of equipment, materials, and services that may be necessary to ensure effective communication for people with disabilities. 28 C.F.R. § 36.303.

- **For people who are deaf, are hard of hearing, or have speech impairments,** appropriate auxiliary aids include, but are not limited to, qualified oral/sign language interpreters (including on-site and video remote interpreting (VRI))

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*Any questions about this policy should be directed to Lorena Basteris,
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services), written notes, note takers, computer-assisted real-time transcription services, video text displays, amplified and hearing-aid-compatible telephones, assistive listening systems, open or closed captioning and caption decoders, teletypewriters (TTYs), computer terminals equipped for video communication, and other effective methods of making information or materials delivered using sound available to individuals who are deaf or hard of hearing.

- **Qualified interpreters.** The term “qualified interpreter” includes “sign language interpreters,” “oral interpreters,” or other “interpreters” who, via video remote interpreting (VRI) service or an on-site appearance, are able to interpret competently, accurately, and impartially, both receptively and expressively, using any specialized terminology necessary for effective communication with an individual who is deaf or hard of hearing or who has a speech impairment, given that individual’s language skills and education. Not all interpreters are qualified to interpret in all situations. For example, an interpreter who is qualified to interpret using American Sign Language (ASL) is not necessarily qualified to interpret orally. Also, someone who has only a rudimentary familiarity with sign language or finger spelling is not a “qualified sign language interpreter.” Likewise, someone who is fluent in sign language but who does not possess the ability to interpret specialized terminology, process spoken communication into the proper signs, or observe someone signing and translate their signed or finger-spelled communication into spoken words is not a qualified sign language interpreter. 28 C.F.R. §§ 36.104, 36.303(b). Although an interpreter may be certified, a certified interpreter is not necessarily “qualified.” Similarly, certification is not required in order for an interpreter to be “qualified.”
- **Situational assessment.** The term “situational assessment” means any discussion or evaluation of a student or prospective student’s needs for auxiliary aids and services in the context of any educational program offered by the Academy.
- **Determining which auxiliary aids and services are appropriate.** In determining which types of auxiliary aids and services to provide, the Academy will consult the requesting individual with a disability to determine what type of auxiliary aid is needed to ensure effective communication.

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2. Requests for Auxiliary Aids and Services

Whenever possible, requests for auxiliary aids and services should be directed to Lorena Basteris Rubio, Manager of Student Services & Lead Admissions Counselor, at (512) 476-2276 or lorenar@naturalepicurean.com. Requests can be made by an individual with a disability who needs the auxiliary aids or services or by someone acting on that individual's behalf. When Ms. Rubio is not available to receive a request, the request may be directed to Rosa Vera, Director of the Professional Chef Academy, at (512) 841-6475 or rosav@naturalepicurean.com. Requests can be made either in writing or orally. Requests should be made in advance, whenever possible, in order to better enable the Academy to address the communication needs of the individual. However, the Academy will address all requests for auxiliary aids and services promptly and in accordance with ADA requirements.

- **Open houses and tours.** For all open houses, tours, and similar events conducted by the Academy, the Academy shall provide, at its own expense, a qualified interpreter for any individual who is deaf or hard of hearing, provided that the individual notifies the Academy at least seven days before the event of a request for a qualified interpreter.
- **Situational assessments.** In the event that a student or prospective student requests a situational assessment at no charge to the Academy, the Academy shall allow and cooperate in that situational assessment.
- **The Academy will respond to requests for auxiliary aids and services promptly.** Upon receipt of notification that any auxiliary aids and services will be necessary, the Academy will confer with the individual with the disability to ascertain the individual's needs. The Academy will respond promptly to all requests for auxiliary aids and services to ensure that individuals with disabilities have a full and equal opportunity to participate in, and benefit from the goods, services, facilities, privileges, advantages, or accommodations offered the Academy. Generally, the Academy will neither request nor require documentation of disability.

3. The Academy Will Provide Auxiliary Aids and Services Free of Charge

People with disabilities must not be asked to pay or be charged for the cost of an auxiliary aid or service needed for effective communication. 28 C.F.R. § 36.301(c). Accordingly,

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the Academy will provide auxiliary aids or services needed for effective communication free of charge unless the cost of providing such auxiliary aids and services constitutes an undue burden, in which case the Academy shall provide an alternative auxiliary aid or service, if one exists, that would not result in an undue burden but would nevertheless ensure that, to the maximum extent possible, people with disabilities receive the goods, services, facilities, privileges, advantages, or accommodations offered by the Academy.

4. **Nonretaliation**

The Academy will not retaliate against or coerce in any way any person who made, or is making, a complaint according to the provisions of this Agreement or exercised, or is exercising, his or her rights under this Agreement or the ADA.