



BioGals Disability and Nondiscrimination Plan

BioGals, a 501-C Nonprofit Entity, is committed to providing persons with disabilities equal opportunity to participate in or benefit from its programs, services, and activities through its compliance with Section 504 of the Rehabilitation Act of 1973.

BioGals recognizes that persons with disabilities may need reasonable modifications to have equal opportunities to participate in or benefit from BioGals's programs, services, and activities.

It is BioGals's policy that no otherwise qualified individual with a disability will be denied access to or participation in any program, service, or activity offered by BioGals. BioGals will administer programs, services, and activities in the most integrated setting appropriate to the needs of qualified persons with disabilities.³

BioGals will seek to procure appropriate auxiliary aids and services where necessary to afford people with disabilities an equal opportunity to participate in and benefit from the programs, services, and activities provided by BioGals. Auxiliary aids and services may include qualified interpreters to individuals who are deaf or hard of hearing and must be provided in a timely manner and in such a way as to protect the privacy and independence of the individual. Persons with disabilities have a right to request reasonable modifications to allow them to participate in or benefit from BioGals's services and activities.

BioGals and any of its agents will not coerce, intimidate, retaliate against, or discriminate against any individual for exercising a right under Section 504, or for assisting or supporting another to exercise a right under Section 504.

This Program and Policy applies to all BioGals subaward recipients and contractors.

Definitions

The definition of "disability" shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of Section 504. The question of whether an individual meets the definition of "disability" should not demand extensive analysis or undue burden.

A. Disability means, with respect to an individual:

1. a physical or mental impairment that substantially limits one or more of the person's major life activities;
2. a history of such an impairment; or
3. being regarded as having such an impairment.

B. Qualified Individual with a Disability is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural,

communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by BioGals.

Nondiscrimination & Civil Rights Coordination

BioGals has less than 15 employees and nondiscrimination coordination falls under the purview of the Chief Executive Officer. BioGals' efforts to comply with 40 C.F.R. part 7, including ensuring adherence to the BioGals' Nondiscrimination Policy 1.1.

- A. BioGals will administer its programs, services, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
- B. BioGals will arrange access to technology or an individual to provide translation services to persons with limited English proficiency.
- C. BioGals will provide periodic in-service training for Board Members and/or individuals participating in BioGals' experiences, to develop their awareness and understanding of antidiscrimination and the needs of persons with disabilities and legal compliance issues.

Program Accessibility

Consistent with BioGals's self-assessment, BioGals will consider the extent to which any BioGals facilities are "public facilities" or will be used by the public. BioGals will operate its programs and activities out of those facilities consistent with 40 C.F.R. § 7.65 so that, when each program or activity is viewed in its entirety, it is readily accessible to and usable by persons with disabilities.

A. Existing Facilities:

- 1. BioGals will avoid use of public facilities with limited accessibility for persons with disabilities, unless said facility has alternative plan on file accepted by authority.
- 2. Evacuation procedures will be developed by BioGals for persons with disabilities.

B. New Construction and Alterations:

Each facility or part of a facility constructed by, on behalf of, or for the use of BioGals will be designed and constructed in such a manner that the facility is readily accessible to and usable by persons with disabilities. Alterations to existing facilities shall, to the maximum extent feasible, be designed and constructed to be readily accessible to and usable by persons with disabilities.

C. BioGals BLACK GOLD PROJECT Facility Use:

Contractual or lease agreements for the use of BioGals facilities will ensure that any program, service, or activity in that facility is accessible. If a program, service, or activity is not wholly operated by BioGals, BioGals will attempt to assure that these programs, services, or activities provide an equal opportunity for the participation of persons with disabilities.

Reasonable Modifications and Auxiliary Aids and Services:

No participant with a disability in a BioGals program, service or activity will be denied the benefits of, be excluded from participation in, or be otherwise discriminated against in the provision of services available to all individuals in general.

Each individual is responsible for making requests regarding reasonable modifications or auxiliary aids or services to meet their particular needs to enable BioGals to provide an appropriate response to the request. However, the failure to request a reasonable modification or auxiliary aid or service does not always excuse the BioGals from providing a reasonable modification or auxiliary aid or service, as long as it does not result in a fundamental alteration or undue burden.

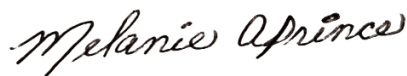
All auxiliary aids, services used by persons with disabilities to provide access to BioGals programs, services, and activities need not be on hand or present at all times.

BioGals does not need to provide a reasonable modification or auxiliary or service that would fundamentally alter the nature of the program, service, or activity, for example, requiring waiver of essential program or licensure requirements; violating accreditation requirements; or posing an undue administrative burden on BioGals.

In determining reasonable modifications or appropriate auxiliary aids or services, BioGals considers the wishes of the individual.

BioGals will not require an individual with a disability to accept a modification, aid, service, opportunity, or benefit under any circumstances.

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