

## **DEPARTMENT OF ENERGY & NATURAL RESOURCES**

**Administrative Policy No.: 25**

**EFFECTIVE DATE: FEBRUARY 16, 2024**

**SUBJECT: DISABILITY ACCOMODATIONS FOR OPEN PUBLIC MEETINGS**

**AUTHORIZATION: MARK NORMAND, JR., UNDERSECRETARY**

### **I. POLICY**

In accordance with Act 452 of the 2021 Regular Session of the Louisiana Legislature and through the provisions of R.S. 49:962, Department hereby adopts this policy to provide accommodations, upon request, to people with disabilities to participate in open meetings held by the department, its boards, commissions and any other of its agencies. This policy is necessary to remove barriers that may prevent individuals with disabilities from participation in the public policy making process. It gives access to people with disabilities so that they may participate in the administration of the government.

Further, Act 393 of the 2023 Regular Session amended Louisiana's Open Meetings law to provide electronic, telephonic or alternate participation in open meetings as an accommodation for people with disabilities

### **II. PURPOSE**

This policy establishes a procedure for complying with the disability accommodations portion of Act 393 of the 2023 Regular Session.

### **III. APPLICABILITY**

This policy, applicable to all employees or members engaged in any way with open public meetings held by the department, its boards, commissions and any other of its agencies. This policy is in addition to, but does not supersede any other requirements or procedures relative to disability accommodation established by law or by internal DENR policy.

### **IV. PROCEDURE**

- A. Although an open meeting may be scheduled as in-person, the department, board or commission is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.
- B. People with disabilities are defined as any of the following:
  - 1. A member of the public with a disability recognized by the Americans with Disabilities Act (ADA);

2. A designated caregiver of such a person; or
  3. A participant member of the agency with an ADA-qualifying disability.
- C. The department, board or commission shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.
- D. Upon receipt of an accommodation request, the designated agency representative is only permitted to ask if the requestor has an ADA-qualifying disability or is a caregiver of such a person (yes or no). The requestor shall not be required to complete a medical inquiry form or disclose the actual impairment or medical condition to support a disability accommodation request.
- E. The designated agency representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

## **V. EXCEPTIONS**

There shall be no exceptions to this policy.

## **VII. QUESTIONS**

Questions regarding this policy should be directed to the Department's ADA Coordinator or to the Legal Division.

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**MARK NORMAND, JR.**  
**UNDERSECRETARY**

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**INITIAL ISSUE DATE: 2/24**