**Section 1725.10 Definitions**

"ADA" is the Americans With Disabilities Act of 1990 [42 USC 12101 et seq.].

"ADA/Civil Rights Program Coordinator" or "Coordinator" is the employee, or other designated individual, appointed by the Director who is responsible for the coordination of efforts at the Department to comply with and carry out its responsibilities under Title II of the ADA and other federal and State civil rights laws. The ADA/Civil Rights Program Coordinator can be contacted through the main office of the Department at 421 East Capitol Avenue, #100, Springfield, Illinois 62701-1789.

"Complainant" is a qualified individual with a disability or a protected person who files a timely grievance based on either the denial of a request for reasonable accommodation or allegations of discrimination on the intake form set out in Appendix A in accordance with the procedures in this Part.

"Department" means the Illinois Department on Aging.

"Director" means the Director of the Department.

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of that individual; a record of the impairment; or being regarded as having an impairment. (See 28 CFR 35.104.)

"Grievance" is a written appeal of the denial of a request for reasonable accommodation under the ADA, or a complaint of alleged discrimination under other federal and State civil rights laws, that is made by an individual with a disability or a protected person who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, service, or activity offered by the Department, and who:

believes that he or she has been excluded from participation in, or denied the benefits of, any program, service, or activity of the Department on the basis of his or her disability; or

has been subject to discrimination by the Department on the basis of protected classification characteristics under federal or State civil rights law. Programs, services, or activities of the Department include those administered by entities on behalf of the Department under a contract, a grant, or any other legally binding agreement.

"Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (See 28 CFR 35.104.)

"Physical or mental impairment" means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (See 28 CFR 35.104.)

"Protected person" means an individual who is protected against discrimination under federal and State civil rights laws based on classification characteristics such as age; ancestry, citizenship, color, national origin or race; creed or religion; disability; familial status, gender, sex, or sexual orientation; military status or unfavorable discharge from military service; or retaliation for having opposed an unlawful practice; and meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Department.

"Qualified individual with a disability" means an individual with a disability who, with or without a reasonable accommodation 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 the Department. (See 28 CFR 35.104.)

"Reasonable accommodation" means modifications or adjustments to programs, services, or activities that enable a qualified individual with a disability to participate in, or enjoy the benefits of, those programs, services, or activities.

"Undue hardship" means, with respect to the provision of an accommodation, significant difficulty or expense incurred by the Department.