

ADA GRIEVANCE POLICY AND PROCEDURES

This grievance procedure has been developed to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations, which implement Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. Grievances should be filed with the City's Human Resources Department at:

City of Rowlett
Human Resources Department
ATTN: ADA Coordinator
4002 Main St.
Rowlett, TX 75088

The Grievance Procedure consists of the following:

1. A complaint should be filed in writing (but can be submitted in alternate format due to the needs of an individual's disability), containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations or discriminatory act.
2. A complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, will follow the filing of a complaint and will be conducted by the City's ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. The City's ADA Coordinator under the direct supervision of the HR Director will provide for review for the City Attorney, a written determination, as to the validity of the complaint and a description of the resolution, if any, and a copy will be forwarded to the City Manager, along with the original complaint, no later than thirty (30) days after its filing.

5. The City's ADA Coordinator will maintain the files and records of the City of Rowlett relating to all ADA grievances/complaints filed.
6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice at (800) 514-0301. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules will be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the City of Rowlett complies with the ADA and implementing regulations.

This information can be made available in an alternate format and the grievance can be submitted in an alternate format.



**CITY OF ROWLETT ADA
GRIEVANCE FORM**

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Location of Problem: _____

Description of Problem: _____

****Please attach additional pages if needed***

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 30 calendar days after the alleged violation to:

City of Rowlett, Human Resources Department ATTN:
ADA Coordinator
4004 Main Street
Rowlett, TX 75088
employment@rowlett.com
972-412-6182

Reasonable Modification Policy

Access to Programs, Services, and Activities

NON-DISCRIMINATION

No person shall, on the grounds of race, color, or national origin, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any City program or activity.

INDIVIDUALS WITH DISABILITIES

No qualified individual with a disability shall, because of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the City, or be subjected to discrimination by the City. Nor shall the City exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability of an individual with whom the individual is known to have a relationship or association.

DEFINITION

A "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 the City.

REASONABLE MODIFICATION

The City shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination based on disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

COMMUNICATIONS

The City shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the City. In determining what

type of auxiliary aid or service is necessary, the City shall give primary consideration to the requests of the individual with disabilities.

AUXILIARY AIDS AND SERVICES

"Auxiliary aids and services" includes:

1. Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments
2. Qualified readers, taped texts, audio recordings, brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments
3. Acquisition or modification of equipment or devices
4. Other similar services and actions.

LIMITS OF REQUIRED MODIFICATION

The City is not required to take any action that it can demonstrate would result in a fundamental alteration of a service, program, or activity or in undue financial and administrative burdens. Any decision that compliance with its responsibility to provide effective communication for individuals with disabilities would fundamentally alter the service, program, or activity or unduly burden the City shall be made by the ADA Coordinator after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

NOTICE

The City shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the City. The information shall be made available in such manner as the City ADA Coordinator finds necessary to apprise such persons of the protections against discrimination assured them by the ADA.

City ADA Coordinator

The City ADA Coordinator shall coordinate the City's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to it alleging its noncompliance



or alleging any actions that would be prohibited under the ADA. The City shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA.