

ADA Notice and Grievance Procedure

Notice Under the Americans with Disabilities Act

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Valparaiso will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Valparaiso does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The City of Valparaiso will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Valparaiso's programs, services, and activities. Requests for accessible/alternate formats can be made by contacting the ADA Coordinator and City Administrator at (219) 462-1161.

Modifications to Policies and Procedures: The City of Valparaiso will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Valparaiso offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Valparaiso, should contact the ADA Coordinator and City Administrator, (219) 462-1161, as soon as possible but no later than 5 business days before the scheduled event.

The ADA does not require the City of Valparaiso to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the City of Valparaiso is not accessible to persons with disabilities should be directed to the ADA Coordinator.

The City of Valparaiso will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

City of Valparaiso Americans with Disabilities Act Grievance Procedure

This Grievance Procedure is to provide for prompt and equitable resolution of complaints

alleging any action that is prohibited by Title II of the American with Disabilities Act ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Valparaiso. Due to the varying circumstances of each grievance, the resolution of any one grievance by the City does not represent a standard upon which the City is bound or upon which other complaining parties may rely. The City's ADA Coordinator shall maintain all ADA grievance files for a period of three years.

The procedure to file a grievance is as follows:

Step 1. The complaint of the alleged discrimination should be filed on an ADA Grievance Form. If the complaint is not filed on the Grievance Form, it should nonetheless contain the following information:

- Name, address, and telephone number of the person filing the grievance.
- Name, address, and telephone number of the person discriminated against on the basis of disability, if other than the person filing the grievance.
- Location, date, and description of the problem
- State whether a complaint has been filed with the US Department of Justice or other federal or state civil rights agency or court.
- Identify agency or court where the other complaint was filed. Include filing date, and the name, address, and telephone number of a contact person with the agency with which the complaint was filed.

The complaint should be submitted by the grievant as soon as possible, but no later than 60 calendar days after the alleged violation to: City Administrator, ADA Coordinator, 166 Lincolnway, Valparaiso, IN 46383

Step 2. The grievance shall be responded to or acknowledge in writing within 15 calendar days of receipt.

Step 3. Validity of the alleged discrimination shall be discerned by the ADA Coordinator by conducting an investigation within 30 calendar days of receipt. If appropriate, the ADA Coordinator shall arrange to meet with the grievant to discuss the matter. Within 15 calendar days of the meeting or completion of investigation, the ADA Coordinator shall respond in writing, explaining the position of the City of Valparaiso, and offer options for substantive resolution of the complaint. Any resolution of the grievance shall be documented in the City's ADA Grievance File.

Step 4. If ADA Coordinator's response does not satisfactorily resolve the issue, the grievant may appeal the decision within 15 calendar days after receipt of the response to the Board of Public Works and Safety. The appeal shall be in writing and filed with the Board of Public Works and Safety, 166 Lincolnway, Valparaiso, IN 46383. Within 30 calendar days after receipt of the appeal, the Board shall review the appeal and make a final determination in writing.

Step 5. The City's grievance procedure is not required to seek out other remedies. If the grievant is unsatisfied with the City's management of the grievance at any stage of the process or does not wish to file a grievance through the City, the grievant may file a complaint directly with the US Department of Justice or other appropriate state or federal agency.

City of Valparaiso ADA Grievance Form

Please read the attached Complaint, Grievance and Appeal Process Policy & Procedures
Please Print Clearly

Today's Date: _____

Grievant: _____

Address: _____

City, State, Zip: _____

Individual Discriminated Against: _____

Address: _____

City, State, Zip: _____

Alleged Violation: Date(s) of Occurrence: _____

Describe violation and identify City department involved: _____

Has complaint been filed with a State or Federal agency: _____ **YES** _____
NO

Name of Agency: _____ **Date Filed:** _____

Contact Person: _____

Address: _____

Phone: _____

Grievant's Signature: _____

For a complaint to be acted upon, it must be documented in writing with the complainant's signature and address. The initial complaint, whether verbal or written, should be directed to the ADA Coordinator and City Administrator within 60 calendar days of incident. Forms are available on the City's website (www.Valpo.us) and at Valparaiso City Hall, 166 Lincolnway, Valparaiso, IN 46383. Alternate formats are available upon request. If you require assistance completing this form please call: (219) 462-1161.