

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

The City of Santa Maria has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the United States Department of Justice regulations implementing Title II of the Americans with Disabilities Act ("ADA"). Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints should be addressed to Wendy Stockton, Senior Deputy City Attorney, 204 East Cook Street, Santa Maria, CA 93454 [telephone (805) 925-0951, x310], who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow filing of a complaint. The investigation shall be conducted by a neutral person which may include the ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the investigator and a copy forwarded to the complainant, normally no later than ten (10) days after the complaint's filing.
5. The ADA coordinator shall maintain the files and records of the City of Santa Maria relating to the complaints filed.
6. The complainant may request a reconsideration of the case if s/he is dissatisfied with the determination and resolution. The request for reconsideration must be addressed to the disability coordinator and made within ten (10) days of the determination and resolution's deposit in first-class mail.
7. The right of a person to a prompt and equitable resolution of the complaint filed under this procedure shall 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. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the City of Santa Maria complies with the ADA and implementing regulations.