

CLARK REGIONAL WASTEWATER DISTRICT	PROCEDURE #007-2015	Americans with Disabilities Act Access
	CRWWD Code:	OTHER:

PURPOSE

The District seeks to provide access to all interested parties to participate equally in the District’s programs and services. Upon request, the District will provide appropriate aids and services leading to effective communication for qualified persons with disabilities. The purpose of this procedure is to provide prompt and equitable communication and resolution of Americans with Disabilities Act (ADA) concerns for District Stakeholders.

REQUEST FOR ACCOMODATION

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 District, should contact the ADA Coordinator (the District’s HR Generalist), orally or via email, as soon as possible, but no later than 48 hours before the scheduled event. The ADA coordinator shall consider each request and determine if the request can be reasonably granted without imposing undue financial or administrative burden or requiring the fundamental altering of the nature of its programs or services. The ADA coordinator, or designee, shall respond to each request within two business days of its receipt. In the event of an emergency or due to unavoidable mitigating circumstances, the ADA Coordinator, or designee, shall respond as soon as reasonably possible. The District’s ADA Coordinator is also available to disabled persons requiring assistance to file a request or grievance. Communications with an applicant or grievant will be made in a format accessible to the individual.

GRIEVANCE

If a request for access to programs, services or facilities is not resolved to the individual’s satisfaction, that individual may file a grievance either orally or in writing by contacting the ADA Coordinator. The District has adopted this internal access procedure to provide for prompt and equitable resolution of complaints alleging any action that is prohibited by Title II of the ADA.

The procedure to file a grievance under this policy is as follows:

Step 1. An individual wishing to submit a grievance pursuant to this policy should use the District’s ADA Discrimination Complaint Form, which is available through the ADA Coordinator and on the District’s Website: www.CRWWD.com/documents/ADA-Discrimination-Complaint-Form.pdf. If the grievance is not filed on the Discrimination Complaint Form, it should nonetheless contain the following information:

1. The name, address and telephone number of the person filing the grievance.
2. The name, address and telephone number of the person alleging the ADA violation, if other than the person filing the grievance.
3. A description of the alleged violation and the remedy sought.
4. Information regarding whether a complaint has been filed with the Department of Justice or other federal or state civil rights agency or court.
5. If a complaint has been filed, the name of the agency or court where the complaint was filed, the date the complaint was filed, and the name, address and telephone number of a contact person with the agency with which the complaint was filed.
6. An oral grievance can be filed by contacting the ADA Coordinator. The oral grievance will be reduced to writing by the ADA Coordinator utilizing the ADA Discrimination Complaint Form and will be signed by grievant.

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Step 2. The grievance will be either responded to or acknowledged within 15 business days of receipt.

Step 3. Within 45 calendar days of receipt, the ADA Coordinator will conduct the investigation necessary to determine the validity of the alleged violation. If appropriate, the ADA Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution of the grievance. Any informal resolution of the grievance will be documented in the District's ADA Grievance File.

Step 4. If an informal resolution of the grievance is not reached, a written determination as to the validity of the complaint and description of the resolution, if appropriate, shall be issued by the ADA Coordinator and a copy forwarded to the grievant no later than 60 calendar days from the date of the District's receipt of the grievance.

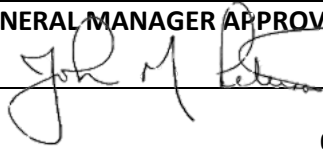
Step 5. The grievant may request reconsideration if he/she is dissatisfied with the written determination. The request for reconsideration shall be in writing and filed with the ADA Coordinator within 30 days after the ADA Coordinator's determination has been mailed to the grievant. The General Manager shall review the request for reconsideration and make a final determination within 60 days from the filing of the request for reconsideration.

Step 6. If the grievant is dissatisfied with the District's handling of the grievance at any stage of the process or does not wish to file a grievance through the District's ADA Access Procedure, the grievant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency. Use of the District's Access procedure is not a prerequisite to the pursuit of other remedies.

The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs or facilities of issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service or facility, or cause an undue hardship to the District. Accordingly, the resolution by the District of any one grievance does not constitute a precedent upon which the District is bound or upon which other complaining parties may rely.

File Maintenance

The District's ADA Coordinator shall maintain ADA grievance files for a period of three years.

PREPARED BY: Business Services	REVIEWED BY: All Departments	GENERAL MANAGER APPROVAL: 
EFFECTIVE:		05/11/15
REVIEW DATE:		08/27/19