Grievance Procedure for the City of Santa Maria for Complaints Arising Under Title II of the Americans with Disabilities Act of 1990

It is the policy of the City of Santa Maria to provide access to its facilities, programs, services and activities, for persons with disabilities in accordance with Title II of the Americans with Disabilities Act ("ADA") of 1990, as amended. The City of Santa Maria has adopted a grievance procedure providing for prompt and equitable resolution of complaints alleging noncompliance with the ADA.

I. Requests Related to City Facilities, Programs, Services or Activities

a. The City of Santa Maria 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's programs, services, and activities, including qualified sign language interpreters and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

b. The City of Santa Maria 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. The ADA does not require the City of Santa Maria to take any action that would fundamentally alter the nature of its programs or services, impose an undue financial or administrative burden upon the City, or pose a direct threat to the health and safety of the public.

c. 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 Santa Maria, should contact the office of the City's ADA Coordinator:
Drew Summerfield
City of Santa Maria
110 E. Cook Street
Santa Maria, CA 93454
Phone:(805) 925-0951, ext. 2394
ADA@cityofsantamaria.org

Any request related to a specific scheduled event must be made at least 3 business days before the scheduled event.

General requests for accommodation concerning an auxiliary aid or service for effective communication, or access to City facilities, programs, services or activities can also be made to the handling department directly. Any requests made directly to the handling department will be forwarded to the City's ADA Coordinator, who shall oversee the City's response.

II. Complaints Related to City Facilities, Programs, Services or Activities

Complaints concerning access to City facilities, programs, services or activities should be addressed to the City's ADA Coordinator:

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a. A complaint may be filed in writing or, when requested as an accommodation, in another format (including by telephone) that accommodates the constituent's disability. The complaint should provide the constituent's name, address and phone number, a detailed description of the incident, barrier or condition, the location, date and time of the incident. The constituent may use the ADA Title II Complaint/Assistance Form found on the City's website.

b. Upon receipt of a complaint with all of the information required under subsection II. a, the City's ADA Coordinator may provide the appropriate departmental manager(s), director(s) or supervisor(s) with a copy of the complaint. Depending on the nature of the grievance, either the ADA Coordinator or the Department will conduct an investigation. The Department may seek assistance of the ADA Coordinator or the City Attorney to investigate and respond to the complaint. These rules contemplate informal but thorough investigations that afford the constituent a thorough review and appropriate response.

c. Within 30 calendar days of the receipt of the complaint with all of the information required under subsection II. a, a written response will be sent to the constituent.

d. The ADA Coordinator will maintain a file relating to each complaint and the response thereto for three years.

e. The constituent can request an appeal of the ADA Coordinator's decision if he or she is dissatisfied with the resolution. The request for appeal should be addressed to the ADA Coordinator in writing, or when requested by the constituent as an accommodation, in an alternative format accessible to the constituent, within 10 business days of the issuance of the City's response to the complaint.

f. The ADA Coordinator will inform the appropriate designated ADA Appeals Board of the request for appeal. The ADA Appeals Board will then advise the constituent that he or she may submit any additional information for the ADA Appeals Board's consideration within 15 business days. The ADA Appeals Board may, at its discretion, hold an in person meeting with the constituent. The

ADA Appeals Board will then make his or her determination after reviewing all of the evidence presented. The ADA Appeals Board's response must be approved by the City Manager prior to being sent to the constituent. The response shall be provided within 60 business days of the City's receipt of the request for appeal. If the constituent is dissatisfied with the response of the ADA Appeals Board, he or she may contact either the U.S. Department of Justice or seek private counsel.

g. This Grievance Procedure will be posted in prominent locations in major City facilities. Upon request, it will be made available in alternative formats by contacting the ADA coordinator at the address set forth above.

h. These rules will be construed to protect the substantive rights of the constituent and assure that the City of Santa Maria complies with Section 504 and the ADA and their implementing regulations.

III. Employment

The City of Santa Maria 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. Complaints alleging discrimination against applicants or employees on the basis of disability will be handled through a separate process than the one outlined above, and should be addressed to:

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CLICK HERE FOR THE COMPLAINT/ASSISTANCE FORM